

Chapter 14

PROPERTY RIGHTS

Property rights in Idaho follow those outlined and protected by the 5th Amendment to the United States Constitution, and Article 1 of the Idaho Constitution. They have been given great weight and consideration in the Plan both to explain the legal context and to address public concern about the topic.

This Plan strives to balance the land-use needs of the private property owner with those of the community by avoiding unnecessary directives that negatively affect private property rights or values.

This Plan will thus adhere to the Idaho Regulatory Takings Act (IRTA) so as to have in place a process of review to ensure the plan's policies do not unnecessarily and negatively impact private property rights.

Furthermore, the Idaho Attorney General has developed a checklist in reviewing the potential impact of regulatory or administrative actions upon specific property. This checklist is also included herein as Appendix C and may be considered whenever land-use regulations are contemplated by the County.