

Messages & Communications Doc. No. 38GL-26-1985 through 1994.

From 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Date Fri 2/27/2026 9:44 AM
To Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc Frank Blas Jr. <speakerblas@guamlegislature.gov>

5 attachments (9 MB)

22726COMM Doc. No. 38GL-26-1985.pdf; 22726COMM Doc. No. 38GL-26-1991.pdf; 22726COMM Doc. No. 38GL-26-1992.pdf; 22726COMM Doc. No. 38GL-26-1993.pdf; 22726COMM Doc. No. 38GL-26-1994.pdf;

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-1985 through 1994** for processing:

✓	38GL-26-1985	Guam Memorial Hospital Authority	Notification of Temporary Assignment or Detail – Luis Q. Micalat Jr., Management Analyst IV, 02/02/26.
✓	38GL-26-1986	Guam Environmental Protection Agency	Board Meeting Packet for February 19, 2026.
✓	38GL-26-1987	Guam Land Use Commission	Board Meeting Packet for February 27, 2025, March 13, 2025 and April 10, 2025*
✓	38GL-26-1988	Guam Land Use Commission	Board Meeting Packet for June 12, 2025, July 10, 2025, July 24, 2025 and August 14, 2025*
✓	38GL-26-1989	Guam Land Use Commission	Board Meeting Packet for September 11, 2025*
✓	38GL-26-1990	Guam Land Use Commission	Board Meeting Packet for October 9, 2025 and October 23, 2025*
✓	38GL-26-1991	Guam Land Use Commission	Board Meeting Packet for January 8, 2026*
✓	38GL-26-1992	Guam Preservation Trust	Financial Statement for January 31, 2026*
✓	38GL-26-1993	Guam Solid Waste Authority	Unaudited Revenues and Expenditures Report for the month of January 2026*
✓	38GL-26-1994	Office of Public Accountability - Guam	Acting Administrator Designation of Vincent Duenas, for the Office of Public Accountability from February 26, 2026 to March 6, 2026*

Please retrieve Doc. No. 38GL-26-1986 through 1990 from link below:

[Messages & Communications Physical Scanned Copy - Google Drive](#)

Kindly reply to this email



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Messages and Communications 38GL-26-1988*

2 messages

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>
To: 38th Committee On Rules <committeeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Thu, Feb 26, 2026 at 11:13 AM

Håfa Adai,

Please see attached M&C Doc, No. 38GL-26-1988

38GL-26-1988	Guam Land Use Commission	Board Meeting Packet for June 12, 2025, July 10, 2025, July 24, 2025 and August 14, 2025*
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Si Yu'os Ma'åse'

Bernice Rivera

Administrative Assistant



Office of Speaker Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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- GLUC JUL102025.pdf
- GLUC JUL242025.pdf
- GLUC JUN122025.pdf

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38th Committee On Rules <committeeonrules@guamlegislature.gov>
To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Thu, Feb 26, 2026 at 2:19 PM

Håfa Adai,

Received, and thank you.



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

M. Cristina sent you GLUC JUN122025.pdf via WeTransfer

1 message

WeTransfer <noreply@wetransfer.com>
Reply-To: cristina.gutierrez@land.guam.gov
To: speakerblas@guamlegislature.gov

Wed, Feb 25, 2026 at 1:07 PM

Doc Type: 38GL-26-1988
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.
February 25, 2026
Time: 1:07 PM
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Office of the Recorder

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Deputy Recorder: *May M. Castro*
May M. Castro

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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, August 14, 2025
2:14 p.m. to 2:42 p.m.



38GL-26-1988
Messages and Communications

RECEIVED
COMMITTEE ON RULES
February 26, 2026

11:13 a.m.
Marie Crisostomo

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, August 14, 2025 • 2:14 p.m. to 2:42 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson
Mr. Ronald C. Pangilinan, Vice Chairman
Ms. Leilani R. Flores, Commissioner
Mr. Gerald P. Yingling, Commissioner

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary
Mr. N. Lee Miller, Jr., Legal Counsel
Ms. Celine L. Cruz, Chief Planner
Mr. Frank Taitano, Planner IV
Ms. Sonny Gogue, Planner III
Mr. Kyle Meno, T. Network Coordinator
Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM HYBRID LAND USE COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: THURSDAY, AUGUST 14, 2025

Time of Meeting: GLUC: 2:14 pm GHLUC: 1:32 pm

<input checked="" type="checkbox"/>	GLUC
<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

<input checked="" type="checkbox"/>	GHLUC
<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez

Vice Chairman Ronald C. Pangilinan

Commissioner Leilani R. Flores

Commissioner Gerald P. Yingling

Mayor Frances Lizama, Yigo

Mayor June Blas, Barrigada

Mayor Louise Rivera, Tamuning

Mayor Peter Benavente, Dededo

[Handwritten signatures in blue ink for Commission Members]

STAFF

Joseph M. Borja, Executive Secretary

Rossana D.S.M. Tiston, Deputy Director

N. Lee Miller, Jr., Legal Counsel (OAG)

Celine L. Cruz, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV

Sonny Gogue, Planner III

Theresa Guevara, Planner II

Edward Sanchez, Planner I

Kyle Meno, TN Coordinator

M. Cristina Gutierrez, Recording Secretary

[Handwritten signatures in black ink for Staff]

ADJOURNMENT

GLUC: 2:42 pm GHLUC: 2:00 pm

GLUC Form 19 - GLUC Commission Attendance Sheet



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Ronald C. Pangilinan
Commissioner Leilani R. Flores

Commissioner Gerald P. Yingling
Commissioner (Vacant)

Joseph M. Borja, Executive Secretary
N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, August 14, 2025 at 1:30 p.m.
Department of Land Management Conference Room
3rd Floor ITC Bldg., Tamuning, GU 96913
[As advertised in the Guam Daily Post – August 7th, 2025 & August 12th, 2025]
Livestreamed on YouTube at Guam Department of Land Management Channel

- I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum
- II. **Approval of Minutes**
 - GLUC Regular Meeting Minutes of Thursday, July 24, 2025
- III. **Old or Unfinished Business [None]**
- IV. **New Business**
 - Zone Change
 - A. Application No. 2025-17, the Applicants, Joel M.C. Rubio and Ma. Paz Annette M. David, represented by FC Benavente, Planners, are requesting a Zone Change from "R2" (Multiple Dwelling) zone to "C" (Commercial) zone to convert an existing health clinic into an architectural and engineering office, on Lot 2114-11, in the Municipality of Tamuning.
Case Planner: Frank Taitano
- V. **Administrative & Miscellaneous Matters**
- VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, August 14, 2025 • 2:14 p.m. to 2:42 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on August 7th, 2025 & August 12th, 2025]
Livestreamed on YouTube at the Guam Department of Land Management Channel

I. Notation of Attendance/Roll Call

Chairperson Enriquez called the regular meeting of the Guam Land Use Commission for Thursday, August 14, 2025, to order at 2:14 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Commissioner Gerald Yingling, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno, and Recording Secretary Cristina Gutierrez.

Madam Chair confirmed a quorum and announced that today's meeting was being livestreamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez before the members, is the approval of the Minutes from the last GLUC meeting held on Thursday, July 24, 2025. The draft of the Minutes was provided in advance via email to the members. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve the Minutes of July 24, 2025.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. She noted there was no discussion, errors, edits, or omissions, and put the motion to a vote. The members voted in favor of the approval. **[Motion passed unanimously; 4 ayes, 0 nays.]**

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-17, the Applicants, Joel M.C. Rubio and Ma. Paz Annette M. David represented by FC Benavente, Planners, is requesting a Zone Change from "R2" (Multiple Dwelling) zone to "C" (Commercial) zone, to convert an existing health clinic into an architectural and engineering office, on Lot 2114-11, in the Municipality of Tamuning.
Case Planner: Frank Taitano

Chairperson Enriquez welcomed the representative of the applicants to the meeting, asked them to state their name for the record, and to proceed with their presentation.

Felix Benavente Mr. Benavente is before the Commission today representing the applicants, Joel David and Paz Annette David.

Mr. Benavente provided a brief slide presentation for the Commission.

Slide 1 – Mr. Benavente explained that his clients are requesting a zone change of their parcel from a multiple dwelling zone to a commercial zone for the purpose of converting an existing health clinic to an architectural and engineering office.

Slide 2 – the lot bounded by orange (as shown on the slide) with a blue arrow is the terminal point of Toves Street and the location of the subject parcel.

Slide 3 – a photo of the subject lot. Mr. Benavente explained directions to the subject lot and pointed out the surrounding commercial buildings. He added that the Commission had previously approved, in 2009, a Conditional Use application for a health clinic which is presently on the lot. The applicants are requesting to rezone the lot to commercial so that the use can allow for the operation of an engineering office.

Slide 4 – Zoning Map for Lot 2114-11. At the upper edge of the black square is the zoning line for commercial, and the subject lot is adjacent to an existing commercial zone.

Slide 5 – Land Use Map showing the uses around the property that include a vacant lot, residences to the front of the lot, and at the back are multi-family buildings. The front towards Marine Corps Drive is all commercial activities.

Slide 6 – Property Map

Slide 7 – Site Plan as it exists today. The zone change that is being requested will not change any part of the structure. There are no plans for construction or renovation to the exterior of the building. All renovations are interior, with the conversion of clinic spaces to offices to be used by architects and engineers.

Slide 8 – Conceptual floor plan of the interior portion of the building.

Slides 9/10 – photos of the subject lot.

This concluded Mr. Benavente's presentation, and he was ready to entertain questions from the Commission.

Chairperson Enriquez turned the floor over to the members for questions to Mr. Benavente.

Vice Chairman Pangilinan commented that there was a question about flooding, and asked if this issue was addressed.

Felix Benavente replied that in 2009, when the Land Use Commission approved the Conditional Use, there was a concern that the building could impede the natural flow of water. As a result, the Commission placed a condition that a free space be created behind the building to allow water to flow unobstructed. This space, which is shaped like a bubble (referring to the photo on the monitor), was specifically designated for this purpose. There is a chain-link fence on either end of this space that allows water to pass easily through. There is also a ponding basin and percolation

trenches. Permeable brick pavers are used for the parking lot to allow water to pass through. A lot of consideration was taken regarding the water flow.

Mr. Benavente explained that the water flows down the street, and although the space behind the building between the fence and the space allows water to flow through, it is because of a slight slope, that dust and soil create this hump, sort of a dam. Water has to be fairly high for the water to flow through. The applicants have addressed the concerns of the Commission regarding stormwater flow and the flooding that may occur due to the mound that was created because of dust and soil is an issue that has to be addressed by Public Works or street maintenance, and not caused because of the building.

Chairperson Enriquez there were no further comments or questions from the members. Madam Chair turned the floor over to the staff for their report.

Sonny Gogue, Planner summarized the staff report dated August 1, 2025. Ms. Gogue explained that the site is located along Tan Conchita Lane and Tun Jose Toves Way, approximately 288 feet from the junction of Route 1. The site is presently developed with an existing health clinic facility and its accessory elements occupying the entire site.

The master plan designation is mixed-use, and under the community design plan, the designation is commercial. Ms. Gogue continued with the application's chronological facts, public hearing results, discussion, and staff analysis to include justification to address public necessity, convenience, and public welfare. [For full context, refer to the attached report]

[Attachment A – Staff Report dated August 1, 2025]

Planning staff recommends approval of the applicants' request, subject to the condition that the applicants adhere to the permitting ARC members' conditions and requirements as stipulated in their official position statements.

Chairperson Enriquez turned the floor over to the members for questions. [There were no comments or questions noted from Vice Chairman Pangilinan, Commissioner Flores, and Commissioner Yingling.]

Madam Chair opened the floor for public comment.

Public Comment

Mayor Louise Rivera (Tamuning) remarked that her office has not received any negative testimony opposing the request for a zone change. The community was informed and duly noticed. Mayor Rivera informed the Commission that a correction will be made to the Resolution that was previously provided, and a revised Resolution will be resubmitted. The request is fully supported by the Tamuning Municipal Planning Council with no objections.

Chairperson Enriquez extended her appreciation to Mayor Rivera for her comment and closed the public comment period.

Madam Chair noted that there were no further comments or discussion from the members, and was ready to entertain a motion for action.

Vice Chairman Pangilinan made a motion to approve Application No. 2025-17, as long as the applicants follow the recommendation and conditions as stated in the staff report dated August 1, 2025.

Chairperson Enriquez motion is made by Vice Chairman Pangilinan and asked for a second.

Commissioner Yingling seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Yingling. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approving the request. **[Motion was passed unanimously with a vote of 4 ayes and 0 nays]**

V. Administrative and Miscellaneous Matters

Chairperson Enriquez turned the floor over to Executive Secretary Borja for additional business or announcements for the Commission.

Joseph Borja, Executive Secretary commented relative to the last application that was heard by the Commission, the application was submitted or accepted on February 20, 2025. Within three to four weeks, almost all of the agencies from the ARC submitted their position statement, except for a couple of agencies. The delay in the application moving forward was held back due to the non-submittal of position statements from a couple of agencies.

Mr. Borja announced that Mr. Joe Rios has been confirmed by the Guam Legislature; however, he has not been sworn in. The Governor's Office is scheduling a swearing-in ceremony for several new commissioners, including Mr. Rios, who have been recently confirmed.

Lastly, Mr. Borja reported that some municipalities (addressing Attorney Miller) do not want to accept the responsibility of holding a public hearing. Land Management delegates the public hearing process to the Mayors of their municipalities. Mr. Borja stated that several Mayors have approached him, expressing their reluctance to hold public hearings, and they have been advised by their Council that they are not required to hold them.

Additionally, Mr. Borja stated that a previous Director was approving Summary Zone Changes without informing the Municipal Planning Councils, and it was then decided that the MPCs should hold their own public hearings. It has been a challenge for a few municipalities to hold public hearings to include the Municipality of Tamuning. Mr. Borja advised Mayor Rivera to submit an official letter that will be discussed with Legal Counsel.

Mayor Rivera stated for the record that for the many years that she has been a Mayor, it has been brought to their attention that applicants are fast-tracking their applications. Some go through the Legislature, and others go through the process at the discretion of the Director. The Mayor's plea is for the Director of Land Management not to waive the public hearing process. The applicants should go through the process so that the surrounding properties within the radius of the subject lot are duly notified by certified mail of the zone change.

Mayor Rivera added that this is an unfunded mandate, and if the applicant wants their project to move forward, let them go through the process. Tamuning's Legal Counsel has mentioned that it is a request for a Summary Zone Change, which is at the discretion of the Director to approve the application, and that the MPC does not have to act on the request. Mayor Rivera is asking that the applications not be fast-tracked and that they go through the process. Surrounding property owners should be notified of the project, a billboard sign should be placed at the site, and certified mail should be sent.

Joseph Borja, Executive Secretary noted that he understands the Mayor's concerns, but with the cost of certified mail for an area such as Tamuning, there could be 100 to 200 certified mailings that would have to be sent to landowners. Mr. Borja asked Mayor Rivera to send an official request for review of DLM's Legal Counsel.

Mayor Rivera said that with the few summary zone change applications that her office has received, she stated that the Tamuning's Legal Counsel, with their MPC, does not want to act on the requests and does not want to issue Resolutions.

Chairperson Enriquez turned the floor over to the Chief Planner for the next GLUC meeting date.

Celine Cruz, Chief Planner advised the Commission that the next meeting date is tentatively scheduled for August 28, 2025, and asked for the Commissioners' availability for this meeting as soon as possible. The agenda has to be finalized and submitted for publication. Additionally, Ms. Cruz informed the Commission that the Bureau of Statistics and Plans will be holding their Assembly of Planners on August 19th and 20th. An invitation should have been sent to the members; if not, Chief Planner Cruz will send the link to the members.

Chairperson Enriquez there being no further business for the Commission, Madam Chair was ready to entertain a motion for adjournment.

VI. Adjournment

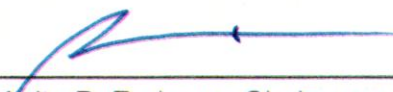
A motion to adjourn today's meeting was made by Vice Chairman Pangilinan and seconded by Commissioner Yingling. Madam Chair accepted the motion made by Vice Chair Pangilinan and Commissioner Yingling, and put the motion to a vote, with all members in favor of adjournment.

[Motion carried; 4 ayes and 9 nays.]

The regular meeting of the Guam Land Use Commission for Thursday, August 14, 2025, was adjourned at 2:42 p.m.

Approved by:


Date approved:



Dr. Anita B. Enriquez, Chairperson
Guam Land Use Commission

9-11-25

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

ATTACHMENT A



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

August 1, 2025

MEMORANDUM

Website:
<http://dlm.guam.gov>

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Staff Report - Application No. 2025-17

E-mail Address:
dlmdir@land.guam.gov

1. PURPOSE:

- a. **Application Summary:** The applicants, Joel M. C. Rubio and Paz Annette M. David, represented by FC Benavente, Planners; requests a Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone to convert an existing health clinic into an architectural and engineering office on lot 2114-11, in the Municipality of Tamuning.
- b. **Legal Authority:** Sections 61630 to 61638 (Changes of Zones) of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

Telephone:
671-649-LAND (5263)

2. FACTS:

- a. **Location:** The site is located along Tan Conchita Lane and Tun Jose Toves Way, approximately 288 feet from the junction of both Tan Conchita Lane and Tun Jose Toves Way, with Marine Corps Drive.
- b. **Lot Area:** 1,308 Square Meters or 14, 854.14 Square Feet.
- c. **Present Zoning:** "R-2" (Multi Family Dwelling) Zone
- c. **Field Description:** The site is presently developed with the existing Health Clinic Facility and its accessory elements occupying the entire site.



Facsimile:
671-649-5383

Continuation of Memorandum

Re: Staff Report - Application 2025-17, Zone Change
Lot 2114-11, Municipality of Tamuning.

Date: August 1, 2025

Page 2 of 5

- e. **Masterplan:** "Mixed Use" (North and Central Land Use Plan)
- f. **Community Design Plan:** "Commercial"
- g. **Previous Commission Action:** September 24, 2009, "Conditional Use" (Tabled)
November 12, 2009, "Conditional Use" (Approved with conditions)

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Date Application Accepted:** February 14, 2025
- b. **Date Heard By ARC:** March 6, 2025
- c. **Public Hearing Results:** June 4, 2025 (See Attachment "A")

Note: In response to the public hearing, the Department of Land Management received the attached letter of no objection with condition from Mr. Michael Salas Borreta.

4. DISCUSSION and STAFF ANALYSIS:

The applicant's request is for a zone change approval and pursuant to Section 61630 (Requirements for Changes) of Chapter 61 (Zoning Law) 21GCA, where it states; "**The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action**".

The applicant in response for the Zone Change submits the following justification response:

RELATIVE TO "PUBLIC NECESSITY"

The current operation as a "Health Clinic" will cease operation and the building will be redesignated and Reused for a professional office space for an Architectural and Engineering Office.

It is noted that, there has been an increased in the military buildup construction projects with some of these major projects awarded to local construction firms. Additionally, the local government has undertaken various major construction projects such as the Ukudu Power Plant and solar farms; and the private sector construction companies are actively doing numerous single-family and other commercial building construction whether new buildings are being built or existing buildings are being modified or renovated.

Continuation of Memorandum

Re: Staff Report - Application 2025-17, Zone Change
Lot 2114-11, Municipality of Tamuning.

Date: August 1, 2025

Page 3 of 5

All these projects, requires the professional architectural and engineering expertise to develop new building construction plans; modifications or renovations to the existing buildings.

Therefore, it can be inferred that there is a need for architectural and engineering services.

RELATIVE TO "CONVENIENCE"

The rezoning of Lot 2114-11 from "R-2" to "C" will allow for the professional office use to exist which would be readily available and easily occupied. The "C" zone allows for the commercial office building to exist and permits the architectural/engineering activities to operate at the site.

The site location is surrounded by numerous commercial activities. While the current Use on the property is for a Health Clinic which was previously subjected under a "Conditional Use Permit", the proposed use would easily merge into the existing internal offices with minor modifications and in most cases, it would simply be redesignating the previous health rooms from what was identified as lab and exam rooms to computer, architectural and engineering offices and storage rooms. The proposed office floor plan is at ATTACHMENT 2 TO TAB E- CONCEPTUAL FLOOR PLAN.

Importantly, the architectural/engineering services would be located in central Guam whereby most business such as banking, retail, food establishments, legal, and government services are co-located and fairly within a reasonable distance.

At this central location, potential customers whether private construction companies, governmental or simply the general public could easily access the site.

This location is deemed favorable and the services to be provided are a "Convenience" to everyone.

RELATIVE TO "PUBLIC WELFARE"

The rezoning of the property is not expected to significantly impact the immediate or surrounding community.

The proposed activities for the most part will be static meaning that Company employees perform internal office work during normal operations. It is not anticipated nor expected that there would be an increase in traffic since the architectural/engineering operation is typically staff by office personnel that remain fixed in place rather than the constant flow of vehicles entering and exiting the premise that a health clinic generates.

Continuation of Memorandum

Re: Staff Report - Application 2025-17, Zone Change
Lot 2114-11, Municipality of Tamuning.

Date: August 1, 2025

Page 4 of 5

The proposed use is not expected to have a negative impact on infrastructure, e.g., Water and power. Water demands will be for normal use such as providing for toilet fills, for fire sprinklers, etc., but not in any manner a high demand.

Power will also be for the normal use for inside office equipment typical for architectural/engineering equipment such as copier machines and computers and lighting for drafting tables, etc., and outside perimeter security lighting. Water, Power and sewer exist and are available and these utilities will continue to be used.

The structure exists so there will be no clearing and grading of the property needed. Parking is existing and marked. The property is fenced to provide security within the property as well as provide a buffer to abutting properties.

The property is bound by Tun Jose Toves Way and Tan Conchita Lane. Tun Jose Toves Way is the primary access and exit for the project. See ATTACHMENT 1 to TAB D - Aerial Image of Property Location.

When the rezoning to commercial is approved, the architectural/engineering office is expected to have employees ranging from 7 to 9 employees. There is sufficient parking on site to accommodate the required number employees.

During the time when the Health Clinic was being considered under the "Conditional Use" Permit process, one of the issues raised was "anticipated flooding". This was addressed and mitigated by maintaining the open area of the natural flow of water located on the left side as viewed from Tun Jose Toves Way as well placement of trench drains abutting Tan Conchita Lane. See ATTACHMENT 1 to TAB E -Site Layout Plan.

Relative to solid waste, it is anticipated that the majority of waste will be mostly paper waste which does not require any special handling as compared to the health clinic which generates various medical waste which must be accounted for and handled in accordance with medical protocols.

There will be no additions, major modifications or renovations to the existing structure. Therefore, the building footprint will not expand and the existing building with amenities as was previously built will remain.

Overall, it is believed that "Public Welfare" in the area will be maintained and the office activities is not expected to have a negative impact in the surrounding areas. Therefore, the safety, health and overall "Public's Welfare" has been taken into consideration.

Continuation of Memorandum

Re: Staff Report - Application 2025-17, Zone Change
Lot 2114-11, Municipality of Tamuning.

Date: August 1, 2025


Page 5 of 5

Based on our review and analysis of the form and context of this application, in reference to the Zoning Law, the positive response of the Tamuning Municipal Planning Council (TMPC) Resolution, 2025-004, the positive response received from the ARC agencies and that the applicant has been and will continue to consult with the various Government permitting entities to ensure compliance with their requirements.

We find the context of the application provides justification that the public necessity, convenience and general welfare, supports a positive action on the zone change request.

5. **RECOMMENDATION:** Planning staff recommends Approval subject to the following condition.

1. That the applicant, adhere to the permitting ARC members conditions and requirements as stipulated on their Official Position Statement.



Celine L Cruz

Attachments: ARC Position Statement Summary
Minutes of Public Hearing
TMPC Resolution 2025- 2025-004
Notices of Action Dated 9/25/09 and 11/19/09
Michael Salas Borreta's Letter

Case Planner: Frank Taitano

PUBLIC HEARING MINUTES
Wednesday, June 4, 2025, 6:00 p.m.
Tamuning Community and Senior Center

APPLICATION NO. 2025-17

APPLICATION TYPE: Zone Change

APPLICANT/ REPRESENTATIVES: Joel M.C. Rubio and Ma. Paz Annette M. David/
FC Benavente, Planners

LOT: 2114-11

CALLED TO ORDER: 6:03 p.m.

The meeting was called to order by Planning Staff, and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Felix Benavente, for his presentation. After his presentation, the applicant's representatives responded to the following public attendee's questions, comments and concerns.

1. Vice Mayor Toves: I stay back there and the water catchment, that's the problem. They closed it off. Past the clinic, there's a house being used as storage. There's a wall there that blocks off the drainage. There are a lot of complaints because of that. (Shows a picture of the flooding). When the clinic opened, it caused flooding problems. The clinic was illegal with the "R2" zoning. It shouldn't have been built. If you live there, you know it's a problem. That area shouldn't be a commercial development. It needs to be addressed. It shouldn't have been done before. The clinic was my father's brother's property. We're just finding out it's actually "R2" zone.

Felix Benavente: (Displays the property map and points out the easement)

2. Vice Mayor Toves: I know the map, but that area is "R2" zone.

Felix Benavente: The clinic was there from a Conditional Use approval from the GLUC. It wasn't illegal.

3. Vice Mayor Toves: Where is the "R2" zone side? We always thought it was a commercial zone.

Toni Tuncap: I have a copy of the Notice of Action for the Conditional Use

Felix Benavente: It went through the process to operate a clinic. The building was designed so that the water can go through to the basin. If there are any blockages on their property, it can be easily removed. When the property was inspected, it was designed for the fence to allow the water to flow past.

4. Vice Mayor Toves: We inspected the property. Show me a picture where the water flows. There's a building used as storage and it's causing flooding. Show me where the water flows through. There's a 4-plex back there, too. The water is supposed to go straight through the storm drain. That's the problem.

Felix Benavente: Ok, Vice Mayor, we'll look into it.

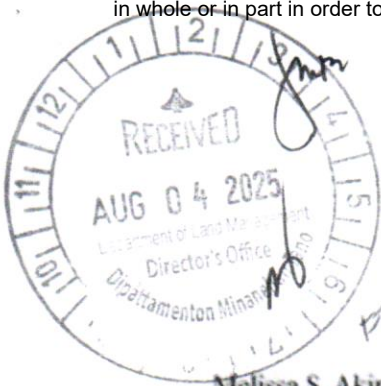
Public Hearing Minutes
App. No. 2025-17
Page 2

5. Vice Mayor Toves: The water isn't from the foot clinic, but the concern is the residents who live back there before the clinic was there. It needs to be addressed.

Felix Benavente: That's why we're here for the public hearing. EPA requires that water from the property should be contained on the lot, and that would be the ponding basin. Water from this property, stays on this lot. This lot isn't the cause of the flooding off of the lot. We'll make sure the owners won't clog the drain and to make sure it stays clean. We can provide the owners phone numbers so they can be contacted.

6. Vice Mayor Toves: I just want to make sure it's addressed so I don't buy the residents a boat just so they can pass. There's an ongoing patchwork for the roads, but that flood issue isn't addressed. Bernie is my first cousin, and she gets flooded in the back. We're concerned about the infrastructure, like the power, the water, and the sewer-not the clinic.
7. Bernie Lizama: (Points to the flooding picture) I've been calling DPW about this flooding problem. I've been following up about the flooding. I'm still waiting. When it's flooded, it takes like 3 days to drain.
8. Joseph Duenas: I'm with the engineering firm, and we're the potential buyers. Our office has been operating on Guam for many years, and the office has a few employees. We're an engineering firm, so you won't see heavy traffic. We're not changing the building, there will be no construction. If you have questions, let us know the issue.
9. Vice Mayor Toves: So no construction?
Joseph Duenas: Well, there will be renovation inside, interior renovation.
10. The rezoning to commercial, what does it do to the area in terms of property tax?
Vice Mayor Toves: If your tax is "R1" or "R2", it's not as much as Commercial. The clinic tax is higher.
11. So the tax changes only that particular area? There are only 3 residential lots in that area. Will the remaining lots stay residential?
Vice Mayor Toves: Yes.
12. The only commercial zone is that building? We got a letter for lots within 500 feet that are commercial zone.
Frank Taitano: The certified letters you received in the mail were for property owners within 500 feet of the clinic on Lot 2114-11. Land Management is required to mail out a letter to notify the neighboring property owners of the public hearing. Your lots are not affected for rezoning. Going back to what was brought up earlier about the conditional use for the first clinic, the main issue at the time was flooding. DPW asked the developer to address the flooding. What worked back then, isn't working now. What the applicant should do, in coordination with the Mayor and Vice Mayor and DPW is to have a new assessment. The potential buyer, Mr. Joe Duenas, is willing to address it. There is a possible solution.

MEETING ADJOURNED: 6:50 p.m.



TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2025-004



Melissa S. Akimoto
Antonio R. Charfauros
Michael G. Lasiste

Rosanne U. Lastimoza
Albert T. Manibusan
Guerrero II, Joaquin A.J.

Danilo V.A. Tinsay
Chair Mayor Louise C. Rivera
VM Vice Chair Albert M. Toves

Relative to
A Resolution the Municipal Planning Council of Tamuning for Guam Department of Land Management
~~Summary~~ Zone Change Application No. 2025-17

BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF TAMUNING-TUMON-HARMON:

WHEREAS, the applicants and owners, Joel M.C. Rubio and Ma. Paz Annette M. David, submitted a request to change the zoning classification of their property from "R-2" (Multiple Dwelling) Zone to "C" (Commercial) Zone located at 2114-11 Tun Jose Toves Way, in the Municipality of Tamuning;

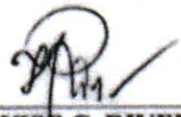
WHEREAS, the ~~Summary~~^{ML} Zone Change Application No. 2025-17 was heard on Thursday, July 17, 2025, during the Tamuning-Tumon-Harmon Municipal Planning Council's regular monthly meeting;

WHEREAS, a motion was made by MPC member D. Tinsay to approve the zone change application. Seconded by MPC member Melissa Akimoto, all in favor. Motion carried.


NOW, THEREFORE, BE IT RESOLVED that the Tamuning-Tumon-Harmon Municipal Planning Council hereby approves the Zone Change Application No. 2025-17 as proposed.

BE IT FURTHER RESOLVED that this resolution shall be submitted to the Department of Land Management and communicated to the applicants, Jonathan R. and Carrie A. Murphy, to inform them of the MPC's decision regarding their application.

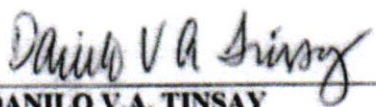
DULY AND REGULARLY ADOPTED ON THE 17th DAY OF JULY, 2025.



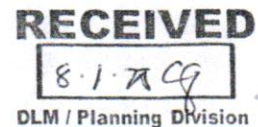
LOUISE C. RIVERA
Mayor and Chair



ALBERT M. TOVES
Vice Mayor and Co-Chair



DANILO V.A. TINSAY
MPC Member and Council Secretary



Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

State of Guam, Government of Guam
Department of Land Management, Office of the Recorder
Title for Record is (last number) 797189
On the Year 09 Month 10 Day 13 Time 11:50
Recording Fee De - Office Receipt No. _____
Deputy Recorder [Signature]

(Space above for Recordation)

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

COPY

NOTICE OF ACTION

September 25, 2009

Date

To: **Drs. Joel Rubio & Ma. Paz Annette David**
DBA Health Partners, LLC
Represented by ARI Partners
Tumon Bay Business Center, Suite 201,
919 Pale San Vitores Road,
Tumon, Tamuning, Guam 96913

Application No. 2009-43

The Guam Land Use Commission, at its meeting on September 24, 2009

 / Approved / Disapproved
 / Approved with Conditions XXX/ Tabled

Your request for a Conditional Use Permit on Lot 2114-11, Municipality of Tamuning.

 / Zone Change*** / Subdivision Variance
 / Zone Variance / Tentative Subdivision
[] Height [] Use
[] Density [] Other
[] Setback

XXX/ Conditional Use / Final Subdivision
 / Wetland Permit / Re-Subdivision
 / Determination of Policy Definition / Subdivision Definition
 / Seashore Clearance Miscellaneous

***Approval by the Guam Land Use Commission of a Zone change DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Notification be sent upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

ATTACHMENT I

of Guam, Government of Guam
Department of Land Management
Office of the Secretary

09 11 25 Time 10:15
799068

Victoria C. Torres

FORCES

(Space above for Recordation)

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply to the application for Zone Change."

GUAM LAND USE COMMISSION
Department of Land Management
Government of Guam
Hagatna, Guam 96910



NOTICE OF ACTION

November 19, 2009

To: Joel MC Rubio & Ma Paz Annette David
Represented by ARi Partners Architecture+
Tumon Bay Business Center, Suite 201
Pale San Vitores Road
Tumon, Guam 96913

Application No. 2009-43

The Guam Land Use Commission, at its regular scheduled meeting on November 12, 2009.

- Approved
- XXX Approved with Conditions
- Disapproved
- Tabled

your request on Lot 2114-11, Municipality of Tamuning for a

- Zone Change**
- Zone Variance
 - Height Use
 - Density Other
 - Setback
- XXX Conditional Use
- Determination of Policy Definition
- Seashore Clearance
- Subdivision Variance
- Tentative Subdivision
- Final Subdivision
- Subdivision Definition
- Miscellaneous

**Approval by the Guam Land Use Commission of a Zone Change DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Notification will be sent upon action taken by the Governor. [Ref: 21 GCA (Real Property), Chapter 6 (Zoning Law), Section 61634 (Decision by the Commission).]

NOTICE OF ACTION

Re: Application No. 2009-43

Joel MC Rubio & Ma Paz Annette David
Represented by ARi Partners Architecture+
Lot 2114-11, Municipality of Tamuning
GLUC Meeting of November 12, 2009
Page 3 of 6

(Conditions con't)

7. On air pollution, the agency requires that no person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions.
8. Any green waste generated by clearing of this development shall not be transported to the Ordot Dump. It is recommended that green waste be mulched and used on site. It is advised that a section of the developed property be identified for solid waste bins to be strategically placed both for tenants and trash haulers.

GUAM WATERWORKS AUTHORITY:

9. GWA did not provide a position on the request; however, the Authority identified the following:
 - a. GWA identifies a certified-calculation on water and wastewater demands at 700 gpd and 560 gpd, respectively. GWA provides that there are existing service limitations. Specific solutions to collection system capacity issues have not been identified and must be addressed as part of the project. Until such capacity upgrades are in place, GWA will not approve an occupancy permit for the completed project.
 - b. GWA's response does not constitute a notice that the water and wastewater services are immediately available nor that the systems are capable of providing fire protection for the project without the provisions of additional onsite measures. Any extension of the water and wastewater systems and/or capacity upgrades required to serve the property shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to serve the project shall be at the expense of the developer. Capacity upgrades of existing systems required to serve the project shall also be at the expense of the developer barring the creation of a formal developer agreement establishing other conditions.
 - c. Plans and specifications must be submitted for review and approval of GWA prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specifications. GWA recommends that project consultants coordinate development of utility plans with GWA Engineering Department well in advance of building permit submittal (conceptual and 60% development stages). Failure to do so may delay the approval and issuance of the building permit. Final submittal shall include electronic and paper copies of plans.
 - d. Design calculations shall include water demand calculations, including peak hour and peak day demands; wastewater flow calculations; a fixture count summary for evaluation and determination of appropriate meter size; fire flow requirements/calculations; and an evaluation of system capacity to provide required flows.
 - e. Drawings shall delineate the water and wastewater service points of connection and provide specific connection details as verified by the design engineer. Drawings indicating that the point of connection and/or details is "to be determined by others" shall not be accepted.
 - f. Water service line details shall indicate the proposed meter size. Normally a separate fire flow connection will be required for fire service. If a single water meter is intended to satisfy both domestic and fire flow requirements, it will be the responsibility of the design engineer to illustrate that the meter size required to meet fire flow requirement can also register efficiently under average daily demand flows. Approval of the single meter shall be at the discretion of GWA. Note that any future system development charges will be based on the meter size installed even if the size is determined based on fire flow requirements.
 - g. In the event that onsite facilities include a water storage tank to be filled directly from the GWA system, the connection design shall include an automatic flow control device. To restrict flow into the tank and to maintain

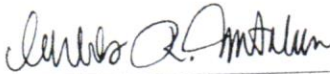
NOTICE OF ACTION

Re: Application No. 2009-43

Joel MC Rubio & Ma Paz Annette David
Represented by ARi Partners Architecture+
Lot 2114-11, Municipality of Tamuning
GLUC Meeting of November 12, 2009
Page 5 of 6

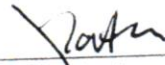
(Conditions con't)

- b. The applicant must work with GFD to ensure that access to and around the subject establishments are sufficient and acceptable for emergency vehicles in the event of a fire or emergency.
- c. The applicant must institute best management practices such as minimizing unnecessary clearing and grading, phase construction to limit soil exposure, install perimeter controls to filter sediments and provide temporary and/or permanent soil stabilization during the clearing and grading and the construction stage. Concepts and ideas from GEPA's Storm Water Management Manual should be the basis for storm water and erosion management plans.
- d. A landscaping plan must be strictly adhered to, in order to provide a buffer between the proposed development and other establishments and properties, as well as for aesthetic purposes. The plan must be submitted, reviewed and approved by the Guam Chief Planner, and installation of plants must be in place prior to the issuance of an occupancy permit.
- e. The applicant must coordinate with the GWA to ensure the availability and feasibility of sewer connection and water hookup.
- f. The applicant must coordinate with DPR, Historic Preservation Division, especially when excavation is involved.
- g. For security and safety of adjacent neighbors, the perimeter of the proposed clinic should be fenced.
- h. No future changes to the proposal be allowed, unless GLUC approval of those specific changes(s) is first obtained.



