

## SUMMARY STATEMENT

*Renaissance Project Development, LLC v. Twin Falls County*  
Docket No. 50197

This appeal arises out of a denial of Renaissance Project Development, LLC's ("Renaissance") application for a preliminary plat for phases two through five of the Shoshone Heights Subdivision, comprised of an additional thirty-six homes located on acre lots. Shoshone Heights is located in Twin Falls County and in the City of Twin Falls Area of Impact, off Hankins Road near the Evel Knievel jump site at the Snake River canyon rim. Phase one was completed after both Twin Falls City and Twin Falls County approved the final plat of that phase, around 2014. Development halted on the additional phases and, due to the passage of time, Renaissance was required to resubmit an application to develop Phases two through five of Shoshone Heights.

Renaissance filed a Subdivision Preliminary Plat for Shoshone Heights phases two through five in May of 2021. Neighboring residents opposed the project, voicing safety concerns about wildfires, the increased traffic burden posed by the development, and the ability to safely evacuate the area in an emergency, among others. Twin Falls County Planning and Zoning Commission ("PZC") denied Renaissance's preliminary plat application because the subdivision posed a traffic burden on the Hankins Road/Falls Avenue Intersection, and also because of health and safety concerns related to the subdivision's lack of a second egress point and the ability for homeowners to safely evacuate the subdivision in an emergency situation. Renaissance appealed that decision to the Twin Falls County Board of County Commissioners ("the County"). The County upheld PZC's decision to deny the Preliminary Plat application. Renaissance then sought judicial review of the decision made by the County, and the district court dismissed the Petition for Judicial Review. Renaissance appealed.

The Idaho Supreme Court affirmed the decision of the district court. The Court held that there were no grounds to invalidate the County's decision under the procedural requirements of the Local Land Use Planning Act because: (1) the County's reasoned statement identified the health and safety decision criteria contained in the Twin Falls City Code (T.F.C.C. § 10-12-3(H)(2)(e)) as the basis for its decision; (2) although PZC's Written Decision failed to resolve a factual dispute concerning the traffic burden on the Hankins Road/Falls Avenue Intersection, the County properly affirmed PZC's decision based on the health and safety concerns related to the subdivision's lack of a second egress; and (3) although PZC's failure to address the proposed development's compliance with the Twin Falls Comprehensive Plan was erroneous under the express requirements of the Twin Falls City Code, the error did not prejudice a substantial right of Renaissance. The Court further held that the County's decision was not: (1) reflective of a lack of practical considerations and fundamentally unfair, or (2) arbitrary, capricious, or an abuse of discretion.

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