

General Overview

- **Interview Summary:** This was a public hearing before the Canyon County Board of Commissioners on August 12, 2026, regarding case RZ2021-0061. The hearing's purpose was to consider the termination of a development agreement (DA) for a property, which would revert its zoning from a conditional C2 (Commercial) back to A (Agricultural). The DA, approved for a mini-storage and RV storage facility, had expired. The original applicant, who had recently reacquired the property after selling it, attended the hearing to request a time extension to proceed with the project. The commissioners debated whether to terminate the agreement as planned or remand the extension request back to the Planning and Zoning (P&Z) Commission. The board ultimately voted to remand the issue, giving the applicant 90 days to formally apply for a modification.
- **Speaker Background:** This was a public hearing, not a single-person interview. The primary speakers were:
 - **Chairman Brad Holton, Commissioner Zach Brooks, and Commissioner Leslie Van Beek:** The members of the Canyon County Board of Commissioners, acting as the decision-making body.
 - **DSD Staff (Dan Lister):** A representative from the Development Services Department who presented the case history, the staff's recommendation, and procedural options to the board.
 - **Jesse Pereira:** The original applicant for the project who had sold and subsequently reacquired the property. He spoke in favor of receiving a time extension.

Key Points

- The development agreement for case RZ2021-0061, which allowed for a conditional rezone to C2 for a mini-storage facility, expired on September 14, 2025.
- The county initiated the hearing to terminate the agreement, which would revert the property's zoning to Agricultural.
- The original applicant, Jesse Pereira, had reacquired the property after the buyer he sold it to failed to develop it and let the approval lapse.
- Mr. Pereira appeared at the hearing to request a time extension to move forward with the originally approved project concept.
- DSD staff recommended that if an extension were to be considered, the matter should be remanded to the P&Z Commission. This would require the applicant to pay for a DA modification application and cover the county's costs for the termination hearing.

- Commissioner Van Beek argued strongly for terminating the agreement, emphasizing that the deadline had passed and that making an exception would ignore county code and set an unfair precedent.
- Chairman Holton and Commissioner Brooks supported remanding the issue, arguing it provided consistency for the neighborhood and that a formal process for modification existed.
- The board voted 2-1 to remand the case to the P&Z Commission. The motion included a condition that the applicant must submit the required application and fees within 90 days, or the termination would be reconsidered.

Notable Quotes

- (4:58) DSD Staff outlining the recommended path for an extension: "if the board wants to entertain that, uh, time extension, staff recommends two things. One would be to remand it back to the PNZ to review that time extension and, and, but also give the applicant time to come up with a letter of intent and also pay for the fees."
- (7:19) Jesse Pereira stating his intention: "It's a good project. It fits the neighborhood. Um, you know, we'd just like to get an extension and keep moving forward with it."
- (12:29) Commissioner Van Beek expressing her opposition to making an exception: "I do not wanna open Pandora's box on subjectively deciding who qualifies to be remanded and who should just go back and simply reapply."
- (17:39) Commissioner Van Beek on following procedure: "We are ignoring our own code by allowing this to not terminate and just go back through a new application process."
- (18:38) Commissioner Brooks challenging a fellow commissioner's motives: "Mr. Chairman, this is my problem with, with my f - uh, first objection is it's pretty obvious Commissioner Vambeek has had conversation with those in Middleton..."
- (25:37) Chairman Holton making the final motion: "I would make a motion that, uh, we remand this back to PNZ, that the, uh, person or the applicant starts over with the fees that need to be paid and that that process occurs within the next 90 days. If not, staff is to bring this back, uh, for reconsideration to vacate."

Detailed Insights

1. Main Arguments

- DSD Staff argued that the DA had expired and the county had initiated termination, but presented the option to remand the case for a DA modification if the board chose to entertain the applicant's request for an extension (4:58).

- Jesse Pereira, the applicant, argued for an extension on the grounds that he had just reacquired the property from a buyer who had "lost interest" and that he intended to build the same project that was originally approved (6:26).
- Commissioner Van Beek argued that the DA should be terminated as per county code. She stated that three years had passed, conditions in the area had changed, and allowing an extension instead of requiring a new application was unfair and violated due process (17:08).
- Chairman Holton and Commissioner Brooks argued that remanding the case was the most consistent option for the neighborhood, as it kept the original, vetted land use in place. They noted that a process for modification exists and the applicant should be allowed to use it (11:03, 15:23).

2. Supporting Evidence

- DSD Staff referenced "Exhibit A," which contained emails between the previous owner and staff regarding their options before the DA expired (3:58).
 - DSD Staff mentioned that the Planning and Zoning Commission had unanimously recommended approval of the termination (4:08).
 - DSD Staff confirmed receipt of a letter from the new owner (Jesse Pereira) requesting a time extension (4:28).
 - DSD Staff clarified that the county has a "DA modification" process, which is the proper procedure for requesting more time, not an automatic extension (19:27).

Context and Background

1. **Contextual Information** – The hearing was for case RZ2021-0061, concerning a property that was granted a conditional rezone to C2 in September 2023. The approval came with a two-year deadline for development, which expired on September 14, 2025, prompting the county to initiate termination of the development agreement.
2. **Related Events** – The original applicant, Jesse Pereira, sold the property to Andrew Peterson, who reportedly lost interest, moved away, and did not develop the land. Mr. Pereira reacquired the property through a voluntary return on July 16, 2026, shortly before this termination hearing. It was also noted that the property was no longer within the City of Middleton's area of impact, which affected notification requirements (23:40).
3. **Potential Impact** – The board's 2-1 decision to remand the case for a modification, rather than terminate the expired agreement, could set a precedent for how similar cases are handled in the future. It signals a willingness by the board majority to allow developers to use the modification process to seek extensions on expired approvals, which could be viewed as flexible by some but procedurally improper or unfair by others.

Argumentative Behavior

- Commissioner Brooks directly challenged Commissioner Van Beek, accusing her of having outside conversations about the case that influenced her position, stating it was "pretty obvious" she had spoken with people in Middleton ([18:38](#)).
- Commissioner Van Beek expressed strenuous opposition to her colleagues' viewpoint, arguing that they were choosing to "ignore our own code" and that the decision could be "perceived as unfair by other applicants" ([17:08](#), [17:39](#)).
- Commissioner Brooks questioned the legitimacy of Commissioner Van Beek's opposition by pointing out that she had voted in favor of the project originally and was now "so adamantly opposed" to even allowing a request for more time ([18:38](#)).