

A Study of Statewide Comprehensive Planning in Idaho:

Stakeholder Survey and Focus Group Report *Executive Summary*

**Conducted by
Boise State University's
Public Policy Center**

Stephanie Witt, PhD
Carole Nemnich, MPA
Melissa Borg, Graduate
Assistant

Released August 2010



Acknowledgements

Partners for Idaho's Future sponsored this study. Funding from the Brainerd Foundation, the American Planning Association, Conservation Voters for Idaho, and Idaho Smart Growth provided financial support for this effort.

The steering committee for this study includes Idaho Smart Growth, the Idaho District Council of ULI, research teams from the University of Idaho and Boise State University, and representatives from the Idaho chapter of the American Planning Association. Other groups involved include the Community Planning Association of Southwest Idaho, the Idaho Association of Counties, the Association of Idaho Cities, Sage Community Resources, Canyon County Alliance for Responsible Growth, , Conservation Voters for Idaho, Idaho Conservation League, Idaho Rivers United, Idaho Smart Growth, Kootenai Environmental Alliance, Land Trust of the Treasure Valley, Salmon Valley Stewardship, The Nature Conservancy, Valley Advocates for Responsible Development, Wood River Land Trust , Greater Yellowstone Coalition, and the Moscow Civic Association.

I. INTRODUCTION AND BACKGROUND

Idaho's Local Land Use Planning Act (LLUPA) became law in 1975. Prior to the recession of 2009-10, Idaho was the sixth fastest growing state (by population) in the country. Idaho Smart Growth constantly received inquiries from cities and counties all over the state who were looking for help with the stresses of growth. Even now, as the economic downturn reduces the pressures of growth, cities and counties strive for good planning that will reflect their community values and needs.

Idaho Smart Growth facilitated the formation and fundraising for this project.

A multi-faceted research agenda, developed by the steering committee, implemented by the universities, was designed to gain an understanding of land use planning in Idaho. The purpose of the research was to investigate the current state of land use planning, and the efficacy and sufficiency of the Idaho Local Land Use Planning Act, as well as county and city comprehensive plans and ordinances. In addition, the research examined perceptions and attitudes about the process, current and potential areas of collaboration, and current tools or obstacles to planning that will meet communities' needs.

Four research questions provided guidance for the efforts.

1. Are the objectives of Idaho's Local Land Use Planning Act (LLUPA) clear? Does LLUPA enable vibrant communities?
2. How are Idaho's cities and counties applying the state statute for land use planning?
3. Are comprehensive plans consistent with the objectives with LLUPA?
4. What reforms, if any, will ensure that the objectives of LLUPA are met?

The report that follows details the findings from the survey and focus groups conducted by Boise State University.

II. EXECUTIVE SUMMARY

In the summer and fall of 2009, a survey of local land use planners, public administrators, and others involved in the land use planning process was completed. Respondents to the survey answered questions about Idaho's Local Land Use Planning Act, local comprehensive plans, and land use ordinances. Additionally, the survey included a list of planning principles that were ranked by the value to the respondent and preference for including the principle in the planning process. Following the survey, focus groups were convened in sixteen cities across the state to engage respondents further.

Planners, those both publicly and privately employed, and public administrators who work in the planning process generated half of the responses, and account for over a third of respondents to the survey. Other constituencies included landowners, citizen advocates, conservationists, elected officials, and others.

Findings:

- **Local Comprehensive Plans and Ordinances:** Ninety-four percent of respondents strongly agreed that the comprehensive plan is essential for planning a community's future. However, less than half of respondents believe the comprehensive plan adequately anticipates future conditions, or that local ordinances provide adequate guidance for the provision of public facilities and services. Focus groups indicate that expectations and satisfaction with comprehensive plans and ordinances varied, and some participants revealed confusion over the role of the plans and ordinances.