Carlos R. Untalan
Guam Chief Planner

11-19-09
Date



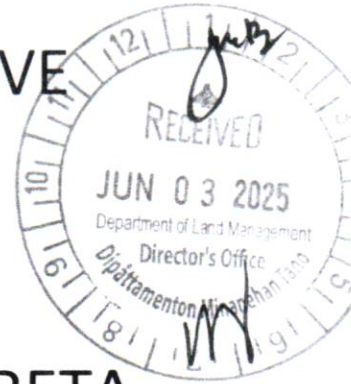
Jay L. Lather
Chairman, GLUC

11-19-09
Date

Case Planner: **Marvin Q. Aguilar**
cc: **Buildings Permits Section, DPW (Attn: Mr. Jesus Ninete)**

6/2/25

TO: CHAIRPERSON, GLUC OR EXECUTIVE
SECRETARY, GLUC



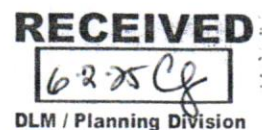
HI, MY NAME IS MICHAEL SALAS BORRETA.

I HAVE NO OBJECTIONS. JUST AS LONG IT
DOES NOT INTERFERE IN THE FLOW OF
TRAFFIC.

SINCERELY,

MICHAEL S. BORRETA

Mr. Frank
6-6-25



CL

NOTICE TO REZONE

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A REZONING FROM "R-2" (MULTI-FAMILY DWELLING) ZONE TO "C" (COMMERCIAL) ZONE
GLUC Appl. #2025-17

APPLICATION DESCRIPTION: TO ALLOW FOR THE EXISTING BUILDING TO BE CONVERTED TO A PROFESSIONAL ARCHITECTURAL/ENGINEERING OFFICE

OWNER: JOEL M RUBIO AND MA. PAZ ANNETTE M. DAVID

DEVELOPER: JOEL M RUBIO AND MA. PAZ ANNETTE M. DAVID

LOT, BLOCK, TRACT, MUNICIPALITY: LOT 2114-11: BLOCK N/A: TRACT N/A: MUNICIPALITY: TAMUNING

PROPOSED CHANGE OF ZONE: FROM "R-2" (MULTI-FAMILY DWELLING) ZONE TO "C" (COMMERCIAL) ZONE

	DATE	TIME	PLACE
PUBLIC HEARING:	AUG 14 2025	6:30 PM	TAMUNING COMMUNITY CENTER
GLUC MEETING:	AUGUST 14, 2025	1:30 PM	DLM CONFERENCE RM. 3RD FLOOR, ITC BLDG. TAMUNING



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

August 1, 2025

Memorandum

Website:
<http://dlm.guam.gov>

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2025-17 (Zone Change)

E-mail Address:
dmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends Approval subject to the following condition.

1. That the applicant, adhere to the permitting ARC members conditions and requirements as stipulated on their Official Position Statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection with the approval of the Zone Change Application.

GUAM POWER AUTHORITY (GPA):

GPA submits its Comments and Recommendations Concerning GPA requirements and Certifies that the required Government Services, Facilities and Infrastructure are currently Available in place and Adequate.

Facsimile:
671-649-5383

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2025-17

August 1, 2025

Page 2 of 2

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the zone change application based on the conditions on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW has no objection to the request subject to the conditions on their position statement.

GUAM WATERWORKS AUTHORITY (GWA):

GWA has no objection and supports the zone change subject to the conditions on their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg has no objections or concerns regarding the requested rezoning of Lot 2114-11, subject to the condition on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the Zone Change from "R-2" (Residential) to "C" (Commercial).

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

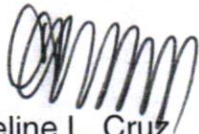
Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

Ex-Officio, non-voting member, not required to submit Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

Ex-Officio, non-voting member, not required to submit Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga • Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi • Lieutenant Governor



VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDELETA, JR.
Deputy Director

21 MAR 2025

MEMORANDUM

TO: Chairperson, Guam Land Use Commission
Director, Department of Land Management

FROM: Director, Department of Public Works

APPLICANT: Joel M.C. Rubio and Ma. Paz Annette. M. David

SUBJECT: Zone Change from "R2" to "C"
Application No. 2025 - 17
Lot No. 2114-11, Tamuning, Guam



The rezoning of Lot 2114-11 from "R-2" to "C" will allow the use of the existing Health Clinic building to be converted into an office for Architectural / Engineering services to operate on site. The property is approximately 1,308 square meters or 14,854.14 square feet located in the Municipality of Tamuning.

The Department of Public Works has completed its review of the subject application and has no objection to the request provided the following conditions are met:

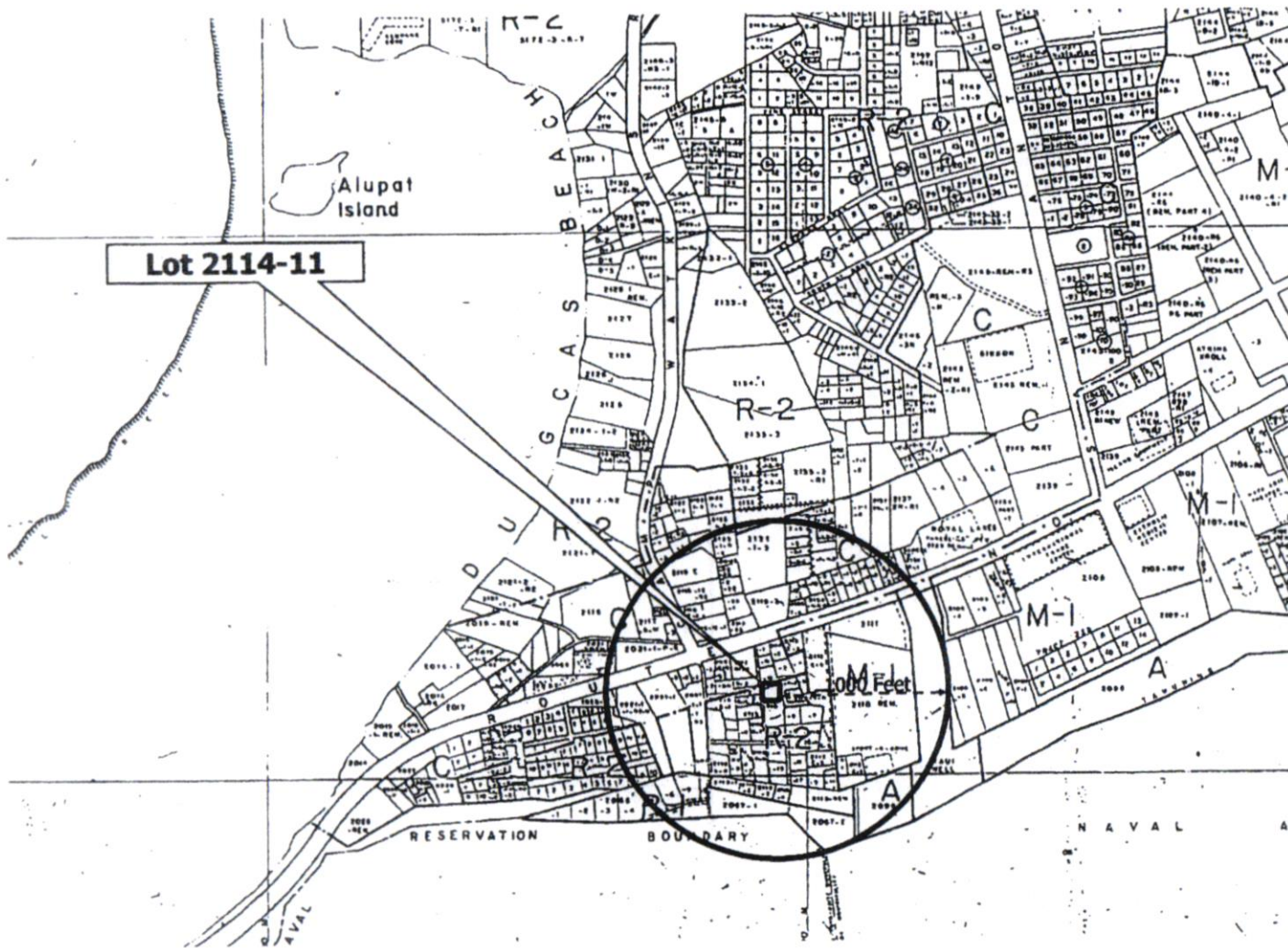
- Egress/ Ingress must be wide enough for incoming and outgoing vehicles.
- Provide solid waste disposal services.
- Parking lay-out must be in detail for (compact, standard and ADA) requirements.
- Building permit is required for the installation of fence six (6') and above.
- Provide calculations for the existing storm drainage disposal system as shown in plans.

NOTE: DPW Building Permit is required to re-inspect the existing structure for the change in use. Therefore, the applicant is required to apply a new building permit for the issuance of occupancy permit.

Should you have any questions, please contact the Division of Capital Improvement Projects (CIP) at (671) 646-3224 or (671) 646-3189.

PY
VINCENT P. ARRIOLA

*TO: Frank
4-1-25
[Signature]*



NORTH

Graphic Scale

EXISTING ZONING WITHIN
1,000 FT RADIUS of

Lot 2114-11

Municipality of Tamuning

ZONING LEGEND

- A Rural Zone
- PUD Planned Unit Development
- R-1 Single Family Dwelling Zone
- R-2 Multiple- Family Dwelling Zone
- C Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial

Ref: DLM Official Zoning Map
Tamuning
Sheet 13 of 17

FC Benavente, Planners

- Planning
- Zoning
- Land Development Consulting
- Permits XP

127 Bejong Street, Barrigada, Guam 96913
Tel: 671 988-7911 Email: felouben@gmail.com



TAB D
ATTACHMENT 1 TO TAB D – AERIAL IMAGE OF PROPERTY LOCATION



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Li Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetision
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288; Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355 Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

March 10, 2025

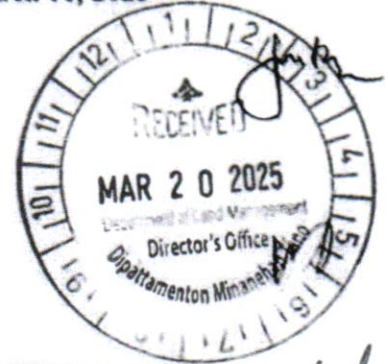
In reply refer to:
RC 2012-9634

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: The applicants, Joel M.C. Rubio and MA, Paz A. M. David c/o FC Benevente Planners propose to rezone Lot 2114-11 from "R-2" (Single Family Dwelling) Zone to "C" (Commercial) Zone in order to allow an existing building to use as Architectural/ Engineering Office use within the Municipality of Tamuning; Zone Change Application No. 2025-17



conceded FT

We reviewed the subject request by applicant, Joel M.C. Rubio and MA, Paz A. M. David c/o FC Benevente Planners propose to rezone Lot 2114-11 from "R-2" (Single Family Dwelling)

Zone to "C" (Commercial) Zone in order to allow an existing building to use as Architectural/ Engineering Office within the Municipality of Tamuning; SZC Application No. 2025-17 The subject Lots has an overall size of 0.34 acres.

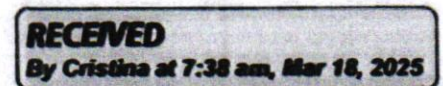
Our office has concluded our review and will have **No Objection** with the Approval of this Zone Change Application.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

Angel R. Sablan
Director

Patrick O. Lujan
State Historic Preservation Officer



*TO: Frank
COM
3/26/25*



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director

To: **Joseph Borja**, Director
Department of Land Management

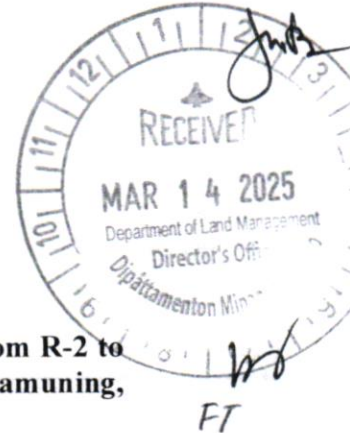
Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muna
Digitally signed by Chelsa D. Muna
Date: 2025.03.14 09:59:52 +10'00'

Date: March 14, 2025

Subject: **Position Statement for Application 2025-17. "Zone Change" from R-2 to C zone for Lot 2114-11, located along Tan Conchita Lane, Tamuning, Guam (Joel M.C. Rubio & Ma. Paz A.M. David)**

* REVISED *



The Department of Agriculture (DOAG) has reviewed **Application 2025-17** requesting for certification to **rezone Lot 2114-11 from Multi-Family Dwelling (R-2) zone to Commercial (C) zone**, located along Tan Chonchita Lane, Tamuning, Guam. The purpose to rezone is to convert an existing health clinic to an architectural/engineering office.

Upon review, DOAG has no objections or concerns regarding the requested rezoning of Lot 2114-11. DOAG actively monitors Endangered Species present in the Dededo area. Landowner must consult with DOAG regarding any future development plans (reconstruction, renovations, or expansions) via permits@doag.guam.gov to assess potential impacts on protected species and identify solutions to avoid or minimize impacts to these species. Species observed in the area includes:

- Yellow Bittern
- Micronesian Starling
- Mariana Fruit Bat
- Common Moorhen
- Guam Tree Snail

Landowner must consult DOAG's Biosecurity Division at biosecurity@doag.guam.gov to develop and implement a biosecurity plan for the subject lot to prevent the introduction or spread of Little Fire Ants and other invasive species.

DOAG concludes with the approval to certify the zone change for Lot 2114-11 from R-2 zone to C zone for the purpose stated in the application. Should you have any questions or concerns, please contact us at permits@doag.guam.gov.

Director's Office (671) 300-7965 | Agricultural Dev. Services (671) 300-7973 | Animal Health (671) 300-7964/6
Aquatic & Wildlife Resources (DAWR) (671) 735-0294 | Forestry & Soil Resources (671) 300-7975/7
Plant Nursery (671) 300-7974 | Biosecurity Division (671) 475-1427 | Pest Hotline (671) 475-7378
Website: doag.guam.gov

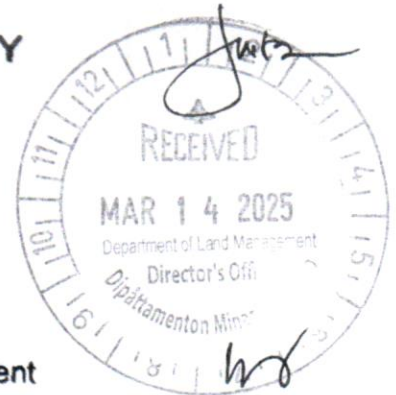
REPORT THREATS TO GUAM'S NATURAL RESOURCES (671) 864-

RECEIVED
By Cristina at 11:14 am, Mar 14, 2025

Handwritten notes:
P. F. F. F.
COM
7-19-28

GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913



MEMORANDUM

February 20, 2025

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Louise C. Rivera, Municipality of Tamuning
(louise.rivera@mcog.guam.gov)

FROM: Miguel C. Bordallo, P.E., General Manager *MCB*

SUBJECT: Position Statement on Zone Change Application 2025-17 for Lot 2114-11 in the Municipality of Tamuning

APPLICANT: Joel M.C. Rubio and Ma. Paz M. Annette David

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "R2" (Multi-family) to "C" (Commercial) zone for the use of a Architectural & Engineering office.

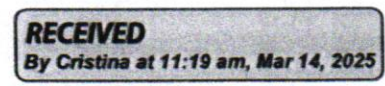
This memorandum shall serve as GWA's position statement for the Joel M.C. Rubio and Ma. Paz M. Annette David application related to the availability of water and sewer infrastructure to serve Tamuning lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development, including fire flow, without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

GWA has no objection to the application

GWA provides water service to the existing structure. GWA supports the zone change with the following conditions:

1. Prior to renovation or occupancy by a new tenant, the account holder shall inform GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

*TO: Pranz
@MM
3-19-25*



GWA Position Statement

Application 2025-17

Applicant: Joel M.C. Rubio and Ma. Paz M. Annette David

Page 2 of 2

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss the proposed water demand calculations in order to determine if existing GWA facilities can accommodate the proposed use and if any off-site infrastructure improvements may be necessary. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
3. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
4. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
5. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter in accordance with GWA standards.
6. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Prudencio F. Aguon, GWA Permits and New Area Development Supervisor (#671-300-6065 or prudencio@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

March 07, 2025



MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: **Lot 2114-11, Municipality of Tamuning, (Joel M.C. Rubio and Ma. Paz M. Annette David); Zone Change Application Current use R2 (Multi-Family) Health Clinic, to C (Commercial) Proposed use: Office for Architectural/Engineering. Application No. 2025-17**

A. Comments and Recommendations Concerning GPA requirements:

1. Applicant is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide any revisions to scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, are 100% chargeable to the applicant including but not limited to labor and materials.
 - Required system upgrades will be charged to the applicant. This includes relocation costs, new installation costs and all costs associated with modification of GPA facilities.
 - **GPA reserves its rights to the 10' and 20' wide Utilities easements as shown on Instrument Nos. 062380, 062742, and 083398.**
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. Further system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.

JMB
JOHN M. BENAVENTE, P.E. *JS*

*To: Frank
GUM
3-17-25*

08

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: **Joel M.C. Rubio and Ma. Paz M. Annette David**
 Location: **Lot 2114-11, Municipality of Tamuning.**
 Type of Application: **Zone Change Application**
GLUC/GSPC Application No. 2025-17
 Brief Project Description: **Current use R2 (Multi-Family) Health Clinic, to C (Commercial)**
 Proposed use: **Office for Architectural/Engineering.**

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**


1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
 Yes No

2. If the answer to #1 above is YES, then:
 I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
 Yes No


3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.



 JOHN M. BENAVENTE, P.E.
 General Manager



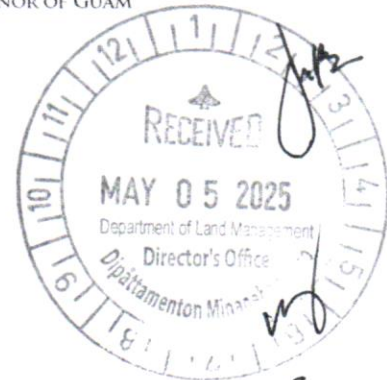
 3/10/2025
 Date

Comments:
 Based on a preliminary inspection of the site, the electrical facilities will require upgrading to meet the demand of the proposed project. Further system impact assessment may be required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

MAY 02 2025



Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg, Ste. 733
Tamuning, Guam 96913

Ref: Application No. 2025-17, the Applicants, Joel M.C. Rubio and Ma. Paz Annette M. David, represented by FC Benavente, Planners, requests a Zone Change from "R-2" (Multi-Residential Family) zone to "C" (Commercial) zone to convert an existing health clinic to a professional office on Lot 2114-11, in the Municipality of Tamuning.

Hafa adai Dr. Enriquez,


Buenas y Saluda. The Guam Environmental Protection Agency (GEPA) has approved a Zone Change from R-2 (Residential) to C (Commercial) to convert a health clinic into a professional office on Lot 2114-11 in Tamuning.

The building is connected to the Guam Waterworks Authority's water and sewer system on Tun Juan Duenas Street. No new water or sewer connections are planned. Only internal renovations will take place, with no external work anticipated. The existing drainage system will remain in use, and no additional yard activities are expected.

If you have any questions or need additional information, please do not hesitate to contact the Water Resources Management Program or the Water Division Acting Chief Engineer, Mr. Johnny Abedania, at Tel No. (671) 588-4796 or (671) 588-4786, respectively.

Dangkolu na si Yu'us ma'ãse'.

Senseramente,

For 
MICHELLE C.R. LASTIMOZA
Administrator

FD: Frank
5.12.25



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANLÁLA'

 Like and follow guamepa



LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

March 31, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-17 Zone Change
Lot Number: Lot 2114-11
Municipality: Tamuning
Applicant: John M.C. Rubio and Ma. Paz A.M. David
Proposed Use: Office for Architectural/Engineering



Buenas yan Háfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicants are submitting a Zone Change application to rezone the subject lot from R2 "Multiple-family Dwelling" zone to C "Commercial" zone in order to utilize the lot for professional office use. The Subject lot is currently being used for a health clinic. As the applicants have shared through their application, there will be no exterior-related changes to the existing structure and any structural work will be limited to internal modifications for the sought revised use of the structure space consistent with professional office uses. The subject lot is located in the municipality of Tamuning and contains a total of 1,308 square meters or approximately 0.32 acres. All public utilities are available within the lot.

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990). Note: In past publications, this article was entitled "Centralized

Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978). <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov

RECEIVED
By Cristina at 1:39 pm, Apr 01, 2025

2 | Application No. 2025-17 Zone Change – John M.C. Rubio and Ma. Paz A.M. David

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The subject lot is located between Tan Conchita Lane and Tun Josen Toves Way, three blocks south of Route 1, South Marine Corps Drive. The immediate surrounding area of the subject lot consists of various establishments, including another clinic directly north, industrial equipment supplier two blocks to the right, and condominiums directly to the left of the lot. Within a 750 ft radius of the subject lot are commercial lots and some single-family residences.

The subject lot is located in a "Mixed Use"³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244)⁴ was adopted as an element of the Guam Comprehensive Development Plan. As directly stated under the North and Central Guam Land Use Plan, "The Mixed Use category primarily focuses on larger commercial centers and corridors, including commercial uses that require large sites and draw customers from throughout the Island. Examples of commercial uses appropriate to this category include but are not limited to department stores, malls, office buildings, medical and other service uses, hotels/motels and restaurants. Mixed use developments incorporating a variety of types and densities of residential units are also appropriate in this designation. Mixed Use development along corridors should be developed in a manner that focuses density in specific areas or 'transit targets' to support high-quality transit service, and should be developed at a walkable neighborhood scale. Along undeveloped corridors, the mixed use development should be interspersed with development that is lower density to maintain natural character and open space."⁵ Thus, the proposed use for the subject lot as it relates to professional office use within the subject lot conforms to the "Mixed Use" land-use designation.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is in the Agana Watershed. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 12.67% from 2005 to 2015.⁶

Regarding development impacts, comparative analysis of cumulative developed areas between 2005 and 2015 describes a net increase of 5.4% within the watershed with a net increase of 5.35% to impervious surfaces.⁷ An area is at greater risk of flooding the more an area is developed and the higher the levels of impervious surfaces. Areas with impervious surface rates will likely experience negative impacts on water quality.

³ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam.

⁴ Public Law 30-224 §, Section 4 (2010).

⁵ ICF International. North and Central Guam Land Use Plan. (2009). 2-2

⁶ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed February 2025 at <https://coast.noaa.gov/ccapAtlas/>

⁷ Ibid.

3 | Application No. 2025-17 Zone Change – John M.C. Rubio and Ma. Paz A.M. David

Impervious surfaces significantly reduce the water quantity and quality in a watershed. It is reported that impervious surface degrades watershed quality by significantly reducing stream flow and stream temperature. They carry substantial pollutant loads downstream, in effect causing harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and losing beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Current land cover indicates the subject lot is fully developed, and no additions or modifications will be done to the exterior of the existing facility.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Policy LU-5 Promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.⁸

Determination of Effects: Yes

The proposed project has the potential to advance Policy LU-5.

Condition: A recommendation to the applicant is to incorporate green building concepts and sustainable community designs in the design and construction phase of the proposed development. Incorporate the use of alternative power sources, such as solar powered street lights, water heating, and air-conditioning, and other uses of renewable power sources.

Policy LU-9 Create development standards and practices that recognize and promote existing and desired community character of villages, while allowing for innovation and design excellence.⁹

Policy LU-12 Establish opportunities for localized services and recreation close to residential neighborhoods.¹⁰

Determination of Effects: Yes

The proposed development has the potential to advance policy LU-9 and policy LU-12 in addressing the need to promote and protect the long-term health, character and

⁸ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam: 2-5

⁹ Ibid.

¹⁰ Ibid, 2-6

4 | Application No. 2025-17 Zone Change – John M.C. Rubio and Ma. Paz A.M. David

identity of the village communities, while also allowing for innovation and providing the opportunity for localized services close to residential neighborhoods.

Condition: Consider incorporating detailed plans for landscaping, including strategically placed trees, shrubs, and hedges, to create effective visual buffers between the commercial development and adjacent residential properties. Where landscaping is insufficient, implement solid fencing or other appropriate screening measures, using materials that complement the village character. Design building layouts and window placements to minimize direct views into neighboring residences. Implement a lighting plan that uses fully shielded, downward-directed light fixtures to minimize light spillage onto adjacent residential properties and into the night sky. Implement restrictions on delivery and loading/unloading times to minimize noise during early morning and late evening hours. Restrict the use of noisy machinery, and equipment to certain times of day.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.¹¹

Determination of Effects: Yes

The requested zone change would allow for construction activities which have the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) during internal refurbishment and construction to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.¹²

Policy NS-1 "Protect the Northern Aquifer and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities."¹³

Policy NS-17 "Protect groundwater recharge areas and stream conservation areas from urban and saltwater contamination using the following approaches:

e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;

¹¹ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

¹² Ibid.

¹³ ICF International. North and Central Guam Land Use Plan, 2009. 5-2

5 | Application No. 2025-17 Zone Change – John M.C. Rubio and Ma. Paz A.M. David

f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;

g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment."¹⁴

Policy LU-15 "Encourage organic production and chemicals best management practices over the Northern Aquifer."¹⁵

Determination of Effects: Yes

The proposed development will contribute to the cumulative negative impact to the water quality within the Agana Watershed.

Condition: The applicant shall ensure that all proposed structures are connected to public sewer. The applicant shall comply with CNMI and Guam Stormwater Management Manual¹⁶ Standards and implement Island Best Management Practices specifications in any future improvements to the property. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁷ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁸.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

¹⁴ Ibid., 5-5

¹⁵ Ibid., 2-6

¹⁶ Horsley Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹⁷ Center for Watershed Protection & Horsley Witten Group, Inc. Island Stormwater Practice Design Specifications. A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency. (2010): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/island_swm_specs_supplement_cnmi_guam_design.pdf

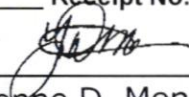
¹⁸ Center for Watershed Protection & Horsley Witten Group, Inc.. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPGuide_wAppendix.pdf

6 | Application No. 2025-17 Zone Change – John M.C. Rubio and Ma. Paz A.M. David

Should you have any questions regarding this matter, please do not hesitate to contact Mr. James Pangelinan, Planner, at james.e.pangelinan@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.



LOLA E. LEON GUERRERO
Director

GOVERNMENT OF GUAM – Department of Land Management	
Office of the Recorder	
File for Record is Instrument Number	<u>1010727</u>
on the Year 20 <u>25</u> Month <u>07</u> Day <u>25</u> Time <u>8:00AM</u>	
Recording Fee <u>DE-OFFICIO</u>	Receipt No. <u>DE-OFFICIO</u>
Deputy Recorder: _____	
	Yvonne D. Mendiola

Above Space for Recorder's Use only

COPY

GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, July 10, 2025
1:31 p.m. to 2:12 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, July 10, 2025 • 1:31 p.m. to 2:12 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Commissioner Ronald C. Pangilinan, Commissioner

Mr. Gerald P. Yingling, Commissioner

[Excused: Commissioner Leilani R. Flores]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Mr. N. Lee Miller, Jr., Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Mr. Frank Taitano, Planner IV

Mr. Penmer Gulac, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting:

THURSDAY, JULY 10, 2025

Time of Meeting:

GLUC: 1:31pm | GSPC:

<input checked="" type="checkbox"/>	GLUC
<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

GLUC
Regular
Special
Quorum
No-Quorum

<input type="checkbox"/>	GSPC
<input type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

GSPC
Regular
Special
Quorum
No-Quorum

COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez

Anita B. Enriquez

Commissioner Leilani R. Flores

Leilani R. Flores

Commissioner Ronald C. Pangilinan

Ronald C. Pangilinan

Commissioner Gerald P. Yingling

Gerald P. Yingling

Commissioner (Vacant)

STAFF

Joseph M. Borja, Executive Secretary

Present

Rossana San Miguel Tiston, Deputy Director

Lee Miller, Assistant Attorney General

Present

Celine L. Cruz, Chief Planner

Celine L. Cruz

Frank Taitano, Planner IV

Frank P. Taitano

Penmer Gulac, Planner IV

Penmer Gulac

M. Grace Vergara, Planner IV

M. Grace Vergara

Sonny Gogue, Planner III

Theresa Guevara, Planner II

Theresa Guevara

Edward Sanchez, Planner I

Edward Sanchez

M. Cristina Gutierrez, Recording Secretary

M. Cristina Gutierrez

Kyle P.D. Meno, T. Network Coordinator

Present

ADJOURNMENT

GLUC: 2:21pm | GSPC:



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Commissioner Leilani R. Flores
Commissioner Ronald C. Pangilinan

Commissioner Gerald P. Yingling
Commissioner (Vacant)

Joseph M. Borja, Executive Secretary
N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, July 10, 2025 at 1:30 p.m.
Department of Land Management Conference Room
3rd Floor ITC Bldg., Tamuning, GU 96913
[As advertised in the Guam Daily Post – July 2, 2025 & July 8, 2025]
Livestreamed on YouTube at Guam Department of Land Management Channel

I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum

II. **Approval of Minutes**

➤ GLUC Regular Meeting Minutes of Thursday, June 12, 2025

III. **Old or Unfinished Business [None]**

IV. **New Business**

Zone Change

A. Application No. 2025-45, the Applicant, Guam Housing and Urban Renewal Authority; requests a Zone Change from "A" (Agricultural/Rural) zone to "PF" (Public Facilities) zone, for the proposed construction of infrastructure facilities for water, sewer and power, on Lot 5280-3, in the Municipality of Mangilao. Case Planner: Frank Taitano/Sonny Gogue

V. **Administrative & Miscellaneous Matters**

Conditional Use – Renewal

B. Application No. 2024-07A, the Applicant, BME & Son's, Inc.; requests its first annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility to house up to a maximum of 214 workers, on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone. Case Planner: Penmer Gulac

Tentative Subdivision

C. Application No. 2024-03A, the Applicant, J524 Development LLC; requests an extension of Time pursuant to Section 5 of E.O. 96-26, for a previously approved Tentative Subdivision, to construct a residential subdivision consisting of 80 single-family dwellings with full improvements, on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo, in an "R1" (One Family Dwelling) zone. Case Planner: Frank Taitano

D. Election of Vice Chairperson, Guam Land Use Commission

VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, July 10, 2025 • 1:31 p.m. to 2:12 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As Advertised in the Guam Daily Post on July 2nd, 2025 & July 8th, 2025]
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Enriquez called the regular meeting of the Guam Land Use Commission for Thursday, July 10, 2025, to order at 1:31 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Ronald Pangilinan, Commissioner Gerald Yingling, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Guam Chief Planner Celine Cruz, Planning Staff Frank Taitano, Penmer Gulac, Sonny Gogue, Kyle Meno, and Recording Secretary Cristina Gutierrez.

Excused: Commissioner Leilani Flores

Madam Chair noted a quorum and announced that today's meeting was being livestreamed on YouTube at the Guam Department of Land Management Channel.

Chairperson Enriquez, before moving forward with the agenda, Madam Chair stated that she had received a request to rearrange the order of the agenda, moving Item B, under Administrative Matters, to the beginning of the agenda.

Madam Chair asked for a motion.

Commissioner Yingling made a motion to reorder the agenda as stated by Chairperson Enriquez.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez there was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. [Motion passed unanimously with a vote of 3 ayes and 0 nays.]

II. Approval of Minutes

Chairperson Enriquez on the agenda today, is the approval of the Minutes from the last GLUC meeting of June 12, 2025. Members have been emailed in advance the draft of the Minutes, and they have been reviewed. Madam Chair asked for a motion for action.

Commissioner Yingling motioned to approve the Minutes of Thursday, June 12, 2025.

Commissioner Pangilinan seconds the motion.

Commissioner Enriquez confirmed and accepted the motion made by Commissioner Yingling and seconded by Commissioner Pangilinan. Madam Chair noted no errors, edits, omissions, or discussion, put the motion to a vote with all members in favor of approval.

[Motion approved unanimously with a vote of 3 ayes and 0 nays]

III. **Old or Unfinished Business** [None noted]

V. **Administrative and Miscellaneous Matters**

Conditional Use – Renewal

- B. Application No. 2024-07A, the Applicant, BME & Son's Inc.; requests is first annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility to house up to a maximum of 214 workers, on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone.
Case Planner: Penmer Gulac

Chairperson Enriquez welcomed the applicant to the meeting and asked them to state their names for the record and to proceed with their presentation.

Vic Gaza representing BME & Son's Inc., and with Mr. Gaza is Danny Natividad, Chief of Operations. Mr. Gaza extended their appreciation to the Commission for allowing them to move up on the agenda. Mr. Natividad is leaving tonight and appreciates the consideration given to them.

Mr. Gaza stated that they are before the Commission to request their consideration for BME's application for the renewal of their Conditional Use permit. He added that they have met all the requirements and the conditions of the application. Additionally, they acknowledge the MPC and Mayor's support of Barrigada.

BME will continue to comply with all of GLUC's imposed conditions, and they will continue to report promptly their annual status and renewal of their permits, licenses, Public Health requirements, updates of H2B, and to maintain the best they can of their temporary workforce housing facility operations as required. Mr. Gaza added that this is a critical stage for BME as they have Department of Defense projects, as well as local and Government of Guam projects.

In closing, Mr. Gaza asked for the Commission's kind consideration in approving their request and extended their appreciation to Chief Planner Cruz and Planning Staff for their professional guidance.

Chairperson Enriquez opened the floor to the Commission for questions for the applicant.

Commissioner Pangilinan has no comments.

Commissioner Yingling has no comments.

Chairperson Enriquez had no questions for the applicant, and turned the floor over to Planning Staff for the staff report.

Celine Cruz, Chief Planner reported that the applicant is seeking its first annual renewal of a previously approved Conditional Use Permit for its Temporary Workforce Housing Facility for a capacity of up to 214 workers. The facility is well maintained, compliant with permit conditions, and includes dormitories, administrative offices, workshops, and recreational areas.

Planning staff finds the request reasonable and consistent with the original approval, and the site is compatible with the surrounding light industrial uses, and no complaints or violations have been reported. There are currently 150 H2B workers residing on site with Visa extensions underway.

