

Messages & Communications Doc. No. 38GL-26-2890 through 2895.

From 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Date Thu 9/24/2026 11:40 AM
To Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc Frank Blas Jr. <speakerblas@guamlegislature.gov>

6 attachments (20 MB)

ATT00001.htm; 92426COMM Doc. No. 38GL-26-2892.pdf; 92426COMM Doc. No. 38GL-26-2890.pdf; 92426COMM Doc. No. 38GL-26-2893.pdf; 92426COMM Doc. No. 38GL-26-2894.pdf; 92426COMM Doc. No. 38GL-26-2895.pdf;

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-2890 through 2895** for processing:

✓	38GL-26-2890	Guam Land Use Commission	Board Meeting Packet for August 13, 2026*
✓	38GL-26-2891	Guam Land Use Commission	Board Meeting Packet for June 25, 2026*
✓	38GL-26-2892	Bureau of Budget and Management Research	Consolidated Revenue/Expenditure Report (CRER) and Special Revenue Fund Tracking Report for the period ending August 31, 2026*
✓	38GL-26-2893	Guam Memorial Hospital Authority	Statement of Revenues and Expenses for the month of August 2026.
✓	38GL-26-2894	Civil Service Commission	Board Meeting Packet for September 22, 2026*
✓	38GL-26-2895	Guam Solid Waste Authority	Documents Relative to Small Purchases and Sole Source and Emergency Purchases for the month of August 2026*

Please retrieve Doc. No. 38GL-26-2891 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

Disclaimer: The content of this email is intended for the person or entity to which it is addressed only. This email may contain confidential information. If you are not the person to whom this message is addressed, be aware that any use, reproduction, or distribution of this message is strictly prohibited. If you received this in error, please contact the sender at committeeonrules@guamlegislature.gov and immediately delete this email and any attachments.



Messages and Communications 38GL-26-2890*

2 messages

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

Tue, Sep 22, 2026 at 10:49 AM

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

Håfa adai,

Please see attached M&C Doc. No. 38GL-26-2890

38GL-26-2890	Guam Land Use Commission	Board Meeting Packet for August 13, 2026*
--------------	--------------------------	---

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

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

----- Forwarded message -----

From: **Cristina Gutierrez** <cristina.gutierrez@land.guam.gov>

Date: Mon, Sep 21, 2026 at 2:03 PM

Subject: RE: GLUC Minutes, AUG132026

To: Honorable Speaker Frank F. Blas Jr. <speakerblas@guamlegislature.gov>

Hafa Adai,

Please find attached the approved and recorded Minutes of the GLUC meeting that was held on Thursday, August 13, 2026.

Regards,



M. Cristina Gutierrez

Planning Division

cristina.gutierrez@land.guam.gov

Tel.: (671) 649-5263 Ext. 375

2 attachments

GLUC AUG132026.pdf
12891K

38GL-26-2890.pdf
1106K

38th Committee On Rules <committeeonrules@guamlegislature.gov>

Tue, Sep 22, 2026 at 4:03 PM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

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

Disclaimer: The content of this email is intended for the person or entity to which it is addressed only. This email may contain confidential information. If you are not the person to whom this message is addressed, be aware that any use, reproduction, or distribution of this message is strictly prohibited. If you received this in error, please contact the sender at committeeonrules@guamlegislature.gov and immediately delete this email and any attachments.

[Quoted text hidden]

9/22/26, 10:31 AM

Guam Legislature Mail RE: GLUC Minutes, AUG132026



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

RE: GLUC Minutes, AUG132026

2 messages

Cristina Gutierrez <cristina.gutierrez@land.guam.gov>

Mon, Sep 21, 2026 at 2:02 PM

To: "Honorable Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>

Hafa Adai,

Please find attached the approved and recorded Minutes of the GLUC meeting that was held on Thursday, August 13, 2026.

Regards,



M. Cristina Gutierrez
Planning Division
cristina.gutierrez@land.guam.gov
Tel.: (671) 649-5263 Ext. 375

Doc Type: 38GL-26-2890
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.
September 21, 2026
Time: 2:02 PM
Received:

GLUC AUG132026.pdf
12891K

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

Mon, Sep 21, 2026 at 3:33 PM

To: Cristina Gutierrez <cristina.gutierrez@land.guam.gov>

Hafa Adai,

Confirming receipt of your email.

Si Yu'os Ma'ase'

Bernice Rivera

Administrative Assistant



Office of Speaker Frank F. Blas, Jr.

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

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969 6456
speakerblas@guamlegislature.gov

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the

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.

information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

[Quoted text hidden]

GOVERNMENT OF GUAM – Department of Land Management	
Office of the Recorder	1022524
File for Record is Instrument Number _____	
on the Year 20	26 Month 09 Day 18 Time 3:18pm
Recording Fee	DE-OFFICIO Receipt No. DE-OFFICIO
Deputy Recorder:	 Kerilyn D.P. Tuncap

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, August 13, 2026
1:32 p.m. to 2:37 p.m.



38GL-26-2890
Messages and Communications

RECEIVED
COMMITTEE ON RULES
September 22, 2026

10:49 a.m.
Marie Crisostomo

Attachment 9

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor, ITC Building, Tamuning
DLM Conference Room
Thursday, August 13, 2026 • 1:32 p.m. to 2:37 p.m.

MEMBERS PRESENT:

Dr. Anita B. Enriquez, Chairwoman

Mr. Ronald C. Pangilinan, Vice Chairman

Ms. Leilani Flores, Commissioner

Mr. Gerald Yingling, Commissioner

Mr. Joseph Rios, Commissioner

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary/Director

Ms. Rosanna D.S.M. Tiston, Deputy Director

Mr. Lee Miller, Asst. Attorney General/Legal Counsel

Ms. Celine L. Cruz, Guam Chief Planner

Ms. Theresa Guevara, Planner II

Mr. Medwin S. De Castro

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, August 13, 2026

Time of Meeting: GLUC: 1:30 PM GSPC:

X	GLUC
	Regular
	Special
✓	Quorum
	No-Quorum

	GSPC
X	Regular
	Special
	Quorum
	No-Quorum

COMMISSION MEMBERS

Chairwoman Anita B. Enriquez

Vice Chairman Ronald C. Pangilinan

Commissioner Leilani R. Flores

Commissioner Gerald P. Yingling

Commissioner Joseph A. Rios

SIGNATURE

[Handwritten signatures of Commission Members]

STAFF

Joseph M. Borja, Executive Secretary

Rossana San Miguel Tiston, Deputy Director

Lee Miller, Assistant Attorney General

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

Medwin De Castro, Planner II

Kyle P.D Meno, T. Network Coordinator

Lorna Macaranas, Admin Assistant

M. Cristina Gutierrez, Recording Secretary

[Handwritten signatures of Staff Members]

ADJOURNMENT GLUC: 2:37 PM GSPC:



GUAM LAND USE COMMISSION

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

Commissioner Gerald P. Yingling
Commissioner Joseph A. Rios

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

AGENDA

Thursday, August 13, 2026 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 6, 2026 and August 11, 2026]
Livestreamed on YouTube at the Guam Department of Land Management Channel*

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

II. Approval of Minutes

- GLUC Regular Minutes – Thursday, April 9, 2026

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-27, the Applicant, Perez Properties, Inc., represented by W.B. Flores & Associates, is requesting a Zone Change from “C” (Commercial) Zone to “M1” (Light Industrial) Zone to allow for the construction and operation of a warehouse on Lot 5105-1B, in the Municipality of Tamuning.
Case Planner: Theresa Guevara

Zone Variance

- B. Application No. 2025-54, the Applicant, TRI, Inc., represented by W.B. Flores & Associates, is requesting a Zone Variance for Setback to bring into compliance 5 (five) existing single-family residences in the Paradise Court Subdivision with setbacks short of the various required front, side, and rear yard setbacks on Lots 4, 5, 8, 9, and 14NEW-3, Tract 18209, in the Municipality of Mangilao, in an “R1” (One-Family Dwelling) zone.
Case Planner: Celine Cruz

V. Administrative & Miscellaneous Matters

Tentative Subdivision – Extension of Time

- C. Application No. 2024-03B, the Applicant, J524 Development LLC, is requesting a second extension of time for a previously approved Tentative Subdivision for the Villa Flores Subdivision, a residential subdivision consisting of 86 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: Celine Cruz

GLUC Agenda
August 13, 2026
Page 2

Resolution No. 2026-01

- D. Discussion and Adoption of proposed GLUC Resolution 2026-01, relative to relief from the Conditions of Approval for Temporary Workforce Housing Facilities as it relates to P.L. 38-103.
Case Planner: Celine Cruz

VI. Adjournment

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, August 13, 2026 • 1:32 p.m. to 2:37 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on August 6, 2026 & August 11, 2026]
Livestreamed on YouTube on the Guam Department of Land Management Channel

I. Attendance/Roll Call

Chairwoman Enriquez called the regular meeting of the Guam Land Use Commission to order for Thursday, August 13, 2026, at 1:32 p.m.

Present were: Chairwoman Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Commissioner Joseph Rios, Commissioner Gerald Yingling, Executive Secretary Joseph Borja, Deputy Director Rosanna Tiston, Legal Counsel Lee Miller, Guam Chief Planner Celine Cruz, Planning Staff Theresa Guevara, Medwin De Castro, Kyle Meno, and Recording Secretary Cristina Gutierrez.

Chairwoman Enriquez confirmed a quorum for today's meeting and announced that it was being livestreamed on the Guam Department of Land Management channel on YouTube.

II. Approval of Minutes

Chairwoman Enriquez for approval today are the Minutes from the last GLUC meeting held on Thursday, April 9, 2026. Commission members received a draft in advance via email; Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve the GLUC Regular Minutes of April 9, 2026.

Commissioner Yingling seconded the motion.

Chairwoman Enriquez accepted the motion made by Commissioner Flores and seconded by Commissioner Yingling. There was no discussion, edits, or omissions noted. Madam Chair put the motion to a vote, with all members in favor of approving the Minutes. **[Motion passed unanimously with a vote of 5 ayes and 0 nays.]**

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2025-27, the Applicant, Perez Properties, Inc., represented by W.B. Flores & Associates, is requesting a Zone Change from "C" (Commercial) to "M1" (Light Industrial) zone to allow for the construction and operation of a warehouse on Lot 5105-1B, in the Municipality of Tamuning. Case Planner: Theresa Guevara

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

Willie Flores Mr. Flores is before the Commission today, representing the applicant for their request for a Zone Change.

- Mr. Flores explained that the subject lot is located along Adrian Sanchez Street, also known as Hamburger Road, and directly across from Smithbridge, the former Perez quarry. It is an open lot that was previously used for vehicle storage.
- The Perez family would like to rezone the property to M1. They plan to do warehousing in anticipation of the next eight to ten years of intense construction operations. The surrounding uses include commercial on the Marine Drive side and industrial activities just about all the way down the stretch of road on the cliffside. Several residential houses have been there for some time, and he further explained that the proposed change in zone will not impact the area.
- The current zoning of the subject lot is commercial, and the Guam Zoning Law does not allow warehouses in a commercial zone.
- The hours of operation of the warehouse are anticipated to be from 7:00 a.m. to 5:00 p.m., no earlier or later than this, with a staff of three personnel.
- The proposed zone change is compatible with the existing uses of commercial, residential, significant industrial uses (M1), and commercial developments in the immediate surrounding area.
- In the surrounding area, there is one single-family residential unit and multi-family apartments located to the east of the property. The new Happy Mart is located approximately 200 feet to the southwest of the property.
- While there are some residential and small commercial properties in the vicinity, there are also significant light industrial uses.
- The next slide is an image of the vicinity map. Mr. Flores pointed out several landmarks located in the vicinity of the subject lot, including St. John's School on the opposite side of Marine Corps Drive, Summerville residences, Happy Mart, and Smithbridge. Mr. Flores added that school operations for St. John's will not be interrupted since it is separated by Marine Corps Drive.
- Image of the proposed warehouse site plan. The conceptual plan will be subject to change when the development goes through the building application permit. It will take advantage of the maximum density allowed, provide required parking, and also provide usable lanes for the semi-trucks to pass through in and out of the yard.
- Rendering of the warehouse structure, whose architectural features are purely industrial; it is typhoon-proof and will meet Guam's energy code requirements. Accessibility requirements will fit into the architecture of the neighborhood.

To close, Mr. Flores is requesting, on behalf of the owners, the Commission's favorable consideration of their request.

Chairwoman Enriquez extended her appreciation to Mr. Flores for his presentation, and opened the floor to the Commissioners for questions.

Commissioner Rios inquired whether the space would be available for lease or rent, and about the intentions regarding the type of cargo to be stored in the warehouse.

Willie Flores responded that the primary intent is to lease, but they would also like to maintain the opportunity to operate the warehouse themselves. Storage will be restricted to dry goods only, with no hazardous or toxic materials.

Commissioner Rios remarked that since it is a request for a zone change to M1, there is the possibility of freight containers, shipping containers that will be delivered to the warehouse.

Willie Flores yes, it is single configuration up to 40-foot shipping containers, and possibly the 9-footers as well.

Vice Chairman Pangilinan asked if there would be any issues with the containers going in and out of the area, especially with the high volume of traffic on this road during rush hour.

Willie Flores Mr. Flores, replied that the Vice Chairman's question was valid, given that Hamburger Road is a heavily traveled road. He added that they conducted traffic analysis on several days, covering several hours of traffic movement in the area. There are a lot of containers moving in and out, and it will add to the volume that already exists.

Chairwoman Enriquez commented that, because of the long-term intended use of the facility and the increase in the number of residents, particularly along Hamburger Road leading to some of those existing residential areas, Madam Chair asked what the fencing structure would look like, if any.

Willie Flores replied that the property will be fenced off using a six-foot-high chain-link fence. The owners may also want to put up a deco wall along the front of the property with a chain-link fence and two double gates, one in the front and one in the back.

Chairwoman Enriquez stated that she is concerned about the children, teenagers, and the possibility of attracting nuisance and the potential liability.

Willie Flores responded that the Chairperson's concern is valid because the owners have had to replace the billboard sign at the subject lot several times. So, the perimeter of the subject lot will be fenced.

Chairwoman Enriquez there were no further questions from the Commissioners. Madam Chair turned the floor over to the Chief Planner for the staff report.

Celine Cruz, Chief Planner read a summarized staff report dated August 4, 2026, for Application 2025-27.

Chief Planner Cruz's report included the purpose of the application, its legal authority, and facts including the location, lot area, the current zoning, field description, and surrounding land uses. The master plan has the subject lot designated for mixed use under the North and Central Land Use Plan, and urban residential under the community design plan. Ms. Cruz continued with the application's chronological history, discussion, and staff analysis to address the public necessity, public convenience, and general welfare criteria.

Based on the applicant's justification and staff's analysis of the criteria, staff concludes that the proposed zone change is consistent with public necessity, public convenience, and general welfare; and therefore, recommends approval of the applicant's request with conditions.

[For full context/content please see the attached report.]

