


GOVERNMENT OF GUAM – Department of Land Management  
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## GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management  
ITC Building, Tamuning, Guam  
DLM Conference Room, 3<sup>rd</sup> Floor ITC Bldg.  
Tamuning, Guam 96913



Thursday, February 12, 2026  
2:05 p.m. to 2:55 p.m.

**GUAM LAND USE COMMISSION MEETING**  
Department of Land Management, 3<sup>rd</sup> Floor ITC Building, Tamuning  
DLM Conference Room  
Thursday, February 12, 2026 • 1:30 p.m. to 2:29 p.m.

MEMBERS PRESENT:

Mr. Ronald C. Pangilinan, Vice Chairman

Ms. Leilani Flores, Commissioner

Commissioner Gerald Yingling

Commissioner Joseph Rios

[Excused: Chairperson Anita Enriquez]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Atty. N. Lee Miller, Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Grace Vergara, Planner IV

Mr. Kyle Meno, T. Network Coordinator

Ms. M. Cristina Gutierrez, Recording Secretary

**GUAM LAND USE COMMISSION  
GUAM HYBRID LAND USE COMMISSION  
Attendance Sheet**

Department of Land Management Conference Room  
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: Thursday, February 12, 2026

Time of Meeting: GLUC: 4:15 pm GHLUC: 1:32 pm

<input checked="" type="checkbox"/>	GLUC
<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

<input checked="" type="checkbox"/>	GHLUC
<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum

**COMMISSION MEMBERS**

**SIGNATURE**

Chairwoman Anita B. Enriquez

Excused

Vice Chairman Ronald C. Pangilinan



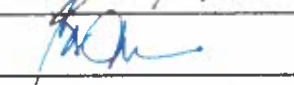
Commissioner Leilani R. Flores



Commissioner Gerald P. Yingling




Commissioner Joseph A. Rios



Mayor June Blas, Barrigada

Mayor Peter Benavente, Dededo

 Vice Mayor

Mayor Wayne Santos, Chalan Pago-Ordot

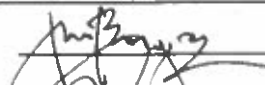
Excused

Mayor Allan Ungacta, Mangilao

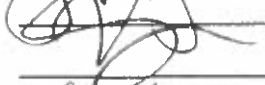
 Edward Tasso Vice

**STAFF**

Joseph M. Borja, Executive Secretary



Rossana D.S.M. Tiston, Deputy Director



Atty. N. Lee Miller, Jr., Legal Counsel (OAG)



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

Kyle Meno, TN Coordinator



M. Cristina Gutierrez, Recording Secretary



Lorna Macaranas, Admin Assistant

ADJOURNMENT

GLUC: 4:55 pm GHLUC: 1:57 pm







# 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)

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## **AGENDA**

Thursday, February 12, 2026 at 1:30 p.m.  
Department of Land Management Conference Room  
3<sup>rd</sup> Floor ITC Bldg., Tamuning, GU 96913

*[As advertised in the Guam Daily Post – February 5, 2026 & February 10, 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, Tuesday, December 2, 2025
- GLUC Regular Minutes, Thursday, December 11, 2025
- GLUC Regular Minutes, Thursday, January 8, 2026

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

- A. Application No. 2023-07, the Applicant, Jose Luis M. DeVera represented by Harry Gutierrez and Carlos Untalan, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "C" (Commercial) zone, for a proposed two-story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, in the Municipality of Yona. Case Planner: Celine Cruz
- B. Application No. 2025-21, the Applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting a Zone Change from "H" (Hotel/Resort) zone to "M1" (Light Industrial) zone, for the proposed construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, in the Municipality of Tamuning. Case Planner: Frank Taitano/Celine Cruz

V. Administrative & Miscellaneous Matters

Final Subdivision – Extension of Time

- C. Application No. 2025-04A, the Applicants, Conrado V. Alegria & Katherine D. Alegria, are requesting a first extension of time pursuant to E.O. 96-26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416, in the Municipality of Yigo, in an "R1" (One-Family Dwelling) zone. Case Planner: Grace Vergara