- **Support for Planning:**
 - Generally, Idaho's local land use planning statute is perceived as adequate in providing guidance to planning. However, less than half of respondents indicated agreement with a series of statements about the level of support for planning. Nearly half of respondents believe that the level of technical information available for land use planning is insufficient. Fifty-four percent of respondents believe that costs associated with developing the comprehensive plan are not adequately covered. Fifty-eight percent said costs associated with implementing the comprehensive plan were not adequately covered.
 - Forty-one percent of respondents agreed that the state should enact sanctions for communities that do not fulfill the responsibilities outlined in LLUPA. Respondents were almost evenly divided on the question of the state having a stronger role in the planning process.

- **Planning Procedures:** A majority of respondents indicated agreement for eight of eleven statements about the adequacy and efficacy of planning procedures. Seventy-five percent of respondents agreed that the public has adequate opportunities to participate in the planning process. However, in survey comments, respondents noted that applicants (for development) have "too much influence in the process" and that developers get more time to testify in public hearings than citizens do. Regarding the issue of "takings", survey comments noted that Idaho's emphasis on property rights often hinders proactive planning and good public policy.

- **Planning Decision Making:**
 - Sixty-nine percent of survey respondents believe that the public generally misunderstands the process for making planning decisions. Twenty-nine percent of respondents agreed that planning decisions are fair, predictable and cost effective. Comments related to this note that local decision-makers, public agencies, developers and community members do not have the necessary knowledge or skills to implement comprehensive plans properly; decisions about planning are often made based on political motives or from the most vocal constituency; and, comprehensive plans are often ignored for political reasons.
 - Survey comments noted the need for information (plans, ordinances, codes and maps) available on-line. Without a 'NIMBY' issue, it is difficult to engage the public in local land use planning processes. The inadequacy of the comprehensive plan process to assist in future planning for a community and the lack of statutory requirements for capital infrastructure development plans were cited as weaknesses to the comprehensive planning process.

- **Planning Implementation:** Fifty-eight percent of respondents agreed that criteria for allowing conditional use permits are clearly identified and followed in the local zoning code. Fifty-percent also agreed that development agreements are identified in the local zoning code. Respondent comments indicate that the criteria for conditional use permits are too vague or insufficient. A majority also said that conditional use permits are approved that conflict with the comprehensive plan and that decision-makers may lack the proper training to make appropriate conditional use decisions. The need for additional training and education for elected officials, decision-makers and developers in planning was also frequently noted.

- **Unincorporated Land:**
 - Respondents favored maintaining the character of land uses in the planning process. Fifty-seven percent of the survey respondents agreed that unincorporated land should be preserved as working farms, ranches and open space. Respondents noted in their survey comments that unincorporated lands tend to be an "easy target" for out of state developers. Eighteen percent agreed that lands outside incorporated cities should allow for urban style development. Ninety percent of respondents disagreed with the statement that land outside incorporated cities should not be regulated. Several respondents noted that development in unincorporated areas has impacts on needed infrastructure and some indicated that this is a burden for cities and counties when this development occurs.
 - The Area of City Impact generated much interest noting that it is a constant point of tension and that LLUPA is not currently configured to deal effectively with these tensions. Focus group participants identified the Area of City Impact as an issue where city and county responsibilities and willingness to collaborate were unclear, or where cities and counties had different philosophies or capacity for planning.

- **Impact Fees:** Respondents generally supported impact fees (in addition to those already allowed by statute) for public schools (71%), trails and sidewalks (70%), local roads (63%) and public transportation (63%). The most common sentiments expressed were that "growth should pay for itself" and developers should be held responsible for funding additional infrastructure where needed. A common concern is that the current impact fee structure is not useful; administration is too costly and it is a burden to small communities.

- **Planning and Growth Principles:** Environmental concerns were ranked most highly as planning principles, both as a principle value and for inclusion in planning. Transportation considerations, citizen input, public investment options and housing principles followed. Aesthetic principles (what is pleasing to our senses) were not ranked highly enough to make the comparative list.
- **Constituencies:** Respondents were asked which constituencies were most represented in the comprehensive plan. Business and economic development were viewed as the most dominant priority (84%), followed by elected and appointed policy makers (74%), and transportation reform advocates were viewed as the least recognized constituency (23%).