[Attachment A – Staff Report dated August 4, 2026]

Chairwoman Enriquez thanked Chief Planner Cruz for the report and turned the floor over to the Commissioners for questions. Madam Chair noted that there were no questions from the Commissioners and opened the floor for public comment for Application No. 2025-27.

Public Comment [None noted]

Chairwoman Enriquez noting no public comments, closed the public comment period. There were no additional comments, questions, or discussion; Madam Chair was ready to entertain a motion for action.

Commissioner Rios made a motion to approve Application No. 2025-27 for the applicant Perez Properties, Inc., subject to staff's recommendation and conditions as stipulated in the Staff Report dated August 4, 2026.

Vice Chairman Pangilinan seconded the motion.

Chairwoman Enriquez accepted the motion made by Commissioner Rios and seconded by Vice Chairman Pangilinan. 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 passed unanimously with a vote of 5 ayes and 0 nays]**

Joseph Borja, Executive Secretary asked Mr. Flores to enlighten the Commission on where Hamburger Road is located.

Willie Flores explained that it was formerly known as the Harmon Air Field during the war and was converted to an airfield. After the war, it became a drag strip before buildings were constructed, and it was then known as the Harmon Strip.

Chairwoman Enriquez added that it was called Hamburger Road because at one entryway there was a Burger King and at the other entry or exit was McDonald's.

Joseph Borja remarked that the formal name for the street is Adrian Sanchez Road after the former senator.

[Discussion ensues]

Chairwoman Enriquez the next item on the agenda --

Zone Variance

- B. **Application No. 2025-54**, the Applicant, TRI Inc., represented by W.B. Flores & Associates, is requesting a Zone Variance for Setback to bring into compliance, five (5) existing single-family residences in the Paradise Court Subdivision with setbacks short of the various required front, side, and rear yard setbacks on Lots 4, 5, 8, 9, and 14NEW-3, Tract 18209, in the Municipality of Mangilao, in an "R1" (One-Family Dwelling) zone.
Case Planner: Celine Cruz

Willie Flores is accompanied by Mr. Richard Untalan, who is the President of TRI Inc. Mr. Flores noted that many might know Mr. Untalan for his extensive experience and contributions to Guam's housing inventory, which includes the project currently being reviewed by the Commission.

Mr. Flores gave a brief presentation to the Commission that included the following:

- Paradise Courts is located in Mangilao on Tract 10441. Construction began in November 2020 for this project and was completed in April 2025. It went through several iterations, including the COVID pandemic and labor issues.
- The subdivision consists of sixteen (16) brand-new, three-bedroom, two-bath, 1,850-square-foot units and one existing, renovated two-story unit for a total of seventeen (17) units.
- The owner was faced with challenging circumstances in getting the project done. Towards the end of the construction, they obtained a bond to finish the project because the contractor was unable to finish the project.
- Towards the end of the project, the owner re-surveyed the property because the cul-de-sac going in caught their attention, and they commissioned a surveyor to ensure that everything was in place. As a result, it was discovered that the alignment of the road at the cul-de-sac was off by one foot, and there were other issues with setbacks between the houses towards the rear.

Richard Untalan Mr. Untalan remarked that one of the most challenging issues, aside from the pandemic, labor shortage, and the high cost of construction materials, was that the contractor defaulted and did not complete the project. The survey that was mentioned by Mr. Flores was an as-built survey map that was required by Planning Staff. It was through that as-built survey that they discovered that the road was off at the end and that five homes were dealing with side yard setback variances.

Willie Flores Mr. Flores broke down the setback requirements for each of the lots:

- Lot 4 – front setback was off by 10 inches. The front yard setback requirement is 15', and the existing setback is 14'-2". Mr. Flores explained that this was due to the misalignment of the road.
- Lot 5 – rear setback was off by 4 inches. The rear yard setback requirement is 10', and the existing is 9'-8".
- Lot 8 – side setback was off by 1 foot. The side yard setback requirement is 8'-0", and the existing is 7'-0".
- Lot 9 – side setback was off by 2 inches. The side yard setback requirement is 8'-0", and the existing is 7'-10".
- Lot 14NEW-3 – front setback is off by 2 feet. The front yard setback requirement is 15', and the existing is 13'.

Mr. Flores pointed out the overlay of the existing as-built map (on display), which clearly shows the metes and bounds of each property and the location of each of the houses. The next six slides were photos of the setback issues for Lot 4, Lot 5, Lot 8, Lot 9, and Lot 14NEW-3, and Mr. Flores explained the setback issue for each of the subject lots.

In closing, Mr. Flores is asking the Commission to approve the variance request, which was not intended to skirt the variance requirements, but was a result of contractor failure. Mr. Untalan previously mentioned that this was part of the reason the bonding company was called in to complete the project.

Chairwoman Enriquez opened the floor to the Commissioners for questions for the applicant.

Commissioner Rios expressed his appreciation to Mr. Flores and Mr. Untalan for explaining the reason for the setback issues, and questioned whether this could possibly be the reason that led to the setback variances due to the transition from one contractor to the next.

Richard Untalan noted that after the original contractor defaulted, a bonding company was called, which hired two replacement contractors to complete the project. Additionally, a project engineer was brought on to supervise construction. However, the engineer lacked experience with subdivisions, so the team frequently had to intervene and provide assistance. The project was finally completed, only to find discrepancies in the setback variances. Mr. Untalan added that he is at the "mercy" of the Commission to consider the favorable review of his application.

Willie Flores in response to Commissioner Rios' query, Mr. Flores explained that he worked closely with Planner Frank Taitano due to survey issues on the boundary, and that was worked out; now the exterior boundary survey is kosher.

[Discussion ensues on municipality boundaries for Barrigada and Mangilao]

Chairwoman Enriquez there was no further discussion or questions from the members. Madam Chair turned the floor over to Chief Planner Cruz for the staff report.

Celine Cruz, Chief Planner read a summarized staff report dated July 1, 2026. Ms. Cruz stated that the applicant, TRI Inc., is requesting a zone variance for setbacks to bring into compliance five (5) existing single-family residences in the Paradise Court Subdivision.

Ms. Cruz continued with the legal authority and facts of the application, including the location and lot area, field description, and surrounding land uses. The master plan has this area designated as mixed-use and very low-density residential under the North and Central Guam Land Use Plan, and under the Community Design Plan, has this area designated as urban residential – low density. Chief Planner Cruz continued with the application's chronological history, public hearing results, discussion, and staff analysis explaining the justification of the five criteria required by this application.

Based on the submitted information, the results of the municipal public hearing and the Mangilao MPC Resolution in support of the requested variance, and the position of no objection with conditions by the ARC, Planning Staff finds that the granting of the variance does not alter the essential character of the area or adversely affect public welfare, and recommends favorable consideration of the requested setback variance. **[For full content/context of the report, please see attached.]** Planning Staff recommends approval of the Zone Variance for setbacks with conditions.

[Attachment B – Staff Report dated July 1, 2026]

Chairwoman Enriquez opened the floor to the Commissioners for questions for staff. [No questions or comments from the Commissioners.]

Celine Cruz, Chief Planner Ms. Cruz added that in the Zoning Law there is a provision for minor setback variances where, if a structure is within three feet of the minimum requirements, an applicant can avail of a minor setback variance, and only applicable to structures built before 2005. This can go through an administrative process with the Department of Land Management and can be granted a variance for the same request as TRI. All the variances requested are less than three feet; however, they did not qualify for the minor setback variance since the homes were constructed after 2005. Ms. Cruz added that when the Commission adopted the rules for this type of application, they identified 2005 as the year that the Commission would not allow minor setback variances.

Chairwoman Enriquez inquired if there was any research subsequent to 2005 that would warrant perhaps revisiting the application of what was just proposed.

Celine Cruz, Chief Planner replied that she could not say how many minor setback variances have been issued since the law was created; Planning did not track any requests that were received after 2005.

[Discussion ensues]

Willie Flores (asked to be recognized) Mr. Flores explained that there were questions about the integrity of the front retaining wall, and the person who raised this issue claimed that the wall was constructed without reinforcement and without proper inspection. Mr. Flores reassured the Commission that it was properly inspected and reinforced, and there are photographs that can be provided to show this. He further explained that at the public hearing, issues concerning stormwater management were also raised. Additionally, they encountered difficulties while working with the Guam EPA because they wanted the developer to implement measures that he felt were unnecessary. In the end, the stormwater management system was dictated by the Guam EPA.

Vice Chairman Pangilinan asked what the reason was for the Guam EPA extending additional mandates for the stormwater system.

Willie Flores replied that the former Chief Engineer of Guam EPA was the primary author of the Guam/CNMI 2006 Stormwater Management manual, and wanted just about as many measures that were suggested in this manual to be implemented even though they were not applicable. After back-and-forth meetings, a compromise was reached.

Chairwoman Enriquez there were no further questions. Madam Chair opened the floor for public comment.

Public Comment Madam Chair noted that there was no public comment for the application that was before the Commission and closed the public comment period.

Chairwoman Enriquez there were no further questions or discussion. Madam Chair was ready to entertain a motion for action on Application 2025-54.

Commissioner Yingling moved to approve Application 2025-54, provided that the applicant abides by the recommendation and conditions as stated in the staff report.

Commissioner Flores seconded the motion.

Chairwoman Enriquez accepted the motion made by Commissioner Yingling and seconded by Commissioner Flores. There was no discussion on the motion. Madam Chair put the motion to a vote, with all members in favor of approving the applicant's request. **[Motion passed unanimously with a vote of 5 ayes and 0 nays.]**

Madam Chair expressed her gratitude to Mr. Flores and Mr. Untalan for their attendance today, and proceeded to the next item on the agenda.

V. Administrative & Miscellaneous Matters

Tentative Subdivision – Extension of Time

- C. Application No. 2024-03B, the Applicant, J524 Development LLC, is requesting a second extension of time for a previously approved Tentative Subdivision for the Villa Flores Subdivision, a residential subdivision consisting of 86 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: Celine Cruz

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

Lyndon Kim is before the Commission to represent the applicant, J524 Development LLC. Mr. Kim presented to the Commission that they respectfully submit this request for an extension of time for a tentative subdivision for the Villa Flores Subdivision that is located on Tract 10441, formerly Lot 7134 in Yigo.

The subdivision proposes 86 residential lots to be built in three phases. Mr. Kim explained that the project experienced significant delays in securing the required building permit due to the extended coordination with the Guam Waterworks Authority. GWA required additional review of the plans and numerous field verifications and design modifications to address the agency’s concerns regarding the proximity of the existing water and sewer lines, along with the capacity of the surrounding system. Mr. Kim added that this took almost eighteen months of field studies and reviews for GWA to approve the final subdivision to ensure that the subdivision would not overburden the existing sewer infrastructure. Additionally, delays were caused by the Guam EPA and the U.S. Environmental Protection Agency document requirements despite the timely submission, including stormwater prevention plans and the notice of intent; the federal response time was extended.

J524 Development continues to actively coordinate with Guam EPA and US EPA, and remains confident that all outstanding environmental clearances will be finalized within the year. Once the building permit is issued, they intend to pursue a performance bond to complete the project and will take the remaining administrative steps necessary to advance the subdivision for the construction and eventual sales of the lots as each phase is completed. The developer is committed to fulfilling the regulatory requirements and ensuring that the subdivision complies with all the required laws and standards.

Chairwoman Enriquez expressed her gratitude to Mr. Kim and opened the floor to Commissioners for questions. There were no questions or comments from the members; Madam Chair turned the floor over to the Chief Planner for the staff report.

Celine Cruz, Chief Planner read a summarized Commission Brief dated August 7, 2026, for Application No. 2024-03B. The applicant, J524 Development LLC, is requesting an extension of time for an approved tentative subdivision. This extension is needed to complete the building permit process required for constructing the necessary subdivision improvements. Ms. Cruz

continued with the legal authority discussion and staff analysis. **[For full context/content, see attached report]**

[Attachment C – Commission Brief dated August 7, 2026]

To conclude, Ms. Cruz stated that given that the applicant has demonstrated continued coordination with the Government of Guam permitting agencies to address all the conditions and requirements, Planning Staff recommends approval subject to the applicant's continued adherence to the conditions of approval identified in Document #997412.

Chairwoman Enriquez questions for staff. There were no questions from the Commissioners. Madam Chair opened the floor for public comment.

Public Comment – noting none, Madam Chair closed the public comment period.

Chairwoman Enriquez there was nothing further. Madam Chair was ready to entertain a motion for action on Application 2024-03B.

Vice Chairman Pangilinan made a motion to approve an extension of time for Application No. 2024-03B, provided that the applicant adheres to the recommendation and conditions as stated in the staff's commission brief.

Commissioner Yingling seconded the motion.

Chairwoman Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Yingling. Discussion on the motion.

Commissioner Rios stated that, from 2024 to the present, this motion is going to be approved, and was sorry to hear that it has taken this long to move the development forward.

Lyndon Kim expressed that he is happy that the project is progressing. He has been diligently working with Guam EPA and has all the required documents that need to be submitted, and is confident that it can be accomplished within a month or two.

There was no further discussion noted. Madam Chair put the motion to a vote, with all members in favor of approving the request.

[Motion passed unanimously with a vote of 5 ayes and 0 nays.]

Next item on the agenda –

Resolution No. 2026-01

- D. Discussion and Adoption of proposed GLUC Resolution No. 2026-01, relative to relief from the Conditions of Approval for Temporary Workforce Housing Facilities as it relates to P.L. 38-103. Case Planner: Celine Cruz

Chairwoman Enriquez turned the floor to Chief Planner Cruz.

Celine Cruz, Chief Planner asked for a 5-minute recess before proceeding with the report.

[Madam Chair called for a recess at 2:28 p.m. and reconvened the meeting at 2:32 p.m.]

Chairwoman Enriquez the Commission is reconvened. Chief Planner, please proceed with the presentation.

Celine Cruz, Chief Planner stated that Resolution 2026-01 was drafted relative to the relief of the conditions of approval for temporary workforce housing facilities as it relates to Public Law 38-103.

Public Law 38-103 has changed the regulations regarding workforce housing facilities, allowing them to be a permitted use in an M-1 zone. As a result, any existing temporary workforce housing conditional use applications that have been submitted to the Land Use Commission are no longer required to undergo annual renewals or reviews by the Commission.

After the law was implemented and before this Resolution was drafted, there were applicants who submitted their annual status reports and renewal requests. The only way Planning could effectively close these applications was by having a Resolution that states they are relieved from the conditions of approval set by the Guam Land Use Commission, while still complying with all existing laws and statutes.

Chief Planner Cruz added that this resolution will assist staff in administratively closing out existing applications that were accepted prior to the law being passed.

Chairwoman Enriquez opened the floor for discussion to the Commissioners, but none noted. Madam Chair remarked that if the Commission adopts the resolution, it acknowledges that the GLUC no longer needs to consider applications as well.

Celine Cruz replied that would be correct.

Commissioner Yingling remarked that one of the major problems on Guam is housing. He added that on his street there are three apartment buildings that can be rented out by younger families, but have been taken over by contractors who are housing foreign workers and are not under the GLUC. One of the major objectives of this is to start freeing up some of these buildings so that families can rent these apartments.

Chairwoman Enriquez there was no additional discussion. Madam Chair asked for a motion for action.