VI. Adjournment

## GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Thursday, February 12, 2026 • 2:05 p.m. to 2:55 p.m.

Department of Land Management Conference Room

3<sup>rd</sup> Floor, ITC Bldg., Tamuning, Guam 96913

*[As advertised in the Guam Daily Post on February 5, 2026 and February 10, 2026]*

*Livestreamed on YouTube at the Guam Department of Land Management Channel*

### I. Attendance/Roll Call

**Acting Chairman Pangilinan** called to order the regular meeting of the Guam Land Use Commission for Thursday, February 12, 2026 at 2:05 p.m.

Present were: Acting Chairman Ron Pangilinan, Commissioner Leilani Flores, Commissioner Gerald Yingling, Commissioner Joseph Rios, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Grace Vergara, Kyle Meno, and Recording Secretary Cristina Gutierrez.

[Excused: Chairperson Anita Enriquez]

Acting Chairman Pangilinan confirmed a quorum and announced that today's meeting was being livestreamed on YouTube at the Guam Department of Land Management's channel.

### II. Approval of Minutes

**Acting Chairman Pangilinan** for approval of the Commission today are the Minutes of December 2, 2025, December 11, 2025 and January 8, 2026. Members have been provided with the drafts of the Minutes in advance. Acting Chair Pangilinan was ready to entertain a motion to approve all three Minutes.

**Commissioner Flores** made a motion to approve the Minutes from the GLUC meetings dated December 2, 2025, December 11, 2025, and January 8, 2026.

**Commissioner Yingling** seconds the motion.

**Acting Chairman Pangilinan** there were no errors, edits, or omissions noted. Acting Chair put the motion to a vote, with all members in favor of approval. **[Motion passed with a vote of 4 ayes and 0 nays]**

### III. Old or Unfinished Business [None noted by Acting Chair Pangilinan]

### IV. New Business

#### Zone Change

- A. Application No. 2023-07, the Applicant, Jose Luis M. DeVera represented by Harry Gutierrez and Carlos Untalan, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "C" (Commercial) zone, for a proposed two-story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, in the Municipality of Yona.

Case Planner: Celine Cruz

**Acting Chairman Pangilinan** welcomed the applicant's representatives to the meeting, asked them to state their names for the record, and to proceed with their presentation.

**Harry Gutierrez** was joined by Carl Untalan. Mr. Gutierrez explained that the application before the Commission was submitted two years ago. They went through seven public hearings with the Yona Mayor and MPC, and at that time, they had gone through three different Mayors. The last Mayor assisted with the process of the public hearings, ensuring that the requirements of the notices were followed.

He further stated that his client intended to construct a store because the closest store to Yona was approximately an hour away, and the neighborhood expressed the need for a store. The neighborhood store (Camachile store) was not reliable, and the applicant decided they wanted to open a store.

To conclude, Mr. Gutierrez commented that there were no objections to the zone change at the seven public hearings, and it received support from the Yona MPC.

**Carlos Untalan** asked if the Planning staff received his PowerPoint presentation that was submitted by email (*Chief Planner responded that they did not receive the email*). Mr. Untalan asked that he be allowed to present it before the Commission so that they would have a better understanding of the zone change application.

**Celine Cruz, Chief Planner** asked if the Commission could take a recess to verify if the presentation was received by staff.

**[Acting Chair Pangilinan called for a brief recess at 2:12 p.m.]**

**Acting Chairman Pangilinan** reconvened the meeting at 2:15 p.m.

**Joseph Borja, Executive Secretary** noted for the record that staff verified that Planning did not receive an email of the presentation.

**Acting Chairman Pangilinan** asked Mr. Untalan to proceed with his presentation.

**Carlos Untalan** presented the following:

**Slide 1** – image of the project site.

**Slide 2** – aerial image of the project site located in Yona.

**Slide 3** – Mr. Untalan explained the key points for the justification of the zone change request.

**Slide 4** – as explained by Mr. Gutierrez, the neighborhood store is the Camachile Store; other stores are located in the village of Tal'fo'fo, which is about 2.7 miles away.