To conclude, Chief Planner Cruz stated that Planning recommends approval of the applicant's request for the renewal and continued operation of its Temporary Workforce Housing Facility, and further reporting on its status. [For full content/context, please see attached Brief]

[Attachment B – Commission Brief dated June 30, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions.

Commissioner Yingling commended the staff for a good report.

Commissioner Pangilinan has no comments.

Chairperson Enriquez noted no further discussion. Madam Chair opened the floor for public comment.

Public Comment [None noted]

Chairperson Enriquez noted no public comment for the application before the Commission, and closed the public comment period. There was no additional discussion from the Commission, Madam Chair asked for a motion for action.

[Note: The original motion made by Commissioner Yingling did not include conditions, and, the motion was amended with all members in favor.]

Commissioner Yingling amended his motion to approve Application No. 2024-07A, subject to the conditions as stated in the Commission Brief of June 30, 2025.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez there was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion passed unanimously with a vote of 3 ayes, 0 nays.]**

Madam Chair returned to the regular order of business.

IV. **New Business**

Zone Change

- A. **Application No. 2025-45**, the Applicant, Guam Housing and Urban Renewal Authority; requests a Zone Change from “A” (Rural/Agricultural) zone to “PF” (Public Facilities) zone, for the proposed construction of infrastructure facilities for water, sewer and power, on Lot 5280-3, in the Municipality of Mangilao. Case Planner: Frank Taitano and Sonny Gogue

Chairperson Enriquez welcomed the applicant’s representatives to the meeting, asked that they state their names for the record, and to proceed with their presentation.

Brandon Santos (GHURA) with Mr. Santos today is Albert Santos with the CDLO Office. Mr. Santos stated that on behalf of the Guam Housing and Urban Authority, they are before the Commission today regarding their zone change request under Application 2025-45 for Lot 5280-3 in Mangilao.

GHURA is requesting a zone change from agricultural zone to public facility zone. Mr. Santos remarked that the rezoning of the parcel is an important step to support much-needed infrastructure improvement, which will not only benefit the immediate area but also wider communities of Mangilao, Chalan Pago, and Yona. The main goal is to allow for the development of the central public utility infrastructure for Guam Power Authority and Guam Waterworks Authority.

Planned improvements include a water storage tank and utility sub-stations, which are critical to improve the reliability and capacity and overall delivery of water, sewer, and power services to the surrounding areas.

Albert Santos stated that his role for this request is to assist in facilitating the zone change. He added that before being heard by the GLUC, they underwent a whole chain of issues. Their request was unique in the sense that they had to work with their partners at the Department of Defense to get access and easement from the Navy property to access the subject parcel.

Mr. Santos added that they were joined today by the Engineer Manager from GWA, as well as Vince Sablan from the Guam Power Authority, who are available to answer questions from the Commission.

In closing, Mr. Santos stated that they are seeking the Commission's approval for this much-needed project in order to answer the call of the low water pressure and power demand issues experienced by the community of Mangilao.

Chairperson Enriquez turned the floor over to the Commission for questions.

Commissioner Pangilinan inquired whether the improvements will accommodate future development in the area.

Albert Santos replied that the project is more than just building a GWA pump station. The plan includes the drilling of three water wells, adding a three-million-gallon water holding tank, which will be the largest tank available on the island. This project will be a major improvement for the areas of Mangilao, Chalan Pago, and Yona.

Chairperson Enriquez mentioned that in reading through the minutes from the public hearing, she noted a concern about access and the Route 15 road, specifically regarding the adequacy of the road's width for the intended parcel. The second concern was for private owners to be given the opportunity for water and sewer connections, and the potential to realize savings through economies of scale, if this could potentially lower the costs associated with the necessary water and sewer infrastructure, and if such savings are feasible.

Brett Raley, GWA commented that at present, the nearest public sewer connection is approximately several hundred meters down the road past the turn to Ladera Towers. With the improvements that are being proposed by installing a sewer lift station and force main at the top of the hill and gravity lines the rest of the way down, it would allow all of the properties between the sewer lift station and the current existing of the beginning of the sewer to be connected to the sewer. He added that the plan is to include gravity lines up the hill to the east of the map, and will allow quite a bit of additional area in the vicinity to connect to the sewer in the future.

Chairperson Enriquez asked if there would be sufficient capacity for future development of housing subdivisions to have access to sewer/water connections.

Brett Raley, GWA replied that they are planning for capacity for the area and not just for the site that is being developed.

Albert Santos added that it would be for the whole area, and that the pump will play a critical role in making connections possible. Further down (referring to the map displayed), landowners will have the opportunity to connect to the lines.

Mr. Santos also addressed the Chairperson's inquiry on the road and access. He restated that this was the key to obtaining the easement from the Navy (referring to the map), and that the majority of the construction would not impact the existing road. By having this easement from the Navy, the majority of the construction will be off to the side of the road, and this would not reduce

the number of current lanes currently being used. He also added that there are plans in the future by DPW to expand the road to five lanes.

Chairperson Enriquez remarked that everyone saw the delays in terms of water access post Typhoon Mawar. Madam Chair mentioned that the University depends on its water tank on campus to be able to provide a water supply. Moreover, with the expansion of the footprint and the increase in facilities that are being seen in what is called the Mangilao economic zone, with the educational facilities to include GCC, GW High School, the Guam Culture Repository, Public Health's safety bio-lab and the four additional UOG facilities, Madam Chair asked what type of benefit could they anticipate with this expanded capacity to support this group.

Brett Raley, GWA responded that there were challenges following Mawar in the Mangilao area. The plan for this development is to drill several test wells inland of the three sink holes on the property. Hydrogeologic work will be necessary to verify the quantity and quality of sufficient water before it is developed in the production wells. Mr. Raley stated that they are hopeful that they will be able to get a minimum of three more wells out of this project, which would be an additional water source or supply to Mangilao. The additional tank that is planned to be built will also add to the resiliency of the Mangilao area, having that additional storage capacity.

Commissioner Pangilinan commented that he grew up in the Ladera area, and the water pressure was always low. Commissioner Pangilinan asked if they had an impact zone on where the new wells would affect existing wells.

Brett Raley, GWA responded that they were not planning on changing how the current system operates; the plan is to supply an additional water source into that zone. Currently, there are several wells that feed into the Mangilao area, along the back road to Andersen, there are water lines coming from the Carnation intersection that feed water from wells, and having more source wells in the area will provide additional capacity in that zone.

Chairperson Enriquez there were no additional comments from the members. Madam Chair turned the floor over to the staff for their report.

Sonny Gogue, Case Planner read the staff report to include the application summary, facts to include the master plan, community design plan, no previous Commission action, the application's chronological history, public hearing results, staff analysis, and discussion to address the justification for public necessity, public convenience, and general welfare. Planning staff recommends approval, subject to conditions. [For full content/context, see attached report]

[Attachment A – Staff Report dated June 25, 2025]

Chairperson Enriquez questions for staff.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez had no questions for staff, and opened for public comment.

Public Comment [None]

Chairperson Enriquez noted no public comments. Madam Chair closed the public comment period for the application that is before the Commission and was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2025-45, subject to the conditions and recommendation stated in the staff report dated June 25, 2025.

Commissioner Yingling seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Pangilinan and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion passed unanimously with a vote of 3 ayes and 0 nays.]**

Next item on the agenda –

V. Administrative and Miscellaneous Matters

Tentative Subdivision

- C. Application No. 2024-03A, the Applicant, J524 Development LLC; requests an Extension of Time, pursuant Section 5 of E.O. 96-26, for a previously approved Tentative Subdivision to construct a residential subdivision consisting of eighty (80) single-family dwellings with full improvements, on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo, in an “R1” (One Family Dwelling) zone. Case Planner: Frank Taitano

Lyndon Kim is before the Commission on behalf of J524 Development, LLC. The applicant is requesting an extension of time to complete the improvements of a previously approved Tentative Subdivision for Tract 10441 (formerly Lot 7134) to construct a single-family dwelling subdivision. The subject lot is located in the municipality of Yigo. Their request for an extension of time is pursuant to a Notice of Action dated and recorded on April 2024.

Chairperson Enriquez questions for Mr. Kim.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez had no questions for Mr. Kim and turned the floor over to staff for the report.

Celine Cruz, Chief Planner summarized the Commission Brief dated June 26, 2025. The applicant is requesting an extension of time, conditionally approved by the Commission on April 11, 2024, for the development of a single-family subdivision.

Chief Planner Cruz notes that the applicant has been and continues to consult and coordinate with the Government of Guam's permitting agencies to address permitting conditions and requirements for the approved tentative subdivision. Planning Staff recommends approval, subject to conditions. [For full content/context, see attached report]

[Attachment C – Commission Brief dated June 26, 2025]

Chairperson Enriquez questions for staff.

Commissioner Pangilinan had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez had no questions for Mr. Kim, and opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez there was no public comment noted. Madam Chair closed the public comment period and, was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2024-03A, subject to the conditions noted on the Commission Brief dated June 26, 2025.

Commissioner Yingling seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Pangilinan and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote with all members in favor of approval. **[Motion passed unanimously with a vote of 3 ayes and 0 nays]**

D. **Election of Vice Chairperson, Guam Land Use Commission**

Chairperson Enriquez before entertaining nominations for the position, Madam Chair stated that Commissioner Leilani Flores has declined the nomination for the position. Additionally, the Commission is still waiting to hear on the confirmation of a fifth member, Joseph Rios.

Madam Chair emphasized the crucial role of the Vice Chairperson in the Commission. If the Chairperson is unavailable for a meeting, the Vice Chairperson will take on the responsibilities of the Chair. Members were reminded that a quorum for the regular GLUC consists of three out of five members. Additionally, the GLUC Chair also serves as the Chairperson for the Hybrid Commission. In the absence of the Chairperson, the Vice Chairperson will assume the duties of Acting Chairperson.

Frank Taitano, Planner commented that the support for the Chairperson from the Planning Staff will also be extended to the Vice Chairperson in that capacity.

Chairperson Enriquez extended her appreciation for the statement made by Mr. Taitano and was ready to entertain a nomination for a Vice Chairperson for the Guam Land Use Commission.

Commissioner Yingling nominated Commissioner Ron Pangilinan.

Chairperson Enriquez nomination has been made, and asked Commissioner Pangilinan if he accepts the nomination.

Commissioner Pangilinan accepted the nomination.

Chairperson Enriquez seconds the nomination made by Commissioner Yingling. Madam Chair put the motion to a vote, with all in favor of Commissioner Pangilinan's appointment as Vice Chairman.

Madam Chair brought up a letter that she received in her capacity as Chairwoman of the Guam Land Use Commission, a letter from the Commander of the United States Pacific Fleet, Department of the Navy. The subject is a notice of intent to prepare a supplemental environmental impact statement/overseas environmental impact statement for the Mariana Islands.

Madam Chair stated for the record, that as Chairperson of the Commission, she does not make any unilateral decisions whenever she receives a request. In her capacity as Chairwoman, she is reminded that any requests have to be brought before the Commission because she does not represent the Commission when it comes to providing any kind of testimony, and wanted to ensure that this was made clear. Chairperson Enriquez added that she receives requests to provide testimony, and if she does, it will be in her own individual capacity, but never on behalf of the Commission. Madam Chair asked Legal Counsel Miller if this was correct.

Attorney Miller, Legal Counsel responded that it was. And if any of the members or staff represent that they are speaking on behalf of the body of the organization, it must be ensured that it is a topic that the Commission has discussed and a majority has voted to take a position on. Everyone is free to speak their own mind as long as it is clear they are speaking in their individual capacity.

Chairperson Enriquez asked the Chief Planner for the next meeting date for the GLUC.

Celine Cruz, Chief Planner responded that a meeting is tentatively scheduled for July 24, 2025, and that Planning is tracking two applications for the Hybrid Commission. The GLUC will also convene on the 24th to approve the Minutes.

Chairperson Enriquez for the record, Madam Chair acknowledged that Honorable Mayor Wayne Santos from the village of Chalan Pago was present at today's GLUC meeting.

There being no further business for the Commission, Chairperson Enriquez was ready to entertain a motion for Adjournment.

VI. Adjournment

Vice Chairman Pangilinan made a motion to adjourn today's meeting.


Commissioner Yingling seconds the motion.

Chairperson Enriquez motion is made by Vice Chairman Pangilinan and seconded by Commission Yingling. Madam Chair put the motion to a vote, with all in favor of adjournment.
[Motion carried; 3 ayes and 0 nays]

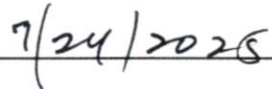
The regular meeting of the Guam Land Use Commission for Thursday, July 10, 2025, was adjourned at 2:12 p.m.

Approved by:

Date approved:

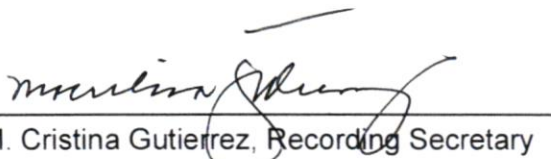


Anita B. Enriquez, Chairperson
Guam Land Use Commission



7/24/2025

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
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LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

June 25, 2025

MEMORANDUM

Website:
<http://dlm.guam.gov>

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2025-45

E-mail Address:
dlmdir@land.guam.gov

1. PURPOSE:

- a. **Application Summary:** The applicant, Guam Housing and Urban Renewal Authority (GHURA), is requesting a Zone Change from "A" (Agricultural) to "PF" (Public Facilities) Zone for the proposed construction of infrastructure facilities for water, sewer, and power on Lot 5280-3 in the Municipality of Mangilao.
- b. **Legal Authority:** Sections 61630 to 61638 (Changes of Zones) of Chapter 61 (Zoning Law), Title 21 GCA (Real Property)

Telephone:
671-649-LAND (5263)

2. FACTS:

- a. **Location:** The subject lot is located across the GPA/ GWA Gloria B. Nelson Public Service Building along Route 15.
- b. **Total Lot Area:** 47.95 acres or 194,081 square meters
- c. **Present Zoning:** "A" (Agricultural) Zone
- d. **Field Description:** The site is vacant and undeveloped.
- e. **Masterplan:** "Residential" (North and Central Guam Land Use Plan)
- f. **Community Design Plan:** The subject lot was within the Federal Lands boundary.

Facsimile:
671-649-5383

Re: Staff Report - Application 2025-45, Zone Change
Lot 5280-3
Municipality of Mangilao
Date: June 25, 2025
Page 2 of 3

g. Previous Guam Land Use Commission Action: None

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Date Application Accepted:** April 17, 2025
- b. **Date Heard By ARC:** May 1, 2025
- c. **Public Hearing Results:** May 30, 2025 (Attachment "A")

4. DISCUSSION and STAFF ANALYSIS:

The applicant's request is for a zone change approval pursuant to Section 61630 (Requirements For Changes) of Chapter 61 (Zoning Law) Title 21 GCA, which states; "The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience, and general welfare justify such action".

The applicant in response for the Zone Change submits the following justification:

Public Necessity:

The proposed project justifies public necessity due to the lack of infrastructure for development in the vicinity of the area. The proposed GPA Fadian Substation will provide voltage and load support for the Mangilao, Chalan Pago, and Yona villages. The growing population in central Guam necessitates the construction of an additional substation to meet the rising energy demands and improve the reliability of the electrical grid. As more homes, businesses, and military facilities come online, the current grid infrastructure risks becoming overburdened. With projections indicating continued population increases for the Mangilao and Barrigada area, this necessitates the expansion and modernization of water and wastewater infrastructure to accommodate growth and to improve services.

Public Convenience:

The public convenience is enhanced by having additional public facilities in the area. The proposed substation is designed to provide a robust power source to local customers, significantly improving service reliability for the Mangilao community. Critical wastewater and potable infrastructure development are pivotal for addressing current service deficiencies, such as aging water and wastewater infrastructure, that will have long-term benefits for the community.

Re: Staff Report - Application 2025-45, Zone Change
Lot 5280-3
Municipality of Mangilao
Date: June 25, 2025
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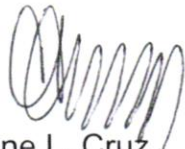
General Welfare:

The general welfare is elevated by providing the installation of adequate and safe public water, sewer, and power. The proposed project not only aims to bolster the infrastructure for the proposed medical campus, but also to enrich the community by providing reliable infrastructure and supporting future growth.

In our analysis, our consideration includes the context of the application, which provides justification that supports a positive action on the zone change request, and that the request received no objection Position Statement from the ARC members. Additionally, the results of the Mangilao Municipal Planning Council (MPC) meetings on June 11th, Resolution No. 2025-07, is in support of the Zone Change. We find the above and the context of the application provide justification that the public's necessity, convenience, and general welfare are addressed.

5. RECOMMENDATION: Planning staff recommends approval subject to the following conditions:

1. That the applicant adhere to the permitting ARC members' conditions and requirements as stipulated in their official position statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position Statement Summary
Public Hearing Minutes "Attachment A"
Mangilao MPC Resolution No. 2025-07

Case Planners: Frank Taitano & Sonny Gogue

PUBLIC HEARING MINUTES
Friday, May 30, 2025, 6:00 p.m.
Mangilao Community Center

APPLICATION NO. 2025-45

APPLICATION TYPE: Zone Change

APPLICANT: Guam Housing and Urban Renewal Authority

LOT: 5280-3

CALLED TO ORDER: 6:02 p.m.

ADJOURNED: 7:00 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant, Brandon Santos from GHURA, and representatives of the proposed project, Vincent Sablan from GPA and Brett Railey from GWA, for their presentation and explanation of the application. The following are responses to the public attendees' questions and concerns:

1. Fernando Esteves: Will this fix the water issue in Mangilao?

Brett Railey: This will help.

2. Mayor Allan Ungacta: What will be included to address the water issue? The community is concerned from the after math of Typhoon Mawar. In the past with Mawar and previous storms, we're usually the last ones in the community to get the water or to get adequate pressure so majority of the times we were too low or no water pressure. Fernando was asking what would actually resolve the issues with parts of our water in Mangilao and does it help additional areas in this community? It will.

Brett Railey: The sewer pump station in the area will help. We're very optimistic that when we test drill for the wells, that we will have viable sites that we can develop into production wells, and the additional production capacity will help. We also have some other unrelated projects that are anticipated to assist with this. There are some pressure zone realignment work that is ongoing around the island. Other issues that we're working on will hopefully assist with some of the problems that we know that exist in the Mangilao area.

3. Fernando Esteves: Will the new pump station be relied on?

Brett Railey: There will be back up generators. We have a number of wells that are down that are going to need long-term capital work to get back up. Part of the problem after Mawar was that we had some pumps and motors that burned, and it was a struggle to replace them timely and get all those wells that should have been running-back up and running. So, you know, that's something that GWA deals with and is ongoing.

4. Fernando Esteves: Will the new water well be hooked up to part of the underground power distribution?

Public Hearing Minutes: ZC 2025-45

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Brett Railey: As I understand, yes. My understanding is that the power for the site is to be underground, and so these wells would be underground feed, that's my understanding, but GPA can confirm that. It's not intended to rely on a backup generator in the event of a storm? No, we're intending on having backup generators at all of our pump stations and wells, regardless of whether they're fed from above-ground or underground power.

5. Fernando Esteves: So for both correct?

Brett Railey: Correct, we have backup generators at most all of our wells and pump stations at the present.

6. Fernando Esteves: But this one in particular will be fed from underground power?

Brett Railey: As I understand it, that is the plan.

7. Fernando Esteves: A lot of the funding is coming from the applicant. How would that affect repairs going forward?

Brett Railey: GWA is required to do that work under the partial consent decree that we have with the court. We have no choice. We are having to upgrade the Mangilao sewer lift station, the Barrigada sewer lift station, the force mains, and sewer lines that connect those. By using the money that is available for this project to do some of that work, we're actually not having to spend ratepayer money to do that. So some of the cost is being offset by the federal funding that we have for this project.

8. Marie Cruz: When is this development?

Albert Santos: Hopefully next year.

9. Marie Cruz: We're concerned about the traffic, and will there be grading of that property?

Albert Santos: (Explains the location of the GPA substation, GWA reservoir, and GWA sewer pump station on the vicinity map). All the work will be at the project site, the interior of the lot. The whole clearing is confined to this area, as well as the GWA area. And then this one here is on the shoulder. But as far as any major traffic increase because of the construction, we won't likely see it because, again, they'll be all isolated within the property line.

10. Marie Cruz: I'm concerned about the neighbors who actually live in that area. Will this be like Hawaiian Rock with the dust? Will the construction be during normal business hours? Hawaiian Rock, just on the other side of the road on Route 15 is a 24/7 operation, and that white dust is a huge problem for residents. We're concerned about the dust and the noise. How is this, whoever the developer is, and the applicant for the infrastructure, will keep this going during normal business hours, Monday through Friday, 8-5. My concern is not just the traffic, but the construction dust and the noise. It's just like any project.

Albert Santos: We will work with EPA to have a dust mitigation plan. There will be a washdown area to help with the dust and a stormwater prevention protection plan. They would have dust control so when they build this up, there are going to be barriers around there. They'll have those silt fence that stop the dust from flying around. But if there's going to be any major grading, they still have to water down that area. And the same thing going out, if they have to export raw material, we have to have a wash

Public Hearing Minutes: ZC 2025-45
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down area so the vehicle gets washed down before it exits onto the main road. They will follow the rules, and in doing this EPA will definitely be on us.

11. Marie Cruz: For the commission application, will any implementation be available to the public for environmental issues and whether the mitigation is actually being implemented, will that be available? That's my concern because I have to live in that area.

Albert Santos: Yes, there will be.

12. Marie Cruz: Is there a plan to put a traffic signal in that area? Every morning it's a challenge to get in and out to get to where we need to go. We have Hawaiian Rock on this end with that noise and the dust. My concern is this area is now going to be, I'm assuming this is the governor's new hospital, right? And so the concern is not just for the people that live here, but also the people that live on this end and as you go further up.

Albert Santos: The only development we're going to do here, is the power and water infrastructure right now.

13. Marie Cruz: Before all of this, it was Dr. Joseph, and we had conversations with him about the dust, they're required to have a dust control plant. Will there be grading in that area?

Albert Santos: Yes, but there will be a dust control plan before that starts.

14. How close is the sewer line on Route 15 without the substation?

Brett Railey: (Points out and explains the gravity line location on the vicinity map exhibit.)

15. Is the sewer for the land in the area?

George Watson: Potentially in this area. GWA is working with the contractors to extend. There's no gravity at all right now. So one of the big things that's going to help this one, it'll provide gravity lines that way so that allows more customers to get on it, more people, and protect our aquifer. You can have gravity from this point all the way down, but also if we do the pump station here, you would also have gravity going to the pump station from both sides. You would have gravity from the edge of the property over here down to the pump station.

16. Is that an easement next to the property on the side?

Brett Railey: It's in the process of being requested from DOD. It's a DOD easement. It's not certain at this point how the site will be developed or designed but the we're working with the contractors.

17. Will the lots in the Radio Barrigada be able to connect?

Brett Railey: Maybe. No plans yet at the moment, but possibly in the future.

18. How do the residents benefit from this new development?

Brett Railey: The only infrastructure that exists when GPA and GWA built their new headquarters building, we put in a very small lift station that only serves that building with a force main that runs all the way down the road to where it connects to the

existing gravity lines. With this new plan, it's likely that this sewer pump station will just pump to the crest of the hill and will have gravity down the hill. So again, expanding the sewer system allows us to connect additional customers in the future that would develop along that gravity line.

19. Can the residents in the area connect to sewer?

George Watson: The properties near the pump station along Route 15 can connect. Right now, in your area, there's no plans to extend but possibly in the future. So at least from the areas adjoining where that new infrastructure will be built, that is providing an opportunity for future development happening in those areas to connect to that sewer infrastructure. But there is no plan at the present, so your area would not be included in the plan that is existing.

20. That's the problem with the governor. It's only for the hospital. What about the residents along Route 15? This is where I think a lot of our residents stay silent because our government just does things to do things. The money that's going into this development and the people that it's serving is a new hospital, GPA's headquarters, and the flow of where the water is going to run. We have access to water but it's the septic tank that we deal with and the low water pressure. The hospital will take awhile but the neighbors should be able to benefit. The governor, when she took office, promised that the people will benefit. The residents are the ones that are living in this area. We have no other choice but to build a septic tank and deal with environmental issues with septic. My question is, with millions of dollars going into it, I don't just speak for myself, I'm speaking for the landowners that live off of Route 15.

Albert Santos: Well, this is a start, there's hope.

Fernando Esteves: From a community development standpoint, the infrastructure is a start for residents and commercial businesses. It's not a final solution, but it's a start. The funding source that is available, cannot pay for individual hookup. It has to be associated with a project, eligible project like the hospital. How can we get a benefit, a community benefit? This is a start. Because you cannot, no individual business or no individual home could hook in. The infrastructure being in there-, and so that's kind of the benefit, it's a start. Is it the final solution? Unfortunately not. We're trying to, with all the funding that is available, with all the rules that we have to follow, we try to get the small wins, and it's a progressive project process. It's very rare that there is a funding source that will allow us to build new infrastructure. Most of the time, GPA and GWA, they're going to raise our rates, and we're going to feel that for a long period of time. This is one way without having to raise rates, we're able to get massive infrastructure in that's going to benefit the area. But that doesn't mean that there is going to be no more development in the area. This is one of the properties that GHURA has acquired and we're looking to develop this here. And so what does that mean? I'm going to need to hook up to sewer and if I hook up to sewer, it's going to bring it that much closer to where you guys are. Now, I can't tell you today, exactly where it's going to be, but this is about progressive community development, right? Every little win we get is a win for the community. I wish we could, broadly, and I know I've seen GWA's plans and trying to get as much of it out there as they can, but a lot of it is getting the main systems out first. I don't know if that's any consolation, but the idea, the long-term vision of GHURA for community development is not just the hospital. It's going to be development along Route 15 as an opportunity. When more people start hooking up to the sewer, hopefully it helps bring down the cost and things

like that. More people hooked up, the cheaper it's going to be. More people hooked up into the utilities, we need the main utilities in place. Power is kind of an easy one. It's easy to do. But sewer and water has always been a big challenge for the community. So, you know, we're hoping this is a win. This is not the end of it by any means. This is kind of the start of it. I hope that answers your question. I just want to give a sense of hope to the residents.

21. But we have to deal with septic tanks. We deal with low water pressure. When we have a storm, we have to go and fill up water. During Mawar, we go to the Mayor's office and there were long lines of cars with people just trying to get water.

Fernando Esteves: We're here to offer hope for the residents of the area. I know that the development of the hospital, is a silver lining so to speak.

22. When you say infrastructure, a new hospital, the people around these areas should benefit from it. We've heard the governor from the time before she took office until today, that this project is going to help the people that live in the area with infrastructure. I'm hoping our government will make that promise to the residents of Mangilao.

Fernando Esteves: Certainly, you're going to get the water, that's a given. The pressure will definitely increase once it's all done. What GWA is doing here is the opportunity now for anybody to develop, to hook into that line. Now with GHURA, we have a plan to do urban renewal planning here. If the sewer line is in there, it'll bring it up to that point where other people can have access to it to hook up too.

23. Joseph Borja: If power comes here, if water comes here, and sewer comes here, can anybody in the community apply for it?

Brett Railey: Yes.

24. Joseph Borja: For the residents across, that land is Chamorro Land Trust. I would suggest that you go to Chamorro Land Trust. They have money available for infrastructure and say, "Hey, we hear power and water is coming over there. Can you give us some money to develop the Chamorro Land Trust subdivision here?" You have a lease. I hope you have a lease. So go to Chamorro Land Trust and say, "Hey, you're the owner of the Chamorro Land Trust development. You're the developer of Chamorro Land Trust. You have an obligation to bring in power and water to this thing."

25. Fernando Esteves: Regarding development, if we don't get started, there will be no development. We look at a starting point, so assume this is the starting point for community development down Route 15. This area around Route 15 is also a HUD-designated opportunity zone, which means maybe not today, maybe not tomorrow, maybe the year after, there may be grant opportunities to do things to build it up. When you look at development corridors, we look at what's needed to build a community. You need infrastructure, right? Water, wastewater, sewer, trash, and public transportation are important. As you grow that, road widening is another thing. And as things develop down the corridor, the people behind those corridors, whether west or east, are going to benefit, right? It's that much closer. Ideally, you get to a point where, hey, you're just paying your connection fee and you're there. But until we kind of spur the development by putting a major infrastructure, right, in theory, community development theory, put in the major infrastructure, then the businesses

will come, right? Oh, you know, it's only 100 feet. It's a lot closer than 1,000 feet. They'll pay for the 100 feet. Everybody in that 100-foot corridor benefits. And then the next person comes. Well, you know, it's a little closer. Let me do that. But if we don't get this started, if we don't start that chain reaction here, then the area will remain almost non-developable because of the septic issue. Because EPA is not going to budge on the septic tanks.

26. Marie Cruz: I'm excited for development. Although my husband and I live on Chamorro Land Trust, we have family that live around elsewhere. They are our loved ones, we care about them too. I don't speak for the whole family, but I'm just saying it would be nice if other residents would be able to benefit from the development that's going to happen. I'm excited about the hospital.
27. Fernando Esteves: The gentleman in there was asking a question, and I'd like to give the respect to him. And he was curious about the properties back here and what the benefit would be. I believe portions of this we're getting from the Navy. They're giving up, which means you'll have utilities. You'll start to have access to this whole swath of land that people didn't have access to before. Private landowners, I think there's some Chamorro Land Trust property, but private landowners who've never had access. On the other side, where the hospital is going to be, you're going to have another access road going back there and utilities, so already we're looking long term for the benefit of development east and west around Route 15. As we move up, we are very much thinking about the community. Those easements and the utilities that we're moving up are going to provide a benefit.
28. Joseph Borja: I have a question about the surrounding land owners. Can they apply for your rezone application, if they want to rezone the property?
- Fernando Esteves: You know, I would need to check the law. Let me check the Director of Land Management. If it's legal, why not? To be honest, the answer is no.
29. Corey Paulino: When you guys do wells, and the well is successful, what type of impact is it for development and housing? Because isn't there like a well protection zone?
- Brett Railey: The wellhead protection zone is a thousand feet around the well.
30. Corey Paulino: So who would that affect? The development?
- Brett Railey: Well, it affects certain types of development. So you don't want, preferably, you don't want septic tanks in the wellhead protection zone. You don't want activities that would potentially put something into the aquifer that you don't want, such as, you know, gas, turnaround fuel tanks, scrap yards, that sort of stuff.
- Fernando Esteves: Housing won't be an issue. Since it's over the GPZ, I'm sorry, I'm going to tap into my environmental compliance background. Since it's over the GPZ, you're still not going to be able to build with septic. What this does is it allows them to be that much closer to sewer so they can build housing in there. What the gentleman's talking about, right, there are certain things, for example, you cannot do field tanks. Underground field tanks, which actually you can't do anymore. They all have to be above ground. So, for whatever reason they wanted to do that, possibly. Septic tanks are still going to be a no-go, right, for that whole area. We don't anticipate that changing. That's why it's imperative we start to get sewer in there.

31. Well what if the needs were narrowed down then?

Fernando Esteves: It's up to Land Management, but I'd be very surprised if anyone was able to get like an "M2" heavy industrial, in over the GPZ. Is it possible technically? Could the legislature just decide to do it? Yes. But I don't see it being very likely because of the risk to the aquifer. So that would pretty much be one of the only prohibited activities I could think of. Joe, you might be able to better articulate that.

Joseph Borja: Well actually there are some properties in there that are already zoned heavy industrial.

Fernando Esteves: I thought there were "M1". I don't think there's any heavy industrial.

Joseph Borja: There is. There's both, heavy and light. They wanted to open up a kennel in there. But I think the gentleman's question is more like, if my property is here and his property is there, and we put a well here and the 1,000 feet radius goes over his boundary into his property, what are his limitations in developing that part of his property.

Fernando Esteves: Are you saying in terms of the limitations? No, there are still a lot of things you're going to be able to do. In fact, the sewer is going to allow for more different types of development that you cannot do on a septic tank. You can't even build a house on it, which is supposed to be the easiest. You can't even build a house on a septic tank. Anything larger than that, if for whatever reason you're able to do it, maybe under decedent lots, you can't do anything other than that. You cannot do it with septic tanks. It's that GPZ. So having sewer there and starting to develop that is going to actually allow for more uses if you can connect to it.

32. Corey Paulino: You mentioned on the right side there's possibly another road that can be opened up?

Fernando Esteves: Yes, this is kind of the infrastructure side of the campus. Starting with the main infrastructure. We're actually looking to place the main hospital on this side. It's going to be over here along Route 15. And there will be another access coming through there, through the hospital property. And God willing, willing and we can make it happen long-term plan is a new east-west traversal from maybe like radio Barrigada onto Route 15. We're thinking about the community, we're trying to open these things up, we're thinking long term, right, and so this is kind of the precipice to be able to do that, the start point to be able to do all these things we want to grow the area.

33. The other entrance, will it be closer to Hawaiian Rock?

Fernando Esteves: No, Hawaiian Rock is still further down. (Explains the location of access on the vicinity map exhibit.) There's actually three total. But there is a strip of Navy property that goes across that cuts off the private, and we're kind of looking into if we can be able to get an easement and to work with them.

32. Joseph Borja: This part is actually returned federal excess land and for the most part it's actually private. Before these properties were returned, the Guam Ancestral Lands Commission developed an easement plan for the whole area from Route 8A, which is

the road to the Navy Golf Course, to this. So, between Route 15 and the Navy Golf Course there, the Guam Ancestral Lands Commission developed this because this was under their jurisdiction. They have a plan for it. Some of them have been opened, but not all of them have been opened. But there is a plan, but because it's private property, it may change. The private property owners may not want that road there or for whatever reason. But there was a plan by the Ancestral Lands Commission to develop access roads for all of the properties here. Even in the Ancestral Lands lease and from the GEDA transfer of the properties, they had a section in their lease that if you develop your property here and you're in the front, you have to provide access to the guy behind you, and then so on down there like what Fernando was saying. But that was not followed fully. There are some lots that are here that are already subdivided, but they end in a cul-de-sac. So that plan wasn't really enforced or implemented because you do have private property there, you know, and you can't force private property owners to do what they don't want to do with their property.

33. Is that area Spanish Crown Land?

Joseph Borja: Yes, further up. it's actually Ancestral Lands Commission property that they can use for development. They're authorized by law. But yes, it is a big chunk.

34. What about the roads? Will it open?

Joseph Borja: Yes, the plan here, there is a road that comes in here right next to the construction company that's up there, curves around, and connects to that property. I believe it's IAN Corporation. I believe a plan that the Ancestral has prepared, provided by Land Management, provides access to every lot in there. Not only private lots, but also crown lands or Spanish crown lands in there. But whether that's enforced or planned out, some parts of it and some parts are not.

35. Frank Taitano: I wanted to address an issue mentioned by Fernando, the criteria for building a house in an area within the Northern Aquifer. It does not restrict you from using a septic tank. The criteria is also based on the lot size and EPA, by law, created a matrix that establishes the lot size for all the appropriate zones and a person who owns property in that area would have to meet the lot size, which is a half-acre. Basically, it means if you have a half-acre within the Northern Aquifer, you can build a house on that half-acre. The individual wastewater system, which is the septic tank and leaching field, has to be approved by EPA. Not as Fernando said that you can't do anything over the Aquifer.

36. Joseph Borja: What's the next step with the application?

Frank Taitano: The next step with this application is that we're going to take all this information, put it together on our side, and then prepare for the outcome of the required Municipal Planning Council meeting. The Mayor would have to have public hearings in accordance with the open government law, and also a public hearing in accordance to their Municipal Planning Council criteria.



