Sen. Thomas Ada
Chairman
Committee on Environment, Land, Agriculture, and Procurement Reform
I Mina'Trentai Kuåtro Na Liheslaturan Guåhan • 34th Guam Legislature

July 24, 2017

GL#34-17-764
Speaker Benjamin J.F. Cruz

JUL 24 2017
Time: 329 AM PM File No.
Received By:

The Honorable Regine Biscoe Lee
Legislative Secretary
Chairperson, Committee on Rules

RE: Land Zoning Consideration Report on Bill No. 105-34 (COR) As Amended by the Committee.

2017 JUL 24 PM 4:29

Håfa Adai Chairperson Lee,

Transmitted herewith is the Land Zoning Consideration Report on Bill No. 105-34 (COR) As Amended.

Thomas C. Ada
Chairman

cc: Speaker Benjamin J.F. Cruz

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DEPARTMENT OF
LAND MANAGEMENT

LAND ZONING CONSIDERATION REPORT

For Bill No. 105-34
July 24, 2017

To Honorable Thomas C. Ada, Committee Chairman on Environment, Land, Agriculture and Procurement Reform.

As submitted by the Director of the Department of Land Management pursuant to Public Law 31-157.

As referenced to Legislative Bill 106-34 (COR), "An Act grant Administrative Jurisdiction to a Portion of Lot 7054-R5 that is about 3.5 Acres in the Municipality of Yigo, as shown on DLM Map No. 167FY93 to the Office of the Chief of Police, Guam Police Department."

Department of Land Management
Government of Guam
PO Box 2950
Hagatna, Guam 96932
(671) 649-5263
dlmdir@land.guam.gov

DEPARTMENT OF
LAND MANAGEMENT

July 24, 2017

Honorable Senator Ada:

Buenas Yan Hafa Adai! Provided for your review and attention is the Department of Land Management's Land Zoning Consideration Report for Bill 105-34:

An Act to Grant Administrative Jurisdiction to a Portion of Lot 7054-R5 that is about 3.5 Acres in the Municipality of Yigo, as shown on DLM Map No. 167FY93 to the Office of the Chief of Police, Guam Police Department.

Pursuant to Public Law 31-157, §2110, any bill that seeks to designate a particular zoning for any real property shall not be placed on a legislative session agenda until a "Land Zoning Consideration Report" has been issued by the Department of Land Management.

As required, the Land Zoning Consideration Report shall be prepared by the Director of the Department of Land Management, the Department's Land Planning Division and, if the proposed zoning of property in question is greater than an R-2 designation zone, the head of the Department's Application Review Committee. The Report *shall* be prepared in consultation with other permitting governmental departments and agencies, and the property owner, as deemed necessary by the Department.

Mandatory contents of Land Zoning Consideration Report have been prepared in accordance with Title 2 Guam Code Annotated, Section 2110.

We thank you for this opportunity to provide this report and remain available to provide future assistance.

Senseramente,

MICHAEL J.B. BORJA
Director, Department of Land Management

Doc. No. 34GL-17-0764.

RECOMMENDATION OF THE LAND PLANNING DIVISION
Authority: Title 2GCA, Chapter 2, §2110(b)(1)

1. **FACTS:**
   a. **Location:** Lot 7054-R5 in Yigo is along Route 1 and has a lot frontage along Route 1 of approximately 264 feet. It is adjacent to the Guam Power Authority's fast track generators in Yigo.
   b. **Lot Area:** 519,989± Square Feet or 48,309± Square Meters or 11.94± Acres.
   c. **Present Zoning:** "A" (Rural/Agricultural) Zone.
   d. **Field Description:** The property is currently being used as a lay down area for the rehabilitation of the fast track generators. The lot has been cleared and on it are construction materials and a field office for the rehabilitation project.
   e. **Masterplan:** Agricultural
   f. **North and Central Guam Land Use Plan:** Industrial.
   g. **Community Design Plan**: Rural/Residential.
   h. **Guam Land Use Commission Action:** None.

2. **CHRONOLOGICAL FACTS:**
   a. **Date of Receipt:**
   b. **30 Day Submission Deadline for ARC:**
   c. **Report Due (45 Days from Receipt):**

3. **ANALYSIS:**
   a. **Compatibility with existing uses.** In June of 2016, the Chamorro Land Trust Commission passed Resolution No. 2016-11 that declared Lot 7054-R5 for commercial use. This designation, although not providing outright re-zoning of the property to "C" (Commercial), was permitted pursuant to this is important to assure no zoning designation exist for the property other than "A" (Rural-Agricultural). The lot is currently being used as a lay down area for power generation materials (i.e. power poles). The property is adjacent to the Guam Power Authority's fast track generators lending this proposed zoning of Light Industrial (M-1) to be complimentary. Likewise, other public facilities exists in the immediate area, thus the proposed use for a public facility will as well be compatible to the surrounding community, more so with respect to providing immediate access to government public safety services, as provided by the Guam Police Department (GPD). Further, the logic to locating GPD's headquarters in this area is obvious considering Yigo serves as one of most heavily-populated municipalities.

b. **Surrounding Development Trends**. The general development trend of this area has been for single-family housing subdivisions and government facilities. We anticipate complimentary uses to support the housing subdivisions such as neighborhood-sized retail and commercial uses, with special design considerations to ensure compatibility with surrounding residential neighborhoods.