**Slide 5** – summation of the justification of public welfare as provided in the application.

**Slide 6** – image of the distances from the closest stores in the village and in Tal'fo'fo.

**Slide 7** – site layout as submitted in the application, and no changes have been made.

**Slide 8** – the slide was the floor plan for the retail store.

**Slide 9** – layout of the second floor is for a proposed duplex unit.

**Slide 10** – elevation drawing of the proposed development.

**Slide 11** – image of the west and east elevation.

Slide 12 – general information of the proposed development, which is a retail store on the first floor with residential units on the second floor. The two-story structure is 27 feet in height. Primary access is from Route 17, and the second access is via Flores Rosa Street

Slide 13 – Utilities: water, power, and public sewer are all existing; a trash receptacle will be provided on site, there will be landscaping, and french drains are tentatively planned

Slide 14 – a total of twenty-eight (28) parking stalls will be provided.

Slide 15 – summarization of the ARC position statements.

This concluded Mr. Untalan's presentation, and he was prepared to answer questions from the Commission.

**Acting Chairman Pangilinan** turned the floor over to the Commissioners for questions.

**Commissioner Rios** stated that he commends the applicant for having to go through seven public hearings in order to get to the Commission process. He further added that he was pleased with the summarization of the BSP position statements and being able to see them all on one page.

**Acting Chairman Pangilinan** there were no further questions or comments from the members. Acting Chair turned the floor over to the Chief Planner for their report.

**Celine Cruz, Chief Planner** read the staff report dated February 5, 2026 for Application 2023-07. Chief Planner Cruz's report included the purpose of the application, legal authority, lot area, present zoning is P.U.D., field description, there is no master plan, and the community design plan is urban residential for medium-high density. Ms. Cruz reported that several actions were taken by the Commission regarding the subject parcel; the application's chronological facts, discussion and staff analysis to address public necessity, public convenience, and general welfare.

Planning staff recommends approval, subject to conditions as stated in the staff report. [For full content/context, please refer to the attached report.]

**[Attachment A – Staff Report dated February 5, 2026]**

**Joseph Borja, Executive Secretary** for the information of the Commissioners, the TPC, the Territorial Plan Commission, was the precursor for the Guam Land Use Commission.

**Acting Chairman Pangilinan**, questions for the staff. There were no questions or comments from the Commission, Acting Chair opened the floor for public comment.

**Public Comment** [None noted]

**Acting Chairman Pangilinan** noted for the record that there were no public comments and closed the public comment period.

There were no additional comments or discussion from the Commissioners. Acting Chair was ready to entertain a motion for action on Application No. 2023-07.

Commissioner Rios made a motion to approve Application 2023-07 in accordance with staff recommendation as stated in the staff report dated February 5, 2026.

Commissioner Flores seconds the motion.

Acting Chairman Pangilinan there was no discussion on the motion. Acting Chair put the motion to a vote, with all members in favor of approval **[Motion passed unanimously with a vote of 4 ayes and 0 nays]**

Next item on the agenda –

- B. Application No. 2025-21, the Applicant, Pacific Energy Corporation, represented by WB Flores & Associates, is requesting a Zone Change from "H" (Hotel/Resort) zone to "M1" (Light Industrial) zone, for the construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, in the Municipality of Tamuning.  
Case Planner: Frank Taitano/Celine Cruz

Acting Chairman Pangilinan welcomed the applicant's representative to the meeting, asked them to state their names for the record, and to proceed with their presentation.

Willie Flores is representing the applicant, Pacific Energy Corporation, for the Application No. 2025-21. The purpose of the application is to construct and operate a photovoltaic solar facility. With Mr. Flores today is Mr. Andy Park, the President of Pacific Energy Corporation, who will be the developer and operator of the facility.