Commissioner Yingling made a motion to adopt GLUC Resolution 2026-01.

Commissioner Flores seconded the motion.

Chairwoman Enriquez accepted the motion made by Commissioner Yingling and seconded by Commissioner Flores. There was no discussion. Madam Chair put the motion to a vote, with all members in favor. **[Motion carried with a vote of 5 ayes and 0 nays. GLUC Resolution 2026-01 has been adopted.]**

Madam Chair turned the floor over to the Executive Secretary for additional business or announcements for the Commission.

Joseph Borja, Executive Secretary stated that he did not have any additional business or announcements. Mr. Borja expressed that he appreciates the attendance of all the Commissioners for today's meeting, and will do as much as possible to get more items on the agenda before year's end. Additionally, with the holiday season and end of the year fast approaching, he asked if the Commissioners could share their extended planned leave with staff for proper planning.

Chairwoman Enriquez appreciated Mr. Borja's comment because the Commission recognizes how much time goes into the submission and review of the applications. For the Commissioners who have frequent travel schedules, it is important to have a balance so that there is a quorum. Madam Chair will share her travel schedule in advance and asked that the Commissioners do the same.

There was no further business for the Commission. Madam Chair asked for a motion to adjourn today's meeting.

VI. **Adjournment**

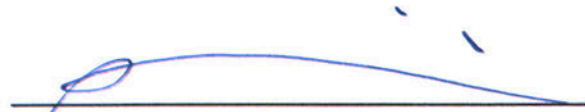
Commissioner Rios made a motion to adjourn today's meeting.

Vice Chairman Pangilinan seconded the motion.

Chairwoman Enriquez accepted the motion made by Commissioner Rios and seconded by Vice Chairman Pangilinan. Madam Chair adjourned the meeting of Thursday, August 13, 2026 at 2:37 p.m.

The regular meeting of the Guam Land Use Commission for Thursday, August 13, 2026 was adjourned at 2:37 p.m.

Approved by:


Anita B. Enriquez, Chairwoman
Guam Land Use Commission

Approved by:

9-10-26

Transcribed by:


M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

ATTACHMENT A

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



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

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

August 4, 2026

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

SUBJECT: **Application No. 2025-27, Zone Change**

1. PURPOSE

- A. Application Summary:** The applicant, Perez Properties, Inc., represented by WB Flores & Associates, is requesting a Zone Change from "C" (Commercial) Zone to "M1" (Light Industrial) Zone, for the construction of a warehouse on Lot 5105-1B, in the municipality of Tamuning (formerly Dededo).
- B. Legal Authority:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law), Sections 61630–61637 (Changes of Zones), and applicable subsections.

2. FACTS

- A. Location:** The subject lot is located along Adrian Sanchez Street and approximately half a mile inland from Route 1 (Marine Corps Drive).
- B. Lot Area:** Lot area: 1.28 acres or 5,220 square meters.
- C. Present Zoning:** "C" (Commercial) Zone.
- D. Field Description:** The subject lot is cleared and has been previously used as interim storage for shipping containers as well as overflow parking.
- E. Surrounding Land Uses:** Neighboring land uses include single family residential units and multi-family apartment buildings located to the east of the property. Located to the west of the property is a commercial building and directly south of the property, approximately 100 feet away, is the former Perez Bro's. batching plant which is now owned by Smithbridge. The New Happy Market is located approximately 200 feet to the southwest of the property.
- F. Master Plan:** Mixed Use (North and Central Guam Land Use Plan).

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-27

Page 2 of 5

G. Community Design Plan: Urban Residential – Medium-High Density

H. Previous Commission Action: None. [The property underwent a zone change through the Split Zone Change Process – change of zone designation from R2 and C to full C Zone.]

3. APPLICATION CHRONOLOGY

A. Date Application Accepted: July 29, 2025

B. Date of ARC Review: May 1, 2025

C. Date of Public Hearing: Tuesday, November 25, 2025

A public hearing was held at the Tamuning Senior Center on November 25, 2025. The meeting was brief. The applicant presented the request for the zone change to members of the community; no questions or comments were heard and the meeting was adjourned shortly after.

4. DISCUSSION and STAFF ANALYSIS:

A zone change must address Public Necessity, Public Convenience, and General Welfare criteria. In response, the applicant provides the following discussion:

PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE FACTORS

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. The applicant submits that as to:

Public Necessity:

Warehousing is directly tied to both wholesale and construction industries, both of which are keystones of Guam's economy. Guam's 2022 census showed that construction boomed in that pandemic year, in direct contrast to retail which struggled maintain prior years growth.

In recent years the need for warehousing has exponentially increased due to the deluge of military-related construction in Guam and the CNMI. That construction saw requirements for warehousing increase nearly five-fold from 2017. The need increased in 2023 and 2024.

Warehouse floor space has and continues to be a critical need. This is projected to continue through 2034. While much of this need is due to military buildup construction and support, it is also due to the requirement for replacement of warehouse facilities reaching their 50-year lifespan.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-27

Page 3 of 5

Warehousing requirements are directly linked to food services, retail and construction industries. According to the U.S. Census Bureau, food services and construction are projected to continue to grow over the next 20 years while retail continues to struggle. Those retail established which are healthy are usually directly tied to the food services and construction.

Thus this proposed warehouse development will be a positive addition to this segment of the Guam and regional economy.

Public Convenience:

The proposed Zone Change will facilitate public convenience for accessibility and other advantages for businesses and individuals using the facilities. This is due to the site's convenient location, added space, efficiency of logistics and streamlined processes for receiving, storing, and shipping goods.

The convenience includes compatibility with the surrounding area uses which currently consists of single- and multi-residential housing, retail, light industrial, industrial and warehousing. In fact, the warehousing components in the area are significant.

- **Accessibility:** This warehouse development site is strategically located directly accessible to Hamburger Road, the main industrial sector connector to Routes 1 and 16. It is also accessible via Harmon Industrial Park for a direct connection to Route 10.

Thus its proximity to these major Guam routes, near other warehousing and trans-shipping activities and minutes away from the Guam International Airport, Camp Ben Blaz, Andersen Air Force Base and the growing Ukudu region enhances its convenient accessibility.

- **Immediate Availability:** Upon completion of the development it will provide readily available warehousing space.
- **Flexibility:** Warehouses provide flexibility to adapt to changing business needs, and are immediately pertinent responding to seasonal fluctuations or short-term storage requirements.
- **Efficiency:** Warehouses provide various services, including inventory management, order fulfillment, and logistics support, streamlining processes and reducing costs.
- **Value-added services:** In addition to warehousing and storage, additional services such as packaging and transshipping are often offered by warehouse operators.

General Welfare:

Efficient, organized warehouses contribute to the general public welfare in terms of efficient distribution of incoming and outbound goods.

By providing clean, efficient storage this facility will play a crucial role in ensuring the availability of goods, by minimizing waste and enhancing timely secure delivery. The proper operation of this warehouse will reduce lead time and discourage unsorted stocking.

This warehouse will greatly aid the storage and distribution of goods by providing organized infrastructure for receiving and shipping.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2025-27

Page 4 of 5

ANALYSIS: In evaluating the applicant's request for a change of zone from Commercial to Light Industrial, staff has reviewed the justification submitted pursuant to 21 GCA §61630, which requires findings of public necessity, public convenience, and general welfare. The applicant's narrative provides a broad economic context for the need for additional warehouse facilities on Guam, particularly in relation to the construction, wholesale, food service, and military-related sectors. The information presented demonstrates that warehousing demand has increased significantly since 2017 and is projected to continue through 2034, driven both by ongoing military buildup activities and by the natural replacement cycle of aging warehouse stock. While the applicant's justification focuses primarily on island-wide demand rather than the specific necessity of this parcel, the overall evidence supports the conclusion that additional warehouse capacity is needed to sustain essential economic sectors. Staff finds that the applicant has sufficiently established a general public necessity for expanded warehousing facilities.

With respect to public convenience, the applicant provides a clear and well-supported explanation of how the proposed zone change would enhance accessibility and operational efficiency for businesses and individuals relying on warehousing services. The site's location along Adrian Sanchez Street or Hamburger Road and its proximity to Routes 1, 10, and 16, as well as Harmon Industrial Park, positions it within an established logistics corridor. The surrounding area already contains a mix of residential, retail, light industrial, industrial, and warehousing uses, indicating that the proposed warehouse would be compatible with existing development patterns. The applicant also identifies operational advantages such as improved logistics, flexibility for changing business needs, and the availability of value-added services.

Regarding general welfare, the applicant emphasizes the role of organized, efficient warehousing in supporting the reliable distribution of goods, reducing waste, and ensuring timely delivery. These benefits are relevant to Guam's broader community, particularly given the island's dependence on imported goods and the importance of maintaining stable supply chains. The general welfare criterion is met through the demonstrated contribution of the proposed facility to the orderly storage and distribution of goods, which supports community resilience and economic stability.

Based on the applicant's justification and staff's analysis of the statutory criteria, staff concludes that the proposed zone change is consistent with public necessity, public convenience, and general welfare. The request aligns with existing development patterns in the area and supports essential economic and logistical functions. Staff therefore recommends **approval of the zone change from Commercial to Light Industrial**.

The Application Review Committee expressed their position of no objection; all recommending approval but with some noted conditions contingent to such approval. The Tamuning Municipal Planning Council has also expressed that it has no objections to the requested zone change, as documented in Resolution No. 2026-02.

Continuation of Memorandum

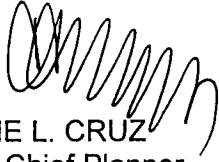
RE: Staff Report – Zone Change - Application No. 2025-27

Page 5 of 5

Based on the findings and analysis presented, the Department of Land Management Planning Staff recommends that the Guam Land Use Commission favorably consider the proposed zone change.

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

The applicants shall adhere to all ARC recommendations, conditions, and requirements as noted in their Official Position Statements.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENTS: 2025-27 Public Hearing Results
 Tamuning MPC Resolution No. 2026-02
 Summary of Position Statements
 Project site photo

Attachment "A"

**PUBLIC HEARING MINUTES
Tuesday, November 25, 2025
Time: 6:01PM
Tamuning Community and Senior Center**

APPLICATION NO. ZC 2025-27

APPLICATION TYPE: Zone Change from "C" (Commercial) zone to "M1" (Light Industrial) zone

APPLICANT/REPRESENTATIVES: Perez Properties, Inc., Represented by: W.B Flores & Associates Consulting Engineers, Ms. Lina Rojas, Senior Project Manager

Lo 5105-1B, in the Municipality of Tamuning

CALLED TO ORDER: 6:01 PM

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, W.B Flores & Associates, Ms. Lina Rojas for her presentation. After Lina's presentation, the applicant's representative asked if any questions or concerns with the public attendees.

Lina Rojas/Representative: Asked if any questions.

No questions by the attendees.

There being no questions or concerns and the case planner adjourned the Public Hearing meeting at 6:09 PM.

Thank you for your time here tonight.

Theresa Guevara

Case Planner

TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2026-002



Melissa S. Akimoto

Rosanne U. Lastimoza

Daniilo V.A. Tinsay

Antonio R. Charfauros

Albert T. Manibusan

Mayor Louise C. Rivera

Michael G. Lasiste

Gregory Perez

Dean Taitague

Relative to:

Guam Land Use Commission Application No. 2025-27, by Perez Properties, represented by W.B. Flores & Associates, is requesting a Zone Change from "C" Commercial to "M1" (Light Industrial) to allow for construction and operation of a 19,000sf warehouse in Harmon Industrial Park.

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

WHEREAS, on January 15, 2026, Perez Properties submitted GLUC Application No. 2025-27 requesting a Zone Change from "C" Commercial to "M1" (Light Industrial), and

WHEREAS, at a duly-noticed hearing on Thursday, January 15, 2026, the Tamuning Municipal Planning Council ("Tamuning MPC") conducted a hearing and heard a project description and explanation for application 2025-27.

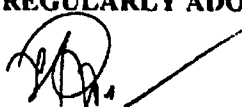
WHEREAS, at a duly-noticed and live-streamed hearing at 5:00 pm on January 15, 2026 the Tamuning MPC conducted a hearing and heard a project description and explanation about the application as well as entertained questions/answers from the public; and

WHEREAS, at a duly-noticed and live-streamed hearing at 6:30 pm on January 15, 2026 the Tamuning MPC conducted a hearing and entertained questions/answers from the public; and

WHEREAS, the Tamuning MPC voted to approve this Resolution for the and Guam Land Use Commission Application No. 2025-27 on January 15, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Tamuning-Tumon-Harmon Municipal Planning Council hereby has no objections to Zone Change from "C" Commercial to "M1" (Light Industrial) to allow for construction and operation for a 19,000sf warehouse in Harmon Industrial Park in the Municipality of Tamuning.

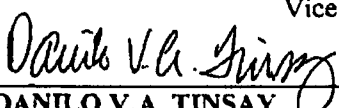
DULY AND REGULARLY ADOPTED ON THE 15th DAY OF JANUARY, 2026


LOUISE C. RIVERA

Mayor and Chair


ALBERT M. TOVES

Vice Mayor and Co-Chair


DANILO V.A. TINSAY
MPC Member and Council Secretary

3/6/26
CMM

P: Tinsay
CMM
2-10



TAMUNING-TUMON-HARMON MUNICIPAL PLANNING COUNCIL
MONTHLY MEETING
Tamuning Community and Senior Center
Thursday 15 January 2026



MPC MEETING MINUTES

I. CALL TO ORDER

The meeting was called to order by Mayor Rivera at 1831hrs.

II. ROLL CALL

The following members were present:

Melissa Akimoto	Albert Manibusan	Mayor Louise Rivera
Antonio Charfauros	Gregory Perez	
Michael Lasiste	Dean Taitague	
Rosanne Lastimoza	Danilo Tinsay	

Nine (9) members were present, quorum established.

Additionally:

Cianna Santos GYC Chief James Marques GPD LT David Hur USAF

The Agenda was posted on the GovGuam Portal on 08 and 14 Jan 2026 .

III. RECITATION OF THE PLEDGE OF ALLEGIANCE AND INIFRESI

All present recited the Pledge of Allegiance and the *Inifresi*.

IV. APPROVAL OF MINUTES

Approval of the December MPC Meeting Minutes tabled due to technical difficulties in producing the report.