4. CONCLUSION and RECOMMENDATION:

Lot 7054-R5 was declared and designated by the Chamorro Land Trust Commission (CLTC) for commercial use. CLTC Resolution No. 2016-11 was transmitted to the Guam Legislature on June 24, 2016. The Commission has not yet sought to issue a proposal to seek commercial lessees because the current user of the property has been removing their equipment from the lot in our request for them to vacate. Since there have been actions taken by the CLTC to rezone the property to allow for the commercial leasing or licensing of this lot, this rezoning for the intended use is in line with the intent of the CLTC. In our initial comments / testimony to the legislature, we requested that the 3.5 acre portion of the property be towards the rear of the property to be accessed via Chalan SPC John T. Sablan, a paved 50' public access and utility easement.

The North Central Land Use Plans designates this area for Industrial use. The proximity of this parcel (being adjacent to GPA's fast track generators) is compatible to the proposed zoning and we are in support of this action.

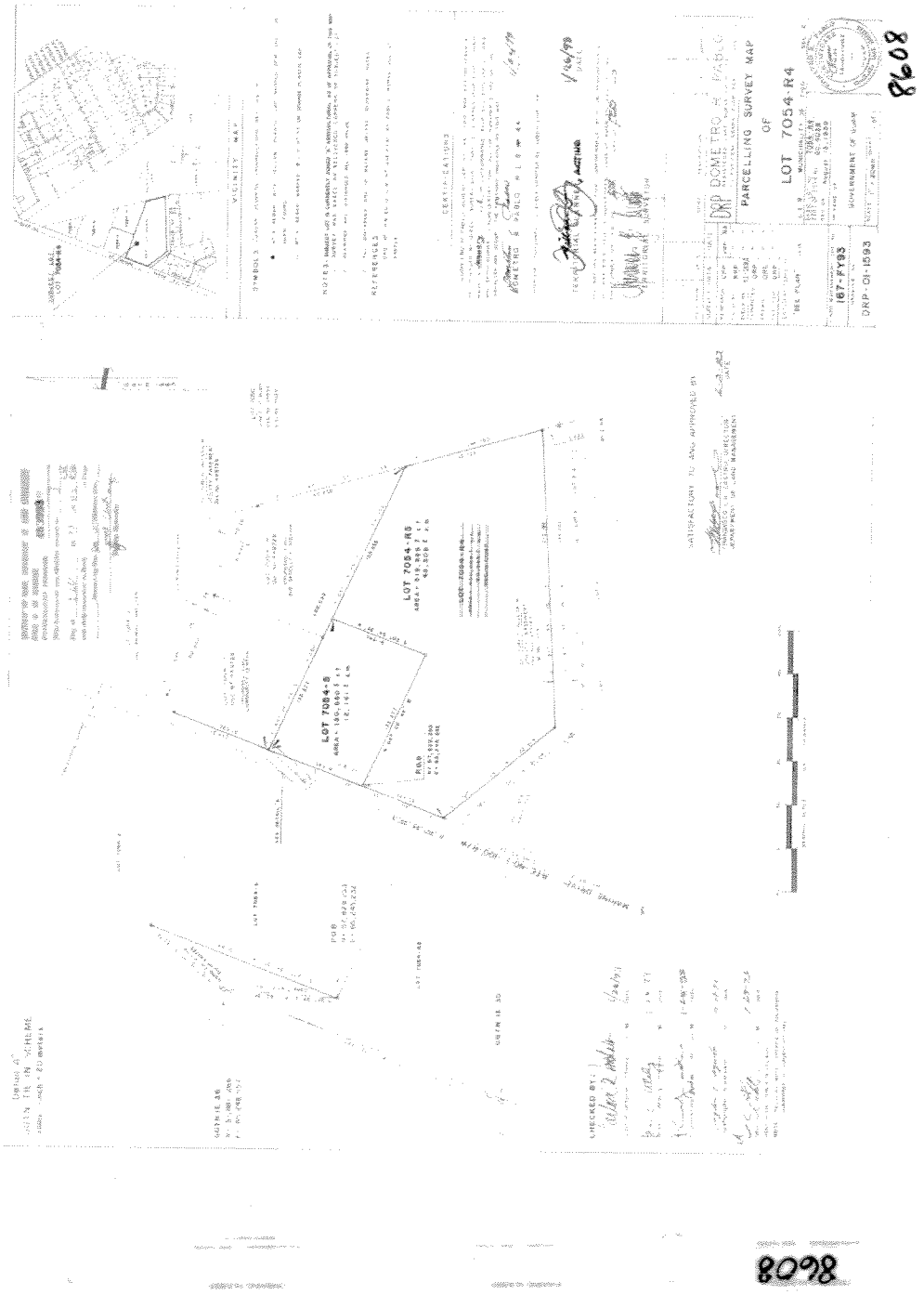
IF APPLICABLE, RECOMMENDATION OF THE APPLICATION REVIEW COMMITTEE

Authority: Title 2GCA, Chapter 2, §2110(b)(2)