The subject area is better known as the Two Lovers Point area, and is very close to the Tanguissan Beach Road and the road leading into Two Lovers Point. It runs alongside the Navy buried communication line that runs through there and is now known as a bike path.

Pacific Energy Corporation (PEC) was awarded a 20-megawatt contract by the Guam Power Authority to produce 20 megawatts of alternative power to be put back into the GPA grid. PEC has split this contract into four locations to include the Barrigada location next to the Admiral Nimitz golf course, the other location is on the road into the Dan Dan landfill, and the last one is located between Yona and Leo Palace next to where GWA is building a new water tank.

In the public hearing for the project at both the Land Management public hearing and the Mayor's public hearing, the concerns that were brought about were very similar to the concerns in the previous public hearings regarding the heat envelope, safety, security, and whether this facility would reduce the cost of electricity, which is beyond the scope of the developer.

Preliminary bio-surveys were conducted in the area, and there were no discoveries of critical habitat or endangered or protected species.

The current zoning is a hotel zone, and in preliminary discussion with Mr. Taitano, the change of zone from hotel to light industrial was the most appropriate to allow for this type of activity.

On the monitor was an image of the proposed subject lot and how to access the site. Mr. Flores explained that the access to the site will be non-intrusive to the Two Lovers Point activities except during construction. It will not require large infrastructure services in terms of water and wastewater. Electricity will be self-generated. The access from the existing easements, which will be coral or grass-covered. During construction, there will be activity for a period of two to three years, but it will be mainly contained on site, including clearing/grading, construction of the environmental BMPs, a security fence, and installation of the facility.

The developer is requesting the rezoning of the hotel zone to light industrial to meet the bid requirements for their contract with Guam Power Authority. Mr. Flores added that they have been working diligently with the Planning staff, and due to their short-staffing, they have worked hard to accommodate him. He further added that he appreciated the guidance they had received from the Planning staff. This is a sensitive area since it is a tourist attraction area, and they feel that the solar facility will not seriously conflict with the intended area, and it will not interfere with the Two Lovers Point attraction.

In closing, Mr. Flores hopes that the Guam Land Use Commission will approve their request, and although PEC has been awarded the project by GPA, their financing is reliant on the approval of this application.

**Acting Chairman Pangilinan** turned the floor over to the Commissioners for questions. There were no questions from the Commissioners. Acting Chair turned the floor over to the Chief Planner for their staff report.

**Celine Cruz, Chief Planner** read the summarized staff report dated February 6, 2026, for Application 2025-21 for the applicant, Pacific Energy Corporation, to include the application's summary, legal authority, and facts that included the location, lot area, and present zone. The site is presently undeveloped, with overgrown vegetation. The community design plan is undesignated. Chief Planner Cruz continued with the application's chronological facts, discussion and staff analysis to address public necessity, public convenience and general welfare.

To conclude, Ms. Cruz stated that Planning finds that the application is complete and contains all information required; and therefore, meets the requirements of the zone change criteria, and finds it proper that it be considered favorably by the Commission, and recommends approval with conditions. [For full content/context, refer to the attached report]

**[Attachment B – Staff Report dated February 6, 2026]**

**Acting Chairman Pangilinan** turned the floor over to the Commissioners for questions. There were no comments from the Commissioners; Acting Chairman opened the floor for public comment for Application No. 2025-21.

**Public Comment** [None]

**Acting Chairman Pangilinan** seeing none. Acting Chair Pangilinan closed the public comment period. There was no further discussion from the Commissioners. Mr. Chairman was ready to entertain a motion for Application No. 2025-21 for the applicant Pacific Energy Corporation.

**Commissioner Rios** made a motion to approve Application No. 2025-21 in accordance with the recommendation and conditions as stated in the staff report of February 6, 2026.

