

Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 2/11/09
Time 19
Received by [Signature]

GUAM LAND USE COMMISSION
Department of Land Management

30-09-0261

FEB 13 PM 2:13

RESOLUTION 2008-01

*Establishing an Interim Zoning Map and Procedures for the
Dos Amantes Planning Area*

WHEREAS, 21 GCA Chapter 61 Zoning Law, provides authority for the Guam Land Use Commission (GLUC) to create zoning maps and Section 61105 authorizes the "approvals of zones"; and

WHEREAS, certain lands formerly held by the federal government have been returned to original land owners in the area generally north of Tumon Bay and west of Route 3, which area is generally referred to as the Dos Amantes Planning Area; and

WHEREAS, those returned lands do not have the benefit of zoning which would benefit the land owners by establishing zones under applicable Guam law; and

WHEREAS, it is in the public interest that the GLUC act to create appropriate zoning controls on these returned lands;

NOW, THEREFORE BE IT RESOLVED that the Guam Land Use Commission hereby creates an "Interim Zoning Map for the Dos Amantes Planning Area" in the form of the attached interim zoning map; and be it further

RESOLVED that this "Interim Zoning Map for the Dos Amantes Planning Area" shall continue in effect for a period of one year at which time it shall then become the "Final Zoning Map for the Dos Amantes Planning Area" and the GLUC shall cause such map to be forwarded to the Governor of Guam and the Guam Legislature for final approval; and be it further

0268

Attachment 1

RESOLVED that the GLUC shall permit every duly authorized land owner affected by this "Interim Zoning Map for the Dos Amantes Planning Area" to request an expedited zone change by making a written request to the Chairman of the GLUC at which time the Chairman shall schedule a public hearing before the GLUC for the purpose of hearing public comments as to why such requested zone change should be permitted. This expedited hearing shall not require the standard zone change application and is intended to be a simplified request for the benefit of the land owners. The GLUC shall, at the conclusion of such hearing, either approve or deny the request, or approve a different zone. The result of the GLUC action shall then cause the "Interim Zoning Map for the Dos Amantes Planning Area" to be amended. At the end of the one year period, the last amended "Interim Zoning Map for the Dos Amantes Planning Area" shall become the "Final Zoning Map for the Dos Amantes Planning Area" and transmitted to the Governor and the Guam Legislature for approval.

This Resolution was passed unanimously by the Members of the Guam Land Use Commission at its regular meeting held on the 28th day of February, 2008, as memorialized by the signature which appears below.



JAY L. LATHER, Chairperson

769916

File for record

For the year

08 3 6 347

Recording Fee

Deputy Recorder

(Space above for Recordation)

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

GUAM LAND USE COMMISSION

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

COPY



NOTICE OF ACTION

March 3, 2008

Date

To: **John Gilliam**
P.O. Box 3637
Hagatna, Guam 96932

Application No. N/A

The Guam Land Use Commission, at its meeting on February 28, 2008.

 / Approved

 / Disapproved

XX / Approved with Conditions

 / Tabled

Your request for consideration to present the Dos Amantes Land Use Master Plan and Zoning Map, Municipality of Dededo

 / Zone Change***

 / Subdivision Variance

 / Zone Variance

 / Tentative Subdivision

[] Height

[] Use

[] Density

[] Other

[] Setback

 / Conditional Use

 / Final Subdivision

 / Wetland Permit

 / Re-Subdivision

 / Determination of Policy Definition

 / Subdivision Definition

 / Seashore Clearance

XX / Miscellaneous – Presentation
of the Dos Amantes Land Use Master
Plan – Zoning Map

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

APPLICATION DESCRIPTION: Presentation of the Dos Amantes Land Use Master Plan and Zoning Map, Municipality of Dededo

CONDITIONS: The Guam Land Use Commission took the following actions:

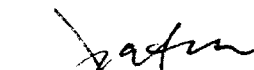
1. Acted to adopt through Resolution, the Dos Amantes Land Use Master Plan – Zoning Map as amended [Attachment 1 – Resolution 2008-01 and Attachment 2 – Zoning Map As Amended]; and
2. That the GLUC Chairman will attend Legislative Public Hearing on March 7, 2008 and testify on Bill 194 as it relates to Zoning and Land Use for the Dos Amantes Planning Area; and
3. That individual lot parcels as shown in the Base Cadastral Map included as part of the Dos Amantes Land Use Master Plan are subject to field survey verification.



Carlos R. Untalan
Acting Chief Planner

03-03-08

Date



Jay L. Lather
Chairman, Guam Land Use Commission

3-6-08

Date

Case Planner: Carl Untalan
Cc: Building Permits Section, DPW (Attn: Mr. Jesus Ninete)

CERTIFICATION OF UNDERSTANDING

I/We John Gilliam,
(Applicant [Please print name])

(Representative [Please print name])

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

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 of the Guam Land Use Commission/Guam Seashore Protection Commission.