Office of the Mayor Municipality of Mangilao



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Allan RG Ungacta, Mayor

Edward JD Tosco, Vice Mayor

RESOLUTION NUMBER 2025-07

INTRODUCED BY:

Allan R.G. Ungacta, Mayor/Chairman
Dominic G. Muna, Vice Chairman
Rosita D. Tosco, Secretary
Juan A. Aguon, Treasurer
Elizabeth S. Acfalle, Member
Raymond A. Blas, Member

Ben C. Carbullido, Member
Sinforoso C. Galiendez, Member
Arthur R. Q. Mariano, Member
Eric M. Palacios, Member
Darlene N. Taitano, Member



RELATIVE TO supporting Application No. 2025-45 received from Guam Housing and Urban Renewal Authority (GHURA) for zone change from "A" (Agriculture/Rural) to "PF" (Public Facilities for the proposed construction of infrastructure facilities for water, sewer, and power on Lot 5280-3, Municipality of Mangilao; and

BE IT RESOLVED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL:

WHEREAS, the Mangilao Municipal Planning Council plays a vital role in the developments of the community and serves as the governing authority within the respective district that might otherwise be affected by such developments; and

WHEREAS, the public hearings for the proposed rezoning project have been completed, a formal meeting was called for all Mangilao Municipal Planning Council members, on June 11, 2025, and members reviewed and discussed the request for the construction of infrastructure facilities; and

WHEREAS, the Mangilao Municipal Planning Council noted major improvements that will directly benefit the growing needs of the residents of Mangilao, Chalan Pago and Yona; and

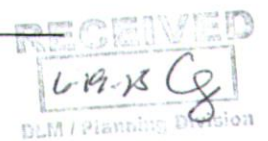
WHEREAS, the Mangilao Municipal Planning Council supports the approval of the zone request effective immediately, and be it

RESOLVED, that the Mayor and Members of the Mangilao Municipal Planning Council certify and the Secretary of the Council attest to, the adoption hereof, and that copies of the same be thereafter transmitted to Guam Housing and Urban Renewal Authority (GHURA) and Guam Waterworks Authority (GWA), movers of the request, and Honorable Allan R.G Ungacta, Mayor of Mangilao.

DULY AND REGULARLY ADOPTED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL ON THE DAY OF 6/19/2025

Allan R.G. Ungacta, Mayor/Chairman
Mangilao Municipal Planning Council

Rosita D. Tosco, Secretary
Mangilao Municipal Planning Council





DIPATTAMENTON MINANEHAN TÂNO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
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LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

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Hagåtña, GU 96932

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

June 25, 2025

Memorandum

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Position Statements Submitted by ARC
Re: Application No. 2025-45 (Zone Change)

Listed below is the compilation of positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends approval with the following condition;

1. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their official position statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection to the approval of the Zone Change application and provides comment that the property will need to be archaeologically surveyed and tested prior to clearing and grading of the land.

GUAM POWER AUTHORITY (GPA):

GPA has no objection, subject to the conditions stated in their position statement.

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the zone change application based on the conditions in their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW is in support of the application and provides a list of recommendations in their position statement.

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2025-45

June 25, 2025

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GUAM WATERWORKS AUTHORITY (GWA):

GWA is in favor of the approval of the application with conditions stated in their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a zone change, provided that the applicant addresses the conditions stated in their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA provides recommendations for environmental protection and identifies the presence of sinkholes on the property and cautions about the possibility of wetlands.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

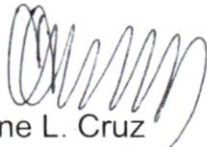
Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

Ex-Officio, non-voting member, not required to submit a Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements
CC: Executive Secretary, GLUC



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan DibuetSION
Government of Guam

Director's Office, Parks and Recreation Divisions:
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2930, Hagåtña, Guam 96932
(671) 475-6288; Facsimile (671) 477-0997
Guam Historic Resources Division:
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355; Facsimile (671) 477-2822



Angel R. Sablan
Director
Warren Pelletier
Deputy Director

April 23, 2025

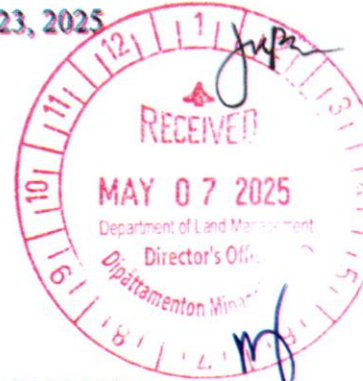
In reply refer to:
RC 2025-0249

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Applicant Guam Housing and Urban Renewal Authority (GHURA) propose to rezone the lot from "A" (Rural/Agricultural) zone to "PF" (Public Facility) zone, for the proposed of obtaining permits for water reservoir, treatment plant, and power station for future Government of Guam public facilities to include housing and a medical complex as a private development, on Lot 5280-3, in the Municipality of Mangilao. ZC Application No. 2025-45



We reviewed the subject request by applicant GHURA, propose to rezone the lot from "A" (Rural/Agricultural) zone to "PF" (Public Facility) zone, for the proposed of obtaining permits for water reservoir, treatment plant, and power station for future Government of Guam Public Facilities to include housing and a medical complex as a private development, on Lot 5280-3, in the Municipality of Mangilao. The subject Lot has an overall size of 47 acres.

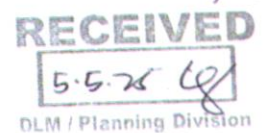
Our office has concluded our review and will have **No Objection** with the Approval of this Zone Change Application. However, this property will need to be archaeologically surveyed and tested for any potential impact on historic properties prior to commencement of land clearing and grading.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

Angel R. Sablan
Director

to: Frank
DMM
5-13-25



08



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director



To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: Chelsa Muña, Director **Chelsa D. Muna**
Digitally signed by Chelsa D. Muna
Date: 2025.04.16 07:58:47 (GMT)

Date: April 15, 2025

Subject: **Agricultural Impact Statement for Application No. _____-25. Guam Housing and Urban Renewal Authority (GHURA), "Zone Change" application from "A" (Agricultural) to "PF" (Public Facility) zone for Lot 5280-3, located in the Municipality of Mangilao, Guam.**

The Department of Agriculture (DoAg) has reviewed **Application No. _____-25**, requesting for certification, to **rezone of Lot 5280-3 from Rural-Agriculture (A) to Public Facility (PF) zone**, located in Mangilao, Guam. The purpose of the rezoning is to establish a 2-acre site to set forth a 34.5 kV substation.

The following is the position statement provided by DoAg, under the agency's authorities:

1. Division of Aquatic and Wildlife Resources:

- a. A biological survey for Lot 5280-3 must be provided to DoAg along with the Clearing and Grading and/or Building Permit Application. DoAg will review the survey and provide recommendation to avoid or minimize impacts biological resources that occur, or may occur, in the project area.
- b. Conservation measures must be developed addressing protected species such as Mariana Fruit bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids and other species of concern fauna and flora that may occur. Conservation measures must address avoidance and/or minimal impacts to these species of concern and be included in the biological survey report.
- c. Eco-friendly development must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: planting native plants for landscaping, shielding light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.
- d. Landowner and the contractor conducting the Biological Survey Report must consult with DAWR to discuss the methodology and findings of the survey and determine conservation measures that best address impacts to the natural resources.

2. Biosecurity Division:

- a. A biosecurity plan must be developed and approved by DoAg prior to any work commencing. Once approved, the biosecurity plan must be implemented during the development phase to

Director's Office 300-7965 | Agricultural Dev. Services 300-7973 | Animal Health 300-7964/6
Aquatic & Wildlife Resources (DAWR) 735-0294 | Forestry & Soil Resources 300-7975/7
Plant Nursery 300-7974 | Biosecurity Division 475-1427 | Pest Hotline 475-7378
Website: doag.guam.gov

REPORT THREATS TO GUAM'S NATURAL RESOURCES 864-TOKA (8652)

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DoAg Memo: Zone Change, Application No. _____-25 for
Lot 5280-3, Mangilao, Guam.

ensure that avoidance measures are in place to prevent the spread and introduction of Little Fire Ants (LFA) and other noxious species that may impact residents in the area.

b. Landowner and the contractor must consult with the Biosecurity Division.

3. Forestry and Soil Resource Division:

- a. A stormwater plan must be submitted for review to assess mitigation measures for runoff, flooding, and erosion. The percolation rates at stormwater collection and drainage areas must be sufficient to prevent migratory bird species, including moorhens, from inhabiting the pond during the wet season. However, if the landowner intends to create a habitat for these species, consultation with DoAg must occur.
- b. The Biological Survey Report will identify vegetation present on the project lot. Upon reviewing the findings, FSRD will notify the landowner of culturally valued, protected, and rare plant species that may require seed collection for nursery inventory, to be used in conservation areas and reforestation projects on the island.

4. Agricultural Development Services:

- a. To address food security on the island, six to eight inches of topsoil must be reserved and designated for agricultural farming activities. This layer of soil contains valuable nutrients essential for native plant seedlings, seasonal crops, and fruit trees. Reserving the topsoil for this purpose will benefit the community. The landowner may choose to donate it to organizations such as senior citizen centers on Guam, non-profit organizations, the UOG Triton Farm, or community gardens.
- b. Vegetation clearing will take place in the project area. To prevent the loss of agricultural resources, the landowner and contractor should consider mulching the cleared vegetation in place and providing it to the community, non-profit organizations, and those involved in native plant landscaping. Mulch helps protect soil from erosion, conserve water, extend water availability, suppress weeds, and serve as a barrier in landscaped gardens.

The Department of Agriculture does not oppose the request for a zone change from A to PF; however, GHURA must address the conditions outlined above. The department is available to discuss the proposed development in more detail. DoAg reserves the right to reconsider its decision on the application if the landowner fails to meet these conditions before the Guam Land Use Commission meeting for approval. For any questions or concerns, please send inquiries to permits@doag.guam.gov.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

April 18, 2025



MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 3280-3, Municipality of Mangilao, (Guam Housing and Urban Renewal Authority (GHURA)); Zone Change Application from "A" (Agricultural) to "PF" (Public Facility) for an electrical substation, water and sewer pump stations. Application No. 2025-45

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOHN M. BENAVENTE, P.E. 

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: **Guam Housing & Urban Renewal Authority (GHURA)**
Location: **Lot 5280-3, Mangilao**

Type of Application: **Zone Change**
GLUC/GSPC Application No. **2025-45**

Brief Project Description:
"A" to "PF" for electrical substation, water and sewer pump stations.

For the purposes of this Certification, **GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE** include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**



1. I hereby certify that the required **GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE** are currently **AVAILABLE AND IN PLACE** to support this project:
Yes No

2. If the answer to #1 above is YES, then:
I hereby certify that the required **GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE** are currently **ADEQUATE** to support this project:
Yes No

3. If the required **GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE** currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.


JOHN M. BENAVENTE, P.E. 
General Manager

4/21/2025
Date

Comments:
Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment maybe required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913
P.O. Box 3010, Hagatna, Guam 96932
Tel. No. (671) 300-6846/47 Fax No. (671) 648-3290



MEMORANDUM

April 24, 2025

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Allan R.G. Ungacta, Municipality of Mangilao
(allan.ungacta@mcog.guam.gov)

FROM: Miguel C. Bordallo, P.E., General Manager *[Signature]*

SUBJECT: Position Statement on Zone Change Application 2025-45 for Lot 5280-3 in the Municipality of Mangilao

APPLICANT: Guam Housing and Urban Renewal Authority (GHURA)

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agriculture) to "PF" (Public Facility) zone for the proposed utility infrastructure development of a 34.5kV power substation, a 2.5 million-gallon water reservoir with treatment system, 2-3 water production wells, and a sewer pump station.

This memorandum shall serve as GWA's position statement for the GHURA application related to the availability of water and sewer infrastructure to serve the subject lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development, including fire flow, without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the subject lot shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject lot shall be at the applicant's expense.

The following comments are conditions for GWA's position in favor of the approval of this application and are applicable to the development of medical or other related public facilities on the subject lot:

1. The applicant must provide GWA with site development plans to construct the proposed development. The site development plans must illustrate the proposed point of connection for water and sewer and is subject to GWA inspection and approval. Submittals shall include water and sewer design calculations and complete drawings and specifications signed and stamped by a Professional Engineer licensed in Guam. Design calculations shall include proposed water

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Comm 25
5.6.25*

RECEIVED
By Cristina at 12:19 pm, Apr 29, 2025

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GWA Position Statement

Application: 2025-45

Applicant: Guam Housing and Urban Renewal Authority (GHURA)

Page 2

demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements.

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss the proposed water demand and sewer production calculations in order to verify if GWA facilities can accommodate the proposed development. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
3. The developer shall register maps and documents for new public rights of way or utility easements with the Department of Land Management and provide copies to GWA.
4. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
5. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
6. Backflow prevention devices are required for non-residential activities, or when a development will be served by a master meter in accordance with GWA standards.
7. New development is subject to water and/or sewer system development charges.
8. Privately-owned water tanks might be limited to a maximum fill rate to avoid adverse impacts to the public water system. Under Title 28 (Public Utilities Guam Administration Rules) a water pump shall not be permitted to be installed or operated on either side of the water meter without GWA's prior approval in writing. Under the 28 Gar Chapter 2, Public Utilities, subsection 2103, and 2113: The consumer shall install an air gap or other protective devices between the consumer's supply pipe and the service connection. Applicant shall submit plans for pump and tank to GWA Engineering for Approval.
9. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities. See GWA for additional industrial wastewater pre-treatment requirements.

GWA Position Statement

Application: 2025-45

Applicant: Guam Housing and Urban Renewal Authority (GHURA)

Page 3

10. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.

11. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Jacob P. Miller, P.E., GWA Permits and New Area Development Supervisor (#671-300-6039 or jpmiller@guamwaterworks.org) for water and sewer system standards or additional information.



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi - Lieutenant Governor

public works
DIPATTAMTON CHE'CHO' PUPLEKO
VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNESTO G. CANDOLETA, JR.
Deputy Director



MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: Director, Department of Public Works

Subject: Lot 5280-3, Municipality of Mangilao, (Guam Housing and Urban Renewal Authority (GHURA)); Zone Change Application from "A" (Agricultural) to "PF" (Public Facility) for an electrical substation, wat and sewer pump stations. **Application No. 2025-45**

The Department of Public Works has reviewed the application described above and submits the following position statement:

A. Comments and Recommendation:

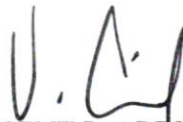
1. Route 15 is currently in need of safety and pavement repairs. Before DPW invests funds towards this, it would be most cost effective to incorporate these improvements with potential widening and signalization of Route 15 due to the traffic impacts anticipated from the planned medical campus facility.
2. Current Needs of Route 15 are:
 - a. Resurfacing, preventative pavement repairs, and striping.
 - b. Inclusion of paved shoulder, rumble strips, and guardrail and other roadside safety improvements.
3. A traffic study demonstrating impacts of widening and access solutions will be needed to inform and further refine all road improvements for a coordinated cost- efficient effort. This study will account for:
 - a. Large employee basis of the future medical campus.
 - b. Proposed future growth in the area, which is anticipated.
 - c. Need for signalization for access to the new facilities.
 - d. Accommodation and connectivity of multiple modes of transportation along Route 15 to accommodate the needs of this large population generator.

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4. Including a medical facility on the east side of Guam will decrease commute time for serious crashes occurring outside the urbanized area on Guam, which are mainly located on the west and urbanized sides of Guam. Studies show that reduction in post crash care commute time can increase survival rates of serious crashes.

B. General Comments:

DPW fully supports the construction and operation of a full service hospital in the Mangilao area just off Route 15. Between the proposed hospital and upgrades to water and power utilities, it is anticipated that traffic growth in the area will definitely increase, necessitating road improvements along Route 15.



VINCENT P. ARRIOLA

Date: 28 APR 2025



BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



LOURDES A. LEON GUERRERO
Director
JOSHUA F. TENORIO
Deputy Director

May 5, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-45 Zone Change
Lot Number: Lot 5280-3
Municipality: Mangilao
Applicant: Guam Housing & Urban Renewal Authority (GHURA)
Proposed Use: "PF"



Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau’s purview.

Application Overview

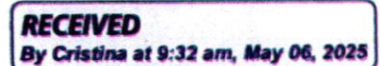
The applicant, Guam Housing & Urban Renewal Authority (GHURA), is submitting a zone change application to rezone the subject lot from “A” Agricultural zone to “PF” Public Facility zone in order to develop power and water infrastructure within the area to allow for the siting of housing and medical facilities. The subject lot is located in the municipality of Mangilao and contains a total of 194,081 square meters or approximately 47 acres. The project includes a 34.5 kV substation, a 2.5MG Reservoir and Treatment System, 2-3 well sites, sewer pump station, and utility easements required to connect to the closest existing gravity sewer line.

Planning Considerations and Constraints

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990). Note: In past publications, this article was entitled “Centralized Planning”; however, this manifest error has been corrected and the article reads “Comprehensive Planning” pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978). <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS – GOVERNMENT OF GUAM
Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov



*To: From
Cristina
5.12.25*

2 | Application No. 2025-45 Zone Change, GHURA

A. Surrounding Zone and Land Use Characterization

The subject lot is located along Route 15. The immediate surrounding area consists of vacant undeveloped land, a few single-family dwelling structures, an equipment yard, GPA and GWA headquarters opposite to the subject lot on the south side of Route 15, and US Navy installations to the west.

The subject lot is located in a “General Residential”³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244),⁴ was adopted as an element of the Guam Comprehensive Development Plan. “The Residential category provides for a range of residential densities, ranging from low density single family residences to multiple family structures. Nonresidential uses are generally discouraged except for public facilities, schools, and institutions, provided their nature and location are not detrimental to the residential environment. Where neighborhood-scaled commercial and retail is desired in a residential zone, a special design review process should be established to ensure compatibility with surrounding residential neighborhoods.”⁵

The future land use designation is compatible with the proposed development of infrastructure required to support the future site of the proposed Mangilao Medical Campus and future mixed used community.

The subject lot is located in an area that was previously federal land and when the basic lot was returned to the original landowners, the lot was designated as Agricultural Zone, with the original landowner and all subsequent landowners given the option to apply for a higher zone designation by applying with the Department of Land Management Planning Division, and processing their zone change through the existing statutes, rules, regulations, procedures, and policies to obtain approval for their zone change request.⁶

The proposed use is not compatible within the current Agricultural Zone.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located on the Mangilao Watershed. This project will contribute to the overall development rate of the Mangilao Watershed. According to the National Oceanic and Atmospheric Administration’s (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 16.63%.⁷

³ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam.

⁴ Public Law 30-224 §, Section 4 (2010).

⁵ ICF International. North and Central Guam Land Use Plan. (2009). 2-2

⁶ 21 GCA, CH 61 Article 2, § 61217

⁷ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed May 2025 at <https://coast.noaa.gov/ccapatlas/>

3 | Application No. 2025-45 Zone Change, GHURA

Regarding development impacts, as of 2015 land cover data, 23.7% of the Mangilao Watershed was developed, and 9.22% comprises impervious surfaces.⁸ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises overgrown scrub and grassland. The requested zone change will allow for construction that is expected to result in conversion of existing vegetated land cover into impervious surface from the building footprint and use of concrete pavement.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Agricultural Lands Policy: Critical agricultural lands shall be preserved and maintained for agricultural use.⁹

Determination of Effects: No

An assessment on the soil composition within the subject lot was conducted and determined that the area is not considered critical agricultural land.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.¹⁰

Determination of Effects: Yes

The proposed zone change will allow for construction on the subject lot, which has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

⁸ Ibid.

⁹ Guam Land-Use Policies, Executive Order 78-37 (1978). <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

¹⁰ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

4 | Application No. 2025-45 Zone Change, GHURA

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.¹¹

Determination of Effects: Yes

The proposed development will contribute to the cumulative negative impact to the water quality within the Northern Watershed.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual¹² Standards and implement Island Best Management Practices specifications in any future improvements to the property. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹³ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁴.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the summary zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.


LOLA E. LEON GUERRERO
Director

¹¹ Ibid.

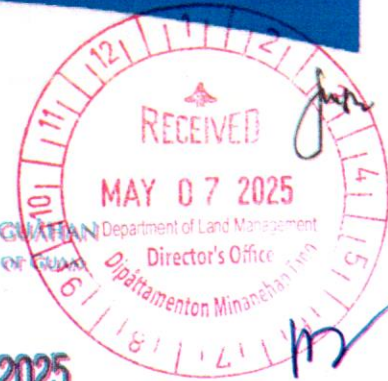
¹² Horsely Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2: <https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹³ Center for Watershed Protection & Horsley Witten Group, Inc.. Island Stormwater Practice Design Specifications. A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency. (2010): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/island_swm_specs_supplement_cnmi_guam_design.pdf

¹⁴ Center for Watershed Protection & Horsley Witten Group, Inc.. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPGuide_wAppendix.pdf



GUAM ENVIRONMENTAL PROTECTION AGENCY - AHENSIAŊ PRUTEKSIÓN LINA LA' GUAHAN
LOUJIDISA LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM |
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR



MAY 05 2025

MEMORANDUM

TO: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

FROM: Administrator

SUBJECT: Guam Housing and Urban Renewal Authority (GHURA) application to rezone Lot 5280-3, Municipality of Mangilao, from "A" (Agricultural) to "PF" Public Facility to lawfully construct water, sewer, and power infrastructure

The proposed application seeks to rezone Lot 5280-3 in Mangilao from "A" (Agricultural) to "PF" Public Facility to allow the Guam Waterworks Authority (GWA) and Guam Power Authority (GPA) to apply for and obtain a permit construct a 2.5 million gallon reservoir and treatment system on 1.5 acres of the lot; a sewer pump station on 1/2 acre of the lot; and a GPA power substation on 2 acres of Lot 5280-3. This project will support the development of the proposed medical complex as well as private expansion.

Not only is the proposed construction area over the groundwater protection zone, but the United States Geological Survey topographic map has mapped and identified three sinkholes on the property. Sinkholes are vital to stormwater management because they act as natural conduits for directing surface stormwater runoff into underground aquifers, facilitating groundwater recharge. These sinkholes must be protected and managed responsibly to safeguard public safety, preserve natural resources, and minimize environmental damage by preventing contamination of the groundwater. This position is grounded in the understanding that sinkholes are natural features that can be vulnerable to human activities and can pose hazards if not properly managed.

Additionally, there may be wetlands near the proposed construction zones to the North and West, along with an Andersen Air Force Base Transmitter, which is placed nearby. While these elements appear to be outside of the proposed construction site(s), their continued protection cannot be neglected.

The Guam Environmental Protection has reviewed the application described above and submits the following generic recommendations for environmental protection:

1. Responsible Land Management:

- Avoid excessive land grading and erosion, which can destabilize the ground and increase sinkhole formation
- Maintain natural vegetation and avoid removing topsoil, which can help stabilize the soil and prevent erosion
- Implement erosion and sediment control measures during construction to prevent sediment from entering sinkholes
- Protect sinkholes from contamination by preventing runoff containing chemicals, agricultural waste, and other pollutants from entering them
- Avoid dumping waste or other debris into sinkholes



GUAM EPA | 17 3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel. (671) 588.4751 | Fax: (671) 588.4531 | epa.gua
ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANLÁLALA

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RECEIVED
By Cristina at 7:32 am, May 07, 2025

Handwritten initials and date: P. Frank 5/7

Handwritten mark: 99



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

June 30, 2025

Website:
<http://dlm.guam.gov>

To: Chairperson
Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Application No. 2024-07A, Conditional Use Permit for a Temporary Workforce Housing Facility, Lot 5223-R9-3, Barrigada; GLUC Meeting of July 10, 2025

E-mail Address:
dlmdir@land.guam.gov

BME & Sons, Inc. is requesting the first annual renewal of its previously approved Conditional Use Permit for the continued operation of a Temporary Workforce Housing Facility (TWHF). The facility is located on Lot No. 5223-R9-3 in Barrigada, within an M1 (Light Industrial) zone, and is approved to accommodate up to 214 workers.

Telephone:
671-649-LAND (5263)

From our review, the request appears reasonable and consistent with the original permit's intent, particularly given the facility's ongoing maintenance and the applicant's effort to remain in full compliance with regulatory expectations.

Facsimile:
671-649-5383

The property houses a range of structures and support facilities, including dormitories (both two-story and single-story), administrative offices, workshops, a warehouse, a recreational area, and a materials yard. This setup reflects a comprehensive and self-contained workforce housing compound.

The site is situated in a largely compatible setting, bordered by light industrial uses and a quarry to the east, and limited residential units to the west. Other surrounding uses—within a 500 to 2,000-foot radius—include commercial establishments, scattered residences, Route 16, and the Guam International Airport. Existing utility infrastructure lies within 100 feet of the property, supporting the practicality of continued use.

On June 18, 2025, BME & Sons submitted a formal letter requesting renewal, as required by the GLUC's original Notice of Action. Based on their submission and past performance, staff finds that the applicant has demonstrated responsible stewardship of the site and has been diligent in complying with all conditions imposed by the GLUC and ARC, as well as applicable legal requirements under P.L. 31-72 and GLUC Resolution No. 2009-01 (Policy for Temporary Workforce Housing).

Application No. 2024-07A, BME & Sons Inc.

June 30, 2025

Page 2

BME has consistently maintained its operations to a standard that we view as exceeding basic compliance. The company emphasizes providing a safe and dignified living environment for its workers, which aligns with the intent behind temporary workforce housing regulations.

Notably, they have reported no complaints or operational issues on or off site. Their active engagement in the community—including assisting nonprofits, GDOE, and the mayors of Barrigada and Mangilao with facility upkeep and special projects—speaks well of their commitment to being a good neighbor and community partner.

Planning staff conducted a site visit on June 3, 2025, and observed that the facility is well-maintained, clean, and continues to benefit from minor but meaningful improvements. The physical conditions support the applicant's claim that the housing provided is safe, adequate, and appropriate for the intended workforce.

Currently, 150 H2B workers are living on-site—well within the approved maximum capacity. The Department of Labor has approved visa extensions for some of these workers, while others are pending entry. The applicant is actively coordinating these processes with both the Department of Labor and the Department of Public Health. All locally hired workers are housed off-site.

BME continues to hold a strong reputation in the construction industry, having recently completed several major public works projects. These include:

- The Route 28 Rehabilitation Project in Dededo
- The Chalan Pago & Ordot Multi-Purpose Facility
- The recently awarded (and currently under permitting) Hågatña Pool Rehabilitation and Reconstruction Project

Additionally, the company has secured several upcoming military and federal contracts under the 2025–2026 Guam military buildup and other infrastructure initiatives, reinforcing the ongoing need for workforce housing.

Recommendation: Having complied with the previously approved Conditional Use permit conditions imposed by the Guam Land Use Commission in the operation of its Temporary Workforce Housing Facility (TWHF), Planning Staff recommends approval of the applicant's request for the renewal and continued operation of its TWHF and further reporting annually on its status. All Commission, ARC, Workforce Housing applicable conditions, and GLUC Resolution No. 2009-01 are still applicable and remain in effect.



CELINE L. CRUZ
Guam Chief Planner

Attachments
Case Planner: Penmer C. Gulac



JUNE U. BLAS
MAYOR

MUNICIPALITY OF BARRIGADA

OFFICE OF THE MAYOR & VICE MAYOR
124 LEI YAO LANE, BARRIGADA, GUAM 96913



JESSIE P. BAUTISTA
VICE MAYOR

June 11, 2025

Dr. Anita B. Enriquez
Chairwoman,
Guam Land Use Commission
Department of Land Mgmt.
Tamuning, Guam 96931



RE: **GLUC Application #2024-07 (Conditional Use Permit) for the Annual Reporting and Renewal of Temporary Worker Housing Facility, capacity of 214 H2B Workers on Lot 5223-R9-3 in the Municipality of Barrigada, Guam for BME & Sons, Inc.**

Dear Dr. Enriquez,

Buenas Yan Hafa Adai!

This letter is in support of the Annual Renewal of Conditional Use Permit, GLUC Application #1997-23J, to operate a facility for Temporary Workers Housing Facility, capacity of 214 H2B Workers on Lot 5223-R9-3 located in the Municipality of Barrigada.

The renewal request will once again contribute to the development of our community as well as contribute to the social benefit of our residents including those in the surrounding boundary areas. There have been no concerns from the nearby neighbours or companies, no violations or incidents on site during the normal operation. BME & Sons, Inc have continued to maintain their compound and surroundings.

Therefore, as leaders in the community of Barrigada, we support and endorse the renewal of GLUC Application #1997-23J.

Respectfully,

JUNE U. BLAS
Mayor

JESSIE P. BAUTISTA
Vice Mayor

Cc: GLUC Board Members
Director of DLM
BME & Son's Inc.

* Ref 2024-07/
1997-23

RECEIVED
By Cristina at 1:43 pm, Jun 16, 2025

To Pen
6.10.25



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

June 26, 2025

MEMORANDUM

Website:
<http://dlm.guam.gov>

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Commission Brief – Tentative Subdivision, Application No. 2024-03A

E-mail Address:
dlmdir@land.guam.gov

1. PURPOSE:

- a. **Application Summary:** The applicant, J524 Development LLC, pursuant to Section 5 of Executive Order 96-26 and Section 62504 (b), Chapter 62, Title 21 GCA is requesting for an extension of time of an Approved Tentative Subdivision on Tract 10441 (formerly Lot 7134), in the Municipality of Yigo.
- b. **Legal Authority:** Title 21, GCA, Chapter 62, Article 2, Section 62201 thru 62204; Article 4, Section 62401; Article 5, Section 62501 thru 62504, Subdivision Law and Executive Order 96-26.

Telephone:
671-649-LAND (5263)

2. DISCUSSION:

As conditionally approved by the Commission on April 11, 2024, the subject application is a Tentative Subdivision to create a subdivision consisting of eighty (80) single family residential lots ranging in size from 5,758 square feet to 9737 square feet, a park area lot, a ponding basin lot, a sewage lift station lot and a forty-four (44) feet wide public access and utilities right-of-way are to be created to service the proposed subdivision.

In its development concept the applicant proposes to construct a single family residential structure on each of the 80 residential lots divided into three phases, whereas both phase I and phase II will consist of 28 lots and phase III will consist of 24 lots.

Continuation of Commission Brief

Re: Application no. 2024A

Date: June 26, 2025

Page 2 of 2

As noted on the attached request package, with reasons provided, the applicant is requesting for an Extension of Time pursuant to;

1. Section 5 of Executive Order 96-26 where it states "The applicant must apply for and received a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire."
2. Section 62504 (Time Allowed for Completion of Improvements) of the Subdivision Law where it states "Upon approval of the tentative subdivision plan by the Commission, the subdivider shall complete within one (1) year all of the improvements required, except that the Commission, for good cause shown, may authorize an extension of time, not to exceed twelve (12) months, for such completion. Within such time, the subdivider must either:
 - (a) Complete the required improvements and, upon acceptance thereof by the Government, file his final plans; or
 - (b) Furnish bond acceptable to the Commission for the completion of improvements, the bond to be in penal sum of one hundred fifteen percent (115%) of total work costs as verified by the Director of Public Works. On approval of the bond, the final plans may be filed."

3. **RECOMMENDATION:**

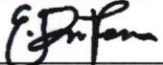
Considering that the applicant has been, and continues to consult and coordinate with the Government of Guam's permitting entities to address their permitting conditions/requirements for the approved Tentative Subdivision, planning staff recommends Approval with the following condition.

- A. That the applicant, continue to adhere to the condition of the April 11, 2024 Commission approval as noted on the Commissions' Notice of Action recorded under Doc. No. 997412.


Celine L. Cruz

ATTACHMENT: Request Package

Case Planner: Frank Taitano

GOVERNMENT OF GUAM – Department of Land Management							
Office of the Recorder							
	1011456						
File for Record is Instrument Number _____							
on the Year 20	25	Month	08	Day	19	Time	1:10PM
Recording Fee	DE-OFFICIO		Receipt No.	DE-OFFICIO			
Deputy Recorder:							
	Eugene M. De Vera						

Above Space for Recorder's Use only

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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, July 24, 2025
2:49 p.m. to 2:51 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, July 24, 2025 • 2:49 p.m. to 2:51 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson
Mr. Ronald C. Pangilinan, Vice Chairman
Ms. Leilani R. Flores, Commissioner
Mr. Gerald P. Yingling, Commissioner

PLANNING STAFF PRESENT:

Ms. Rossana D.S.M. Tiston, Deputy Director
Mr. N. Lee Miller, Jr., Legal Counsel
Ms. Celine L. Cruz, Chief Planner
Ms. Sonny Gogue, Planner III
Mr. Kyle Meno, T. Network Coordinator
Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM HYBRID LAND USE COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: THURSDAY, July 24, 2025

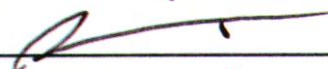
Time of Meeting: GLUC: 2:45pm GHLUC: 1:30pm

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<input type="checkbox"/>	Special	<input type="checkbox"/>	Special
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COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez



Vice Chairman Ronald C. Pangilinan



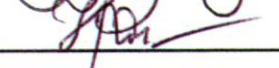
Commissioner Leilani R. Flores



Commissioner Gerald P. Yingling



Mayor Louise Rivera, Tamuning




Mayor June Blas, Barrigada



Mayor Richard Arroyo, Agana Heights

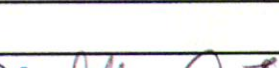


Mayor Michael Gumataotao, Hagatna



STAFF

Joseph M. Borja, Executive Secretary



Rossana D.S.M. Tiston, Deputy Director



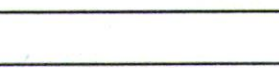
N. Lee Miller, Jr., Legal Counsel (OAG)



Celine L. Cruz, Chief Planner




Frank Taitano, Planner IV



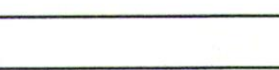
Penmer Gulac, Planner IV



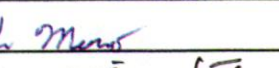
M. Grace Vergara, Planner IV



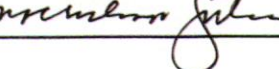
Sonny Gogue, Planner III



Theresa Guevara, Planner II



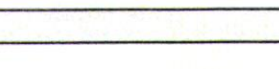
Edward Sanchez, Planner I



Kyle Meno, TN Coordinator



M. Cristina Gutierrez, Recording Secretary



ADJOURNMENT GLUC: 2:51pm GHLUC: 2:45pm



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Commissioner Leilani R. Flores
Commissioner Ronald C. Pangilinan

Commissioner Gerald P. Yingling
Commissioner (Vacant)

Joseph M. Borja, Executive Secretary
N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, July 24, 2025 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – July 16th, 2025 & July 22nd, 2025]

Livestreamed on YouTube at Guam Department of Land Management Channel

- I. **Notation of Attendance/Roll Call** Quorum No Quorum

- II. **Approval of Minutes**
 - GLUC Regular Meeting Minutes of Thursday, July 10, 2025

- III. **Old or Unfinished Business [None]**

- IV. **New Business [None]**

- V. **Administrative & Miscellaneous Matters**

- VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Thursday, July 24, 2025 • 2:49 p.m. to 2:51 p.m.

Department of Land Management Conference Room

3rd Floor, ITC Bldg., Tamuning, Guam 96913

[As Advertised in the Guam Daily Post on July 16th and July 22nd, 2025]

Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Anita Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, July 24, 2025, at 1:34 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Commissioner Gerald Yingling, Deputy Director Rosanna Tiston, Legal Counsel Lee Miller, Guam Chief Planner Celine Cruz, Planning Staff Sonny Gogue, Kyle Meno, and Recording Secretary Cristina Gutierrez.

Chairperson Enriquez confirmed a quorum for today's meeting and announced that the meeting was being live-streamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez before the members, are the Minutes of July 10, 2024. Members have been provided a draft in advance, and they have been reviewed. Madam Chair asked for a motion for action.

Commissioner Flores made a motion to approve the Minutes of July 10, 2025.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. There was no discussion, errors, edits, or omissions. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion passed unanimously with a vote of 4 ayes and 0 nays.]**

III. Old or Unfinished Business [None]

IV. New Business [None]

V. Administrative & Miscellaneous Business [None]

Chairperson Enriquez turned the floor over to Chief Planner Cruz for any announcements or other business for the Commission.

Celine Cruz, Chief Planner announced that a call for quorum will be done and asked that the members confirm their availability by the end of next week. The next GLUC meeting is scheduled for Thursday, August 14, 2025.