**Commissioner Yingling** seconds the motion.

**Acting Chairman Pangilinan** accepted and confirmed the motion made by Commissioner Rios and seconded by Commissioner Yingling. There was no discussion on the motion. Acting Chair Pangilinan put the motion to a vote, with all members in favor of approval. **[Motion carried; 4 ayes and 0 nays]**

Next item on the agenda –

#### V. **Administrative & Miscellaneous Matters**

##### **Final Subdivision – Extension of Time**

- C. **Application No. 2025-04A**, the Applicants, Conrado V. Alegria & Katherine D. Alegria, are requesting a first extension of time pursuant to E.O. 96-26, for a previously approved Final Subdivision for the Legacy Subdivision, on Lot 13, Tract 10416, in the Municipality of Yigo, in an “R1” (One Family Dwelling) zone. Case Planner: Grace Vergara

**Acting Chairman Pangilinan** welcomed the applicant to the meeting, asked them to state their names for the record, and to proceed with their presentation.

**Conrado Alegria** stated that he and his wife, Katherine, are the owners of the Legacy Subdivision, a proposed subdivision located in Yigo. It is a 28-lot project that sits on approximately 6 acres of land near the Perez Acres Subdivision. And with Mr. Alegria is Mr. Manny Gonzalvo, Engineer for the project, who will be presenting on his behalf.

**Manny Gonzalvo** reported that they obtained approval from the Commission last year, as noted in the Notice of Action that was recorded on January 27, 2025. The building permit process for the project started a year ago, and out of the eight agencies, they are still in need of approval from the Guam EPA.

They understand the amount of work that the agency is handling and their concerns about the environmental issues, specifically with stormwater run-off. Once they obtain approval from GEPA, they will be able to obtain their building permit and begin construction.

The applicants are before the Commission to request the extension of time so that they may continue towards the acquisition of the building permit. To conclude, Mr. Gonzalvo stated that Mr. and Mrs. Alegria are humbly requesting the Commission's approval for the extension of time.

**Acting Chairman Pangilinan** turned the floor over to the Commissioners for questions. There were no questions from Commissioner Flores, Commissioner Yingling, and Commissioner Rios. Mr. Chair turned the floor over to the Chief Planner for their report.

**Celine Cruz, Chief Planner** read the Commission Brief dated February 5, 2026, for Application No. 2025-04A. The applicants, Conrado V. and Katherine D. Alegria, are requesting an extension of time for an approved final subdivision on Lot 13, Tract 10416, in Yigo.

Chief Planner Cruz reported that, as conditionally approved by the Commission on January 9, 2025, the subject application involves a final subdivision to create 28 single-family residential lots with full improvements. The subdivision will include a 40-foot-wide access easement, a recreational area, and a bus stop lot.

Planned on-site improvements include paved roads, sidewalks, curbs, gutters, streetlights, fire hydrants, underground utilities, drainage systems, and a large neighborhood park.

Considering that the applicants have been, and continue to, consult and coordinate with the Government of Guam permitting agencies to address the permitting conditions and requirements for the approved final subdivision, Planning staff recommends approval subject to conditions. [For full content/context, refer to the attached report.]

#### **[Attachment C – Commission Brief dated February 5, 2026]**

**Acting Chairman Pangilinan** turned the floor over to the Commissioners for questions. [None noted]. Acting Chair Pangilinan opened the floor for public comment.

#### **Public Comment [None]**

**Acting Chairman Pangilinan** there were no public comments noted. Acting Chair closed the public comment period and was ready to entertain a motion for Application No. 2025-04A.

**Commissioner Flores** made a motion to approve Application No. 2025-04A, based on the recommendation and conditions as stipulated in the Commission Brief dated February 5, 2026.

**Commissioner Yingling** seconds the motion.

**Acting Chairman Pangilinan** accepted the motion made by Commissioner Flores and seconded by Commissioner Yingling. There was no discussion on the motion. Acting Chairman Pangilinan put the motion to a vote, with all members in favor of approval. **[Motion carried; 4 ayes and 0 nays]**

Acting Chairman Pangilinan turned the floor over to Executive Secretary Joseph Borja for announcements or additional business for the Commission.