V. YOUTH CONGRESS REPORT

Cianna Santos:

- 106lbs of trash collected in last beach cleanup
- Next cleanup 15 Feb 2026
- Fundraising marathon upcoming to support Shriners Hospital in Hawaii

VI. SISTER MILITARY COMMAND REPORT

LT Hur:

- Nothing to report but available to volunteer with any opportunities to assist
- Exercise at AAFB upcoming in Feb

VII. GPD POLICE PRECINCT REPORT

Chief Marques:

- Issues with illegal parking ongoing with various sites
- No major injuries reported during New Year's celebratory shootings
- Motor vehicle accidents increasing
- Street drug seizures increasing during traffic stops

M Rivera:

- Continued illegal and improper parking around Guam Radiology reported by nearby residents
- Parking infringing on easements and setbacks which present difficulties to motorists
- (Chief Marques) Illegal parking also has adverse effect on emergency vehicle operations



TAMUNING-TUMON-HARMON MUNICIPAL PLANNING COUNCIL
MONTHLY MEETING
Tamuning Community and Senior Center
Thursday 15 January 2026



MPC MEETING MINUTES

- Active Shooter training ongoing in Upper Tumon

VIII. MAYOR & VICE MAYOR REPORT

M Rivera:

- Cleanup 16 Jan with Guam National Guard
- Various projects ongoing with different civic groups
- MCOG still addressing illegal dumping and campsites for cleanup
- Normal ongoing business as usual

IX. OLD BUSINESS

14th Annual Peace Festival

- Scheduled Sat 24 Jan
- One day event
- Grant applied with Guam Visitors Bureau for financial assistance
- Plan for opening ceremony with performances by schools and associations
- Similar to previous years' booths, i.e. amusement, food, gifts

X. NEW BUSINESS

GLUC Application 2025-27 by Perez Properties, represented by W.B. Flores & Associates

- Zone Change from 'C' Commercial to 'M1' Light Industrial to allow for construction and operation of a 19,000sf warehouse in Harmon Industrial Park.
- Public hearing held by Dept of Land Management 25 Nov 2025.
- This is the required 2nd public hearing held by the TaTuHa MPC; the first was held earlier 1700hrs on 15 Jan 2026.
- MPC Tinsay moved to approve the Zone Change; seconded by MPC Lasiste. MPC Perez recused himself due to conflict of interest. All approved, MOTION PASSED.

XI. COMMITTEE REPORTS

Crime Watch: Nothing to report
Environment: Nothing to report
Finance: Nothing to report
Land Use: Nothing to report
Legal: Nothing to report
Sunshine: Nothing to report

XII. PUBLIC COMMENTS

Mr John Perez on behalf of the Perez family requested support from the TaTuHa MPC on the disposition of the Oka Point property. Mayor Rivera commented that it may be included as an agenda item for future MPC Meeting.

XIII. ANNOUNCEMENTS

Next meeting 05 Feb 2026 1830hrs.



TAMUNING-TUMON-HARMON MUNICIPAL PLANNING COUNCIL
MONTHLY MEETING
Tamuning Community and Senior Center
Thursday 15 January 2026



MPC MEETING MINUTES

XIV. ADJOURNMENT

MPC Charfauros motioned to adjourn the meeting, seconded by MPC Lasista. All approved, meeting adjourned at 1935hrs.

SUBMITTED BY:

Danilo V.A. Tinsay
Secretary, MPC

CONCURRED BY:

Louise C. Rivera
Mayor



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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA D. SAN MIGUEL TISTON
DEPUTY DIRECTOR

June 30, 2026

Memorandum

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2025-27, Perez Properties, Inc. (Zone Change)

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 with conditions that the applicant, adhere to the ARC conditions and requirements as stipulated on their official 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 has no objection to the request and recommends approval of proposed zone change. This recommendation is conditional upon all DPW mandates.

GUAM WATERWORKS AUTHORITY (GWA):

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

Memo to GLUC Members

**Ref: ARC Position Statements - Application No. 2025-27,
Perez Properties, Inc.
June 30, 2026**

Page 2 of 2

DEPARTMENT OF AGRICULTURE (DoAg):

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

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA has concerns related to the proposal as outlined on their position statement.

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval to the conditions as outlined on their position statement.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR has no objection to the approval of this Zone Chang Application.

GUAM FIRE DEPARTMENT (GFD):

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

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

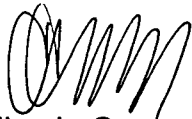
Ex-Officio, non-voting member, not required to submit Position Statement.

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



GUAM POWER AUTHORITY

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

September 18, 2025

MEMORANDUM

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

From: General Manager

Subject: Lot 5105-1B; Municipality of Tamuning. (Perez Properties Inc.) Zone Change Application from its current use "C" (Commercial) to proposed "M-1" (Light-Industrial) zone. Proposed use, construction and operation of a warehouse. **Application No. 2025-27**

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

A. Comments and Recommendations Concerning GPA requirements:

- 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.
 - GPA reserves its rights to the following 44' Public Access & Utilities Easement as shown on Instrument No. 275130, and Pre-War Bullcart Trail (variable width).**
- 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.
- A system impact assessment may be required to determine the effect of this development on GPA's existing power facilities.
- 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.

VFSR

ASG/app

TD: Mue
9-23-25

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: **Perez Properties Inc.**

Location: **Lot 5105-1B Municipality of Tamuning.**

Type of Application: **Zone Change**

GLUC/GSPC Application No: **2025-27**

Brief Project Description: **Zone Change Application from its current use "C" (Commercial) to proposed "M-1" (Light-Industrial) zone. Proposed use, construction and operation of a warehouse.**

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

Date

Comments:

No additional Load was submitted by the applicant. 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.

VFSR

ASG/app



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

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



Director

LINDA J. IBANEZ

Deputy Director

ERNEST G. CANDOLETA, JR.

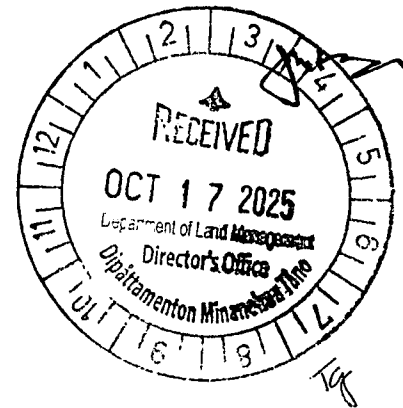
Deputy Director

MEMORANDUM

TO: Chairwoman, Guam Land Use Commission

FROM: Director, Department of Public Works

Applicant: Perez Properties Inc.
Application No. 2025-27



Hafa Adai Madam Chairwoman and Guam Land Use Commission Members,

The Department of Public Works (DPW) is responding to Perez Properties Inc.'s request for a zone change for Lot No. 5105-1B in the Municipality of Tamuning. The request is to change the zoning from "C" Commercial Zone to "M1" Light Industrial, which would allow for the construction and operation of a warehouse and its accessories. This is permitted under GCA Title 21 Zoning Law §61309 M-1 Light Industrial Zone, and § 61501. Minimum Yards and Lot Areas Established.

The proposed warehouse will not negatively impact the area, as its development is consistent with existing mixed uses in close proximity, including commercial businesses, warehouses, and a quarry pit. It will not be detrimental to surrounding neighbors.

Therefore, Department of Public Works has no objection and recommends approval of Perez Properties Inc.'s proposed zone change from "C" Commercial to "M-1" Light Industrial Zone. This recommendation is conditional upon all DPW mandates and permit requirements being met during the permitting process, any comments or concerns raised by the GovGuam Application Review Committee (ARC) being addressed, and the Final Occupancy Permit being signed off by the DPW Chief Planner, Building Administrator, and Director of the Department of Public Works.

Should you have any questions, please contact our office at (671) 646-3131, or reach out to DPW Chief Planner Rudy PL Cabana at (671) 646-3126, under DPW Capital Improvement Projects.

Sincerely,

VINCENT P. ARRIOLA

Date: 17 SEP 2025

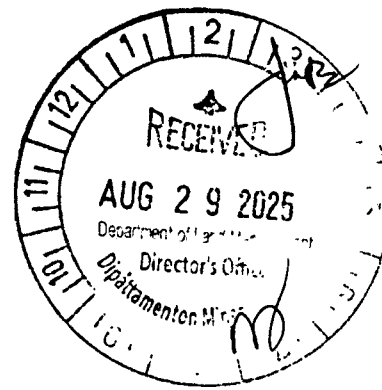
RECEIVED

10-14-25

DLM / Planning Division

*To: Theresa
10-20-25*

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

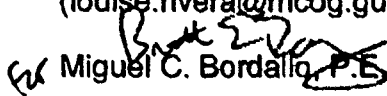


MEMORANDUM

August 14, 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

SUBJECT: Position Statement on Zone Change Application 2025-27 for Lot 5105-1B in the Municipality of Tamuning

APPLICANT: Perez Properties, Inc.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "C" (Commercial) to "M-1" (Light Industrial) zone for the proposed construction and operation of a warehouse.

This memorandum shall serve as GWA's position statement for the Perez Properties, Inc. 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.

The following comments are conditions for GWA's position in favor/opposed to of the approval of this application:

1. The applicant must provide GWA with site development plans to construct the proposed warehouse. 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 demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements.

To: Tamuning
9.5

RECEIVED
By Cristina at 3:22 pm, Aug 27, 2025

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 determine if existing GWA facilities can accommodate the proposed development 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. **If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of off-site utility improvements.**

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 on-site or off-site 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, swimming pools, 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. **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.**
9. **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.**

GWA Position Statement
Application: 2025-27
Applicant: Perez Properties, Inc.

Page 3

- 10. After a GWA utility service account is opened, the account holder is responsible for informing GWA of on-site 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 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.



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

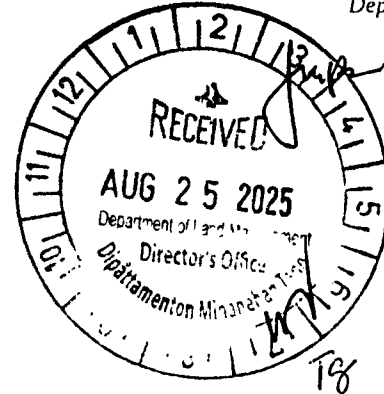
To: Anita B. Enriquez, Chairwomen
Guam Land Use Commission

Attn: Joseph M. Borja, Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director 

Date: August 05, 2025

Subject: **Agriculture Impact Statement for Application 2025-27. Perez Properties, Inc. for a "Zone Change" Application on Lot 5105-1B, Municipality of Tamuning – Rezoning from "C" (Commercial) to "M-1" (Light-Industrial) Zone.**



The Department of Agriculture (DOAG) has reviewed **Application 2025-27**, requesting to **rezone of Lot 5105-1B from Commercial (C) zone to Light-Industrial (M-1) zone**, located along Finegayan Street, Tamuning, Guam. The purpose of this zone change is to build a warehouse.

DOAG **does not oppose the request**, as there is an existing parking lot on the property and is cleared and maintained at this time. DOAG remains available to discuss the proposed development in greater detail and reserves the right to withdraw or revise its position should the landowner fail to fulfil any conditions prior to the Guam Land Use Commission's final decision. For questions or concerns, please contact permits@doag.guam.gov.

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)

RECEIVED
By Cristina at 12:42 pm, Aug 25, 2025



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

SEP 12 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

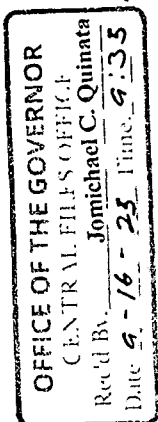
Ref: Application No. 2025-27, the Applicant, Perez Properties, Inc., represented by W.B. Flores & Associates; is requesting a Zone Change from "C" (Commercial) zone to "M-1" (Light Industrial) zone, to allow for the construction and operation of a warehouse, on Lot 5105-1B, in the Municipality of Dededo.

Hafa adai, Dr. Enriquez,

Buenas yan Saluda. The Guam Environmental Protection Agency (Guam EPA) has completed its review of the zone change application for the subject property. Based on our assessment, approval of the proposed zone change is contingent upon fulfilling the following conditions:

A. Stormwater and Erosion Control

1. The project site is situated within the Northern Guam Lens Aquifer along Adrian Sanchez Street, commonly known as Hamburger Road, just across from the Smithbridge Precast Yard, which was formerly Perez Bros. Batching Plant. The site has been cleared and was used as an equipment yard by a construction company that leased the property. Clearing and grubbing appear to be minimal, but the developer should obtain a Clearing, Grubbing, Grading, and Stockpiling (CGGS) Permit from the Guam EPA before starting construction. Excavation for the foundation is likely to disturb the existing drainage patterns of the property. Therefore, the developer should design a stormwater disposal system and implement both pre- and post-construction stormwater controls in accordance with the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as mandated by Executive Order No. 2012-02. Additionally, the developer or contractor must fully comply with all requirements, including obtaining all necessary permits, under the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10).
2. The documents submitted with the application state that a stormwater retention chamber will be the intended drainage system to be used on site. Underground retention chambers are considered part of the Underground Injection Control (UIC) system. Pursuant to 22GAR Chapter 9 §9106, Underground Injection Control Regulations, a UIC Permit must be obtained and issued by the Guam EPA before the issuance of an Occupancy Permit.



TO: TRAC
9-25

3. An Environmental Protection Plan (EPP) must be prepared and signed by a professional engineer in accordance with 22GAR §10104 (c) (5) (D), where the core component of the EPP is the Erosion Control Plan (ECP). The EPP should include, among other things, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance, and plans for typhoon recovery.

B. Water & Wastewater

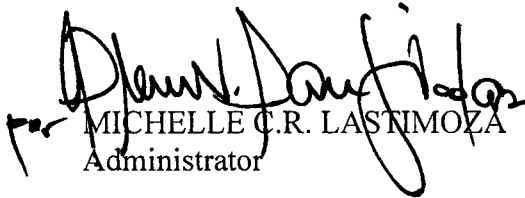
1. There are public water and sewer infrastructures along Adrian Sanchez Street that this development can use. A 19,000 square-foot warehouse is considered an industrial development. Pursuant to 22GAR Chapter 5 §5101 (c) (1) (A), Water Quality Standards, an industrial facility should not operate without adequate public sewer service.

In addition to the concerns mentioned above, the applicant is reminded that any development planned for the subject location must adhere to all other applicable environmental laws and regulations enforced by the Guam Environmental Protection Agency.

If you have any questions or need additional information, please do not hesitate to contact the Water Resources Management Program or the Water Division Chief Engineer, Mr. Peter Bautista, PE, at Tel No. (671) 588-4796 or (671) 588-4702, respectively.

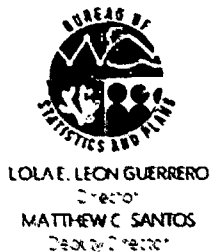
Dangkolu na si Yu'us ma'åse'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management





BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



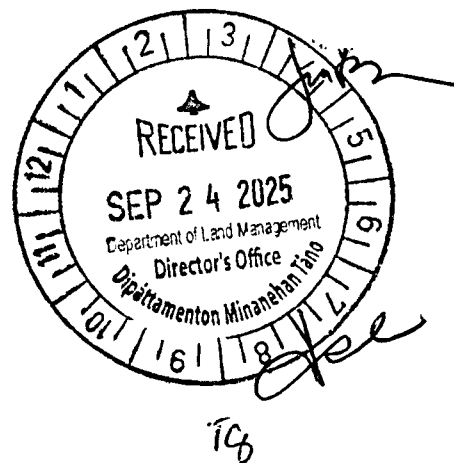
September 23, 2025

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-27 Zone Change
Lot Number: Lot 5105-1B
Municipality: Tamuning
Applicant: Perez Properties, Inc.
Proposed Use: "M1" Light Industrial



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 is submitting a Zone Change application to rezone the subject lot from C "Commercial" zone to M1 "Light Industrial" in order to construct and operate a 19,000 square feet commercial warehouse to be used for bulk storage. The subject lot is located in the municipality of Tamuning and contains a total of 5,220 square meters or approximately 1.28 acres. Power, water, and sewer is available to the project area and will be connected.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

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 3:01 pm, Sep 23, 2025

2 | Application No. 2025-27 Zone Change – Perez Properties, Inc.