Signature of Applicant

DATE: Mar 7 08

Signature of Representative

DATE: _____

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


☒ Applicant ☐ Representative

03 07 08
DATE

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for record is instrument No. _____
on the year 20____ Month____ Day____ Time _____
Recording Fee _____ Receipt No. _____
Deputy Recorder _____

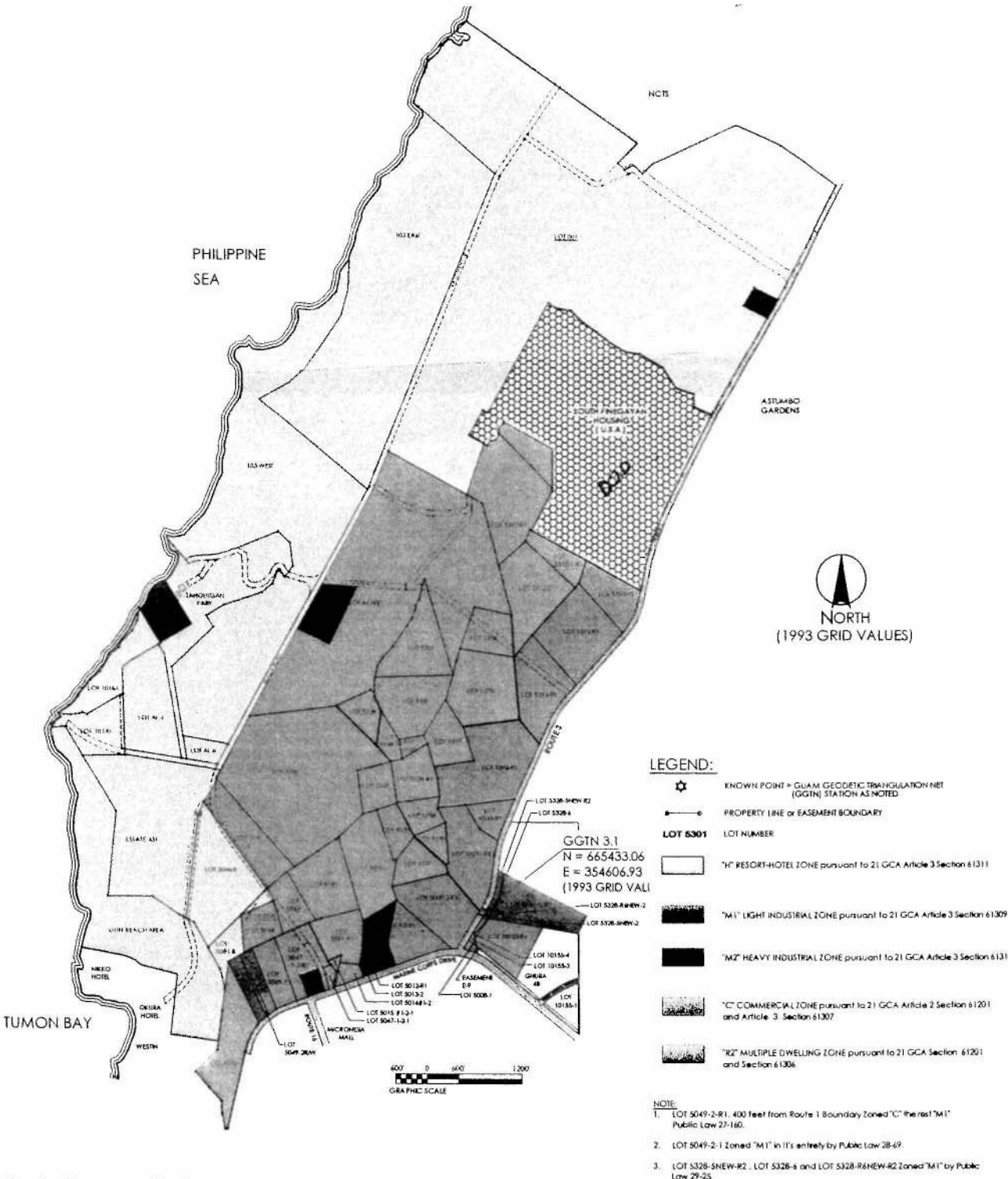
INTERIM ZONING MAP

Approved 28 February 2008

Guam Land Use Commission Resolution No. 2008-01

(Pursuant to 21 GCA-Real property Div.. 2 Regulating Real Property uses Article 2: Establishment of Zone and Boundaries Section (B) 61201 Zones 61203 Zone Boundaries; and Article 3: Lot Parceling Section 62303 ... Approval)

"Dos Amantes" Planning Area *



* Adopted pursuant to law 13 September 2005 by Guam Ancestral Land Commission.
Approved pursuant to Executive Order 26 January 2006 by Governor of Guam Instrument No. 720464.