

SUMMARY STATEMENT

Veterans Park Neighborhood Association, Inc. v. City of Boise Docket No. 51027-2023

This case concerned a challenge to the Boise City Council's approval of Interfaith Sanctuary Housing Services, Inc.'s (the "Interfaith Sanctuary") application for a conditional use permit ("CUP"). The Interfaith Sanctuary sought to relocate from its downtown facility and operate a new shelter home facility in Northwest Boise. After many hours of testimony and public comment, the Planning and Zoning Commission ("PZC") denied the application, concluding that it could not be "conditioned into compliance" with the Boise City Code and the City's Comprehensive Plan. The Interfaith Sanctuary appealed the decision to the Boise City Council, which ultimately reversed the Commission's decision and granted the CUP, subject to 30 "conditions of approval." Veteran's Park Neighborhood Association, Inc. ("VPNA"), a neighborhood association near the proposed location for the facility, sought reconsideration of the City Council's decision, which was denied.

VPNA next petitioned for judicial review with the district court, which upheld the City Council's grant of the CUP. VPNA then appealed to the Idaho Supreme Court. On appeal, VPNA argued that because the City Council's decision to overturn the PZC's denial of the CUP was arbitrary and capricious and based on unlawful procedure, the district court erred in affirming it. VPNA also asserted that the City Council's reasoned statement was inadequate under the Local Land Use Planning Act ("LLUPA") and prejudiced VPNA's substantial rights.

The Idaho Supreme Court agreed, holding that the City Council's decision to overturn the PZC's denial of the CUP was arbitrary and capricious and based on unlawful procedure. It noted that the Boise City Code did not authorize the Council to conduct a de novo review of the PZC decision without finding that the PZC committed an error enumerated in the City Code—a mere difference of opinion, like the one in this case, did not suffice. The Court also held that the reasoned statement issued by the Council was inadequate under LLUPA and Idaho case law because it failed to sufficiently resolve the relevant factual disputes at issue. The Court refused the City's suggestion to search the 100,000-page record for uncited information that might support the City Council's findings and conclusions, explaining: "we decline to dive into a sea of documents in search of hidden pearls that might bolster a governing body's unsupported decision." Finally, the Court concluded that the City Council's procedural errors prejudiced VPNA's substantial rights to due process as outlined in LLUPA. Consequently, the Court reversed the decision of the district court and remanded the matter to the district court with instructions to invalidate the action of the City Council.

*****This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public.*****