Chairperson Enriquez clarified that the quorum is three members of the five (Ms. Cruz replied yes). Madam Chair asked if there was an update on the confirmation of the candidate who is up for consideration.

Celine Cruz, Chief Planner replied that she believed that the Legislature was going into session, but had not reviewed the session agenda. Chief Planner Cruz added that as soon as she reviews the agenda, she will report back to the Chairperson.

Rossana Tiston, Deputy Director had no announcements or additional business for the Commission.

VI. Adjournment

Commissioner Yingling made a motion to adjourn today's meeting.

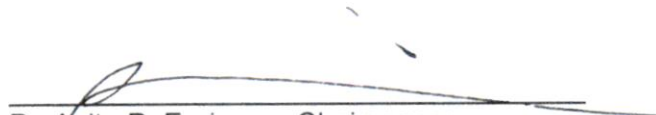
Commissioner Flores seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion to adjourn today's meeting made by Commissioner Yingling and seconded by Commissioner Flores. Madam Chair put the motion to a vote, with all members in favor of adjournment. **[Motion passed with a vote of 4 ayes and 0 nays.]**

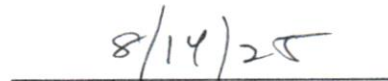
The regular meeting of the Guam Land Use Commission for Thursday, July 24, 2025, adjourned at 2:51 p.m.

Approved by:

Date approved:




Dr. Anita B. Enriquez, Chairperson
Guam Land Use Commission

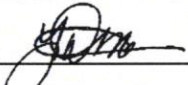


8/14/25

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

GOVERNMENT OF GUAM – Department of Land Management Office of the Recorder		1010535
File for Record is Instrument Number _____		
on the Year 20 <u>25</u> Month <u>07</u> Day <u>16</u> Time <u>1:18pm</u>		
Recording Fee	DE-OFFICIO	Receipt No. DE-OFFICIO
Deputy Recorder:	 Yvonne D. Mendiola	

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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, June 12, 2025
2:05 p.m. to 2:57 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, June 12, 2025 • 2:05 p.m. to 2:57 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Ms. Leilani R. Flores, Commissioner

Mr. Gerald P. Yingling, Commissioner

[Excused: Commissioner Ronald C. Pangilinan]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Mr. N. Lee Miller, Jr., Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

Ms. Theresa Guevara, Planner II

Mr. Kyle Meno, T. Network Coordinator

GUAM LAND USE COMMISSION GUAM HYBRID LAND USE COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: ~~THURSDAY~~, June 12, 2025

Time of Meeting: GLUC: 2:05pm | GHLUC: 1:37pm

<input checked="" type="checkbox"/> GLUC	<input checked="" type="checkbox"/> GHLUC
<input checked="" type="checkbox"/> Regular	<input checked="" type="checkbox"/> Regular
<input type="checkbox"/> Special	<input type="checkbox"/> Special
<input checked="" type="checkbox"/> Quorum	<input checked="" type="checkbox"/> Quorum
<input type="checkbox"/> No-Quorum	<input type="checkbox"/> No-Quorum

COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez Comissioner Leilani R. Flores Commissioner Ronald C. Pangilinan Commissioner Gerald P. Yingling Mayor Peter Benavente, Dededo Mayor Frances Lizama, Yigo Mayor Louise Rivera, Tamuning Mayor June Blas, Barrigada	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">✓ Present did not sign in</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">✓ Present did not sign in</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">✓ Present did not sign in</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div>
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STAFF

Joseph M. Borja, Executive Secretary Rossana D.S.M. Tiston, Deputy Director N. Lee Miller, Jr., Legal Counsel (OAG) Celine L. Cruz, Chief Planner Frank Taitano, Planner IV Penmer Gulac, Planner IV M. Grace Vergara, Planner IV Sonny Gogue, Planner III Theresa Guevara, Planner II Edward Sanchez, Planner I Cristina Gutierrez, WPSII Kyle Meno, TN Coordinator	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Excused</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div>
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GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Commissioner Leilani R. Flores
Commissioner Ronald C. Pangilinan

Commissioner Gerald P. Yingling
Commissioner (Vacant)

Joseph M. Borja, Executive Secretary
N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, June 12, 2025 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – June 5th and June 10th, 2025]

Livestreamed on YouTube at Guam Department of Land Management Channel

I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum

II. **Approval of Minutes**

➤ GLUC Regular Meeting Minutes of Thursday, April 10, 2025

III. **Old or Unfinished Business [None]**

IV. **New Business**

Zone Change

A. Application No. 2024-23, the Applicant, Core Tech Development, LLC represented by TG Engineers; PC; requests a Zone Change from “R2” (Multiple Dwelling) zone to “M1” (Light Industrial) zone, for a proposed photovoltaic facility, on Lot 10184-2 and Lot 10184-3, in the Municipality of Dededo.
Case Planner: Frank Taitano

Zone Variance

B. Application No. 2022-37, the Applicants, Prabhsaran and Cassandra Reyes Sachdev represented by Felix Benavente; requests a Zone Variance for Setback, for an existing residential structure with a front yard setback of 13.5-feet, a left side yard setback of 4-feet, and a rear yard setback of 3.5-feet, on Lot 16, Block 3, Tract 178, in the Municipality of Yigo, in an “R1” (One-Family Dwelling) zone.
Case Planner: Sonny Gogue

V. **Administrative & Miscellaneous Matters**

C. A.B. Won Pat International Airport Authority; Noise Compatibility Planning Study

D. Election of Vice Chairperson, Guam Land Use Commission

VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Thursday, June 12, 2025 • 2:05 p.m. to 2:57 p.m.

Department of Land Management Conference Room

3rd Floor, ITC Bldg., Tamuning, Guam 96913

[As advertised in the Guam Daily Post on June 5th and June 10th, 2025]

Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, June 12, 2025, at 2:05 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Leilani Flores, Commissioner Gerald Yingling, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Theresa Guevara and Kyle Meno.

[Excused: Commissioner Ronald Pangilinan and Deputy Director Rosanna Tiston]

Madam Chair noted a quorum and announced that today's meeting was being live-streamed on YouTube at the Guam Department of Land Management's channel.

II. Approval of Minutes

Chairperson Enriquez before the members today, is the approval of the Minutes from the GLUC meeting held on Thursday, April 10, 2025. The Commissioners were provided with the draft in advance, and they have been reviewed. Madam Chair asked for a motion for approval.

Commissioner Flores made a motion to approve the Minutes for April 10, 2025.

Commissioner Yingling seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and seconded by Commissioner Yingling. There was no discussion, Madam Chair put the motion to a vote, with all in favor of approval. **[Motion carried unanimously, 3 ayes and 0 nays]**

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2024-23 the Applicant, Core Tech Development, LLC represented by TG Engineers, PC; requests a Zone Change from "R2" (Multiple Dwelling) zone to "M1" (Light Industrial) zone, for the proposed photovoltaic facility, on Lot 10184-2 and Lot 10184-3, in the Municipality of Dededo. Case Planner: Frank Taitano

Chairperson Enriquez welcomed the applicant's representative to the meeting, asked them to state their name for the record, and to proceed with their presentation.

Marvin Aguilar is from TG Engineers, PC, representing the applicant, Core Tech Development. Mr. Aguilar provided a PowerPoint presentation for the Commission.

Slide 1 – The application is a request to rezone Lot 10184-2 and Lot 18184-3 in Ukudu, Dededo, from R2 to M1 zone.

Slide 2 – Mr. Aguilar explained the location of the subject lots, and pointed out that to the left is the CTI barracks, to the north, in the open area, is a staging area.

Slide 3 – Image of the general location. Mr. Aguilar points out the location of the CTI housing facility, and adjacent to the staging area is the Northern District Wastewater Treatment facility (NDWTF), and across the street is the expanded NDWTF.

Slide 4 – Image of the subdivision property map for the two subject lots.

Slide 5 – Total area to be rezoned; Lot 10184-3 is about 6.34 acres, and Lot 10184-2 is approximately an acre and a half.

Slide 6 and Slide 7 – images of the Billboard notice.

Slide 8 – Photo of the former Air Force publication building.

Slide 9 – Mr. Aguilar explained the justification of public necessity, convenience, and general welfare. He stated that by rezoning each parcel to the M1 zone, the lots would become compatible to the immediate surroundings and become aligned with right-fit land use opportunities. He added that multi-family use is compromised for these two lots since they are technically surrounded by light industrial zones.

Slide 10 – Explained that their ulterior motive to rezone the parcels is for a unified land resource to construct and operate a solar farm. It is projected to produce about 60 megawatts of power and will have the ability to hold about 30 megawatts of battery power. The facility will meet the requirements of Public Law 35-45, which is to provide 100% dependency on alternative energy by 2045.

Slide 11 – Image of the expanse of the proposed solar PV facility. The design of the solar farm is to utilize as much space as possible while maintaining the CTI facilities. They will be adjacent to the wastewater treatment facility, and across the street, Lot 10188 was recently rezoned to M1, and this will provide additional space support for the solar farm.

Slide 12 – additional photo of the former Air Force publication building.

Slide 13 – photo of the main entrance to the Core Tech construction compound.

Slide 14 – photo of the mega warehouse to the north of the subject properties.

This concluded Mr. Aguilar's presentation, and he was prepared to answer questions from the Commission.

Chairperson Enriquez thanked Mr. Aguilar for the presentation and opened the floor to the Commissioners for comments or questions.

Commissioner Flores had no questions.

Commissioner Yingling commented that DoAG and GEPA had conditions and asked if their conditions had been met. DoAG asked for a biodiversity study to ensure that there were no endangered species on the subject parcels.

Marvin Aguilar replied that conditions cannot be placed on a zone change. The request should be considered based on the merits of the parcels and their relation to land uses surrounding them. The conditions can be applied to the clearing/grading permit or the building permit applications. They have merit and follow the processes for each of the permitting agencies.

Chairperson Enriquez inquired if the former Air Force publication building would have any use for this project.

Marvin Aguilar replied no, and it was his understanding that it would be demolished. This is a building that was constructed in the early 1950s, and there may be some additional environmental concerns to consider before it is demolished.

[Brief discussion ensues]

Chairperson Enriquez thanked Mr. Aguilar for his presentation and turned the floor over to Chief Planner Cruz for the staff report.

Sonny Gogue, Planner Ms. Gogue summarized the staff report dated June 2, 2025. The site is located within the Core Tech complex, north of the existing Core Tech TWHF. Lot 10184-2 is occupied by a two-story concrete structure, which was formerly a military printing shop, and Lot 10184-3 is vacant, with its north-eastern portion serving as access to the existing Core Tech TWHF and concrete batching facility.

Ms. Gogue continued the report with the community design plan, application's chronological facts, public hearing results and discussion, staff analysis to include the justification to support public necessity, general welfare, and convenience. [For full content/context, see attached report]

Planning staff recommends approval of the application, subject to conditions.

[Attachment A – Staff Report dated June 2, 2025]

Chairperson Enriquez opened the floor to the Commissioners for questions for the staff.

Commissioner Flores had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez noted that there were no questions for staff. Madam Chair opened the floor for public comment.

Public Comment none noted. Madam Chair closed the public comment period.

Chairperson Enriquez there were no additional comments or discussion from the members. Madam Chair was ready to entertain a motion for action for Application 2024-23.

Commissioner Flores made a motion to approve Application 2024-23 based on the recommendation and conditions as noted in the Staff Report dated June 2, 2025.

Commissioner Yingling seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote, with all in favor of approval. **[Motion carried with a vote of 3 ayes, 0 nays]**

Next item on the agenda –

Zone Variance

- B. Application No. 2022-37, the Applicants, Prabhsaran and Cassandra Reyes Sachdev represented by Felix Benavente; requests a Zone Variance for Setback, for an existing residential structure with a front yard setback of 13.5 feet, a left side yard setback of 4 feet, and a rear yard setback of 3.5 feet, on Lot 16, Block 3, Tract 178, in the Municipality of Yigo, in an “R1” (One Family Dwelling) zone. Case Planner: Sonny Gogue

Chairperson Enriquez welcomed the applicants’ representative to the meeting. Asked them to state their name for the record and to proceed with their presentation.

Felix Benavente representing the applicants, Prabhsaran (Saran) and Cassandra Sachdev. Mr. Benavente had a brief presentation for the Commission.

Slide 1 – The subject lot is in Yigo. Mr. Benavente pointed out the Santa Bernadita Church, and to the right is the Machanaonao Elementary School.

Slide 2 – There are two structures on the property, and what was shown on the property map is the existing one-story concrete house, which is the subject of the setback variance application. The two car garage is compliant (referred to as Building B). The main structure will be referred to as Building A.

Slide 3 – Image of the zone variance for front, side, and rear setbacks.

Slide 4 – The front setback required is 15 feet, and the existing setback is 13.5 feet; they are requesting 1.5 feet. The two sides require 8 feet, and the existing are 4 feet and 7 feet, short 4 feet on the left side and 1 foot on the right side. The rear setback required is 10 feet, and the existing setback is 3.5 feet, short 6.5 feet.

Slide 5 – Photo of the existing side yard setbacks.

Slide 6 – Photo of side setback as viewed from the rear looking forward.

Slide 7 – Photo of the structure before the modification, which was previously a single-family dwelling. There were two structures, and the main building to the left is an existing concrete building (Building A).

Slide 8 – Photo of the structure after modification; front view of the modification of the single-family dwelling to garages and storage space of structure B.

Slides 9, 10, and 11 – photos of the surrounding area of the property.

Slide 12 – the previous owners and subsequently purchased by the applicants. The applicants intend to renovate the existing structure and make it a legal structure to be used as residences.

Slide 13 – The structure is located entirely within the boundaries, the roof overhang does not encroach over the common abutting lot lines, and the water run-off is contained on site.

Slide 14 – The garages are compliant, and the main building is not and for this reason they are before the Commission to request for the variance.

This concluded Mr. Benavente's presentation, and he was prepared to answer questions from the Commission.

Chairperson Enriquez thanked Mr. Benavente for his presentation and opened the floor to the Commissioners for questions.

Commissioner Flores had no questions.

Commissioner Yingling had no questions.

Chairperson Enriquez asked which building came first, Building A or Building B. There are parking garages and storage, and did these structures come after the house.

Felix Benavente replied that the house was built first.

Chairperson Enriquez based on what was presented, the house is not in compliance, but the garages and the storage are. Madam Chair asked if it would be more cost-effective to renovate to make the first building in compliance, and whether the new owners have considered what it would take to make the initial structure in compliance as they are renovating versus moving forward with what they have.

Felix Benavente explained that the existing one-story concrete house is the main structure. The front portion is 4 feet from the property line and the rear portion is 7 feet, and the whole back portion of the building is 3.5 feet from the property line. To bring this building into compliance would require cutting the building. The option that they took was to apply for the variance to be in compliance.

Commissioner Yingling asked if the adjoining property was for sale.

Felix Benavente replied that he was unaware.

Chairperson Enriquez asked if there were any additional questions.

Joseph Borja, Executive Secretary noted for the record that this is a 2022 application and asked what the delay was in moving forward with the process.

Celine Cruz, Chief Planner replied that the delay was caused by not being able to secure an MPC resolution that complied with the Open Government Law. Chief Planner Cruz stated that any action taken by the Commission could be voided because that element of the process was not adhered to. Several attempts were made with the previous Mayor, but they were not successful, and it was not until the new Mayor took office that they had the hearings that were required and received the resolution needed to move forward.

Chairperson Enriquez thanked Ms. Cruz and turned the floor over to the staff for their report.

Sonny Gogue, Planner summarized the staff report dated June 4, 2025. The subject property is located in Agafa Gumás. The site is developed with the existing single-family residential structure and a detached garage, and a storage structure with a chain-link fence.

Ms. Gogue continues her report with the application's chronological facts, public hearing results, discussion, and staff analysis. (For full content/context, refer to the attached report.)

To conclude the report, Ms. Gogue conveyed that the applicant has provided adequate justification in response to their request. Except for the Department of Public Works, which recommends disapproval of the requested variance, the remaining ARC position statements are with no objection.

Planning Staff recommends approval, subject to conditions.

[Attachment B – Staff Report dated June 4, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions.

Commissioner Flores had no comments or questions.

Commissioner Yingling had no comments.

Chairperson Enriquez remarked that the property is within the housing subdivision and understands Public Works' concern of deviating, and the possibility of setting a precedent, and asked how far the structure was from the main road, to which DPW would have a concern.

Felix Benavente replied that it was 13.5 feet to the edge of the right-of-way.

Frank Taitano, Planner added that it was about 2000 feet from the main road. Mr. Taitano explained that the position of Public Works not recommending approval is that they noted that

there were irregularities in the alignment of the property lines and the structure. In the application, there is certification from a registered Surveyor that proves this wrong. DPW's concern is about the alignment (certified by a Surveyor) and the fault of the inspection that was conducted.

[Discussion ensues]

Chairperson Enriquez added to the concern about precedence, she also recognizes that the original structure (A) was built with the understanding that all requirements were satisfied. Madam Chair stated that the Commission grandfather this factor in because it would impose an undue financial burden on the buyers. In this particular case, there were no red flags raised, and the original structure (A) had satisfied previous requirements. The property in its entirety with new owners, and the intent is to be recognized as satisfying legal requirements, and understandably needing approval from the Commission to obtain the approval of the zone variance for setbacks.

Madam Chair opened the floor for public comment.

Public Comment [None noted, Madam Chair closed the public comment period.]

Chairperson Enriquez there were no further comments or discussion. Chairperson Enriquez was ready to entertain a motion for action for Application No. 2022-37.

Commissioner Flores made a motion to approve Application No. 2022-37 based on the staff's recommendation as noted in the staff report dated June 4, 2025.

Commissioner Yingling seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Flores and seconded by Commissioner Yingling. There was no discussion on the motion, Madam Chair put the motion to a vote, with all in favor of approval. **[Motion carried; 3 ayes, 0 nays]**

V. **Administrative and Miscellaneous Matters**

C. **A.B. Won Pat International Airport Authority; Noise Compatibility Planning Study**

Chairperson Enriquez turned the floor over to the Executive Secretary for the presentation.

Joseph Borja, Executive Secretary stated that there have been from time to time that the Department or the Commission is requested to provide input on certain issues, and in this case, it is a noise compatibility planning study conducted by the Airport's consultant.

Mr. Borja remarked that there will be five Commissioners in the coming weeks who will set the tone of the Commission on these requests. Mr. Borja asked the Commission whether they would like to receive land bills as they are introduced at the Legislature, sent to the individual Commissioners for review, and then brought up for discussion at a GLUC meeting. In addition to

the bills that are introduced, some studies are being referred to Land Management for comments. He added that the Chief Planner has attended the noise compatibility study meetings and felt that this would be a good issue to bring before the Commission.

Celine Cruz, Chief Planner read the Commission Brief dated June 11, 2025. Chief Planner Cruz reported that the Guam International Airport Authority is in the middle of its Part 150 Noise Compatibility Study. This is a federally guided process aimed at identifying ways to reduce the impact of aircraft noise and promote compatible land use around the airport. (For full content/text, see attached report]

[Attachment C – Commission Brief dated June 11, 2025]

Chairperson Enriquez thanked the Chief Planner for the brief and stated that she understands that this was provided to the Commission for information purposes only.

Chairperson Enriquez brought up that she receives regularly from the Guam Legislature, from an oversight chair or respective committee, to provide testimony on bills concerning land use. Madam Chair has always taken the position to forward these requests to the department for review and to defer to the department's expertise to determine if a response or testimony will be provided. Additionally, as Chairperson, she understands that she cannot solely provide testimony on her own, particularly if it represents the Commission without some dialogue or deliberation with the members of the Commission. Taking into consideration the Open Government Law that the Commission cannot meet for Commission business unless the Open Government Law is followed about announcing and placing on the agenda of a regular meeting of the Commission. Anytime there is a request and there is a need for an expedient response, Chairperson Enriquez stated that she respectfully does not respond but defers it to the Executive Secretary, who is also the Director for the Department of Land Management. This is the position that Madam Chair has always taken.

Joseph Borja remarked that he also does the same when there are bills that need legal interpretation and defers them to Legal Counsel to provide testimony.

Chairperson Enriquez remarked that she understands that the Commission's role is to review and entertain items that are placed on the agenda that come directly from the Department, but not to make or amend laws, but rather act on applications that come through and to also hear information that is relevant to the purpose of the Commission.

Lee Miller, Legal Counsel advised that any member of the Commission is free to testify at the Legislature in expressing their views, so long as the member prudently begins their testimony by saying that this is their personal view and not the view of the Commission as a whole. To present the view of the Commission, it would require consideration in a vote from the body.

Commission Yingling commented that the study could have a major impact on this area and anticipates that the Executive Secretary will take a serious look at this. He added that the footprint

of the Part 150 has expanded, and this is significant, which will have a possible significant impact on Land Management and the GLUC.

Next item on the agenda –

D. Election of Vice Chairperson, Guam Land Use Commission.

Chairperson Enriquez the next item on the agenda is the election of the Vice Chairperson for the GLUC.

Joseph Borja asked if the election of a Vice Chairperson could be postponed until there are at least four members present to elect a new Vice Chairperson.

Chairperson Enriquez stated that this item will be tabled until there are additional members present. Madam Chair inquired when the next meeting of the Commission will be held.

Celine Cruz, Chief Planner replied that it is tentatively scheduled for Thursday, June 26, 2025. Planning is potentially tracking one application at this time. A call out to the Commission members will be done in the next couple of days.

Chairperson Enriquez there being no further business for the Commission, Madam Chair asked for a motion to adjourn.

VI. Adjournment

Commissioner Yingling made a motion to adjourn today's meeting.

Commissioner Flores seconds the motion.

Chairperson Enriquez acknowledged and accepted the motion made by Commissioner Yingling and Commissioner Flores. The motion was put to a vote, with all in favor of adjournment. **[Motion carried; 3 ayes and 0 nays]**

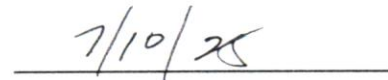
The regular meeting of the Guam Land Use Commission for Thursday, June 12, 2025 was adjourned at 2:57 p.m.

Approved by:

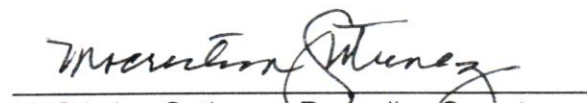
Date approved:



Anita B. Enriquez, Chairperson
Guam Land Use Commission



Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

ATTACHMENT A



DIPĀTTAMENTON MINANEHAN TĀNO
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



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June 2, 2025

MEMORANDUM

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2024-23

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

1. PURPOSE:

- a. **Application Summary:** The applicant, Core Tech Development LLC represented by TG Engineers, PC, is requesting approval of a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (light Industrial) Zone for the proposed installation of Photovoltaic Panels on Lot Nos. 10184-2 and 10184-3, Municipality of Dededo
- b. **Legal Authority:** Sections 61630 to 61638 (Changes of Zones) of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. FACTS:

- a. **Location:** The site is located within the Core Tech complex, North of the existing Core Tech TWHF.
- b. **Lot Area:** Lot 10184-2 = 25,653 ± Sq. Meters or 276,123.76± Sq. Feet.
Lot 10184-3 = 1,589 ± Sq. Meters or 17,103.67± sq. Feet
- c. **Present Zoning:** "R-2" (Multi-Family Dwelling) Zone
- d. **Field Description:** Lot 10164-2 is occupied by a two-story concrete structure which was formerly a Military Printing Shop, and Lot 10184-3 is vacant with its north-eastern portion serving as access to the existing Core Tech TWHF and Concrete Batching facility. Both Lots are presently maintained with various ground cover vegetation and small to medium-sized trees as the dominant canopy vegetation.

Continuation of Memorandum

Re: Staff Report - Application 2024-23, Zone Change
Lot 10184-2 & 10184-3, Municipality of Dededo
Date: June 2, 2025
Page 2 of 4

- e. **Masterplan:** "Residential" North, Central Guam LUP
- f. **Community Design Plan:** "Undesignated"
- g. **Previous Commission Action:** February 28, 2009 Adoption of the "Dos Amantes" Official Zoning Map designating subject properties "R-2" (Multi-Family Dwelling) zone.

3. **APPLICATION CHRONOLOGICAL FACTS:**

- a. **Date Application Accepted:** May 29, 2024
- b. **Date Heard By ARC:** July 2, 2024
- c. **Public Hearing Results:** May 21, 2025 (See Attachment "A")

4. **DISCUSSION and STAFF ANALYSIS:**

The applicant's request is for a zone change approval and pursuant to Section 61630 (Requirements for Changes) of Chapter 61 (Zoning Law) 21GCA. The applicant in response to the Zone Change request, submits the following compatibility statement and justification response:

Land Use Compatibility

This request for a change of zone for Lots 10184-2 and 10184-3 is compatible with their respective surroundings. This position is based on historical and current land uses. Figure 1 displays the post-World War II expanse of the area used primarily as a landing strip and complimentary uses.

Lot 10184-2 historically housed a federal building best known as the Air Force Publication Building. For this reason, the historic use of the 25,653± square meter property would be consistent with the proposed use and/or any other uses within the light industrial zoning spectrum.

Lot 10184-3 contains 1,589± square meters and although no information on its former use by the military appears to be available, uprooted cement foundation and an old vertical pulley rig remains. The property is vacant and highly disturbed with portions of the property used as a gated service access road.

The "R-2" zone designation for both parcels is the residual effect of the Dos Amantes Planning Area plan. These lots are currently surrounded by "M-1" (Light-Industrial) zoned properties, that in turn achieved their current zoning designation via GLUC Resolution No. 2008-01 as recorded under DLM Document No. 769916. The surrounding zoning overlay of these properties serves proof that a new zoning designation of "M-1" would be appropriate.

Continuation of Memorandum

Re: Staff Report - Application 2024-23, Zone Change
Lot 10184-2 & 10184-3, Municipality of Dededo.

Date: June 2, 2025

Page 3 of 4

Justification to Support Public Necessity, Convenience, and General Welfare

Pursuant to Title 21GCA, Chapter 61, §61630, the Commission must assess a change of zone request wherein public necessity, convenience, and general welfare will justify such action. We submit justification in support of a change from "R-2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) zone. We present the following:

This request aligns with Public Law 33-198 that scripted GPA's renewable portfolio standards and required 25% of the island's total power consumption capacity to be dependent on alternative energy sources by the year 2035. Public Law 35-46 amended the requirement and increased GPA's renewable portfolio for reliance and dependency on alternative energy sources for the island to 100% by the year 2045. The Public Law serves as a response to anticipated increases and fluctuation of costs associated with operating fossil-fuel dependent power generators. In foresight, Guam Power Authority (GPA) has directed its attention to alternative energy production to reduce such dependency and pass projected savings to GPA customers and end-users.

This request for a change of zone for the subject lots is strictly intended to support the installation and use of photovoltaic panels (See Site Plan).

Such structures maintain low to no dependency on water and wastewater infrastructure. Likewise, free-standing photovoltaic panels and their related infrastructure may be considered temporary and easily removed to accommodate other low-impacting land uses. This in turn, is a positive attribute of the development scheme as it offers a level of flexibility on land development in the event a need arises to remove the solar farm, as opposed to the development of hardened facilities such as brick/mortar warehouse buildings that presents limited potential uses.

The act of changing the zones of the subject parcels aligns not only with the GPA's initiatives, but also with the Guam Energy Office's mandate and mission "to promote energy conservation and energy efficiency, promote deployment of renewable energy technologies, and provide energy saving solutions to reduce fossil fuel dependency leading to a sustainable energy future for the island."

The request for a change of zone further aligns with the Guam Strategic Energy Plan with respect balancing sound economics with ecological integrity, the request is consistent with key principals of the Plan, which is to:

- ❖ Enhance the general quality of life through energy strategies that will benefit Guam.*
- ❖ Promote ecologically friendly propositions that create a healthy environment.*
- ❖ Promote environmental stewardship through energy conservation and energy efficient practice.*
- ❖ Support opportunities for local economic vitality.*
- ❖ Emphasize alternative power sources; and,*
- ❖ Support options that will reduce market volatility, stabilize rates, and increase reliability.*

Continuation of Memorandum

Re: Staff Report - Application 2024-23, Zone Change
Lot 10184-2 & 10184-3, Municipality of Dededo.
Date: June 2, 2025
Page: 4 of 4

This request aligns with government of Guam initiatives to promote an environmental-friendly approach to reduce and replace dependency on fossil fuel and operational cost of running fossil fuel generators.


The end state of the request will allow the property owner to engage in constructing and operating a solar farm that in turn will be an expression of both direct and indirect benefits for the people of Guam far into the 21st century.

Based on the above and our evaluation for public necessity, convenience, and general welfare, the zone change request from "R-2" (Multi-Family Dwelling) zone to "M-1" (Light-Industrial) zone is justified. The shift aligns with Guam's energy mandates, enhances land use compatibility, and offers long-term benefits more aligned with the island's strategic needs.

In addition, this particular lots are no longer suitable for housing development due to the surrounding industrial activities and public facility expansions. Instead, repurposing the lots for a solar energy project supports Guam's renewable energy goals, economic stability, and environmental sustainability, making the proposed zoning change a logical and beneficial land use decision.

In our review and analysis of the form and context of this application, in reference to the Zoning Law, the positive response of the Dededo Municipal Planning Council (DMPC) Resolution 2024-14, the positive response received from the ARC agencies, and the applicants' efforts to continue to consult with the various government permitting entities to ensure compliance with their requirements, we find the above and the context of the application provides justification that the public necessity, convenience and general welfare, supports a positive action on the zone change request.

5. **RECOMMENDATION:** The Planning staff recommends Approval subject to the following condition:
1. That the applicant, adheres to the permitting ARC member's conditions and requirements as stipulated on their Official Position Statement.


Celine L. Cruz

Attachments: ARC Position Statement Summary
Minutes of Public Hearing
DMPC Resolution 2024-14

Case Planner: F. Taitano

PUBLIC HEARING MINUTES
Wednesday, May 21, 2025, 6:00 p.m.
Dededo Senior Citizen Center

APPLICATION NO. 2024-23

APPLICATION TYPE: Zone Change

APPLICANT/ REPRESENTATIVES: Core Tech Development, LLC/ TG Engineers, PC

LOTS: 10184-2 & 10184-3

CALLED TO ORDER: 6:01 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Marvin Aguilar of TG Engineers, PC, for his presentation. After his presentation, the applicant's representatives responded to the following public attendee's questions and concerns.

1. Ray Garrido: Do you have a geographical map of the lots?

Marvin Aguilar: Yes, it on the next slide (of the presentation).

2. James Garrido: How many feet from the waste-water treatment plant is it that you cannot build housing?

Marvin Aguilar: There's no restriction for the distance but it's not smart being next to the waste-water treatment plant for residential use.

3. James Garrido: Is everything being rezoned to M1?

Marvin Aguilar: No, not all the lots in the area. Just the Core Tech lots. Core Tech has other applications that are rezoning lots to M1.

4. James Garrido: Our property is the triangle lot (Lot 5301), is that M1?

Marvin Aguilar: You would have to check with DLM for zoning.

Frank Taitano: For the zoning for your lot, we would have to research and verify the zoning. I can give you my card and you can send an email so we can verify your zone. But based off of the zone change application that the applicant's representative submitted, the radius map is showing a Commercial Zoning designation. Again, just send an email so we can verify.

5. James Garrido: How many quarries are there? Two?

Marvin Aguilar: One.

6. James Garrido: Do the others benefit from this solar farm?

Marvin Aguilar: This project is from that public law where GPA wants other alternative energy. GPA will buy the alternative energy and it will be used by the public. To answer if it is a direct benefit, well, it's an option for GPA to have alternative energy versus fueled energy.

7. James Garrido: Will requesting an M1 zone effect our R2 zoning of our property?

Frank Taitano: The zone change request is specific to the lots applying for the zone change. Your zoning designation on your lot will not change.

Public Hearing Minutes: ZC 2024-23

Page 2 of 2

8. Ray Garrido: So this rezone is only for the Core Tech lots?

Marvin Aguilar: Yes, just the two lots, Lot 10184-2 & -3.

9. Ray Garrido: Is this a private entity?

Marvin Aguilar: Yes, it's for Core Tech. It's not a federal project.

10. James Garrido: She just showed me that my lot (Lot 5301) is a commercial zone from public law.

Frank Taitano: Still send an email so we can research and confirm it.

MEETING ADJOURNED: 6:41 p.m.

DEDEDO MUNICIPAL PLANNING COUNCIL
MUNICIPALITY OF DEDEDO

RESOLUTION NO. 2024-14

Introduced by:
Melissa B. Savares, Chairperson
Peter J. Benavente, Vice Chairperson

MEMBERS

Acda, Romulo	Mafias, Frank
Artero, Pascual V	Makepeace, Annie
Cepeda, Nadine	Obina, Sammak
Chan, Jose-Arthur Jr.	San Nicolas, Joseph C.
Espinosa, Arlyn A.	Servino, Benito
Gaza, Edgar	Wusstig, Ernie

Relative to the approval for the zone change application for Lots 10184-2 and 10184-3 from "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) zone in the Ukudo Village area to support the Guam Power Authority's (GPA) agenda and meet established renewable energy portfolio standard goals in the Municipality of Dededo. Applicant: Core Tech Development, LLC. Represented by TG Engineers, PC.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL:

WHEREAS, on, July 8, 2024 & July 9, 2024, members of the DMPC were briefed during two (2) public hearings by TG Engineers, PC representative Marvin Aguilar on the zone change application for the above lots; and

WHEREAS, members were informed that the objective of this zone change is to support and accommodate GPA's renewable portfolio for reliance and dependency on alternative energy sources for the island; and

WHEREAS, Mr. Aguilar stated that the objective of the rezoning is strictly intended to support the installation and use photovoltaic panels; and

WHEREAS, members acknowledged to approved this zone change application with the note that all necessary permits will be in place by regulating agencies prior to the installation of the photovoltaic panels; and

WHEREAS, members acknowledged that ads were posted in The Guam Daily Post and Government of Guam portal on June 28, 2024, July 1, 2024, July 6, 2024, July 7, 2024; and

BE IT RESOLVED, that after further discussion, it is noted that members of the DMPC motioned to approve this application for zone change for the above lot; and therefore be it

FURTHER RESOLVED, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Department of Land Management, Department of Revenue & Taxation and Department of Public Works.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 9th DAY OF July 2024.


MELISSA B. SAVARES, Mayor of Dededo


YVONNE S. ACDA, Secretary DMPC



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

EDUARDO S. LEON GERRERO
MAGAHAHA • GOVERNOR

JOSE P. M. BORJA
DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TOSTON
DEPUTY DIRECTOR

June 2, 2025

Memorandum

Website:
<http://dlm.guam.gov>

To: Guam Land Use Commission (GLUC) Members

From: Chairperson, Application Review Committee (ARC)

Subject: Summary of Positions Submitted by ARC

Re: Application No. 2024-23 (Zone Change)

E-mail Address:
dlmdir@land.guam.gov

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

Telephone:
671-649-LAND (5263)

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends Approval subject to the following condition:

1. That the applicant, adheres to the permitting ARC member's conditions and requirements as stipulated on their Official Position Statement.

Facsimile:
671-649-5383

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection with the approval of the Zone Change application subject to the condition on their position statement.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request subject to the conditions on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW recommends approval subject to the conditions on their position statement.

GUAM WATERWORKS AUTHORITY (GWA):

GWA has no objection to the approval of the application.