The subject lot is accessible through Finegayan Street, also commonly known as Hamburger Road. The immediate surrounding area comprises a mix of single-family and multi-family dwellings, commercial activity, and light industrial uses.

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. “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

The proposed warehouse, while supporting commercial activity, requires the operational flexibility and infrastructure typically found in light industrial zones. The facility will directly serve the island's commercial needs by providing essential logistical support and contributing to economic efficiency. Therefore, the zone change to M1 is justified and aligns with the intent of the land use designation to provide a mix of other commercial uses that serve the island.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is in the Northern Watershed and above the Northern Guam Lens Aquifer. 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 2015.⁶

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 14.24% comprised 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. Impervious surfaces significantly reduce the water quantity and quality in a watershed. It is reported that the impervious surface degrades the watershed quality by significantly reducing the stream flow and increasing the stream temperature. They carry substantial pollutant loads downstream, 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.

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). [https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20\(LS\).pdf](https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20(LS).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature.

⁵ ICF International North and Central Guam Land Use Plan. (2009). 2-2 & 2-3

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 September 2025 at <https://coast.noaa.gov/ccapatlas/>

⁷ Ibid.

3 | Application No. 2025-27 Zone Change – Perez Properties, Inc.

Land cover within the subject lot is bare land and compacted coral limestone. The proposed development will increase the impervious surface of the area and contribute to the cumulative impact to the watershed.

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 warehouse development is located within a high-intensity urban area characterized by high-density residential, commercial, and light industrial uses and will add to the existing concentration of impervious surfaces through the construction of the warehouse and associated paved areas. Incorporating green building standards, renewable energy systems (such as rooftop solar), and intentional landscaping or designated green space would help offset the reduction of permeable surfaces. By integrating accessible green elements, the project can contribute to urban greening, protect surface and groundwater resources, and enhance the balance between built development and natural systems in this urban context.

Condition: Incorporating green building concepts and sustainable community designs in the design and construction phase of the project is highly encouraged. 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. BSP recommends that the applicant coordinate with the Guam Department of Agriculture for the use of preferred native tree species to be incorporated into the landscaping.

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.⁹

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 construction to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity 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 Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

4 | Application No. 2025-27 Zone Change – Perez Properties, Inc.

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.¹⁰

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.”¹¹

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;
- 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.”¹²

Policy LU-15 “Encourage organic production and chemicals best management practices over the Northern Aquifer.”¹³

Determination of Effects: Yes

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

Condition: The applicant shall ensure that all proposed structures are connected to public sewer. The applicant shall comply with CNMI and Guam Stormwater Management Manual¹⁴ 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

¹⁰ Ibid.

¹¹ ICF International. North and Central Guam Land Use Plan, 2009. 5-2

¹² Ibid., 5-5

¹³ Ibid., 2-6

¹⁴ 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>

5 | Application No. 2025-27 Zone Change – Perez Properties, Inc.

1) Island Stormwater Practice Design Specifications Manual¹⁵ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁶.

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 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

¹⁵ 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

¹⁶ 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



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 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
Director
Warren Pelletier
Deputy Director

In reply refer to:
RC 2025-0446

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Zone Change Application No. 2025-27. Applicant, Perez Properties Inc. request for a Zone Change from "C" Commercial to "M-1" on Lot 5105-1B within the Municipality of Tamuning, Guam.



We reviewed the subject request by applicant, Perez Properties Inc. request for a Zone Change from "C" Commercial to "M-1" on Lot 5105-1B within the Municipality of Tamuning, Guam. This property has an overall size of 1.28 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

RECEIVED
By Cristina at 10:58 am, Sep 22, 2025

NOTICE TO REZONE

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC)
FOR A ZONE CHANGE

APPLICATION NO. & DESCRIPTION:	NO. 2025-27 - ZONE CHANGE
OWNER:	PEREZ PROPERTIES INC.
DEVELOPER:	PEREZ PROPERTIES INC.
LOT, BLOCK, TRACT:	LOT NO. 5105-1B, MUNICIPALITY OF TAMUNING
PROPOSED ZONE CHANGE:	ZONE CHANGE FROM "C" COMMERCIAL TO "M-1" LIGHT INDUSTRIAL TO ALLOW FOR THE OPERATION AND CONSTRUCTION OF A WAREHOUSE
PUBLIC HEARING:	Date: Time: Place:
GLUC MEETING:	Date: <u>AUG. 13, 2026</u> Time: 1:30 PM Place: DLM Conf Rm, 3rd Flr, ITC Bldg, Tamuning

ATTACHMENT B

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



Street Address:
90 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'LÁHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

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

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

July 1, 2026

MEMORANDUM

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report – Zone Variance Application No. 2025-54

1. **PURPOSE:**

- a. **Application Summary:** The applicant, TRI, Inc., represented by WB Flores & Associates, is requesting approval of a Zone Variance for setbacks, to bring into compliance five (5) existing, single-family residences in the Paradise Court Subdivision with setbacks short of the various required front, side, and rear setbacks, on Lots 4, 5, 8, 9, and 14NEW-3, Tract 18209, in the municipality of Mangilao, in an "R1" (One-Family Dwelling) zone.
- b. **Legal Authority:** Title 21, Guam Code Annotated, Chapter 61, Variances Section 61616-61623, and other applicable subsections related to Variances.

2. **FACTS:**

- a. **Location:** The Paradise Court Subdivision is located along Old Price Road in Mangilao.
- b. **Lot Area:**

	Lot Area in SQF	Lot Area in SQM
Lot 4	5888	547
Lot 5	6060	563
Lot 8	5823	541
Lot 9	5888	547
Lot 14New-3	7804	725

- c. **Present Zoning:** "R1" (One-Family Dwelling) zone.

Continuation of Memorandum

RE: Staff Report – Zone Variance for Setbacks - Application No. 2025-54

Page 2 of 4

- d. **Field Description:** Paradise Court is a fully improved residential subdivision consisting of Seventeen (17) residential lots and a ponding basin, paved roads, sidewalks, curbs and gutters, streetlights and a stormwater management system.
- e. **Surrounding Land Uses:** Surrounding land uses consist primarily of single-family residences and a few apartment developments.
- f. **Master Plan:** “Mixed Use” and “Very Low Density Residential” (North and Central Guam Land Use Plan)
- g. **Community Design Plan:** Urban Residential – Low Density
- h. **Previous Commission Action:** None

3. **APPLICATION CHRONOLOGICAL FACTS:**

- a. **Date Application Accepted:** October 6, 2025
- b. **Date Heard By ARC:** November 6, 2025
- c. **Public Hearing Results:** A public hearing was held on March 31, 2026, at 6:11 p.m. at the Mangilao Community Center. Present were the case planner, planning staff, the applicant's representative, Mr. Willy Flores and other staff of members of WB Flores and Associates, the Mangilao Vice Mayor, and approximately nine (9) members of the public.

Some concerns raised were related to a retaining wall and the concrete perimeter fence. Residents expressed safety and structural concerns of the location of the wall. Another issue was stormwater management on site, to which the application's representative responded with the subdivision is a fully improved subdivision with a stormwater management system in place to handle any water on site.

(Note: Public Hearing Minutes are provided in Attachment “A”)

4. **Discussion and Staff Analysis –**

The applicant provides the following justification as required by the application:

- A. **That the strict application of the provisions of this Chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the law.**

The erroneous placement of the residential buildings was not intentional. The encroaching structures are still primarily used as residential and will remain residential. Removal of the encroaching structure portions will create structural issues and safety concerns for the homeowner. There is no useful advantage gained by the respective lots, resulting from the erroneous placement at Lots 4, 5, 8, 9, and 14NEW-3 and there is no evidence of visual or material harm to any of the adjacent neighbors.

Continuation of Memorandum

RE: Staff Report – Zone Variance for Setbacks - Application No. 2025-54

Page 3 of 4

B. That there are exceptional circumstances or conditions applicable to the property or the intended use that do not apply generally to other properties in the same zone.

The properties are located on the northeast and east side of the subdivision. Setback variances for the rear of Lots 3 to 8 were granted by the GLUC as the difference in elevation between the lots and the easements prevent the rear from being used as an entrance. Because of this variance, Lots 4, 5, and 8 were specifically designed for this variance allowance, with enough room on each side for the 15' front setback, 10' rear setback, and 8' side setback requirements. After the construction of the structures at lots 4, 5, 8 and 9, the common wall between lots 8 and 9, and the front setback for lot 14NEW-3 were discovered to be short of the required setback measurements. These new variances allow for reasonable use of the property while complying in part with the existing zoning. These circumstances do not apply to other properties in the same area.

C. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the zone or neighborhood in which the property is located.

The setback variances requested will not be materially detrimental to the public welfare or improvements in the neighbor. The encroaching structure portions are well designed and fit well with the existing residential Master Plan. The properties are landscaped and are well maintained by the owners.

D. That the grant of such variance will not be contrary to the objectives of any part of the Master Plan adopted by the Commission or Legislature.

The "Guam Master Plan" as shown in the Zoning Map allows for the location residential PUD's by the Commission. The Paradise Court residential subdivision plan in this area of Mangilao is a Commission approved plan. This request is in reasonable accordance with and not contrary to the plan.

E. That, as to Variance(s) from the restrictions of §61617, 21 GCA, 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 owners or the public's right of untrammelled use of the beach and its natural beauty.

Not applicable. Not a beach area.

Our analysis is as follows:

The applicant has provided sufficient justification for granting the variance. The request is clearly explained that the setback encroachments were unintentional and that enforcing full compliance would create practical and structural hardship without any corresponding public benefit. The narrative demonstrates that the affected lots have unique physical and design conditions, including prior GLUC-approved variances and elevation constraints, which reasonably contributed to the current situation and distinguish these properties from others in the subdivision. The applicant also affirms that the encroachments cause no harm to

Continuation of Memorandum

RE: Staff Report – Zone Variance for Setbacks - Application No. 2025-54

Page 4 of 4

adjacent owners, fit within the established residential character, and remain consistent with the Commission-approved Master Plan. Taken together, the justification supports the conclusion that the variance would allow continued reasonable use of the properties, maintain neighborhood integrity, and uphold the intent of the zoning regulations.

Based on the submitted information, the results of the municipal public hearing and the Mangilao Municipal Planning Council Resolution in support of the requested variance, and the position of no objection with conditions by the Application Review Committee members, Planning staff finds that the granting of the variance does not alter the essential character of the area or adversely affect public welfare, therefore, we recommend favorable consideration of the requested setback variance.

5. **Recommendation:** Planning staff recommends approval of the Zone Variance for Setbacks with the following conditions:

The applicant shall comply with all applicable Application Review Committee conditions as stipulated in their Official Position Statements.



CELINE L. CRUZ

Guam Chief Planner

Attachments: ARC Position Statement Summary
 Public Hearing Minutes – Attachment “A”
 Mangilao MPC Resolution 2026-05

Case Planner: FRANK TAITANO/CELINE CRUZ



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



Street Address:
90 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

July 1, 2026

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairperson, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
Zone Variance (For Setbacks), Application No. 2025-54

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management. The conditions as imposed by the ARC member agencies are listed when applicable.

DEPARTMENT OF LAND MANAGEMENT (DLM): Planning staff recommends approval of the Zone Variance for Use with the following conditions:
The applicant shall comply with all applicable ARC conditions and requirements as stipulated in their Official Position Statements.

DEPARTMENT OF PUBLIC WORKS (DPW):
The Department of Public Works (DPW) has no objection and recommends approval contingent upon the applicant correcting all DPW mandates and addressing concerns raised by the ARC.

GUAM WATERWORKS AUTHORITY (GWA):
GWA is in favor of the zone variance with conditions with noted in their position statement related to water and sewer system standards..

GUAM POWER AUTHORITY (GPA):
GPA has no objection to the request, subject to the conditions cited in the position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):
GEPA does not have any environmental concerns for this proposal, as no improvement is proposed for this administrative activity.

DEPARTMENT OF PARKS AND RECREATION (DPR):
The agency has no objections for the approval of the application.

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Variance (For Setbacks), Application No. 2025-54
Page 2 of 2

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau recommends approval based with stated conditions.

DEPARTMENT OF AGRICULTURE (DOAG):

DOAG does not oppose the request, as the existing structures do not encroach beyond the property boundaries and no additional habitat disturbance is proposed.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GECA):

No Position Statement has been received as of the date of this Memorandum.

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

No Position Statement has been received as of the date of this Memorandum.

GUAM FIRE DEPARTMENT (GFD):

No Position Statement has been received as of the date of this Memorandum.

GUAM DEPARTMENT OF EDUCATION (GDOE):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF CHAMORRO AFFAIRS (DCA):

No Position Statement has been received as of the date of this Memorandum.



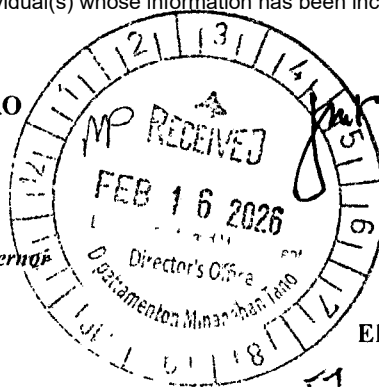
Celine L. Cruz

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



public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDOLETA, JR.
Deputy Director

MEMORANDUM

To: Dr. Anita Enriquez,
Chairwoman, and
Members Guam Land Use Commission

From: Director, Department of Public Works

Applicant: TRI, Inc. c/o W.B. Flores and Associates

Subject: Application No. 2025-54

Hafa Adai Madam Chairwoman and Guam Land Use Commission Members,

The Department of Public Works (DPW) has reviewed Zone Variance Setback Application No. 2025-54, submitted by TRI, Inc. c/o W.B. Flores & Associates. This application seeks a Zone Variance Setback Justification as required by 21 GCA, Chapter 61, §61617.

The Paradise Court Subdivision (Tract 18209) received Tentative Subdivision Approval from the Guam Land Use Commission (GLUC) on December 14, 2018. Following agency compliance verification, DPW issued building permits for 16 residential homes on October 16, 2020. The GLUC approved the Final Subdivision Application on November 30, 2022, and the Final Subdivision Map was recorded on April 30, 2025 (DLM Document Number 100821). Copies of the Tentative and Final Subdivision "Notice of Actions" are attached for your reference.

During construction, the project faced delays due to the COVID-19 pandemic, bonding issues, and the default of the original contractor. A recent as-built survey revealed that the homes on Lots 4, 5, 8, and 9 do not comply with the Uniform Building Code Setback Requirements (UBC). Consequently, TRI, Inc. is seeking a Zone Variance to rectify these discrepancies for Lots 4, 5, 8, 9, and Lot 14NEW-3 (formerly Lot 13) in Mangilao.

