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
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
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

NOTICE OF ACTION

March 3, 2008
Date

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

Application No. N/A

The Guam Land Use Commission, at its meeting on February 28, 2008, approved your request for consideration to present the Dos Amantes Land Use Master Plan and Zoning Map, Municipality of Dededo.

[ ] Zone Change***
[ ] Zone Variance
[ ] Height
[ ] Density
[ ] Setback

[ ] Conditional Use
[ ] Wetland Permit
[ ] Determination of Policy Definition
[ ] Seashore Clearance

[ ] Subdivision Variance
[ ] Tentative Subdivision

[ ] Final Subdivision
[ ] Re-Subdivision
[ ] Subdivision Definition

[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).]
NOTICE OF ACTION
John Gilliam
P.O. Box 3637
Hagatna, Guam 96932
GLUC Meeting of February 28, 2008
Page 2 of 2

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

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

CERTIFICATION OF UNDERSTANDING

We, [Please print name], applicant [Representative] [Please print name], representative
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 Zoning 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: 02/07/08

Signature of Representative
DATE: 

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

[Signature]

[Date]
GUAM LAND USE COMMISSION RESOLUTION NO. 2008-01

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.

* Dos Amantes* Planning Area

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**Legends:**
- **LOT 5049** - Residential Zone (prior to Law 21 GCA-3 Section 61201 and Article 3 Section 62303)
- **LOT 5328** - Medium Density Residential & Commercial Zone (prior to Law 21 GCA-3 Section 61201 and Article 3 Section 62303)
- **LOT 5326** - Heavy Industrial Zone (prior to Law 21 GCA-3 Section 61201 and Article 3 Section 62303)
- **LOT 5318** - Multiple Dwelling Zone (prior to Law 21 GCA-3 Section 61201 and Article 3 Section 62303)

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* 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.

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**Maps and Diagrams:**
- **INTERIM ZONING MAP**
- **Approved 28 February 2008**
- **Guam Land Use Commission Resolution No. 2008-01**

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**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 ________________

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**LEGEND:**
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**Maps and Diagrams:**
- **INTERIM ZONING MAP**
- **Approved 28 February 2008**
- **Guam Land Use Commission Resolution No. 2008-01**

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**Island of Guam, Government of Guam**
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