TWIN FALLS COUNTY
PLANNING *and* ZONING



Appeal Process
Planning and Zoning Decisions

This guide **explains** how to **appeal a final land use decision** of the Planning and Zoning Director or the Planning and Zoning Commission to the Board of County Commissioners (BOCC).

1. Final Decision
A final written decision is issued by either the Planning and Zoning Director or the Planning and Zoning Commission (P&Z Commission).

2. Notice of Appeal – Within 14 Calendar Days
File a written Notice of Appeal with Twin Falls County Planning and Zoning, including all required information and fees.

3A. Appeal of Director Decision
(County Code §8-20-6)

- File a written appeal statement within 14 calendar days of the Notice of Appeal.
- The BOCC will consider the appeal at a regularly noticed public meeting.
- A public hearing is not required.

3B. Appeal of P&Z Commission Decision
(County Code §8-20-7)

- **Within 14 calendar days after filing the Notice of Appeal, provide the required written appeal statement.**
- **Pay the cost of providing the required transcript for the appeal.**
- The BOCC will consider the appeal under County Code §8-20-8.

4. Board Review and Decision
The BOCC will review the appeal and may affirm, reverse, modify, or remand the decision. (*County Code §8-20-8*)

5. Reconsideration (Optional)
A written request for reconsideration must be filed within 14 calendar days of the BOCC's final written decision. The BOCC will issue a written decision within 28 calendar days. (*County Code §8-20-9*)

6. Judicial Review
A petition for judicial review must be filed in the district court as provided by Idaho Code §67-6535. The deadline for seeking judicial review is based on the earlier of a written reconsideration decision or the expiration of 60 days after the reconsideration request is filed.

KEY DEADLINES
- **14 calendar days** to file a Notice of Appeal.
- **14 calendar days** to file the required written appeal statement(s).*
- **14 calendar days** to request reconsideration.
- **28 calendar days** for the BOCC to issue a reconsideration decision (*County Code*).
- **60 days** maximum for a reconsideration decision before the request is deemed denied (*Idaho Code* §67-6535).

TRANSCRIPT EXTENSION*
P&Z Administration **may grant an extension not to exceed 14 days** from when transcript is completed. *(County Code §8-20-7)*

IMPORTANT NOTES
- Filing a timely Notice of Appeal automatically suspends the effect of the appealed decision until the appeal is decided. (*County Code §8-20-5*)
- Appeals must include all required information, fees, service, and transcript (for Commission appeals) to be complete.
- The BOCC's final decision and any reconsideration affect when the deadline for judicial review begins.

REFERENCES
Twin Falls County Code
Chapter 8-20 – Appeals

Idaho Code
§67-6521 and §67-6535