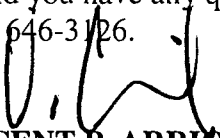
RECEIVED

542 North Marine Corps Drive, Tamuning, Guam 96913 • (671) 646-3131 / 647-5055 • Fax (671) 649-6178

DLM / Planning Division

DPW has no objection and recommends approval of the existing Zone Variance Setback for the aforementioned lots. This recommendation is contingent upon the applicant correcting all DPW mandates and addressing any concerns raised by the Application Review Committee (ARC).

Should you have any questions, please contact our office at (671) 646-3131 or contact me directly at (671) 646-3126.



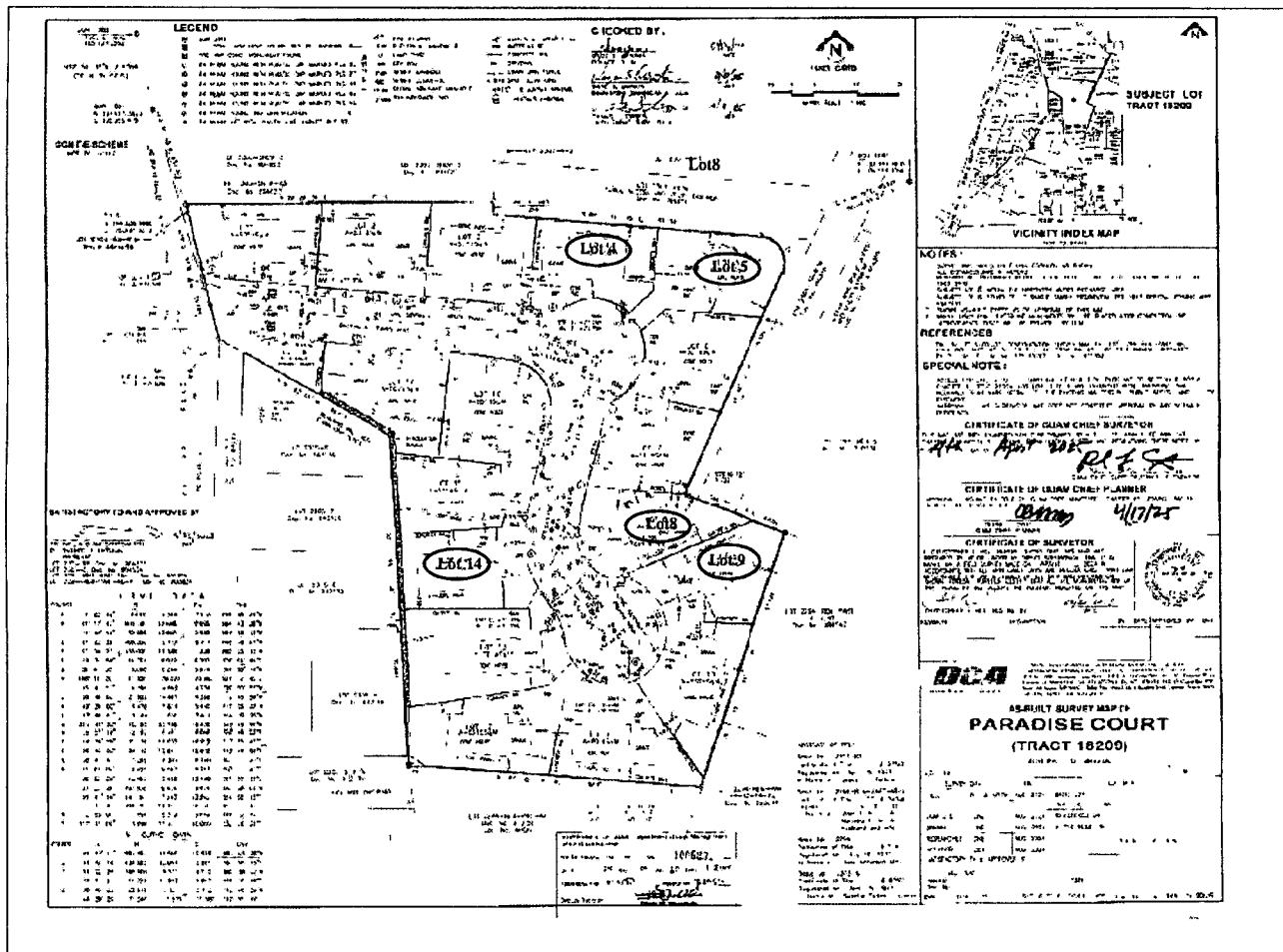
VINCENT P. ARRIOLA
Director & Guam Building Official

JUN 16 2026

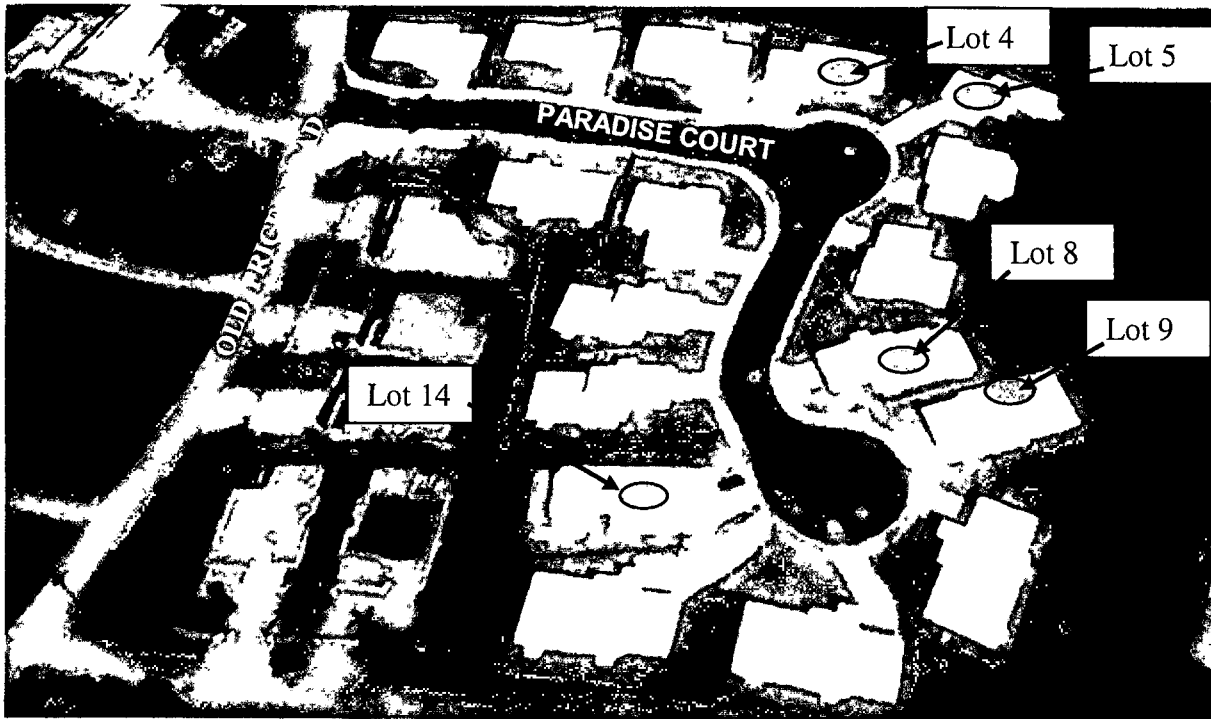
Attachments:

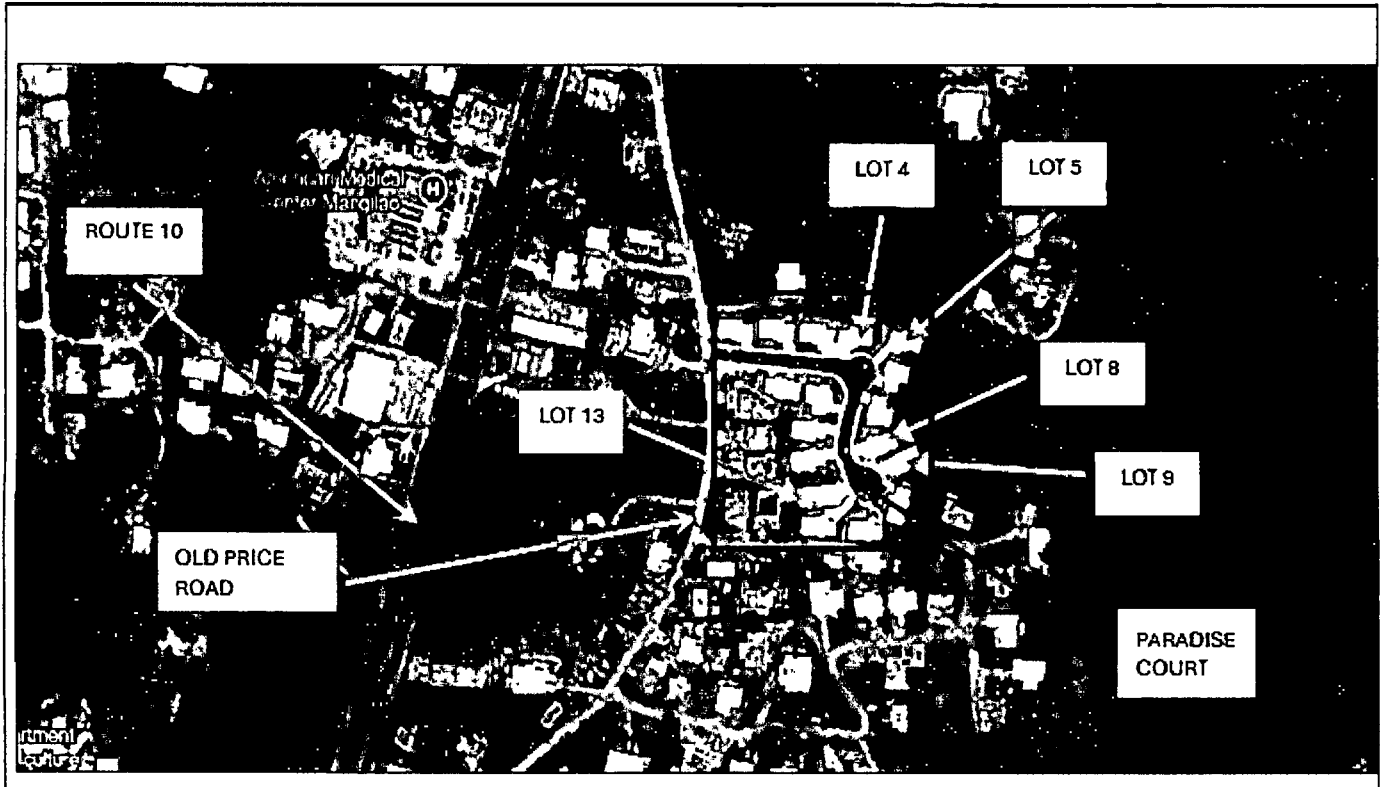
Property Maps
ARC-GIS Maps
Exhibit
7a Approved Notice of Action
GLUC Application No. 2018-21
Exhibit
7b Approved Notice of Action
GLUC Application No. 2022-36

PARADISE COURT PROPERTY MAP Setback Variance for Lots 4,5,8,9, and Lot 14NEW-3



ARC GIS MAP
Zone Variance Setbacks
Lots 4,5,8,9, and Lot 14NEW-3 (formerly Lot 13)





GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder

930945

EXHIBIT 7a

File for Record is Instrument Number _____

On the Year 20 19 Month 01 Day 29 Time 3:20

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T. YAMASAKI

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"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

ORIGINAL

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

NOTICE OF ACTION

December 14, 2018
Date

To: TRI Inc.
c/o FC Benavente
127 Bejong Street
Barrigada, Guam 96913

Application No. 2018-21

The Guam Land Use Commission, at its meeting on December 13, 2018.

 / Approved / Disapproved XX/ Approved with Conditions

 / Tabled

Your request on Lot No. 2303-R8NEW, Municipality of Mangilao for a:

NOTICE OF ACTION

TRI Inc.

RE: Lot No. 2303-R8NEW

Municipality of Mangilao

GLUC Hearing Date: December 13, 2018

Page 2 of 4

Application No. 2018-21

ZONING

- ☐/ Zone Change***
- ☐/ Conditional Use
- ☐/ Zone Variance
- ☐/ Tentative Development Plan

SUBDIVISION

- ☒/ Tentative Subdivision
- ☐/ Final
- ☐/ Extension of Time
- ☐/ PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

***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. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

- ☐/ Wetland Permit
- ☐/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

- ☐/ Preliminary
- ☐/ Final
- ☐/ Supplementary (Specify)

MISCELLANEOUS

- ☐/ Determination of Policy and/or Definitions
- ☐/ Other (Specify)

NOTICE OF ACTION

Application No. 2018-21

TRI Inc.

RE: Lot No. 2303- R8NEW

Municipality of Mangilao

GLUC Hearing Date: December 13, 2018

Page 3 of 4

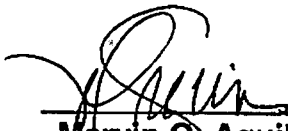
APPLICATION DESCRIPTION:

The applicant, TRI Inc. represented by FC Benavente, Planners is requesting approval of a Tentative Subdivision to create a subdivision consisting of Seventeen (17) Single Family residential lots on Lot 2303-R8NEW, Municipality of Mangilao.

COMMISSION DECISION:

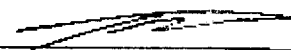
The Guam Land Use Commission **APPROVED** the applicants request subject to the following conditions:

1. Applicant adhere to ARC conditions and requirements as stated in the official position statements; and,
2. All infrastructure improvement requirements must be installed throughout the proposed development site within the prescribed one-year pursuant to Title 21GCA, Chapter 62, Sec 62504(a). The applicant may further elect to secure a bond pursuant to Title 21GCA, Chapter 62, Section 62504(b).
3. The one-year period will begin December 13, 2018 and expires on December 13, 2019.



Marvin G. Aguilar
Guam Chief Planner

12/27/18
Date



Tae S. Oh
Acting Chairman
Guam Land Use Commission

12/27/2018
Date

Case Planner: Frank Taitano
Cc: Building Permits Section, DPW

NOTICE OF ACTION

TRI Inc.