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2024-23

June 2, 2025

Page 2 of 2

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the zone change application based on the conditions on their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a zone change subject to the conditions on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the zone change subject to the conditions on their position statement.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit Position Statement

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

Ex-Officio, non-voting member, not required to submit Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

Ex-Officio, non-voting member, not required to submit Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Chelsa Muna
Director
Roy Gamboa
Deputy Director

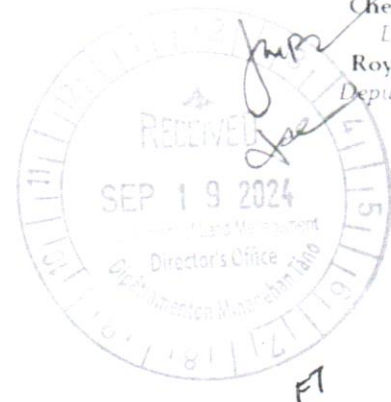
To: Joseph Borja, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director

Date: September 18, 2024

Chelsa D. Muna
Digitally signed by Chelsa D. Muna
Date: 2024.09.18 14:08:14 +10:00



Subject: Position Statement for Application 2024-23 to rezone from R-2 (Multiple-Family Dwelling) to M-1 (Light-Industrial) to develop the property by the installation of photovoltaic panels on Lots 10184-2 and 10184-3, located at Ukudu, Dededo (Core Tech Development, LLC)

The Department of Agriculture (DOAG) has reviewed Application 2024-23 to rezone Lot 10184-2 and 10184-3, located at Ukudu, Dededo, from Multiple-Family Dwelling zone (R2) to Light-industrial (M-1) for the purpose of developing the subject properties by the installation of photovoltaic panels to support Guam Power Authority's renewable portfolio for resilience and dependency on alternative energy sources for the island. The combine total land area of both subject lots is 293,230.45 square feet with vegetation.

The following is the Position Statement provided by DOAG, under the agency's authorities:

- DOAG's Division of Aquatic and Wildlife Resources (DAWR) is aware of and monitors Endangered Species that occur in the subject area. A biological survey report must be provided to DOAG during the permitting process for the development. Landowner must consult with DOAG DAWR's Technical Guidance Section at permits@doag.guam.gov on future development plans to discuss potential impacts on protected species and resolving issues that may occur to avoid or minimize impacts to these species. Species observed in the area includes: the Yellow Bittern, Micronesian Starling, Mariana Fruit Bat, Common Moorhen, and Native Flora species of conservation need.
- A biosecurity plan must be developed and approved by DOAG prior to any work commencing. Once approved, the biosecurity plan must be employed during development phase to ensure that avoidance measures are in place to prevent the spread and introduction of Little Fire Ants (LFA) and other noxious species that may impact residents, economy, and ecology of the project area. Developer and Contractor must consult with DOAG's Biosecurity Division at biosecurity@doag.guam.gov.
- Approximately 6 to 8 inches of the topsoil within the boundaries of the project area must be set aside for agricultural purposes. Agricultural purposes may include, but not limited to, providing subsistence farmers ("backyard farmers") the resources that may be impacted as result of the development. The landowner/s must consult with DOAG's Agriculture Development Service at agriculture@doag.guam.gov to discuss this opportunity to assist subsistence farmers in need of soil resources for agricultural purpose. All vegetation material to be cleared on the project area must be processed on site as mulch to be used for landscaping, and excess be provided to subsistence farmers for the purpose of agricultural use.

TO: Frank
com
9/26/24

RECEIVED
By Cristina at 10:24 am, Sep. 19, 2024

Cex

1. The landowner's must consult with DOAG's Forestry Division at forestry@doag.guam.gov to discuss all native plants identified within the project area. Access to collect native plant seeds, and/or other plant parts to be included in Forestry's nursery inventory of plants to be replanted within the Forestry System shall be considered to mitigate development impacts-to-habitat.
5. Eco-friendly development must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include, but are not limited to: native plants for landscaping, shielded lighting, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, ponding basin, and green roof concept.

The Department does not oppose the request for a zone change from R-2 to M-1, however, the Owner is required to address the conditions to the approval, as stated above, and looks forward to discussing in more detail the proposed development in Dededo. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.



LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Guam Coastal Management Program



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

August 1, 2024

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-23 Zone Change
Location: Lots 10184-2 & 10184-3
Municipality: Dededo
Applicant: Core Tech Development, LLC
From: "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) Zone
Proposed Use: Installation of Photovoltaic Panels



Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, Core Tech Development, LLC, is submitting a Zone Change application to rezone the subject lots 10184-2 and 10184-3 from R2 "Multi-Family Dwelling" zone to M1 "Light Industrial" zone, to allow for the construction and installation of a photovoltaic facility and panels for solar farm operations. The subject lots are located in the municipality of Dededo and contains a total of 27,242 square meters or 6.7 acres.

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990). Note: In past publications, this article was entitled "Centralized Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978).
<https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM
Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web
www.BSP.Guam.Gov

TO: Diane
8-13-24

RECEIVED
By Cristina at 8:37 am, Aug 05, 2024

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The subject lots are located in the Ukkudo area of Dededo and is accessible from Route 3 along a paved easement that is approximately .2 miles. Much of the adjacent land in the immediate surrounding area is vacant and undeveloped, with zoning primarily M1 - Light Industrial, C - Commercial, and R2 - Multifamily Residential to the north. Beyond the immediate surrounding area to the west and southwest of the property includes a GWA Water Treatment Facility, Core Tech Development Inc. Temporary Workforce Housing Facility, Cement Plant, and Heavy Equipment Laying Yard. North of the property includes a Core Tech Quarry.

The subject lots are located in a General Residential zone according to the designated land-use area under the North and Central Guam Land Use Plan (NCGLUP) - Future Land Use Map³. The Residential category provides for a range of residential densities, ranging from low density single family residences to multiple family structures. Nonresidential uses are generally discouraged except for public facilities, schools, and institutions, provided their nature and location are not detrimental to the residential environment. Where neighborhood-scaled commercial and retail is desired in a residential zone, a special design review process should be established to ensure compatibility with surrounding residential neighborhoods.⁴

Although the proposed use is not compatible with the NCGLUP future land use designation, the Bureau recognizes that much of the conditions have changed in the surrounding area in which many M1 uses were approved. Furthermore, in light of the overwhelming prevalence of substandard residential living conditions within the surrounding area due to the industrial and commercial uses, the Bureau finds that consideration should be made to allow flexibility for the proposed development of the photovoltaic panels. The applicant must demonstrate that the project would improve the existing conditions and justify public necessity, public convenience, and general welfare in accordance with the Zoning Law of Guam.⁵

Lastly, the subject lots were also included in the Land Use Master Plan of the Puntas Dos Amantes Area of July 19, 2005.⁶ According to the NCLUP, the Dos Amantes Planning Area states land uses in this area are designated pursuant to the interim zoning adopted by the Guam Land Use Commission. Potential uses would be comparable to those described as Residential, Commercial, Industrial and Tourist Resort in this Plan.⁷ The proposed application for a zone change for the installation of photovoltaic panels is consistent with the legislative intent and framework established in Bill No. B453-30 (COR). This bill, which approved the Official Zoning Map F3 67S 52 for the Dos Amantes Planning Area, reflects a commitment to facilitating appropriate land use changes to support economic development and property utilization in alignment with designated zoning categories. The bill also highlights the return of federally held

³ Public Law 30-224 §, Section 4 (2010).

[https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SB;ll%20No.%20462-30%20\(L.S\).pdf](https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SB;ll%20No.%20462-30%20(L.S).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature.

⁴ ICF International. North and Central Guam Land Use Plan. (2009). 2-2.

⁵ 21 GCA, CH 61: Guam Zoning Law.

⁶ Public Law 30-211: An Act to Approve the Official Zoning Map F3 67S 52, the Dos Amantes Planning Area and All Related Zoning Amendments." (Date: 12/13/2010). Text from: Guam Legislature.

⁷ ICF International. North and Central Guam Land Use Plan. (2009). 2-4.

3 | Application No. 2024-23 Zone Change – Core Tech Development, LLC

lands to their original landowners, granting them the autonomy to determine the most suitable zoning for their properties.⁸

B. Geographical Landscape Assessment Based on Watershed

The subject lots are located on the Northern Watershed and above the Northern Guam Lens Aquifer. This project will contribute to the overall development rate of the Northern Watershed, according to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 12.11%. The detailed land cover layer describes the area as "forest land."⁹

Regarding development impacts, as of 2015 land cover data, 30.6% of the Northern Watershed is developed, and 15.78% comprises impervious surfaces.¹⁰ The proposed tentative subdivision is expected to increase the impervious surface area within and around the proposed structure and property. An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. It is reported that the impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot is mainly vegetated open space with some scattered trees, shrub, and grassland. The proposed development will increase impervious surface of the area and continue to contribute to the cumulative impact to the watershed. However, with the application of sustainable development designs and a proper stormwater management system in place, harmful impacts to the watersheds may be mitigated.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility with standards within the following Guam Land-Use Policies:

Sustainable Community Development: Policy LU-5 works to promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures."¹¹

Determination of Effects: Yes

⁸ Ibid.

⁹ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed July 2024 at <https://coast.noaa.gov/ccapAtlas/>

¹⁰ Ibid.

¹¹ ICF International. North and Central Guam Land Use Plan. (2009). 2-5.

4 | Application No. 2024-23 Zone Change Core Tech Development, LLC

The proposed development is within a vacant, undeveloped open space covered with native vegetation. This vegetation plays a crucial role in the ecology of the surrounding area by providing potential habitats for wildlife and permeable surfaces, allowing stormwater filtration and groundwater recharge. Removing existing vegetation can lead to biodiversity loss, decreased biological carbon sequestration, increased air temperature, runoff, potential erosion, and negative impacts on water quantity and quality.

Condition: The applicant must save as many high-value emerged tree and native plant species as possible and replicate the native forests through propagation and out-planting throughout the property's open spaces. The applicant must coordinate with the Guam Department of Agriculture to use preferred native tree species and any propagation or outplanting.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.¹²

Determination of Effects: Yes

The proposed development has the potential to adversely impact air quality. Site preparation and construction activities generate air pollutant emissions from ground-disturbing activity, and the operation of work vehicles and construction equipment.

Condition: Incorporate Best Management Practices (BMPs) during construction to minimize dust and air pollution, such as fugitive particulate matter emissions from ground-disturbing activity and the operation of vehicles and heavy equipment. Ensure that the surrounding area and habitat are not exposed to noxious odors.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.¹³

Policy NS-1 Protect the Northern Aquifer watershed and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities.¹⁴

Policy LU-15 Encourage organic production and chemicals best management practices over the Northern Aquifer.¹⁵

Policy NS-17 Protect groundwater recharge areas and stream conservation areas from urban and saltwater contamination using the following approaches:

- e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;

¹² Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

¹³ Ibid.

¹⁴ ICF International. North and Central Guam Land Use Plan. (2009). 5-2.

¹⁵ ICF International. North and Central Guam Land Use Plan. (2009). 2-6.

5 | Application No. 2024-23 Zone Change Core Tech Development, LLC

- f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;
- g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment.¹⁶

Determination of Effects: Yes

As stated earlier, decreased vegetative cover and increased impervious surface from the proposed development will contribute to the cumulative negative impact on the water quality within the Northern Watershed and the Northern Guam Lens Aquifer.

Condition: The applicant shall ensure the future development is connected to a public sewer should a worker facility be proposed. The applicant must comply with CNMI and Guam Stormwater Management Manual Standards¹⁷ and implement Island Best Management Practices specifications. Concepts, design, and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁸ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁹.

Condition: The applicant should consider installing green infrastructure features within the proposed project site plan. An example of this would be incorporating a native plant vegetative buffer along the perimeter of the subject lots and bioretention designs within the site development plans. These design features and blueprints for consideration in commercial sites on Guam are found in the CNMI and Guam Stormwater Management Manual, specifically under Chapter 4 "Design Examples".

¹⁶ ICF International. North and Central Guam Land Use Plan. (2009). 5-4, 5-5.

¹⁷ Horsley Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1:

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2:

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹⁸ Center for Watershed Protection & Horsley Witten Group, Inc.. Island Stormwater Practice Design Specifications. A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency. (2010): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/island_swm_specs_supplement_cnmi_guam_design.pdf

¹⁹ Center for Watershed Protection & Horsley Witten Group, Inc.. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906/Feb2014_IslandBMPGuideWAppendix.pdf

6 | Application No. 2024-23 Zone Change Core Tech Development, LLC

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Ms. Yvonne Manglona-Juaneza, Planner, at yvonne.manglona-juaneza@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov.

Si Yu'os Ma'åse'.



MATTHEW C. SANTOS.
Acting Director



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

June 17, 2024

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lots 10184-2 & 10184-3, Municipality of Dededo, (Core Tech Development, LLC); Zone Change Application from "R-2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) to support a larger scaled photovoltaic (PV) facility. **Application No. 2024-23**

JMB

[Signature]

FT

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. Customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this development on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.

[Signature]
JOHN M. BENAVENTE, P.E.

ASG/rt

P. Frank

[Signature]

6-25-24

CS

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Core Tech Development, LLC

Location: Lots 10184-2 & 10184-3, Dededo

Type of Application: Zone Change

GLUC GSPC Application No. 2024-23

Brief Project Description:

"R-2" to "M-1" to support a larger scaled photovoltaic (PV) facility.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:

Yes No

2. If the answer to #1 above is YES, then:


I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:

Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.


JOHN M. BENAVENTE, P.E.
General Manager

6/21/2024

Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/rts



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetasion
Government of Guam

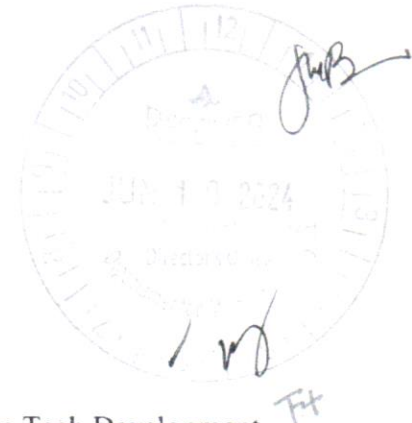
Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355, Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

June 17, 2024

In reply refer to:
RC 2024-0328



Memorandum

To: Director, Department of Land Management
From: Acting Director, Department of Parks and Recreation
Subject: Zone Change Application by TG Engineering, PC c/o Core Tech Development, LLC on Lot 10184-2 and 10184-3 from "R-2" to "M-1" in order to install Photovoltaic Panels in support of Guam Power Authority's agenda and meet established renewable energy goals. DLM No. 2024-23

We reviewed the subject Zone Change Application by TG Engineering, PC c/o Core Tech Development, LLC on Lot 10184-2 and 10184-3 from "R-2" to "M-1" in order to install Photovoltaic Panels in support of Guam Power Authority's agenda and meet established renewable energy goals. These subject Lots within the Municipality of Dededo has a combined total area of 6.7 acres.

Our office has concluded our review and will have No Objection with the Approval of this Zone Change application. However, our office will need Historic American Building Survey (HAABS) assessment for the existing and abandoned old federal building that sits on Lot 10184.2 before any demolition, grading and clearing of this lot.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

For.
Angel R. Sablan
Acting
W. Pelletier
Dep. Dir.

Patrick O. Lujan
State Historic Preservation Officer

RECEIVED
By Cristina at 2:21 pm, Jun 18, 2024

*To: Frank
@ms
6/18/24*

The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi • Lieutenant Governor



VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDOLETA, JR.
Deputy Director

30 JUL 2024

MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairperson, Guam Land Use Commission

FROM: Acting Director

APPLICANT: Core Tech Development
Application No.: (2024-23)

SUBJECT: Zone Change ("R-2" to "M-1")
Lot 10184 -2 & 10184 -3, Dededo, Guam



The above applicant is requesting for a zone change for the above subject lots, strictly intended to support the installation and use of the photovoltaic panels. It will also further align with the Guam Strategic Energy Plan with respect to balancing the sound economics with ecological integrity. The total lot area is approximately 27,42 square meters or 293,230.45 square feet.

The Department of Public Works has completed its review of the subject application and made a final determination based on site inspections and recommends approval with the following conditions:

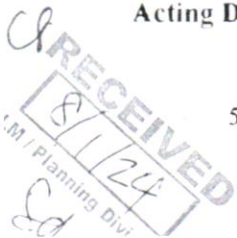
- Egress/ Ingress must be wide enough for incoming and outgoing vehicles.
- Provide onsite storm drain disposal system in detail to be supported with calculations.
- Provide parking layout and detail of parking (compact, standard, and accessible stalls) and must meet the American Disability Act (ADA) requirements.

For building permit application requirements, this must be accompanied by a complete set of design drawings with all the engineering disciplines needed, and must be in conformance with the building code in used signed by a registered Engineer or Architect.

Should you have any questions, please contact the Division of Capital Improvement Projects, (CIP) at (671) 646-3131.

ERNEST G. CANDOLETA, JR.
Acting Director

542 North Marine Corps Drive, Tamuning, Guam 96913 • (671) 646-3131 / 647-5055 • Fax (671)649-6178

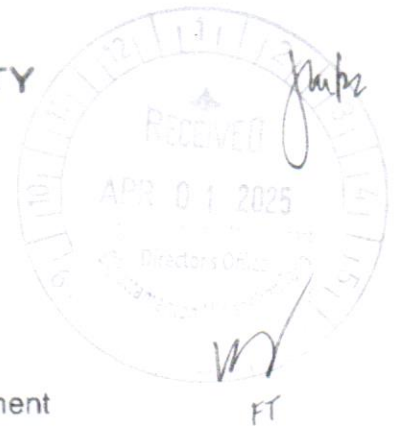


Handwritten notes: "To: Frank" and "8-5-24".



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

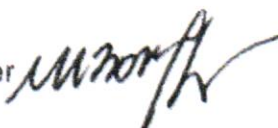


MEMORANDUM

June 28, 2024

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Melissa Savares, Municipality of Dededo
(melissa.savares@gmail.com)

FROM: Miguel C. Bordallo, P.E., General Manager 

SUBJECT: Position Statement on Zone Change Application 2024-23 for Lot 10184-2 & 10184-3 in the Municipality of Dededo

APPLICANT: Core Tech Development, LLC.

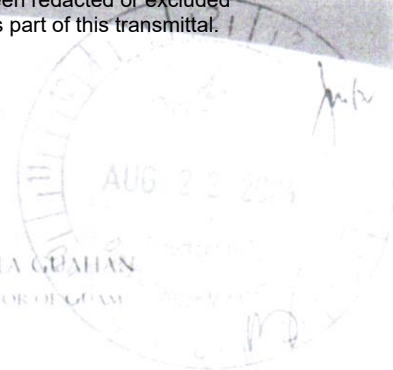
The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "R2" (Multi-Family) to "M1" (Light-Industrial) zone for the proposed installation of a photovoltaic panels.

It is GWA's understanding that there is no request for water and wastewater services for this project. Therefore, GWA has no objection to the approval of this application. If your project requirements change and you need water and wastewater services, please contact GWA Permits and New Area Development at #671-300-6058 or permits@guamwaterworks.org for information on how to apply for utility services.

This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#671-300-6041 or bhess@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AÑENSIAN PROTETSION TINATA GUAHAN
FOURDES A LEON GUERRERO • GOVERNOR OF GUAM • JOSHUA I. TENORIO • DEPUTY GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOSA • ADMINISTRATOR



AUG 20 2024

FT

Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg, Ste. 733
Tamuning, Guam 96913

Ref: Application No. 2024-23, the Applicant, Core Tech Development LLC represented by TG Engineers, PC; request a Zone Change from “R-2” (Multi Family Dwelling) to “M-1” (Light Industrial) zone, for the proposed installation of Photovoltaic Panels, on Lot 10184-2 and Lot 10184-3, in the Municipality of Dededo.

Hafa adai Dr. Enriquez,

Buenas yan Saluda. The staff of this Agency has reviewed the application for **proposed zone change** and approves with the following conditions:

A. Stormwater and Erosion Control

1. The package submitted shows that pre-development activities are clearing, grubbing, grading and stockpiling on the property with an area of six point five (6.50) acres. The documents does not mentioned specific method to contain storm runoff within the property. The developer/contractor must design stormwater disposal system and provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02. Additionally, developer/contractor must strictly adhere to all the requirements, including all necessary permits, of the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10).
2. An Environmental Protection Plan (EPP) must be prepared and signed by a professional engineer pursuant to 22GAR §10104 (c) (5) (D) where the focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance and typhoon recovery plans.

B. Water & Wastewater



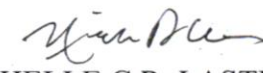
1. The majority of the proposed development is dedicated to the installation of solar panels in the entire area but no plan to construct a small maintenance building as per documents submitted. However, should a maintenance building with office is planned in the future, the project site being located within the Ground Protection Zone (GPZ) of Northern Guam, sewage disposal must be connected to adequate public sewer. Pursuant to 22GAR §5101 (c) (1) (A) (B), industrial development should not occur within GPZ without adequate public sewer infrastructures, and neither should high density residential development, at more than one dwelling per one half (1/2) acre. The applicant is responsible to consult with Guam Waterworks Authority to determine the adequacy of public sewer and water service available in the area.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.

Should you have any question or need additional information, please do not hesitate to contact my staff at Water Resources Management Program or Water Division Acting Chief Engineer Mr. Johnny Abedania Tel No. (671) 300-4796 or (671) 300-4786, respectively.

Dangkolu na si Yu'us ma'ase'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management



ATTACHMENT B



DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

June 4, 2025

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2022-37, Zone Variance for Setback on Lot No. 16, Block 3, Tract 178, Municipality of Yigo.

Website:
<http://dlm.guam.gov>

E-mail Address:
dmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

1. PURPOSE:

- a. **Application Summary:** The applicants Prabhsaran Sachdev and Cassandra Reyes Sachdev, represented by Felix Benavente, are requesting approval of a Zone Variance for the front, rear, and left side yard setbacks of an existing residential structure on Lot 16, Block 3, Tract 178, in the Municipality of Yigo, in an "R-1" (Single Family Dwelling) Zone.
- b. **Legal Authority:** Title 21 GCA (Real Property), Chapter 61 (Zoning Law) Sections 61616 to 61624 (Variances).

2. FACTS:

- a. **Location:** The subject site is located in Agafa Gumas on the northern (right) side of Apaca Avenue approximately 2,100 feet from the junction of Apaca Avenue and Route 9.
- b. **Lot Area:** 922.2 Square Meters or 9,926 Square Feet
- c. **Present Zoning:** "R-1" (Single Family Dwelling) Zone.
- d. **Field Description:** The site is developed with the existing single-family residential structure and a detached garage and storage structure with a chain-link fence.
- e. **Masterplan:** "Village Center" (North and Central Guam Land Use Plan)
- f. **Community Design Plan:** "Urban Residential-Low Density" (Comprehensive Development Plan)

Continuation of Memorandum

Re: Staff Report – App. No. 2022-37, Zone Variance
Lot No. 16, Block 3, Tract 178
Municipality of Yigo
Date: June 4, 2025
Page 2 of 3

g. **Previous Commission Action:** None

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Date Application Accepted:** November 23, 2022
- e. **Date Heard By ARC:** December 15, 2022
- f. **Public Hearing Results:** May 2, 2023 (**See Attachment "A"**)

4. DISCUSSION and STAFF ANALYSIS:

As proposed with the following justification provided by the applicant, the zone variance request is for a front-yard setback of 13.5 feet, which is short 1.5 feet from the required 15 feet; a rear-yard setback of 3.5 feet and 4.5 feet, which is short 6.5 feet and 5.5 feet from the required 10 feet; a left side yard setback of 4 feet and 7 feet, which short 4 feet and 1 foot from the required 8-feet; of an existing residential structure.

Pursuant to Section 61617 (Variance Requirements) of Chapter 61 (Zoning Law), 21 GCA, variances may be granted by the Commission, provided the applicant can justify practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law, that there are exceptional circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties in the same zone, that the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, that the granting of the variance will not be contrary to the objectives of any part of the Guam Master Plan and, that the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed, and that such building will not interfere with or adversely affect the surrounding property owner's or the public right to untrammelled use of the beach and it's natural beauty.

The applicant in response, provides:

The variance if granted, will not negatively impact the adjacent or abutting properties nor those properties within the immediate area since the current use will remain as it has been in existence. The property will continue the same use as a single-family dwelling and that the property is part of a subdivision. The structure does not encroach onto any right-of-way's nor any other properties abutting and/or adjacent to it. The structure's setback shortage does not place the structure so that it affects any improvements such as water, power, sewer, etc., or encroaches over property lines. The structure is entirely located within its' own metes and bounds area. The building is connected to all public utilities, which mirrors all of the other properties in the immediate and abutting areas. The "use" is in harmony with other existing "uses" in the area. The granting of the variance is not anticipated to cause any significant negative effects to its' neighbors and will not impact the public's welfare. The granting of the

Re: Staff Report – App. No. 2022-37, Zone Variance
Lot No 16, Block 3, Tract 178
Municipality of Yigo
Date: June 4, 2025
Page 3 of 3

variance will not change the planned use for the area. The variance, which is for the yard and area setbacks to the structure, does not and will not have any effects on the planned "Residential" use.

Based on the above, we find that the applicant has provided adequate justification in reference to their request. With the exception of the Department of Public Works who recommends disapproval of the requested variance, the other ARC position statements are with no objection. Additionally, there were no objections during the public hearing and that as a result of the Yigo Municipal Planning Council (YMPC) meetings on April 9, 2025, Resolution No. 01-25 is in support of the Zone Variance and was adopted by the YMPC.

Therefore, we have concluded that this request is in proper form and context to be considered favorably by the Guam Land Use Commission.

5. RECOMMENDATION: Recommend Approval with conditions as follows:

1. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their Official Position Statement.
2. There shall be no expansion to the existing building's footprint or vertical addition shall be allowed.
3. Section 5 of Executive Order 96-26 shall not be applicable for the existing single-family residential structure.



Celine L. Cruz
Guam Chief Planner

CASE PLANNER: S.Gogue

Attachments: ARC Memo to GLUC Members
Public Hearing Minutes
YMPC Resolution No. 01-25

PUBLIC HEARING MINUTES
Tuesday, May 2, 2023, 6:00 p.m.
Yigo Senior Center

APPLICATION NO. 2022-37

APPLICATION TYPE: Zone Variance

**APPLICANT/ REPRESENTATIVES: Prabhsaran Sachdev & Cassandra Sachdev/ Carlos Untalan
and Harry Gutierrez**

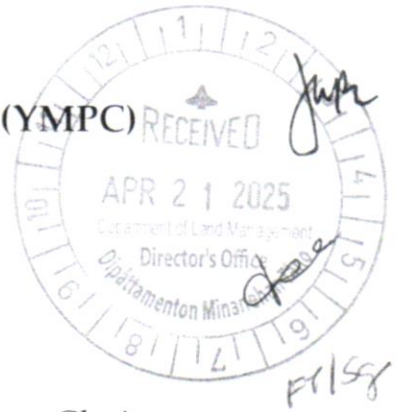
LOT: Lot 16, Block 3, Tract 178

CALLED TO ORDER: 6:02 p.m.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Carlos Untalan, for his presentation. After his presentation, the floor was open for the public's questions and concerns, however there were none.

MEETING ADJOURNED: 6:19 p.m.

**YIGO MUNICIPAL PLANNING COUNCIL (YMPC)
REGULAR MONTHLY MEETING**



Resolution No. 01-25

Introduced by:

Frances S. Lizama, Chairwoman
Pedro S. Blas, Vice Chairman

Members:

Lawrence J.M. Alcairo
Robert J.L. Barcinas
Gregorio P. Calvo
Joseph B. Cruz, Jr.
Elizabeth C. Flickinger
Peter B. Frias
Jack E. Hattig III
Jonathan F. McDermott
Norma L. Salas
Peter J. Santos
Geraldynn B. Tennesen
Venido S. Torres

Relative to the Yigo Municipal Planning Council (YMPC) reviewing GLUC Application No. 2020-37, Zone Variance (for Setbacks), Lot 16, Block 3, Tract 178 (Agafa Gum²⁰²²as), for applicants Prabhsaran Sachdev and Cassandra Reyes Sachdev.

1 BE IT RESOLVED BY THE YIGO MUNICIPAL PLANNING
2 COUNCIL (YMPC):

3 WHEREAS, Lot 16, Block 3, Tract 178, located on Apaca Avenue in
4 Agafa Gum²⁰²²as, Municipality of Yigo, in a predominant single-family home

*TO: Council
Sunny
AM
5-6-25*

1 and residential area, originally owned by USDA and was later conveyed
2 (offered for purchase) to previous owners, Rommel Villalobos and Charlene
3 Villalobos, and subsequently sold said property with the existing concrete
4 structure to the current owners, Prabhsaran Sachdev and Cassandra Reyes
5 Sachdev; and

6 **WHEREAS**, the existing setbacks for the concrete structure are thirteen
7 and a half (13½) feet for the front, four (4) and seven (7) feet for the sides,
8 and three and a half (3½) feet for the rear; and

9 **WHEREAS**, the required setbacks are fifteen (15) feet for the front,
10 eight (8) feet for the sides, and ten (10) feet for the rear; and

11 **WHEREAS**, relative to the setback non-compliance, the structure is
12 located entirely within the boundaries of the property, roof overhangs do
13 not encroach over common abutting lot lines, and water run-off is directed
14 to the ground via an in-place gutters; and

15 **WHEREAS**, the current owners desire to have the structure
16 recognized and “legally” existing, requested for additional setbacks of one
17 and a half (1½) feet for the front, four (4) and one (1) foot for the sides, and
18 six and a half (6½) feet for the rear; and

19 **WHEREAS**, the variance, if granted, will not negatively impact the
20 adjacent or abutting properties nor properties within the immediate area
21 since the current use will not change

22 **WHEREAS**, the Department of Land Management conducted a Public
23 Hearing on May 2, 2023, 6:00 pm at the Yigo Senior Citizens Center, ; and

24 **WHEREAS**, the Yigo Municipal Planning Council (YMPC) conducted
25 the First YMPC Public Hearing for this application on Wednesday, April 9,
26 2025, 5:05 pm at the Yigo Senior Citizens Center, and the Second YMPC

1 Public Hearing on Wednesday, April 9, 2025, 6:10 pm at the Yigo Senior
2 Citizens Center; now therefore, be it

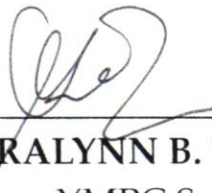
3 **RESOLVED**, that the Yigo Municipal Planning Council (YMPC) have
4 no objections and support the Zone Variance (for Setbacks), Application No.
5 2020-37, Lot 16, Block 3, Tract 178 (Agafa Gumas), for applicants Prabhsaran
6 Sachdev and Cassandra Reyes Sachdev; and be it further

7 **RESOLVED**, that the Chairwoman certify, and the YMPC Secretary
8 attest to, the adoption hereof, and that copies of the same be thereafter
9 transmitted to the Department of Land Management Planning Division.

**DULY AND REGULARLY ADOPTED BY THE YIGO MUNICIPAL
PLANNING COUNCIL (YMPC) ON THE 9TH DAY OF APRIL 2025.**



FRANCES S. LIZAMA
Chairwoman



GERALYNN B. TENNESSEN
YMPC Secretary



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagatña, GU 96932

June 4, 2025

Memorandum

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2022-37 (Zone Variance)

Listed below is the compilation of positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends approval with the following condition;

1. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their official position statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection to the approval of the application.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the setback variance.

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends conditional approval of the zone variance for setback application subject to the concerns and conditions on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW recommends disapproval of the zone variance request.

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the zone variance subject to the conditions on their position statement,

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2022-37

June 4, 2025

Page 2 of 2

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request for a setback zone variance as requested.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the application with the condition that there shall be no expansion to the existing building's footprint or vertical addition and other construction are approved.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

Ex-Officio, non-voting member, not required to submit a Position Statement.



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements
CC: Executive Secretary, GLUC



The Honorable
LOURDES A. LEON GUERRERO
Maga' Haga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Lahi • Lieutenant Governor

public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director

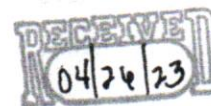
APPLICATION NO: 2022-37
SUBJECT: Zone Variance Setback (R-1)
Municipality of Dededo
Ref: Justification Letter



Buenas Yan Hafa Adai! The applicant is requesting an approval of the above subject application for a zone variance setback. The property is located on Lot 16, Block 3, Tract 178 within the Municipality of Dededo.

The multitude of variance applications was determined that the setbacks were inconsistent with the intent of Guam Zoning Law. Most of the inconsistencies resulted from boundary alignments, structural placement errors by contractors, an extension encroaching the setbacks, or through building inspection oversights.

Department of Public Works has made a final determination based on site inspection, and regret to inform you that your request is denied. Therefore, DPW is disapproving application (2022-37).





The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga • Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Lahi • Lieutenant Governor

public works
DIPATAMENTON CHE CHO' PI' PBLIKO
VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director

February 9, 2023



MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairperson, Guam Land Use Commission

FROM: Acting Director

SUBJECT: Application No. 2022-37 (Prabhsaran Sachedev & Cassandra Sachedev), Zone Variance (Setback in R-1 Zone), Municipality of Dededo

Hafa Adai! The applicant is requesting approval of the subject application for a zone variance setback. The property is located on Lot 16, Block 3, Tract 178 within the Municipality of Dededo.

Based on our site inspection, the Department of Public Works is recommending disapproval of the subject variance request. Should you have any questions, please contact Maryrose M. Wilson, Engineer III, DPW Division of Capital Improvement Projects at (671) 646-3224.

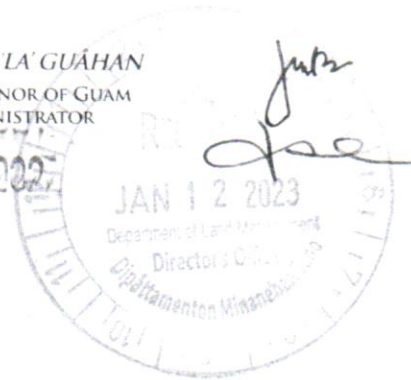
LINDA J. IBANEZ

mez



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

150-227-2022



Dr. Anita B. Enriquez
Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
Tamuning, Guam 96913

Ref: Application No. 2022-37, the Applicants, Prabhsaran Sachdev and Cassandra Reyes Sachdev represented by Harry D. Gutierrez and Carlos R. Untalan; are requesting approval of a Zone Variance for Setback for an existing structure with a front-yard setback of 13.5-feet, short 1.5 feet from the required 15-feet; a rear-yard setback of 3.5-feet and 4.5-feet, short 6.5 feet and 5.5 feet from the required 10-feet; left side yard setback of 4-feet, short 4-feet from the required 8-feet; and, left side setback (rear) of 7-feet, short 1-foot from the required 8-feet, on Lot 16, Blk 3, T178, in the municipality of Yigo, in an "R-1" (Single Family Dwelling) zone.

Hafa adai Dr. Enriquez,

Buenas yan Saluda. The staff of this Agency has reviewed **the application for zone variance for setback** and approves the said application with the following conditions:


1. No expansion to the existing building's footprint or vertical addition and other construction are approved.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.

If you have any questions, please feel free to contact Mr. Walter Leon Guerrero, Administrator, at walter.leonguerrero@epa.guam.gov or at (671) 300-4751/52. For technical questions, you may also contact CAPT Brian Bearden, P.E., BCEE, Chief Engineer at brian.bearden@epa.guam.gov or at 300-4779.

Dangkolu na si Yu'us ma'ase'.

Senseramente,


WALTER S. LEON GUERRERO
Administrator

FT/CA

1/17/23
89



Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Chelsa Muña-Brecht
Director
Roy Gamboa
Deputy Director

MEMORANDUM

To: Joseph Borja, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña-Brecht, Director

Date: January 30, 2023

Subject: Position Statement for Zone Variance Application, 2022-37, for Front, Left-side, and Rear yard setback on Lot 16 Block 3 Tract 178 located in Dededo (Harry D. Gutierrez)

Chelsa Muna-Brecht
Digitally signed by Chelsa Muna-Brecht
Date: 2023.01.30 14:59:08 +1000



The Department of Agriculture (DOAG) has reviewed Application 2022-37 for a Setback Zone Variance for an existing dwelling with current measurements of 4' and 8' left-side yard, 13.5' front yard and 3.5' and 4.5' rear yard setback on Lot 16 Block 3 Tract 178 totaling at .25 acres (9,926 sf) located on Apaca Ave., Yigo. There is an existing structure on the lot, built in the past 30 years and will remain as is.

Upon further review of Application 2022-37, the Department did not find any issues or concerns related to Threatened, Endangered Species, or any related authorities under the DOAG's purview. Therefore, DOAG does not oppose the request for a ~~minor~~ setback zone variance as requested. Any future plans to conduct earthmoving activities on the said property, will require a Grading/Building Permit Application, in which the Department will review and generate conservation measures for the Permit Application to move forward. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.