None

MAP OF SUBJECT LOT

Authority: Title 2GCA, Chapter 2, §2110(b)(3)



CONTACT LISTING-SURROUNDING PROPERTY OWNERS

(For the purpose of notifying surrounding property owners of any public hearings or other public discussions to be held in regards to zoning designation project)
Authority: Title 2GCA, Chapter 2, §2110(b)(4)

Bill No. 105-34 Portion of L7054-R5, Yigo

Owner	Parcel Description	Delivery Address	Delivery Address 2
Government of Guam, Department of Land Management	L7054-5, L7054-2	P.O. Box 2950	Hagatna, Guam 96932
Yigo Municipal Planning Council	L7054-3	P.O. Box 786	Hagatna, Guam 96932
Chamorro Land Trust Commission	L7054-4; T154 L7055	P.O. Box 2950	Hagatna, Guam 96932
Frazier William B.	T9211 L7	535 Chalan Pale Ste. 116	Yigo, GU 96929
Cruz Oliva T.	T9211 L8	P.O. Box 1840	Hagatna, Guam 96932
Smith Catherine C.	T9211 L4	7725 S. Jamestown	Tulsa, OK. 74136
Griffin Jane C.	T9211 L5	17 Jacqueline Drive	Dover, NH 03820
Hahn Brian	T154 L3-R4	P.O. Box 20011	Barrigada, GU 96921
Cruz Donna L.G.	T154 L3-4	5352 Southwood Way	Antioch, CA 94531
Cruz Carl L.G.	T154 L3-3	5352 Southwood Way	Antioch, CA 94531
Lujan Irene C.	T154 L3-2	1420 Creekside DR. Apt#14	Walnut Creek, CA 94596
Sarinas Geraldine	T154 L3-1	1837 Cavallo RD.	Antioch, CA 94509
Lukeala Dorothy S.	T154 L2-3	P.O. Box 12198	Yigo, GU 96929
Sablan Robert D.	T154 L2-2	P.O. Box 11947	Yigo, GU 96929

Owner	Parcel Description	Delivery Address	Delivery Address 2
Sablan Jesse D., Sablan Esther D., Sablan David D.	T154 L2-R3	1381 Route 9	Yigo, GU 96929
Sablan June D.	T154 L2-1	P.O. Box 11773	Yigo, GU 96929
Perez Rufin S.	T154 L1	P.O. Box 212	Hagatna, Guam 96932
Han Pyong Hak	T154 L4	P.O. Box 12939	Tamuning, GU 96931
Relativo Antonio L.	T243 B1 L7-R3, -7-2	p.o. Box 11009	Yigo, GU 96929
Relativo Remedios N.	T243 B1 L7-1-3	P.O. Box 11009	Yigo, GU 96929
Valenzuela Jose B.	T243 B1 L7-1-1	P.O. Box 11078	Yigo, GU 96929
Espaldon Ernesto M. & Leticia V.	T243 B1 L6-1-R1; -2-1; -1-1	P.O. Box CE	Hagatna, Guam 96932
Laudato Rodolfo J.	T243 B1 L6-1-1	178 Belmont Ave.	Barrigada, GU 96913
Park Dou Sik	T243 B1 L5-1	949 S. Manhattan Place STE 201	Lake Forest, CA 92630
Quioque Renato C. Etal	T243 B1 L4-1	P.O. Box 7826	Tamuning, GU 96931
Cendana Gerry E.	T243 B1 L3-1	9639 Applemill DR.	Elk Grove, CA 95264
Perez Magdalena S. Etal	T926 L10	P.O. Box 1935	Hagatna, Guam 96932
Camacho Juan Garcia	L7128-R3	P.O. Box EL	Hagatna, Guam 96932
Holbrook Jackalyn L.	L7128-REM	113 East End Road	Yona, GU 96915
Matanane Rudy M.	Mayor of Yigo	P.O. Box 786	Hagatna, Guam 96932

MUNICIPAL PLANNING COUNCIL INPUT

Authority: Title 2GCA, Chapter 2, §2110(b)(6)

Testimony Submitted: None

TIMELINES

a. Date of Departmental Official Receipt of Request: June 8, 2017
b. Date of 45 day Deadline: July 24, 2017
c. Date Submitted to Requesting Standing Body: July 24, 2017