RE: Lot No. 2303-R8NEW

Municipality of Mangilao

GLUC Hearing Date: December 13, 2018

Page 4 of 4

Application No. 2018-21

CERTIFICATION OF UNDERSTANDING

I/We _____, Richard J. Saa
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained 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.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant Date

[Signature] 1/29/19
Signature of Representative Date

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

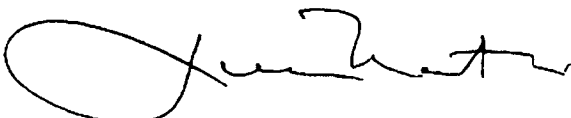
Applicant Date

[Signature] 1/30/2019
Representative Date

EXHIBIT 7b

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT

983569

OFFICE OF THE RECORDER					
RECORDING DATE: February 2, 2023			INSTRUMENT NO. 983569		NO. OF PAGES: 5
FILING FEES		RECEIPT NO:			
A.M.	P.M.	DE-OFFICIO		DE-OFFICIO	
Appointed Deputy Recorders for Ex-Officio Recorder		Signature of Recorder			
May M. Castro MaGuafya D. Flores Lillian I. Nauta Victoria C. Torres		Lisa M.P Cruz Liza Q. Moon Kerilyn D.P. Tuncap Andrew D. Santos			
MARK (X) TYPE OF INSTRUMENT RECORDED					
DEED		AFFIDAVIT			
MORTGAGE		RELEASE			
ASSIGNMENT		AMENDMENT			
ADDENDUM		ASSUMPTION			
DECREE		MAP			
ORDERS		JUDGEMENT			
POWER OF ATTORNEY		REVOCATION			
AGREEMENT		TERMINATION			
MARK (X) TYPE OF INSTRUMENT RECORDED					
LEASE		CLAIMS			
CONTRACT		CANCELLATION			
CERTIFICATE		NOTICE			
DECLARATION		BILL OF SALE			
EASEMENT		WITHDRAWAL			
OTHERS:					
ABSTRACT OF TITLE SUMMARY					
ABSTRACT BY:		DATE	NEW CERTIFICATE OF TITLE NO.		CANCELLED CERTIFICATE OF TILE NO.
COMMENTS					
DATA ENTRY INFORMATION SECTION					
PROPERTY LISTING NO.					
MUNICIPALITY:					
LOT NUMBER		UNIT OF MEASUREMENT			
BLOCK NUMBER		SQUARE METERS			
TRACT NUMBER		SQUARE FEET			
ESTATE NO.					
L.M. NO.					
SEPIA NO.					
DATA ENTRY BY:					
SCANNED BY:					

Revised: 12/06/2022

GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder

983569

983569

File for Record is Instrument Number _____

On the Year 23 Month 2 Day 2 Time 2:20

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder [Signature]

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"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

ORIGINAL

NOTICE OF ACTION

November 30, 2022

Date

To TRI Inc.
c/o FC Benavente Planners
127 Bejong Street
Barrigada, Guam 96913

Application No. 2022-36

The Guam Land Use Commission, at its meeting on November 29, 2022.

XX / Approved with conditions ___ / Disapproved ___ / Tabled

Your request on Tract 18209 (Formerly Lot 2303-R8NEW), Municipality of Mangilao for a:

983569

NOTICE OF ACTION

Application No. 2022-36

TRI, Inc.

RE: Tract 18209 (Formerly Lot No. 2303-R8NEW),

Municipality of Mangilao

GLUC Hearing Date: November 29, 2022

Page 2 of 4

ZONING

- ☐ / Zone Change***
- ☐ / Conditional Use
- ☐ / Zone Variance
- ☐ / Tentative Development Plan

SUBDIVISION

- ☐ / Tentative Subdivision
- ☒ / **Final Subdivision**
- ☐ / Extension of Time
- ☐ / PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

***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. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

- ☐ / Wetland Permit
- ☐ / Seashore Clearance

HORIZONTAL PROPERTY REGIME

- ☐ / Preliminary
- ☐ / Final
- ☐ / Supplementary (Specify)

MISCELLANEOUS

- ☐ / Determination of Policy and/or Definitions
- ☐ / Other (Specify)

983569

NOTICE OF ACTION

Application No. 2022-36

TRI, Inc.

RE: Tract 18209 (Formerly Lot No. 2303-R8NEW),

Municipality of Mangilao

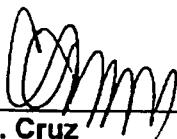
GLUC Hearing Date: November 29, 2022

Page 3 of 4

APPLICATION DESCRIPTION: The applicant, TRI Inc., represented by FC Benavente Planners, pursuant to Section 62504 (b), Chapter 62, Title 21 GCA is requesting for a Final Subdivision approval on Tract 18209 (Formerly Lot 2303-R8NEW, in the Municipality of Mangilao.

COMMISSION DECISION: The Guam Land Use Commission approved the applicant's request for a Final Subdivision subject to the following conditions:

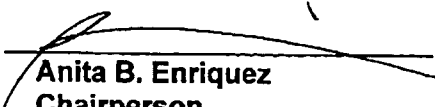
1. That applicant continues compliance to the ARC conditions and requirements as stipulated on their Official Position Statement submitted for the December 13, 2018 Commission approval of the Tentative Subdivision. and,
2. That, upon completion of all improvements and construction, an as-built survey prepared and certified by a Professional Land Surveyor to include all infrastructure improvements and as-builts shall be submitted to the Department of Land Management for review and approval per Section 62402 (b) of Chapter 62, Title 21, G.C.A.
3. That, pursuant to Section 61503 (a) Chapter 61, Title 21 GCA, Lot Nos. 3 to 8 are exempted from providing the required front yard setback to the existing inaccessible Public Access and Utility Easement.
4. That no ownership rights or title to any lots shall be transferred unless the required improvements are in place and ready to service any development on the lots and Condition No. 2 is fulfilled.



Celine L. Cruz
Guam Chief Planner

12/30/22

Date



Anita B. Enriquez
Chairperson
Guam Land Use Commission

1/17/23

Date

Case Planner: Frank P. Taitano

Cc: Building Permits Section, DPW

983569

NOTICE OF ACTION

Application No. 2022-36

TRI, Inc.

RE: Tract 18209 (Formerly Lot No. 2303-R8NEW),

Municipality of Mangilao

GLUC Hearing Date: November 29, 2022

Page 4 of 4

CERTIFICATION OF UNDERSTANDING

I/We _____, Felix C Benavente
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained 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.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant

Date

Felix C Benavente
Signature of Representative

2/2/23
Date

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant

Date

Representative

Date

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

November 20, 2025

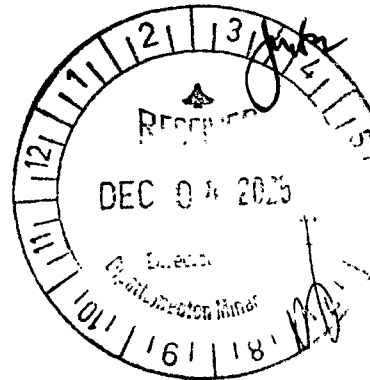
TO: Joseph Borja, Director, Department of Land Management

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

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

SUBJECT: Position Statement on Zone Variance (Setback) Application 2025-54 for Lots 4,5,8,9 and 14NEW-3 in the Municipality of Mangilao

APPLICANT: TRI INC.



The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone variance (setbacks) in an "R1" (Single-Family) zone to bring into compliance in the Paradise Court subdivision (5 properties) are the following:

1. For Lot 4: short 10" (requirement for front setback is 15') currently 14'2"
2. For Lot 5: short 4" (requirement for rear setback is 10') currently 9'8"
3. For Lot 8: short 12" (requirement for side setback is 8') currently 7'
4. For Lot 9: short 2" (requirement for side setback is 8') currently 7'10"
5. For lot 14NEW-3, Tract 18209: short 2' (requirement for front setback is 15') currently 13'

This memorandum shall serve as GWA's position statement for the TRI Inc. application related to the availability of water and sewer infrastructure to serve Mangilao 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.

The following comments are conditions for GWA's position in favor of the approval of this application:

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

Handwritten note:
To: Paul
12.19.25

FT

GWA Position Statement
Application: 2025-54
Applicant: TRI INC.

Page 2

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 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 determine if existing GWA facilities can accommodate the proposed development 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. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of off-site utility improvements.

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 on-site or off-site utility improvements needed to meet fire suppression requirements.
5. The applicant shall install GWA water meters and sewer cleanouts for government use in the public right of way or easement, in accordance with GWA standards.
6. New development is subject to water and/or sewer system development charges.
7. 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.

GWA Position Statement
Application: 2025-54
Applicant: TRI INC.

Page 3

-
8. After a GWA utility service account is opened, the account holder is responsible for informing GWA of on-site 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.

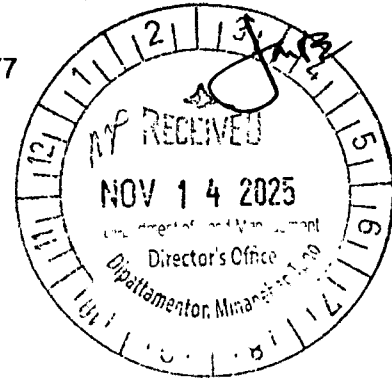
This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Jacob Miller, P.E., GWA Permits and New Area Development Supervisor (#671-300-6039 or jpmiller@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDAT ILEKTRESEDAT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

November 13, 2025



MEMORANDUM

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

From: General Manager

Subject: Lots 4, 5, 8, 9, and 14NEW-3, Tract 18209; Municipality of Mangilao.
(TRI INC.) Current use "R-1" (Single-Family Residential Subdivision)
zone. Application for Zone Variance, Setback. **Application No. 2025-54**

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.
 - **GPA reserves its easement rights as shown on Instrument No. 222337, 1002937, and 1002938.**
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.


JOHN M. BENAVENTE, P.E.

ASG/app

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: **TRI INC.**

Location: **Lots 4, 5, 8, 9, and 14NEW-3, Tract 18209; Municipality Mangilao**

Type of Application: **Zone Variance**

GLUC/GSPC Application No. **2025-54**

Brief Project Description: **Application for Zone Variance, 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 ☐

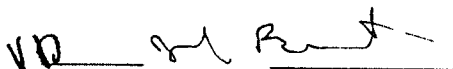
2. If the answer to #1 above is YES, then:
I hereby certify that the required **GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE** are currently **ADEQUATE** to support this project:

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

11/14/2025

Date

Comments:

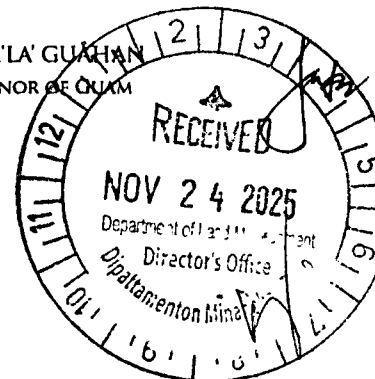
No additional Load was submitted by the applicant. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/app



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

NOV 19 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. 2025-54, the Applicant, TRI Inc., represented by W.B. Flores & Associates, is requesting a Zone Variance for Setback, to bring into compliance, five (5) lots with various front, rear, and side yard setbacks, on Lots 4, 5, 8, 9 and Lot 14NEW-3, Tract 18209, in the Municipality of Mangilao, in an "R1" (One Dwelling) zone.

Hafa adai Dr. Enriquez:

Buenas yan Saluda. The staff of this Agency has reviewed the application for the proposed **zone Variance** and approval of this application.

This proposed Zone Variance is to address some necessary adjustments on post construction of homes in this subdivision, resulting from a very difficult and challenging construction process due to COVID and defaulting of initial contractors. We would like to commend that Subdivision developer in addressing and resolving these zoning setback issues, which would have resulted with legal issues for prospective home owners.

GEPA does not have any environmental regulatory concerns for this proposal, as no improvement is proposed for this administrative activity.

If you have any questions, please feel free to contact my staff at Water Resources Management Program or Water Division Chief Engineer Mr. Peter P. Bautista, PE at Tel # (671) 588-4702.

Dangkolu na si Yu'us ma'ase',

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Executive Secretary
Department of Land Management



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 MANLALA'LA'

 Like and follow guamepa

Doc. No. 38GL-26-2890.*

Handwritten notes:
77-Funk
OWN
12-15-25



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Li 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 2030 Hagåtña, Guam 96912
(671) 475-6288 Facsimile (671) 477-0999
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

November 17, 2025

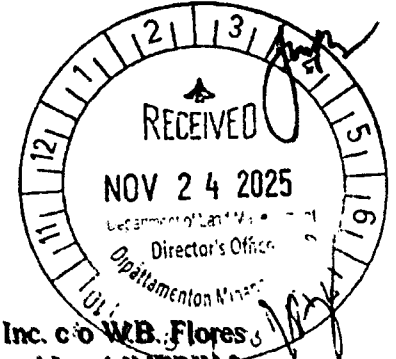
In reply refer to:
RC 2026-0053

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Zone Variance Application No. 2025-54: Applicant, TRI Inc. c/o W.B. Flores & Associates proposes a Zone Variance on Lot 4, 5, 8, 9 and Lot 14NERW-3, Tract 18209 within the Municipality of Barrigada, Guam.



We reviewed the subject applicant, TRI Inc. c/o W.B. Flores & Associates proposes a Zone Variance on Lot 4, 5, 8, 9 and Lot 14NERW-3, Tract 18209 within the Municipality of Mangilao, Guam. These properties have an overall size of 0.72 acre. The proposed and purpose of a Zone Variance for this property is to bring yard setbacks into compliance for all subject lots.

Our office has concluded our review and will have **No Objection** with the Approval of this Application. However, our record shows that this project still has a pending final archaeological report that is due. Please submit this report for our final review to eliminate any future development plan delays for these subject lots.

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 Q. Lujan
State Historic Preservation Officer

RECEIVED
By Cristina at 3:16 pm, Nov 20, 2025



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 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
Director
Warren Pelletier
Deputy Director

November 17, 2025

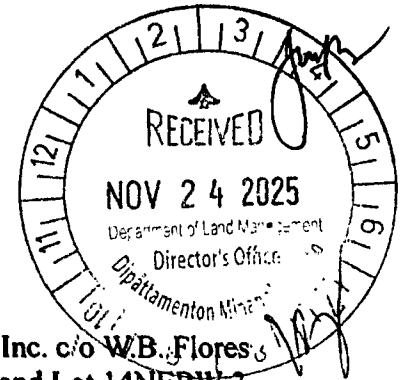
In reply refer to:
RC 2026-0053

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Zone Variance Application No. 2025-54: Applicant, TRI Inc. c/o W.B. Flores & Associates proposes a Zone Variance on Lot 4, 5, 8, 9 and Lot 14NERW-3, Tract 18209 within the Municipality of Barrigada, Guam.



We reviewed the subject applicant, TRI Inc. c/o W.B. Flores & Associates proposes a Zone Variance on Lot 4, 5, 8, 9 and Lot 14NERW-3, Tract 18209 within the Municipality of Mangilao, Guam. These properties have an overall size of 0.72 acre. The proposed and purpose of a Zone Variance for this property is to bring yard setbacks into compliance for all subject lots.

Our office has concluded our review and will have **No Objection** with the Approval of this Application. However, our record shows that this project still has a pending final archaeological report that is due. Please submit this report for our final review to eliminate any future development plan delays for these subject lots.