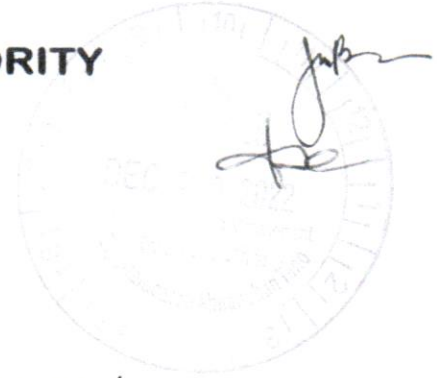
Handwritten notes:
JMB
2-8-23
modify email
203-23
mcf

Handwritten initials: TKG



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

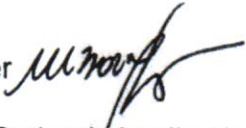


MEMORANDUM

December 9, 2022

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Melissa B. Savares, Municipality of Dededo
(melissa.savares@gmail.com)

FROM: Miguel C. Bordallo, P.E., General Manager 

SUBJECT: Position Statement on Zone Variance for Setback Application 2022-37
for Lot 16, Block 3, Tract 178 in the Municipality of Dededo

APPLICANT: Prabhsaran & Cassandra Sachdev

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone variance for setback on left side yard that is 4'7" short 3'5", front yard that is 13'5" short 1'7", and Rear that is 3.5' & 4.5' short 6.5' and 5.5'.

This memorandum shall serve as GWA's position statement for the referenced application related to the availability of water and sewer infrastructure to serve the above subject lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development, including fire flow, without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

GWA provides water service and sewer service to the existing structure. GWA supports the zone variance with the following conditions:

1. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
2. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.

JB
1/11/23

To: Frank /
Summy
1.12.23
Kimm

GWA Position Statement

Application 2022-37

Applicant: Prabhsaran & Cassandra Sachdev

Page 2 of 2

3. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities. See GWA for additional industrial wastewater pre-treatment requirements.
4. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.
5. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

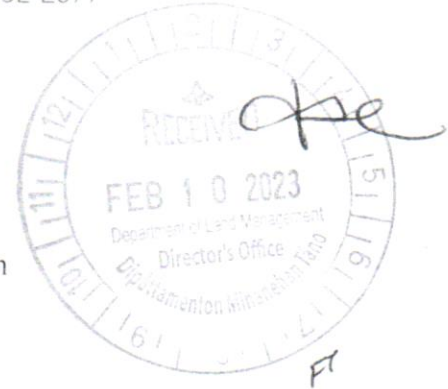
This memorandum shall remain valid for 365 calendar days from the date of this response. Contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#300-6041 or bhess@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

February 2, 2023



MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 16, Block 3, Tract 178, Municipality of Dededo, (Prabhsharan Sachdev and Cassandra Reyes Sachdev); Minor Setback Variance **Application No. 2022-37**

Guam Power Authority has reviewed the above-referenced application for Setback Variance to allow the current four feet (4') & seven feet (7') left yard setback in lieu of the required eight feet (8'). Also to allow the current thirteen point five feet (13.5') front yard setback in lieu of the required fifteen feet (15'). Finally, to allow the current three point five feet (3.5') & four point five feet (4.5') rear yard setback in lieu of the required ten feet (10'). The setback variance request is to correct the noncompliance status of the housing unit and to improve the property's marketability.

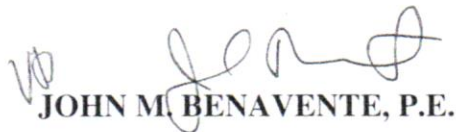
GPA understands that the setback variance will allow the property owners to maximize the use and enjoyment of the property and that it is the intent of the applicant to bring the property into compliance with zoning regulations of Guam.

Agency Position:

GPA places no objection to the setback variance.

Impact Statement on GPA facilities:

Electrical service is available in the immediate area. No additional load requirement from the applicant was submitted.


JOHN M. BENAVENTE, P.E.

ASG/arp

mg

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Prabhsharan Sachdev and Cassandra Reyes Sachdev

Location: Lot 16, Block 3, Tract 178, Dededo

Type of Application: Minor Setback Variance

GLUC/GSPC Application No. 2022-37

Brief Project Description:

To allow the current 4' ft. & 7' ft. left yard setback, 13.5' front yard setback, and 3.5' ft. & 4.5' ft. rear yard setback.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:

Yes No

2. If the answer to #1 above is YES, then:


I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:

Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.


JOHN M. BENAVENTE, P.E.
General Manager

2/9/23
Date

ASG/arp



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plasetyan Dibuetision
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288; Facsimile (671) 477-0997
Guam Historic Resources Division:
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355; Facsimile (671) 477-2822



Warren Pelletier
Acting Director

December 20, 2022

In reply refer to:
RC 2023-0114

Memorandum

To: Director, Department of Land Management
From: Acting Director, Department of Parks and Recreation
Subject: GLUC Application No. 2022-37, Request approval of a Zone Change for Setback for an existing structure on Lot 16, Block 3, Tract 178, Municipality of Yigo, Guam



We reviewed the subject Zone Variance Application for Prabhsharan Sachdev and Cassandra Reyes Sachdev by Darry D. Gutierrez and Carlos R. Untalan on the subject lot and have no objection to the approval of the application.

Should you have any questions, please contact John Mark Joseph, State Archaeologist at (671) 475-6339 or by email: JohnMark.Joseph@dpr.guam.gov.

Sincerely,

Warren Pelletier *pl*

IT/SG

1/17/23
89



LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Guam Coastal Management Program



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

JAN 27 2023

MEMORANDUM

To: Director, Department of Land Management
Attn: Planning Division
From: Director, Bureau of Statistics and Plans
Subject: Application No. 2022-37 Zone Variance Setback
Location: Lot 16, Block 3, Tract 178
Municipality: Dededo
Applicants: Prabhsaran Sachdev and Cassandra Sachdev
Proposed Use: R1 One-Family Dwelling Zone



Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the abovementioned application pursuant to its authorities under 5 GCA Ch.1 Article 2 Centralized Planning and the Guam Coastal Management Program (GCMP) Enforceable Policies pursuant to Executive Order 78-37. In accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Project Overview

Pursuant to 21 GCA, Chapter 61, Section 61639, the applicants, Prabhsaran Sachdev and Cassandra Sachdev, represented by Carlos R. Untalan and Harry D. Gutierrez submitted an application requesting a setback variance on three (3) yard areas within their property in the municipality of Dededo.

The subject lot is 9,926 square feet or .22 acre and contains two (2) vacant one-family dwelling houses in an "R-1" One-Family Dwelling Zone. The immediate surrounding area is populated predominantly by single-family homes. Public utilities including sewer and water are connected to the single-story structures; and road access directly fronts the property. The subject lot and existing structures were purchased by the applicants in 2019 with the intent to renovate the vacant structures and rent it to clients.

2/3/23
Scanned TO: Sammy

Rec'd 1-27-23
via email m.o

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The subject lot is located along Apaca Street in Agafagumas, Dededo south of Route 9 and Andersen Airforce Base. The surrounding land use comprises primarily single-family dwellings, multi-family dwellings, churches, schools, a park, a retail store, and the abovementioned U.S. military installation. Single family houses are adjacent to the property’s side and rear yards.

The variance request applies to Structure A, an existing 1-story concrete house with setbacks of 13.5’ from the front lot line; 3.5’ and 4.5’ from each corner at the rear lot line; and 4’ and 7’ at two portions of the structure on the side lot line. The roof line of Structure A extends towards the edge of the property’s boundary at the side yard lot line which is directly abutting the neighboring lot.

Structure B is an existing semi-concrete house on the subject lot that the applicants propose to convert into a garage and storage area. The setback variances for the yard areas in the front, rear, and side lots are captured in the table below.

Structure A Existing 1-story Concrete House One-Family Dwelling Yard Setback 2022-37 Prabhsaran Sachdev & Cassandra Sachdev			
LOCATION	SETBACK REQUIREMENT	EXISTING STRUCTURE	VARIANCE REQUEST
FRONT	15 ft.	13.5 ft.	1.5 ft.
REAR	10 ft.	3.5 ft. 4.5 ft.	6.5 ft. 5.5 ft.
LEFT SIDE (Closest to the Front)	8 ft.	4 ft.	4 ft.
LEFT SIDE (Closest to the Rear)	8 ft.	7 ft.	1 ft.

The subject lot is located in an area designated Residential under the North and Central Guam Land Use Plan future land use map. The residential category provides for a range of residential densities, ranging from low density single family residences to multiple family structures. Nonresidential uses are generally discouraged except for public facilities, schools, and institutions, provided their nature and location are not detrimental to the residential environment. Where neighborhood-scaled commercial and retail is desired in a residential zone, a

special design review process should be established to ensure compatibility with surrounding residential neighborhoods.

Although the property is consistent with the Residential designation under the North and Central Guam Land Use Plan, the structures on the property are nonconforming with the established setback requirements as promulgated in Section 61616 of the zoning law, which is intended to establish certain minimum regulations for the protection and promotion of the public health, safety and general welfare of the people of the Territory of Guam, which regulations are deemed necessary in order to encourage the most appropriate use of land.

Section 61616 (1) and (3) states the following:

(1) The variance is for not more than three (3) feet beyond the setback requirement of only one (1) yard (side, front, or rear) to allow the suitable location of a structure where practical difficulties exist due to special circumstances applicable to the building or property, including size, shape, topography, location or surroundings, depriving such property of privileges enjoyed by other property in the vicinity and under identical zoning classification consistent with the general welfare of the adjacent neighbors.

(3) Water runoff from the roof line of any structure will not encroach beyond the property line of a parcel.

B. Geographical Landscape Assessment Based on Watershed

The property is located in the Northern Watershed and sited above the Northern Guam Lens Aquifer. The area consists of impervious surfaces, developed open spaces, forest and shrubs. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 12.11% from 2005 to 2015.

In terms of development impacts, 30.6% of the Northern Watershed is developed and 15.78% is comprised of impervious surfaces. An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts to water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. It is reported that the impervious surface degrades the watershed health by greatly reducing the stream flow and increasing the stream temperature. They carry pollutant loads downstream to nearby waters including the aquifer that can impair water quality and the natural ecosystem. Severe degradation can be expected when rates reach 25%. Effects of runoff consist of channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes and algae blooms, noxious orders that result in poor water quality and coral mortality.

The impervious surfaces and proposed renovations in the proposed use under this application are expected to increase storm water runoff within and beyond areas of the property.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam land use policies.

Sustainable Community Development: Policy LU-5 works to promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.

The Bureau has determined that there are no practical difficulties that served as constraints to construct the building in violation of the setback requirements. Setbacks provide for adequate space to promote the above said policy.

Condition: The applicants must incorporate green building concepts and sustainable site designs in the design phase of the structure renovation. The applicants must cease from any and all future expansion of the nonconforming structure. These concepts can be found in the GCMP publication 1) Island Stormwater Practice Design Specifications Manual; and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID. The dimension of the greenspace must be equivalent to the setback encroachment area.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.

Policy NS-1 Protect the Northern Aquifer watershed and recharge areas through appropriate land use categories and development standards including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities.

Policy NS-17 Protect groundwater recharge areas and stream conservation areas from urban and saltwater contamination using the following approaches:

- e. Use of green streets design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;

- f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;

The Bureau has determined that there are no practical difficulties that served as constraints to construct the building in violation of the setback requirements. Setbacks provide for adequate space to capture stormwater runoff from encroaching on to the neighboring properties and rights-of-ways, which works to minimize nuisance flooding.

Condition: The applicants must comply with CNMI and Guam Stormwater Management Manual Standards and implement Island Best Management Practices specifications. The applicants must include stormwater retention features to ensure water runoff is managed onsite including the nonconforming structure's roofline and driveway. There will be no water runoff flowing into the neighboring properties or streets. Concepts, design and performance standards can be found in the GCMP publication 1) Island Stormwater Practice Design Specifications Manual; and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing Low Impact Development (LID).

Condition: There shall be no non-point or surface designed discharges as a result of the non-conforming project.

Condition: There shall be no contamination of the Northern Guam Lens Aquifer from any household hazardous waste.

Condition: There shall be no flooding in the surrounding neighborhood produced by the non-conforming structure.

Policy NS-4 Identify existing and preserve new open space and conservation lands that preserve, maintain or improve land or water areas that:

- b. Perform essential physical or habitat functions important to the welfare of surrounding lands, water or biological resources; or

Policy NS-12 Protect and re-establish native species through active management of established conservation areas, continued partnership with military land owners on refuge overlay lands, and provide guidance to private property owners on best management and "green" and sustainable development standards. Incorporate development practices called for under local conservation plans and guidance through the Department of Agriculture's Division of Aquatic and Wildlife Resources.

Condition: Save as many native plant species and or replicate the native forests through propagation and out planting within the green spaces and along the green corridors of the property. The applicant must follow a list of plants preferred by the Guam Department of Agriculture. Ornamentals must not exceed 10% of the flora biomass in the development plans.

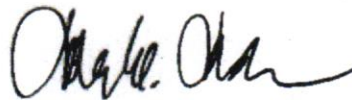
Determination

The Bureau finds that the variance for two yards (rear 6.5' and 5.5' and side 4') excessively extends beyond the three (3) feet setback requirement of only one yard thus violating yard regulations. We further find that the roof line on the side yard protruding to the edge of the abutting property will significantly impact the surrounding neighbors with water runoff if best management measures are not in place. Lastly, it is incumbent on the applicants to research or perform due diligence prior to making the purchase.

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends conditional approval of the Zone Variance Setback application based on the above-mentioned concerns and conditions. If these conditions are not met by the applicants or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval. Please be reminded all agencies and instrumentalities of the Government of Guam are subject to compliance with EO 78-37 and the NCGLUP as authorized.

Should you have any questions regarding this position statement, please do not hesitate to contact Ms. Esther Taitague, Planner, at esther.taitague@bsp.guam.gov or Mr. Edwin Reyes, Administrator, at edwin.reyes@bsp.guam.gov.

Si Yu'os Ma'åse,



LOLA E. LEON GUERRERO

ATTACHMENT C



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

June 11, 2025

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Commission Brief - Role of the Department of Land Management in the GIAA Part 150 Noise Compatibility Planning Study

Website:
<http://dlm.guam.gov>

Background

The Guam International Airport Authority (GIAA) is in the middle of its Part 150 Noise Compatibility Planning Study. This is a federally guided process aimed at identifying ways to reduce the impact of aircraft noise and promote compatible land use around the airport.

The Department of Land Management (DLM) has been participating in this study as a stakeholder, given our role in land use planning and zoning across the island. One of the strategies currently being considered—outlined on page 24 of the study materials—relates specifically to rezoning support in areas affected by aircraft noise.

As the agency with jurisdiction over land use planning and zoning enforcement in Guam, the Department of Land Management has been engaged as a stakeholder in the study's development. Our input is reflected in several areas, with particular relevance to the Land Use Rezoning Support Strategy outlined on page 24 of the study.

This strategy proposes that:

- GIAA may issue letters of support when rezoning efforts aim to convert land from non-compatible uses (e.g., residential) to compatible uses (e.g., industrial) within airport noise exposure areas; and conversely,
- GIAA may also provide letters of opposition for rezoning proposals that introduce or expand incompatible uses in high-noise areas.

This approach is intended to support local planning authorities, including DLM and the GLUC, by offering technical justification that aligns with federal noise compatibility objectives.



E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Commission Brief
June 11, 2025
Page 2

We're providing this information to support ongoing coordination with the Guam Land Use Commission, recognizing the important role you play in guiding responsible development across the island. We also welcome any observations you may have on the proposed strategies, particularly those related to land use and rezoning considerations. Any input received will also be shared with the GIAA and their consultant team as part of the broader stakeholder engagement process for the Noise Compatibility Study.

Respectfully,

/s/ Celine L. Cruz
Chief Planner

NOISE COMPATIBILITY PLANNING STUDY

Antonio B. Won Pat
International Airport

Land Use Measures - Strategy Session
April 16, 2025



Agenda

- Introductions
- Study Process
- Draft Noise Exposure Maps
- Noise Compatibility Program Overview
- Forecast NEM with Noise Abatement
- Land Use Strategies
- Schedule and Meeting Topics
- Project Contacts
- Further Discussion & Wrap-up

Introductions – Study Team

Antonio B. Won Pat International Airport



**A.B. WON PAT INTERNATIONAL
AIRPORT GUAM**

A. B. Won Pat International Airport Authority,
Guam (GIAA)

John M Quinata, Executive Manager

Dr. Ricky Hernandez, Deputy Executive Manager

Tony Laniog, GIAA Project Manager



Transportation Management Group

Frank Santos
Fred Tupaz

Project Team

Lynn Keeley
Project Manager

Matt Atkinson
Project Director

Greg Mayer
Airport Planner



Bob Mentzer
Technical Lead -
Aircraft Noise
Analysis

Gene Reindel
Technical Lead -
FAR Part 150

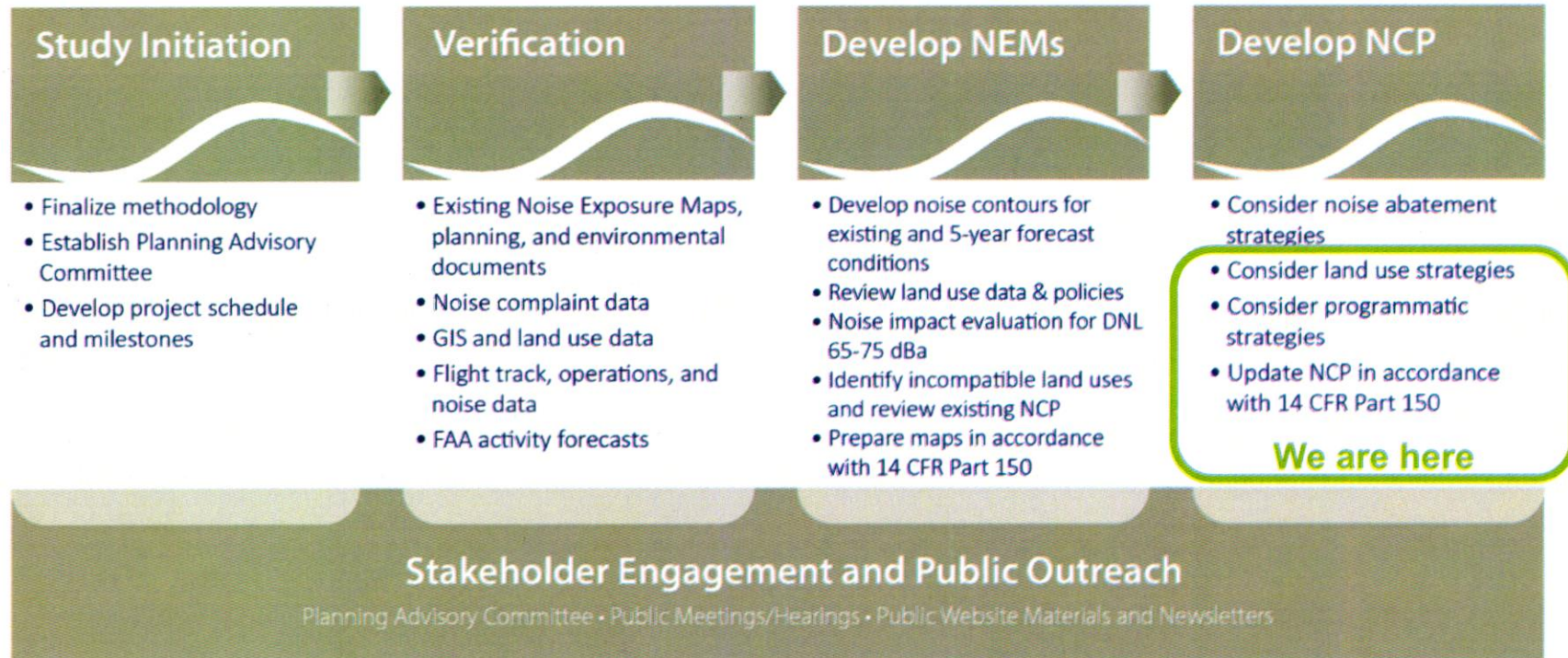


**EM Chen &
Associates**

Alan Chen
Local Project
Manager

PART 150 OVERVIEW

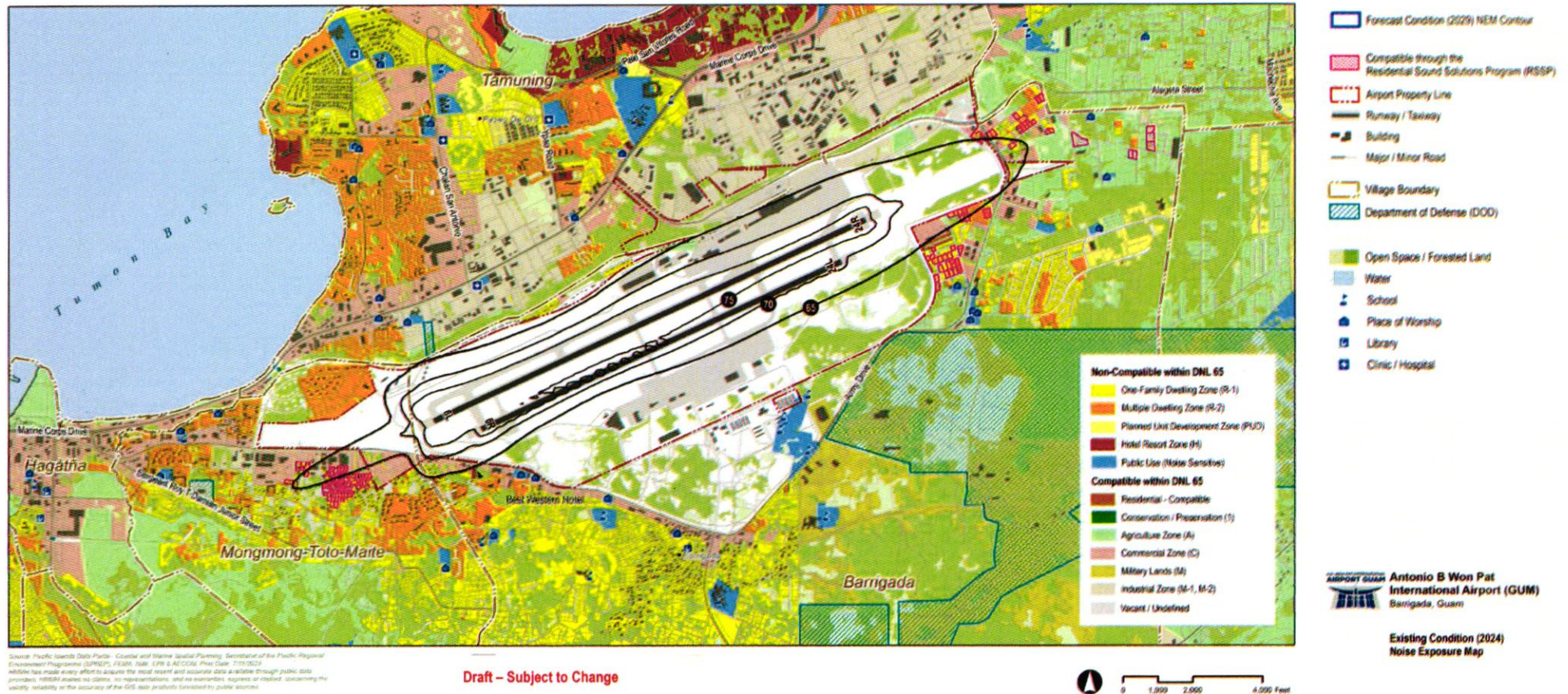
Study Process





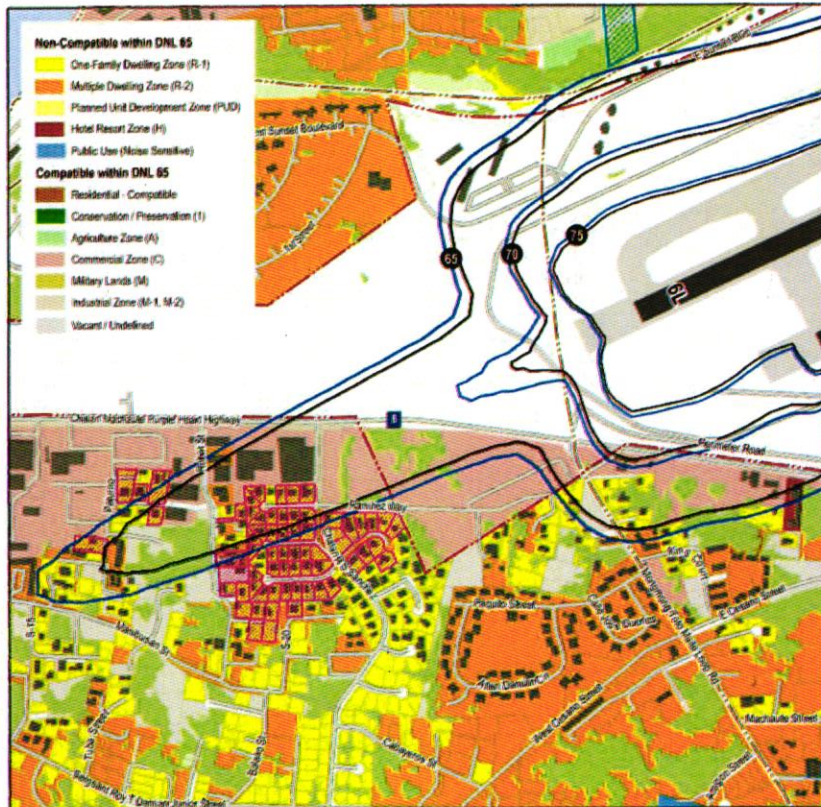
Draft Noise Exposure Maps

2024 Draft Noise Exposure Map

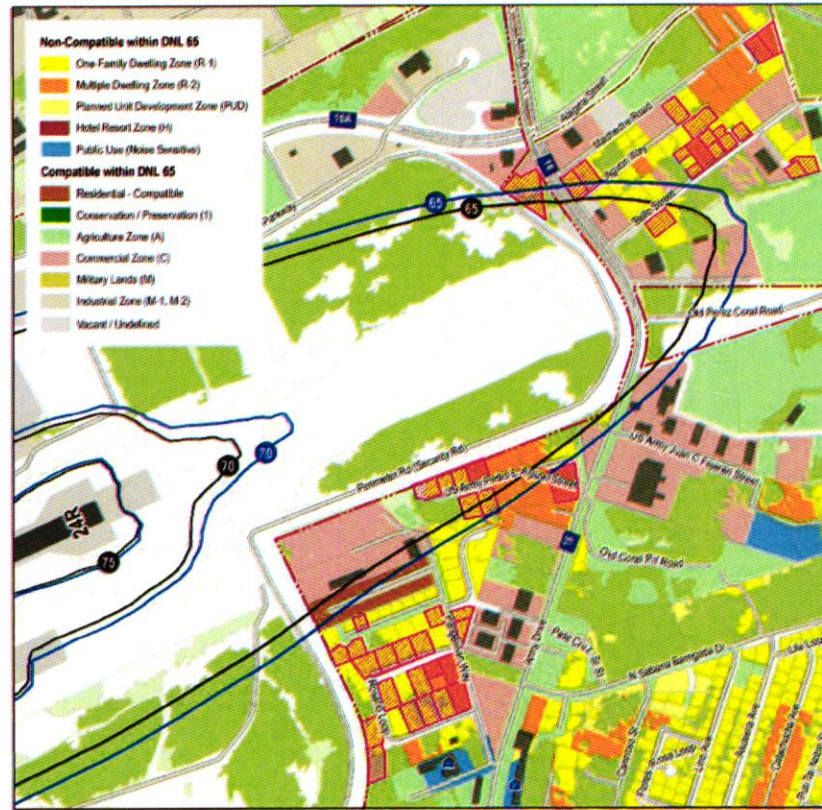


Source: Pacific Islands Data Project - Coastal and Marine Spatial Planning, Secretariat of the Pacific Regional Environment Programme (SPREP), PIRG, 1998. EPA & AECOM, Photo Date: 7/19/2024. AECOM has made every effort to ensure the most recent and accurate data available through public data providers. AECOM makes no claims, no representations, and no warranties, express or implied, concerning the validity, reliability, or the accuracy of the GIS data products furnished to public sources.

Draft Noise Exposure Maps



Draft – Subject to Change



Draft – Subject to Change

ANTONIO B. WON PAT INTERNATIONAL AIRPORT GUAM
Antonio B Won Pat International Airport (GUM)
 Barrigada, Guam
Comparison of Existing Condition (2024) and Future Condition (2029)

Draft Noise Exposure Maps

Land Use Assessment for Existing and Forecast Conditions

Contour Interval	Area (Acres)		Population Census 2020				Housing Units			
			Total		Noncompatible ¹		Total		Noncompatible ¹	
	2024	2029	2024	2029	2024	2029	2024	2029	2024	2029
65-70 DNL	521.1	574.5	465	909	354	753	155	303	118	251
70-75 DNL	236.4	248.2	0	0	0	0	0	0	0	0
>75 DNL	262.3	281.9	0	0	0	0	0	0	0	0
Total > 65 DNL	1,019.8	1,104.5	465	909	354	753	155	303	118	251

DNL = Day-Night Average Sound Level

Notes:

The number of buildings that participated in the RSSP was delineated based on research of available records maintained by GIAA. Land use and housing units within the DNL 65 dB contours were verified by windshield survey in May 2024.

The number of people is estimated based on a population factor (3.004 people per unit) developed from the 2020 U.S. Census block data within 1,000 feet of the 2029 DNL 65 dB contour.

1 – The noncompatible number subtracts those units that have received sound insulation treatment and an avigation easement or were constructed after October 1, 1998.

NCP Overview

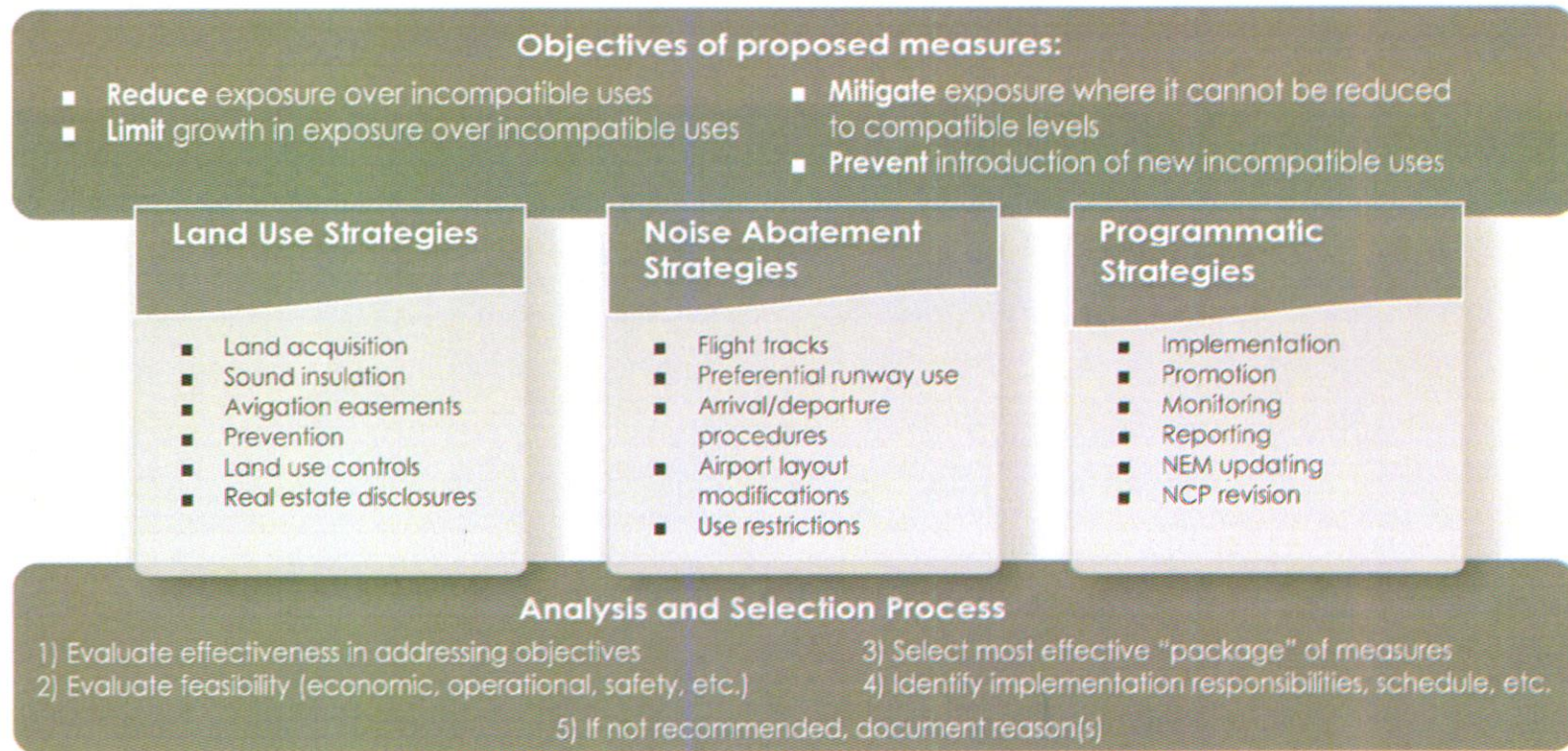
PART 150 OVERVIEW

Noise Compatibility Program

- NCP must address three major categories of recommended actions
 1. Noise abatement measures
 2. Compatible land use measures
 3. Program management/administrative measures
- FAA *accepts* NCP as compliant with Part 150 standards
- FAA reviews and *approves* or *disapproves* recommendations as compliant with Part 150 standards on a measure-by-measure basis

