

I Mina'trentai Sais Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
88-36 (COR)	Joe S. San Agustin	AN ACT TO REZONE LOT NO. 5242-1-3, MUNICIPALITY OF DEDEDO, FROM AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1), RELATIVE TO THE USE OF SAID LOT FOR THE ILEARN ACADEMY CHARTER SCHOOL CAMPUS.	3/18/21 3:03 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 88-36 (COR)

Introduced by:

Joe S. San Agustin 

AN ACT TO REZONE LOT NO. 5242-1-3, MUNICIPALITY OF *DEDEDO*, FROM AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1), RELATIVE TO THE USE OF SAID LOT FOR THE iLEARN ACADEMY CHARTER SCHOOL CAMPUS.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the iLearn Academy Charter School has selected Lot No. 5242-1-3 in the
4 municipality of *Dededo* as the permanent site for its school campus. This property
5 was taken by the U.S. government immediately after World War II; and the federal
6 government eventually returned the property to the Guam Ancestral Lands
7 Commission, which restored ownership to the rightful heirs of the estate.

8 Under a warranty deed recorded at the Department of Land Management, the
9 parcel is now owned by iLearn Academy Charter School and consists of Lot No
10 5242-1-3, *Dededo*, Guam, containing an area of approximately fourteen thousand
11 one hundred fifty-two (14,152 ±) square meters, as shown on Document No. 2372.

12 *I Liheslaturan Guåhan* further finds that this property is zoned as an
13 Agricultural Zone (A), and although school construction and operations are
14 conditional uses in Agricultural Zones, *I Liheslaturan Guåhan* finds that the
15 appropriate zone designation for this lot should be a School Zone (S-1) because the
16 *sole* use of this lot will now be as a school.

1 Furthermore, *I Liheslaturan Guåhan* finds that the location of a school on this
2 lot is not detrimental to existing uses and is compatible with A zone uses, and also
3 finds that the construction of a school on the property will be subject to the
4 requirements, restrictions, and conditions governing building and construction
5 permitting, for discovery and preservation of cultural resources, for protection of
6 critical habitat and endangered species, and for protection of Guam’s groundwater.

7 More importantly, *I Liheslaturan Guåhan* finds that iLearn Academy Charter
8 School will need a new facility to house the projected increase in student population.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to address this critical need
10 for a new school facility for iLearn Academy Charter School by rezoning Lot No.
11 5242-1-3, *Dededo*, Guam from an Agricultural Zone (A) to a School Zone (S-1), and
12 to designate any properties in the immediate vicinity the same if utilized for school
13 purposes by iLearn Academy Charter School.

14 **Section 2. Rezoning.** Notwithstanding any other provision of law, Lot No.
15 5242-1-3 in the municipality of *Dededo*, owned by the iLearn Academy Charter
16 School, a duly registered Guam 501(c)(3) nonprofit, private corporation, is hereby
17 rezoned from Agricultural Zone (A) to School Zone (S-1).

18 **Section 3. Effective Date.** This Act *shall* be effective upon enactment.

19 **Section 4. Severability.** If any provision of this Act or its application to
20 any person or circumstance is found to be invalid or contrary to law, such invalidity
21 *shall not* affect the other provisions or applications of this Act that can be given
22 effect without the invalid provisions application, and to this end the provisions of
23 this Act are severable.