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

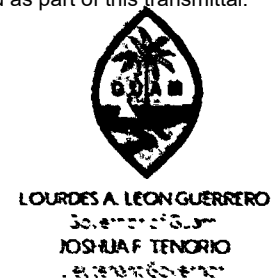
Patrick Q. Lujan
State Historic Preservation Officer

RECEIVED
By Cristina at 3:16 pm, Nov 20, 2025



BUREAU OF STATISTICS AND PLANS

Sagan Pianu Siha Yan Emfotmasion



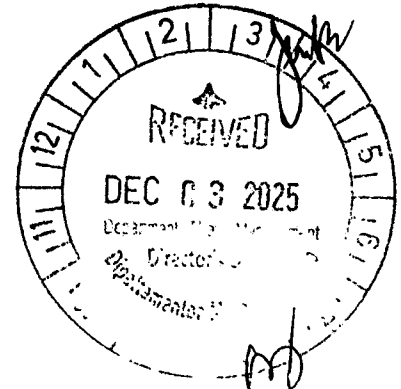
December 2, 2025

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Zone Variance Application No. 2025-54
Location: Lot Numbers 4,5,8,9 and 14NEW-3, Tract 18209
Municipality: Mangilao
Applicant: TRI inc.
Proposed Use: Residential subdivision



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 Zone Variance applications 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, TRI Inc., is submitting a Zone Variance application for the recently completed Paradise Court residential subdivision. As stated, the subdivision's footprint spans multiple lots, and the applicant is seeking the setback variances for the following subject lots:

1. 10 in. for Lot 4's front setback (requirement for front setback is 15 ft.)
2. 4 in. for Lot 5's rear setback (requirement for rear setback is 10 ft.)
3. 1 ft. for Lot 8's side setback (requirement for side setback is 8 ft.)
4. 2 in. for Lot 9's side setback, and
5. 2 ft. for Lot 14NEW-3, Tract 18209's front setback.

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-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: *Handwritten signature*
12-19-25

The subject lots are located in Mangilao and can be accessed through Route 10, followed by traversing through Old Price Rd., and finally through Paradise Lane. To the east of the vicinity of the lots is largely undeveloped. To the north, it is majorly undeveloped, and to the south and west occupies single family residential homes. In total, the land area of the subject lots is approximately 2,929 square meters, or approximately 0.72 acres.

A. Surrounding Zone and Land Use Characterization

Lot 4 and Lot 14NEW-3, Tract 18209 are 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. "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

Lot 5, Lot 8 and Lot 9 are located in a “Very Low Density Residential”⁶ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). “This residential designation provides for very low density (VLD) residential development in the area over the sole source Northern Aquifer. The purpose of this designation is to provide for residential development while

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

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

Doc. No. 38GL-26-2890.*

protecting the long-term viability and health of the Northern Aquifer. VLD Residential densities should generally be no more than one unit per acre. Non-residential development such as continued agricultural uses should be subject to specific criteria and standards to ensure protection of the Northern Aquifer.”⁷

As the total land area of the subject lots is less than one acre, the proposed use is not compatible with the “Very Low Density Residential” designation under the NCGLUP.

B. Geographical Landscape Assessment Based on Watershed

The majority of the subject lots are located within the Mangilao Watershed, which abuts the Northern Watershed where the Northern Guam Lens Aquifer is located. 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%.⁸

Regarding development impacts, as of 2015 land cover data, 23.7% of the Mangilao Watershed was developed, and 9.22% comprises impervious surfaces.⁹ 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.

Although development on the parcels has already been completed and does not currently alter the landscape, measures to mitigate potential future threats to the Mangilao Watershed is paramount, particularly to flood and water quality stemming from stormwater.

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:

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

Any future activity related to the development on the subject lots has the potential to adversely impact air quality.

⁷ Ibid.

⁸ 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 November 2025 at <https://coast.noaa.gov/ccap/atlas/>

⁹ Ibid.

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

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.

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

Policy NS-2 Protect marine water quality through appropriate shoreline area land use designations and development standards such as discouraging construction below the mean high tide mark, including sea or retaining walls, allowing natural beach development processes to prevail, controlling erosion from shoreline development and ensuring that wastewater infrastructure is appropriately set back from marine waters.¹²

Determination of Effects: Yes

The developments on the subject lots will contribute to the cumulative negative impact to the water quality within the Mangilao Watershed and the waters adjacent to the neighboring shore.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual¹³ 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 Manual¹⁴ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹⁵.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g),¹⁶ the Bureau hereby recommends approval of the subject zone variance application based on the aforementioned 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. James

¹¹ Ibid.

¹² ICF International, North and Central Guam Land Use Plan. (2009). 5-2

¹³ 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>

¹⁴ 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

¹⁵ Center for Watershed Protection & Horsley Witten Group, Inc. Stormwater Management in Pacific and Caribbean Islands: A Practitioner's 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

¹⁶ Executive Order 96-26 (1996).

<https://bsp.guam.gov/wp-bsp-content/uploads/2017/03/E.O.-96-26-Relative-to-Creating-the-Application-Review-Comm.pdf>

Pangclinan, Planner, at james.e.pangclinan@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åsc'.



LOLA E. LEON GUERRERO
Director



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

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director

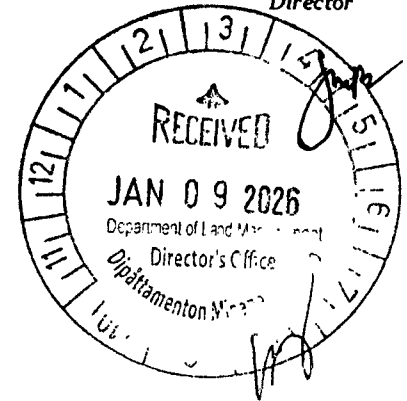
To: Anita B. Enriquez, Chairwomen
Guam Land Use Commission

Attn: Joseph M. Borja, Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa
Digitally signed
by Chelsa Muña
Date: 2025.12.30
13:31:00 +1000

Date: December 18, 2025

Subject: **Position Statement for "Zone Variance – Setbacks", Application 2025-54, on Lot 4, 5, 8, 9, 14NEW-3, Tract 18209, along Paradise Lane, Mangilao. Tri Inc.**



The Department of Agriculture (DOAG) has reviewed **Application 2025-54**, requesting for a **Zone Variance for setbacks on Lot 4, 5, 8, 9, 14NEW-3, Tract 18209**, located along Paradise Lane, Mangilao, Guam. The purpose of the application is to address reduced building setbacks resulting from structures being constructed closer to the property lines than required under zoning regulations.

The Department of Agriculture **does not oppose the request for a setback variance**, as the existing structures do not encroach beyond the property boundaries and no additional habitat disturbance is proposed. The department remains available to discuss the proposed development in greater detail. DOAG reserves the right to withdraw or revise its position on the application should the landowner fail to fulfill these conditions prior to the Guam Land Use Commission's final decision. For questions or concerns, please contact permits@doag.guam.gov.

12/30/25 ce

TO: Frank
12-26

ATTACHMENT – A

**Application No. 2025-54
Public Hearing Results
March 31, 2026**

**Location: Mangilao Community Center
Time: 6:11 PM**

The meeting opened with the Case Planner presenting the proposed project and introducing Mr. Willy Flores, the applicant's representative. Mr. Flores provided an overview of the application, including the project's intent, development timeline, and nearby activities.

Mr. Flores explained that subdivision construction began prior to the COVID-19 pandemic. The subdivision was designed for 17 lots, incorporating one existing home. He noted that the developer completed the required infrastructure and several homes; however, multiple contractor failures occurred during the process.

The floor was then opened for questions. Key issues raised included the placement of the retaining wall and perimeter concrete fence. Residents expressed safety and structural concerns and asked who inspected and approved the walls. They also requested engineering verification. Staff clarified the zoning definition of a structure and how it differs from the engineering definition, noting that walls may be treated differently under zoning. Additional clarification was provided regarding DPW's engineering review and the fact that permits for walls fall under other agencies, including DPW and structural inspectors.

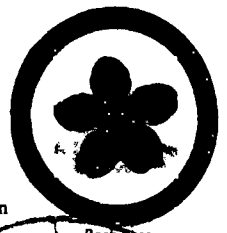
A second concern involved stormwater drainage and swales. Residents reported improper swale function, sediment buildup, ponding, and runoff onto the street. They asked which agency inspected, approved, or signed off on the retaining walls and related improvements. DLM staff stated that DPW inspected and signed off on the improvements and that written agency position statements are part of the public record.

Another issue raised concerned surveying and lot-marking accuracy, including shifting stakes during construction and whether the total lot area still matches the original parcel. The applicant's representative confirmed that the original parcel area remains unchanged.

The meeting adjourned at 7:20 PM.



Office of the Mayor Municipality of Mangilao



P.O. Box 786 Hagatna, Guam 96910 ● Phone: (671) 734-2163 / 5731 ● Fax: (671) 734-4130 ● Email: mangilao96913@gmail.com

Allan RG Ungacta, Mayor

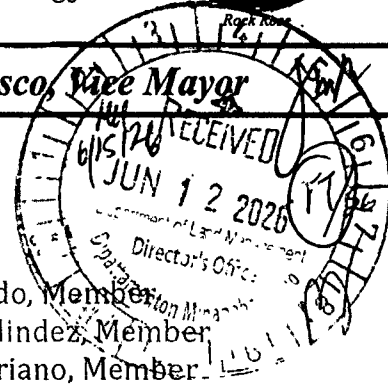
Edward JD Tosco, Vice Mayor

RESOLUTION NUMBER 2026-05

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. Galindez, Member
Arthur R.Q. Mariano, Member
Eric M. Palacios, Member
Darlene N. Taitano, Member
Janeth Smith



RELATIVE TO supporting the request received from TRI Inc. (Paradise Courts), for Zone Variance Setback to bring into compliance Lots 4, 5, 8, 9, 14NEW-3 Tract 18209 along Old Price Road, 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 formal meeting was called for all Mangilao Municipal Planning Council members, on May 13, 2026, and that members reviewed and discussed the request for a Zone Variance Setback on Lots 4, 5, 8, 9, 114NEW-3, Mangilao; and

WHEREAS, the Mangilao Municipal Planning Council supports the approval of the Zone Variance Setback request, effective immediately; and be it

RESOLVED, that the Mayor and the 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 Mr. W. B. Flores, agencies or movers of this request, and the Honorable Allan R.G. Ungacta, Mayor of Mangilao.

DULY AND REGULARLY ADOPTED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL ON THE 31st DAY OF MAY 2026.


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


Rosita D. Tosco
Secretary
Mangilao Municipal Planning Council

ATTACHMENT C



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



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

August 7, 2026

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

SUBJECT: Commission Brief – Request for Extension of Time for a Tentative Subdivision

1. PURPOSE

A. Application Summary: The applicant, J524 Development, LLC, pursuant to section 5 of Executive Order 96-26, is requesting an extension of time of an Approved Tentative Subdivision in order to complete the building permit process to construct the required subdivision improvements on Tract 10441 (formerly Lot 7134), in the municipality of Yigo.

B. Legal Authority: Title 21, GCA (Real Property), Chapter 62 (Subdivision Law), and Executive Order 96-26.

2. DISCUSSION and STAFF ANALYSIS:

The subject Tentative Subdivision Application was conditionally approved by the Commission on April 11, 2024, and July 10, 2025. The proposal establishes a subdivision consisting of 80 single-family residential lots ranging from 5,758 square feet to 9,737 square feet, along with a park lot, ponding basin lot, sewage lift station lot, and a 44-foot-wide public access and utility right-of-way to serve the development.

In its development concept, the applicant proposes the construction of single-family residential structures on all 80 lots. The subdivision will be developed in three phases:

- Phase I and Phase II will include 28 developed house lots, and
- Phase III will include 24 developed house lots.

As outlined in the attached request package, the applicant seeks an extension of time to continue pursuing issuance of a building permit. The delay in obtaining agency review resulted from extended coordination with the Guam Waterworks Authority, including necessary adjustments to infrastructure requirements to ensure adequate system capacity for the proposed development. Following completion of GWA coordination, the application proceeded to review by the Guam Environmental

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Protection Agency, where additional delays occurred. The applicant remains confident that all GEPA requirements can be met.

Given that the applicant has demonstrated continued coordination with Government of Guam permitting agencies to address all conditions and requirements, planning staff recommends approval, subject to the applicant's continued adherence to the conditions of approval identified in Instrument No. 997412.

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

That the applicant continues to adhere to the conditions noted in the April 11, 2024 Notice of Action recorded under instrument number 997412.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENT D

GUAM LAND USE COMMISSION



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

Commissioner Gerald P. Yingling
Commissioner Joseph A. Rios

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

GUAM LAND USE COMMISSION Department of Land Management

RESOLUTION NUMBER 2026-01

*Relative to relief from the Conditions of Approval for
Temporary Workforce Housing Facilities as it relates to P.L. 38-103*

WHEREAS, the Guam Land Use Commission ("Commission") has, in prior years, issued Notices of Action approving various Temporary Workforce Housing Facilities subject to project-specific and standard Conditions of Approval; and

WHEREAS, on December 29, 2024, Guam Public Law 38-103 was enacted, establishing statutory requirements and regulatory authority for Temporary Workforce Housing Facilities under Title 10, Guam Code Annotated, Chapter 26A; and

WHEREAS, Public Law 38-103 supersedes the Commission's prior discretionary permitting authority for Temporary Workforce Housing Facilities, thereby removing such facilities from the category of uses requiring Commission approval; and

WHEREAS, as a result of Public Law 38-103, Temporary Workforce Housing Facilities previously approved by the Commission are no longer subject to the Conditions of Approval contained in their respective Notices of Action, including but not limited to annual status reports or compliance updates required by the Commission; and

WHEREAS, notwithstanding the removal of Commission jurisdiction, Temporary Workforce Housing Facilities remain subject to all applicable statutory requirements under Title 10 GCA Chapter 26A and all other relevant health, safety, and infrastructure regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Guam Land Use Commission hereby declares:

1. All Temporary Workforce Housing Facilities previously approved by the Commission are no longer required to maintain compliance with the Conditions of Approval contained in their respective Notices of Action, including requirements for annual status reports or other Commission-specific monitoring obligations.
2. Such facilities remain fully subject to the statutory and regulatory requirements established under Public Law 38-103, including but not limited to the following minimum standards:

- (A) Compliance with 10 GCA §26A101(b) regarding allowable locations and zoning applicability;
- (B) Connection to an adequate sanitary sewer system;
- (C) Compliance with minimum fire flow standards, including provision of a 6-inch water line or equivalent as required by the Guam Fire Department;
- (D) Compliance with all health and safety regulations, including those enforced by the Department of Public Health and Social Services and OSHA;
- (E) Installation and maintenance of a minimum 6-foot chain-link perimeter fence and a landscaping plan consistent with public health and safety objectives;
- (F) Submission of a development plan detailing sleeping quarters, sanitation, food services, security, medical care, transportation and recreation, as required under Title 10 GCA, Chapter 26A.

BE IT FURTHER RESOLVED, that the Department of Land Management shall notify all affected applicants and property owners of this Resolution and shall close all Commission files associated with Temporary Workforce Housing Facilities previously approved under the Commission's authority.

This Resolution was passed by a majority of the Members of the Guam Land Use Commission at its regular meeting of the 13th day of August, 2026, as memorialized by the signatures which appear below.

ANITA B. ENRIQUEZ, Chairperson

RONALD C. PANGILINAN, Vice Chairman

LEILANI R. FLORES, Commissioner

GERALD P. YINGLING, Commissioner

JOSEPH A. RIOS, Commissioner