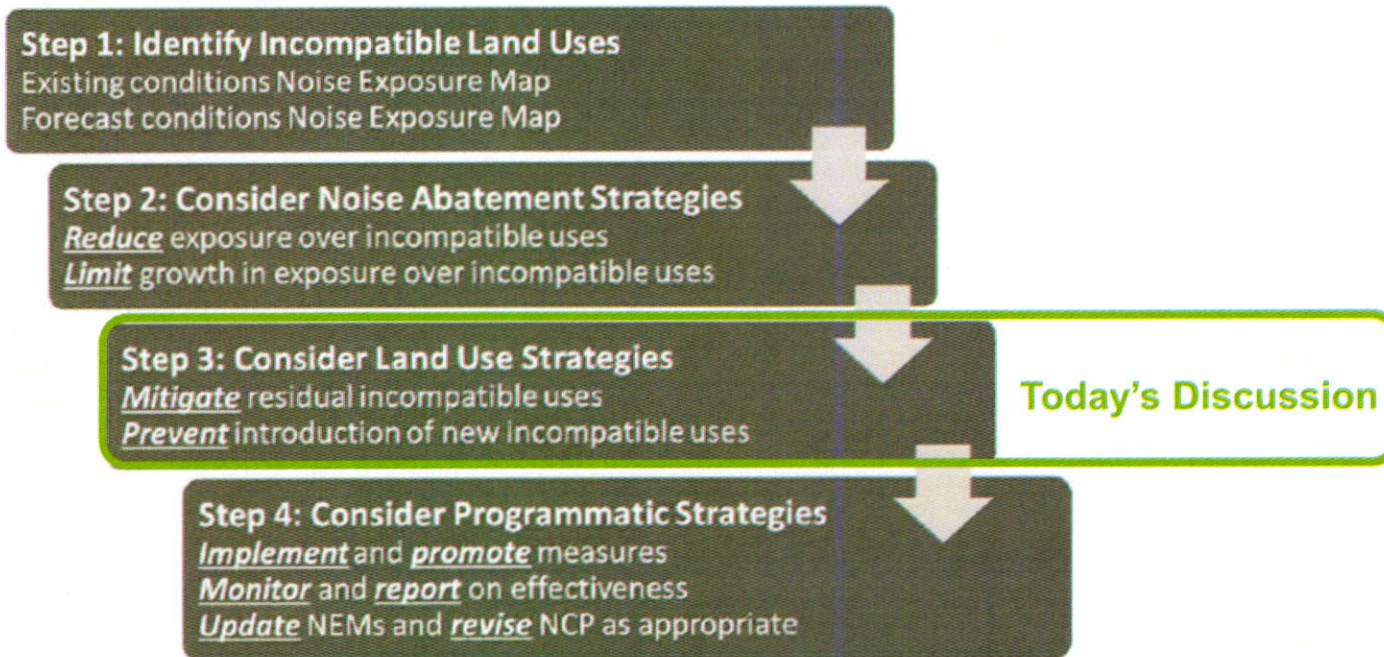
PART 150 OVERVIEW

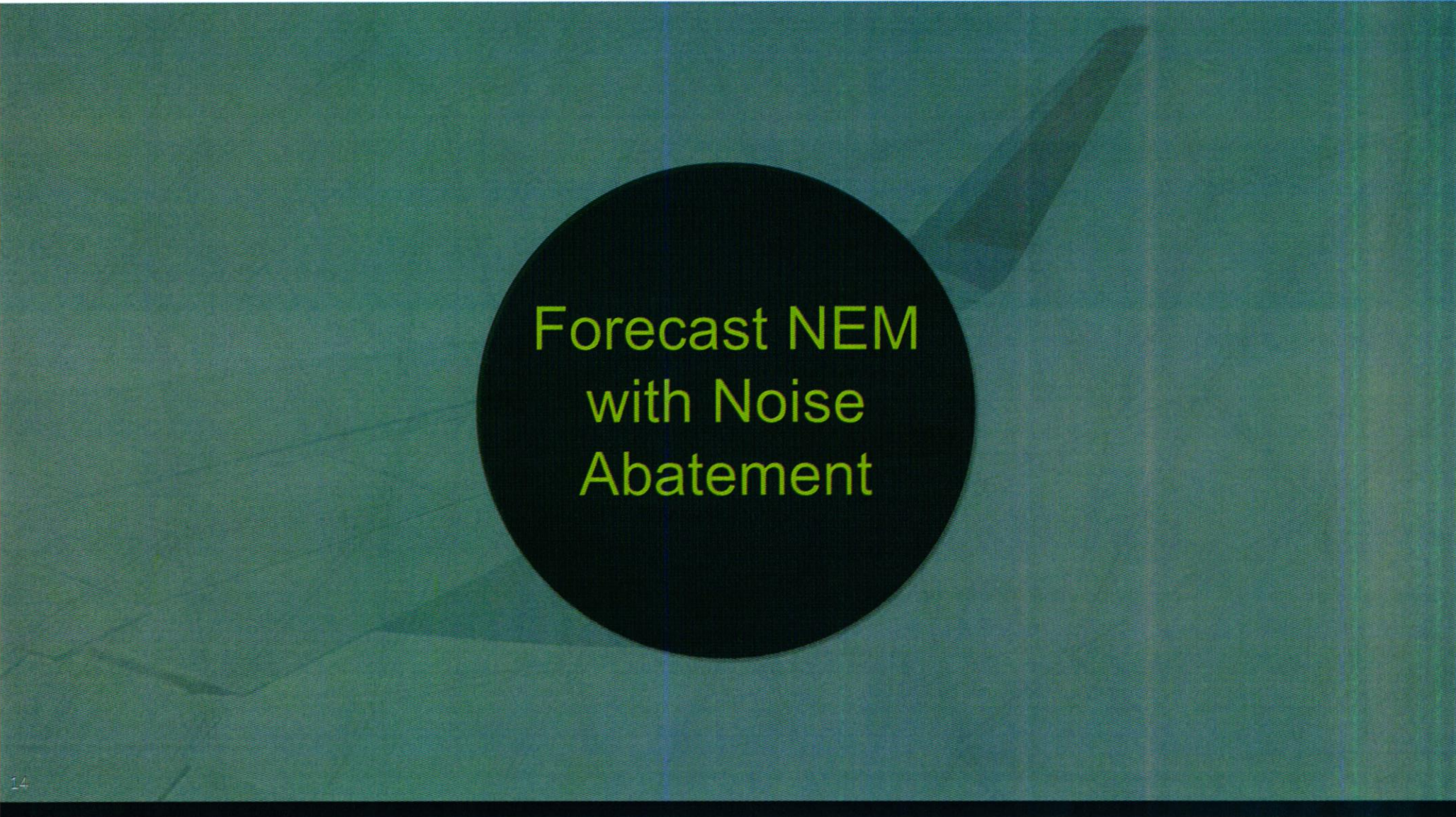
NCP Categories



PART 150 OVERVIEW

Noise Compatibility Program Development





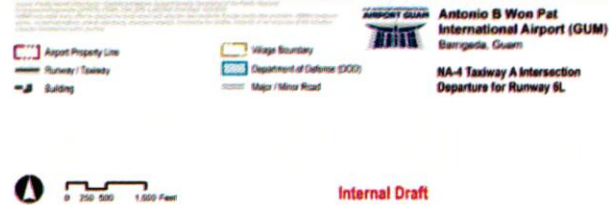
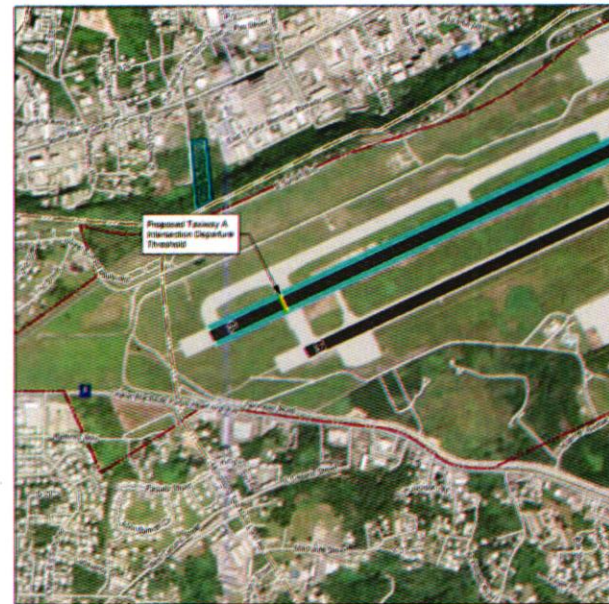
Forecast NEM with Noise Abatement

NOISE ABATEMENT

1. Intersection Departures on Runway 6L

Runway 6L

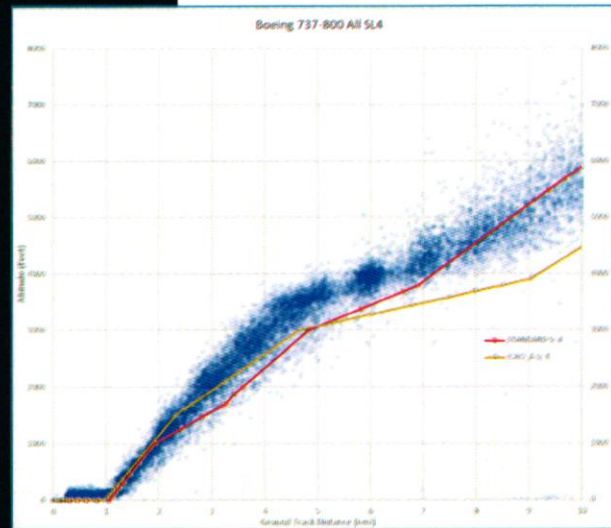
- Aircraft would depart from Taxiway A
 - Takeoff Distance Available (11,014 feet)
 - B747 and B777-300 would still use full length
 - Full length available at pilot request



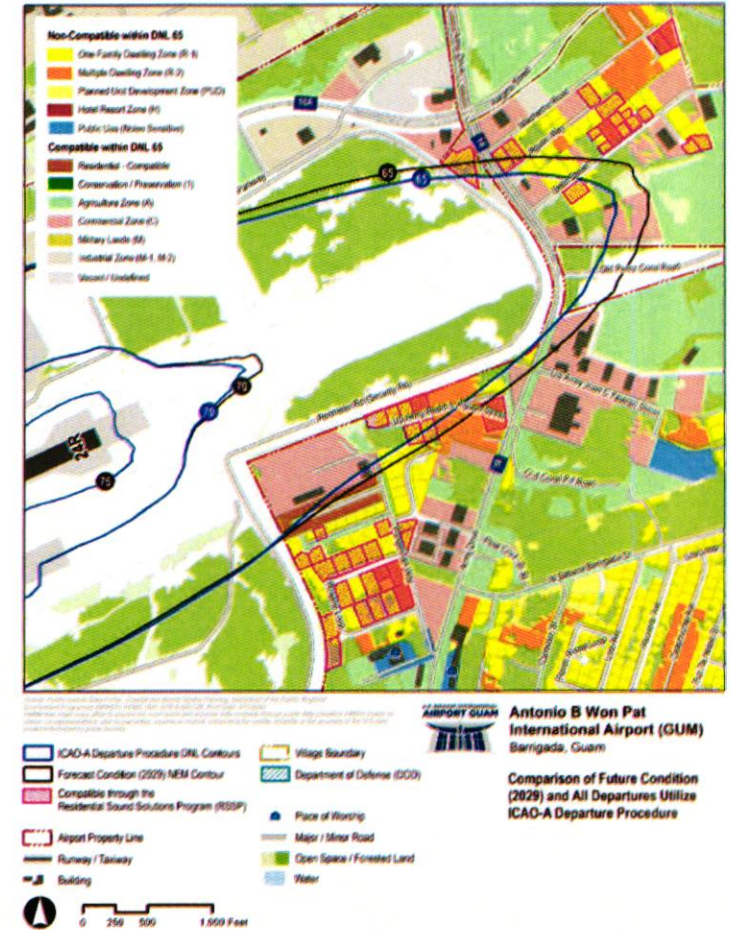
NOISE ABATEMENT

2. Noise Abatement Departure Profiles

- Noise Abatement Departure Profiles (NADP)
- Voluntary Measure
- ICAO-A: International Airlines already use
- Domestic Airlines would need to adopt ICAO-A.



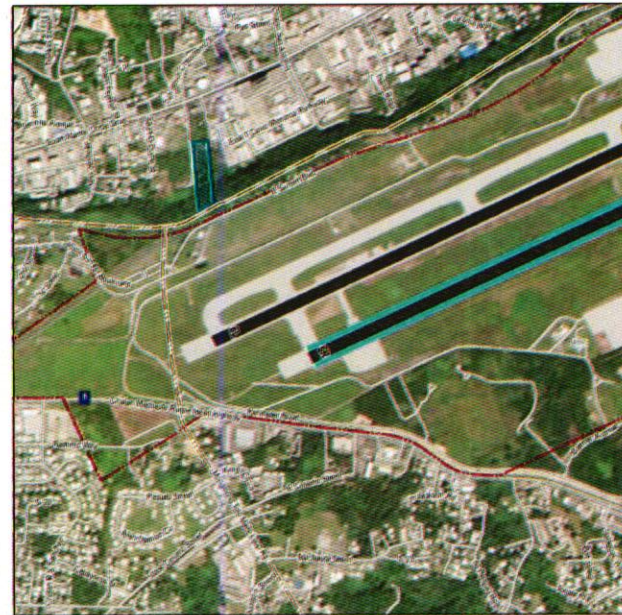
Source: Radar data (July 2022 – June 2023)



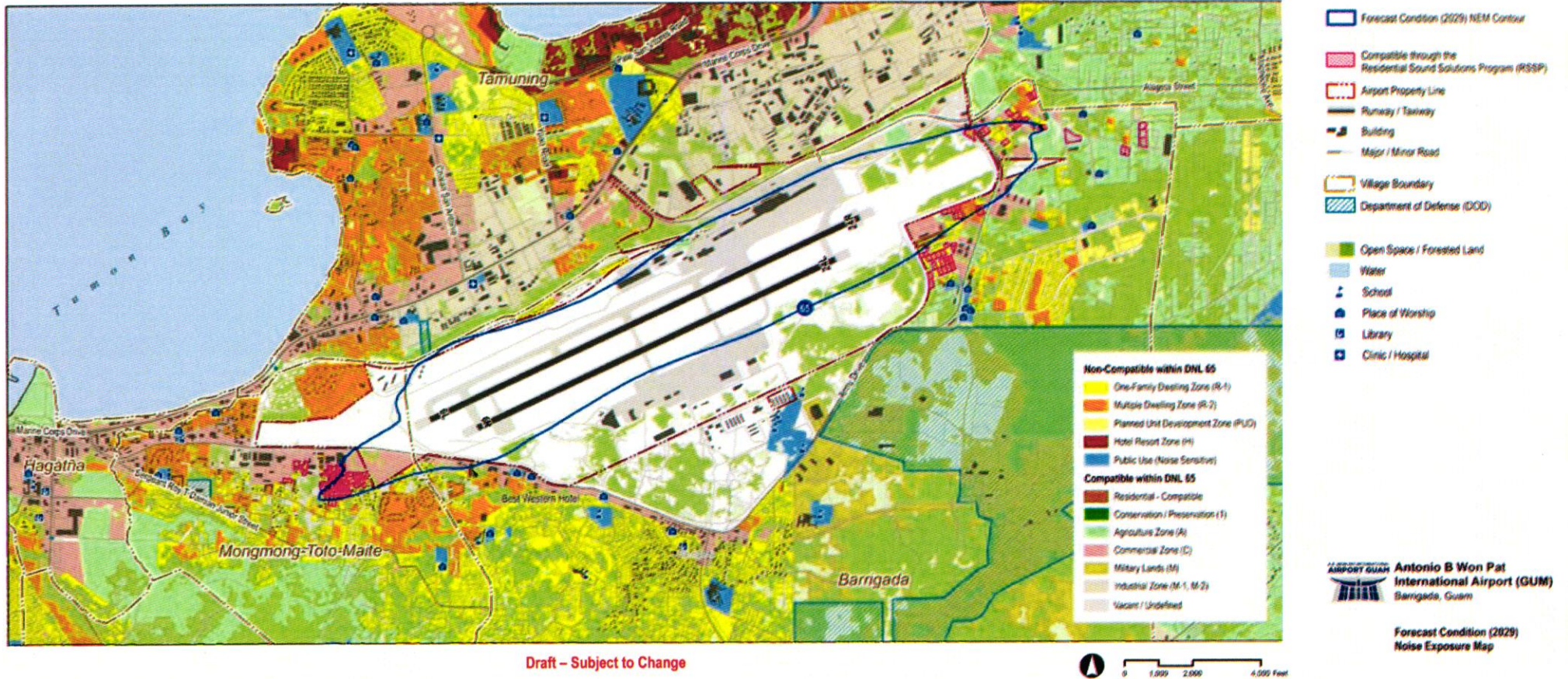
NOISE ABATEMENT

3. Aircraft Use Runway 6R/24L for Arrivals at Night

- Night only when operations are reduced
- All arrivals use Runway 6R/24L



2029 Draft Noise Exposure Map With Noise Abatement Measures Implemented



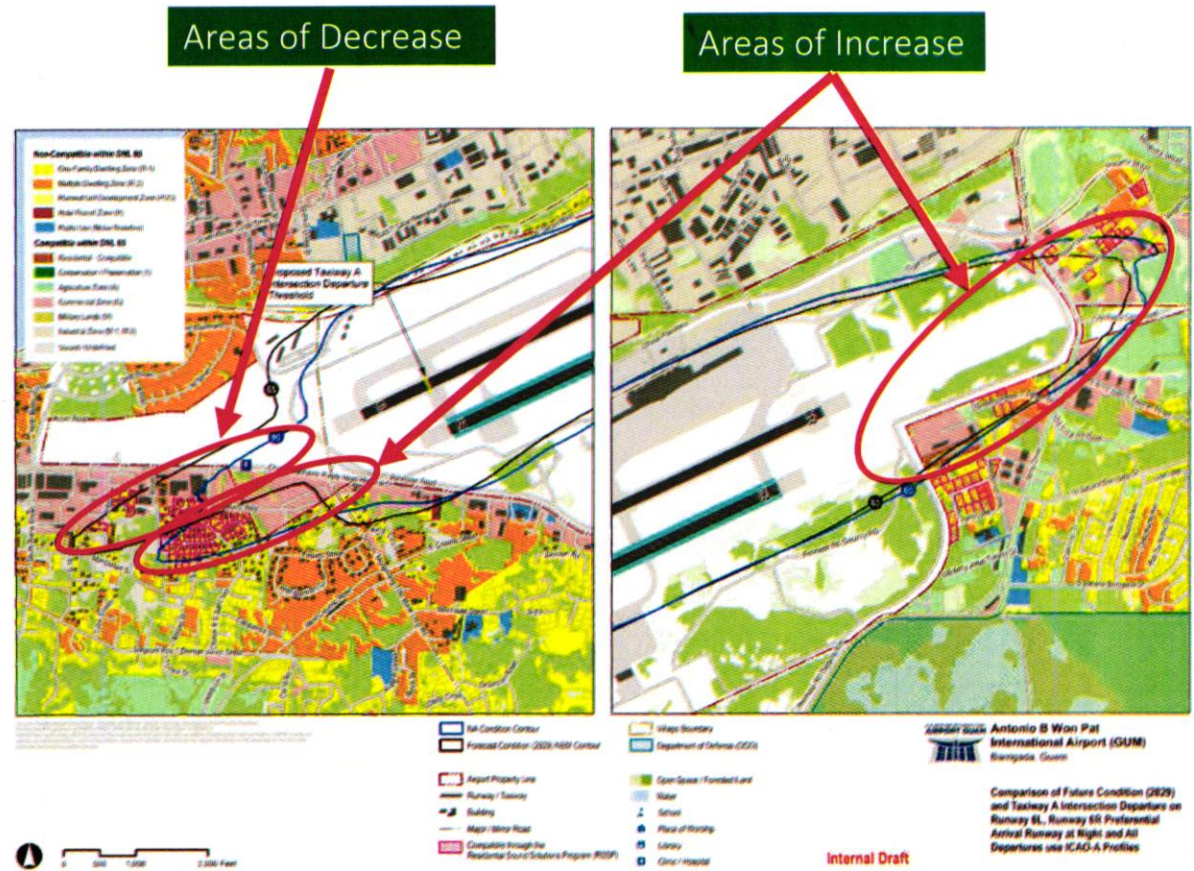
NOISE ABATEMENT Combined NCP Measure

- Net reduction of 191 noncompatible housing units
- 60 noncompatible housing units

Contour Interval		Total > 65 DNL	Change
Total Population	2029	909	
	2029 w/NCP	435	-474
Noncompatible ¹ Population	2029	753	
	2029 w/NCP	180	-573
Total Housing Units	2029	303	
	2029 W/NCP	145	-158
Noncompatible ¹ Housing Units	2029	251	
	2029 W/NCP	60	-191

DNL = Day-Night Average Sound Level

Notes: 1 - The noncompatible number subtracts those units that have received sound insulation treatment and an aviation easement or were constructed after October 1, 1998.





Land Use Strategies

Land Use/Mitigation Measures

- There are two types of land use measures
 - Corrective – intended to correct existing noncompatible land uses.
 - Preventive – intended to prevent future noncompatible land uses.
- Local jurisdictions have responsibilities
 - Neither the FAA nor the Airport have control over land uses outside of the Airport boundary.
 - Therefore, it is the responsibility of the jurisdiction(s) to implement and enforce land use standards outside the airport boundary.



2003 NCP LAND USE MEASURES

- Eight (8) preventive land use (LU) measures
- Three (3) corrective (remedial) land use (RLU) measures
- One (1) measure implemented
 - Residential Sound Solution Program (RSSP)
 - 242 housing units treated

	Name	Approval Status	Implementation Status
LU-1	Amend Local Land Use Plans	Approved	Not implemented
LU-2	Zone for Compatible Land Development	Approved	Not implemented
LU-3	Apply Zoning Performance Standards	Approved	Not implemented
LU-4	Establish a Public Information Program	Approved	Not implemented
LU-5	Revise Building Codes	Disapproved for Purposes of Part 150	Not implemented
LU-6	Dedication of Avigation Easements	Disapproved for Purposes of Part 150	Not implemented
LU-7	Fair Property Disclosure Policy	Approved	Not implemented
LU-8	Land Banking	Disapproved for Purposes of Part 150	Not implemented

	Name	Approval Status	Implementation Status
RLU-1	Acquire Developed Property in Non-Compatible Uses	Approved	Not implemented
RLU-2	Property Purchase Guarantee	Approved	Not implemented
RLU-3	Part 150 Sound Mitigation Program	Approved	Implemented

Land Use Strategies for Consideration (as identified in Working Paper 5)

– Corrective Strategies (3)

- Land Use Rezoning
- Land Acquisition
- Sound Insulation
- Avigation Easements
- Home Sales Assistance

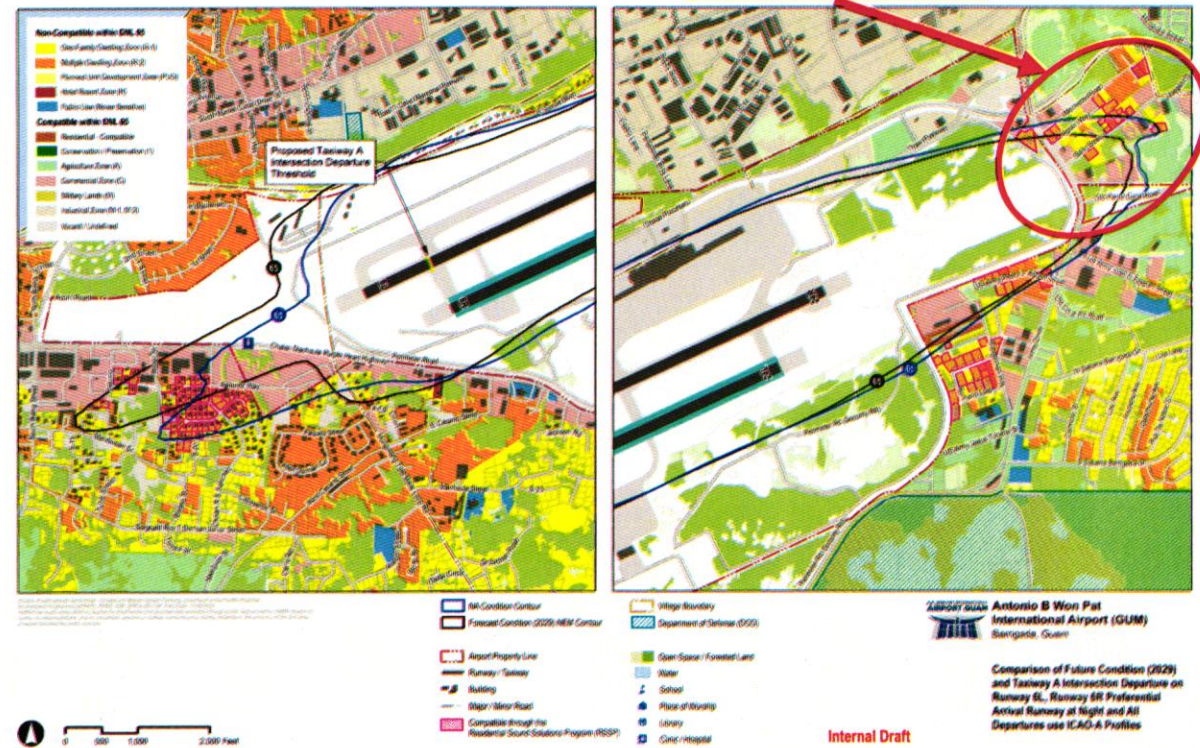
– Preventive Strategies (3)

- Airport Noise Overlay Zone
- Sound Insulation Standards for Building Codes
- Airport Inclusion in Land Use Planning
- Real Estate Disclosures
- Land Banking

LAND USE REZONING SUPPORT

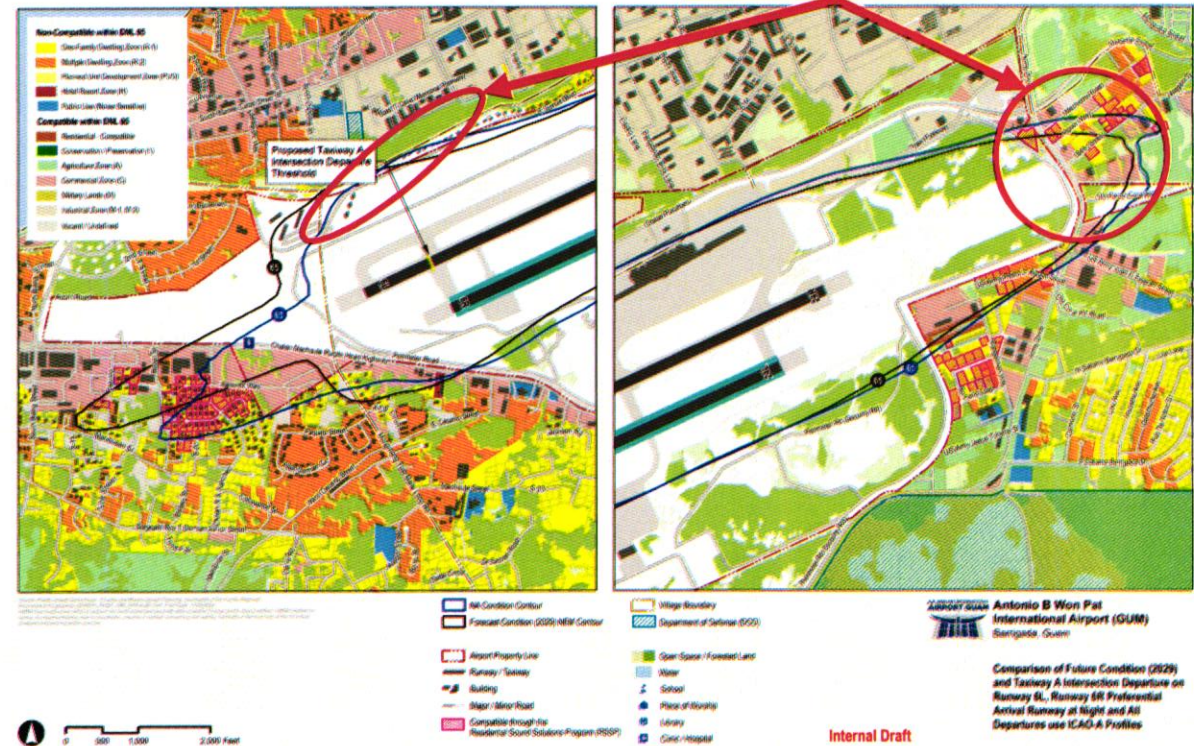
Notify GIAA of rezoning efforts east of the Airport

- To encourage future compatible land use, GIAA would provide letters of support to rezone properties to compatible use from non-compatible use, e.g., residential to industrial.
- To discourage future non-compatible land use, GIAA would provide letters not supporting the rezoning of properties to non-compatible use.



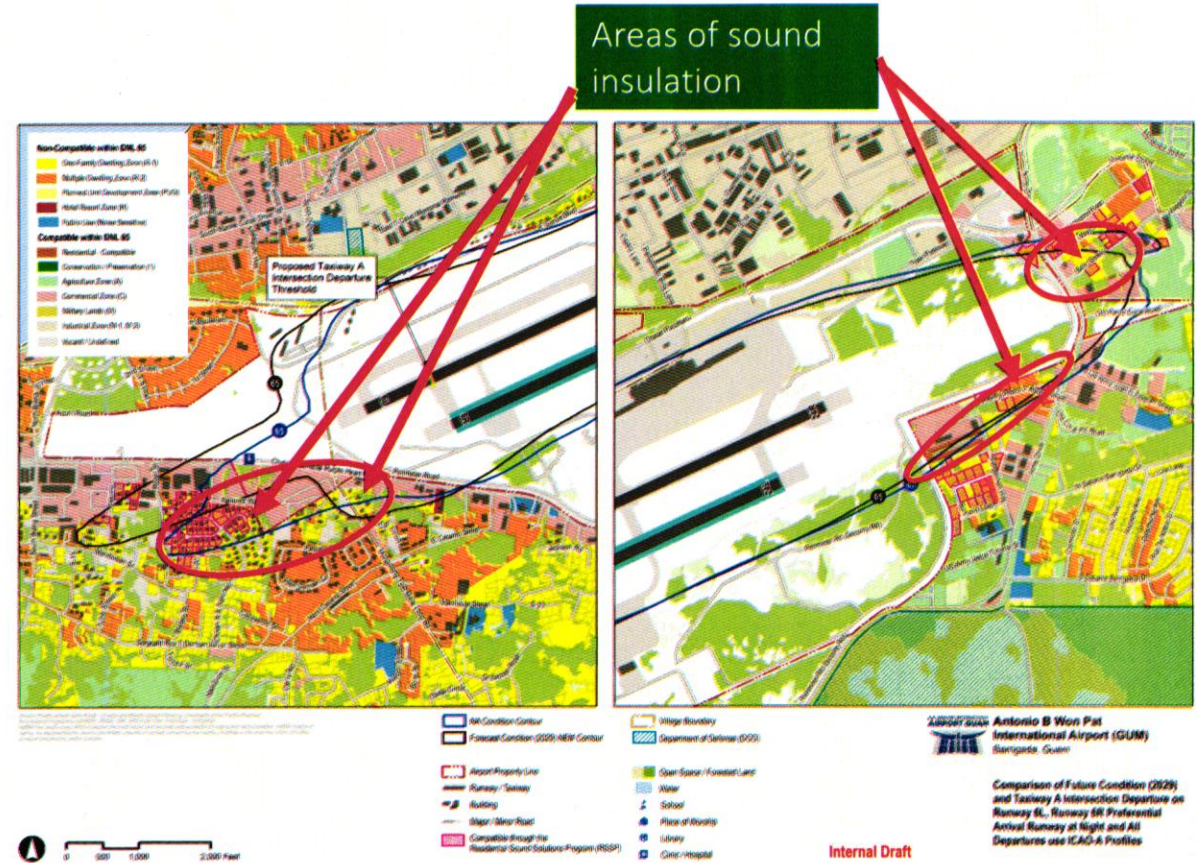
LAND ACQUISITION

- Acquire noise-sensitive land uses near the airport boundary and within the 65 DNL contour
- Transition the property to:
 - Airport property
 - Compatible non-Airport property



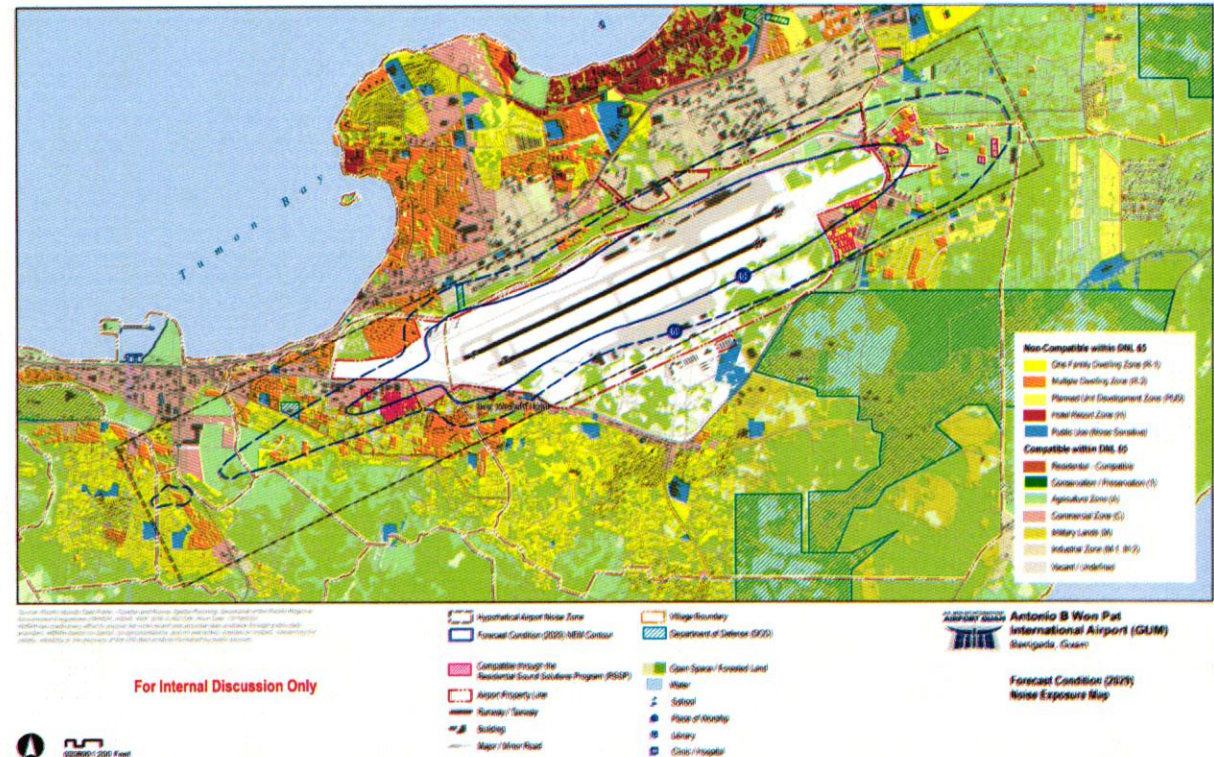
SOUND INSULATION

- Continue the Residential Sound Solutions Program to:
 - Mitigate the interior of the noise-sensitive structures and provide a compatible interior with noise from aircraft arrivals



AIRPORT NOISE OVERLAY AND SOUND INSULATION STANDARDS

- Preventive strategy to discourage noise-sensitive development
- Figure shows three zones
 - 1. Rectangle area could be the area where GIAA is notified of proposed development
 - 2. 60 DNL contour could be the area that recommends additional sound insulation for noise-sensitive structures
 - 3. 65 DNL contour could be the area where new noise-sensitive development is not recommended



Brainstorm: Land Use/Mitigation Measures

- Any changes to proposed measures?
- Thoughts on which local Agency would implement each measure?
- Any other new measures to propose?

- Purposes:
 - (1) to mitigate noncompatible land uses and
 - (2) to prevent the introduction of new noncompatible land uses

Land Use Strategies

- Land acquisition
- Sound insulation
- Avigation easements
- Prevention
- Land use controls
- Real estate disclosures

Schedule and Meeting Topics

Proposed Schedule

We are here!

Note: Schedule is subject to change

Meeting / Activity	Purpose	Anticipated Time Frame
Kick-Off Meeting with GIAA and the Part 150 Team	Define organizational and procedural matters and public outreach, review and refine scope and schedule details.	July 25, 2023
1 st Planning Advisory Committee Meeting	Introduction to Part 150, discuss stakeholder roles, identify issues of concern	November 8, 2023
2 nd Planning Advisory Committee Meeting	Discussion on aviation forecasts, noise modeling results and presentation of the draft NEM Update	May 22, 2024
NEM Public Comment Period and 1 st Public Workshop	Overview of Part 150 process, Noise Modeling, Noise Exposure Maps, Introduction to NCP, NEM thirty-day public comment period	November 2024
3 rd Planning Advisory Committee Meeting	2 nd Round results of the proposed Noise Abatement Measures, Land Use and Program Management measures.	November 2024
GIAA to Submit Final NEM to FAA	GIAA submits final updated NEM to FAA for review and acceptance. Respond to FAA questions as needed	January 2025
4 th Planning Advisory Committee Meeting	Revised Noise Abatement measures, potential Land Use and Program Management measures.	March 2025
5 th Planning Advisory Committee Meeting	Review Draft Noise Compatibility Program, Public Outreach program and next steps	Fall 2025
NCP Public Comment Period, 2 nd Public Workshop, and NCP hearing	NCP thirty-day public comment period and third Public Workshop and NCP Hearing.	Fall 2025
GIAA to Submit Final NCP to FAA	GIAA submits final updated NCP to FAA for review and approval. Respond to FAA questions as needed.	December 2025

Project Contacts

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Wrap Up

- Next PAC meeting:
 - Target Date: Fall 2025
 - Location: Airport (In-person)
- Working Paper 6:
 - Draft Noise Compatibility measures



Thank you