Joseph Borja, Executive Secretary reported on the passing of the bill that changes the zone requirements for temporary workforce housing facilities and other bills that authorize the sale of land in Dededo.

Celine Cruz, Chief Planner commented that the bill was passed into law under P.L. 38-103. Ms. Cruz informed the Commission that the next GLUC meeting is tentatively scheduled for Thursday, February 26, 2026. There are a couple of applications for the Commission's review, and a call out for quorum will be sent out in the next day or two.

Acting Chairman Pangilinan there was no further business for the Commission. Acting Chair was ready to entertain a motion for adjournment.

## VI. Adjournment

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

Commissioner Rios seconds the motion.

Acting Chairman Pangilinan accepted the motion made by Commissioner Yingling and seconded by Commissioner Rios. Acting Chair put the motion to a vote, with all members in favor of adjournment. **[Motion carried; 4 ayes]**

The regular meeting of the Guam Land Use Commission for Thursday, February 12, 2026 was adjourned at 2:55 p.m.

Approved by

Date approved

  
\_\_\_\_\_  
Ronald C. Pangilinan, Acting Chairman  
Guam Land Use Commission

  
\_\_\_\_\_  
2/26/26

Transcribed by:

  
\_\_\_\_\_  
M. Cristina Gutierrez, Recording Secretary  
Planning Division, DLM

ATTACHMENT A



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



Street Address:  
590 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 HAGA • DEPUTY GOVERNOR

ROSSANA SAN MIGUEL TISTON  
DEPUTY DIRECTOR

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

February 5, 2026

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2023-07, Zone Change from "A" (Agricultural/Rural) to "C" (Commercial) Zone, on Lot 1, Block 1, Tract 2913, Increment 3, in the Municipality of Yona.

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

1. **PURPOSE:**

- A. **Application Summary:** The applicant, Jose Luis M. De Vera, represented by Harry D. Gutierrez and Carlos R. Untalan, is requesting approval of a Zone Change from "A" (Agricultural/Rural) to "C" (Commercial) Zone for the proposed construction of a two-story structure with a retail store and duplex on Lot 1, Block 1, Tract 2913, Increment 3, in the Municipality of Yona.
- B. **Legal Authority:** Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. **FACTS:**

- A. **Location:** The property is a corner lot located along Cross Island Road in Route 17 and Flores Rosa Street. It is approximately 0.50 miles northeast of Guam Adventist Academy.
- B. **Lot Area:** 1,672.26 Square Meters or 18,000 Square Feet or 0.41 Acres.
- C. **Present Zoning:** "P.U.D." (Planned Unit Development District) Zone.
- D. **Field Description:** The site is presently undeveloped and overgrown with vegetation. The topography is fairly flat.
- E. **Masterplan:** None
- F. **Community Design Plan:** Urban Residential (Medium-High Density)

E-mail Address:  
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671-649-LAND (5263)

Facsimile:  
671-649-5383



**G. Previous Commission Action:**

A. February 24, 1972 – Territorial Planning Commission approved a Zone Change from “A” (Agricultural/Rural) to “P.U.D.” (Planned Unit Development District) on Lot 95-2 and Lot 95-REM2.

B. August 11, 1983 – Territorial Planning Commission approved to reactivate the Planned Unit Development with some modification on Lot 95-24-New. - R2C, -2D, and -2E.

C. May 8, 1986 – Territorial Planning Commission approved a Tentative Subdivision to develop 98 single family lots on Increment 3, Tract 2913.

D. October 9, 1986 – Territorial Planning Commission approved a Zone Change Amendment to modify the Master Plan of Increments 3 and 4, and to increase the lot size into half acre lots (minimum size of 18,000 square feet) for single family dwellings.

F. February 7, 1987 – Territorial Planning Commission approved the clarification of TPC’s approval of May 8, 1986 regarding the Tentative Subdivision for Phase 4, Increment III of the Windward Hills.

F. October 13, 1988 – Territorial Planning Commission approved a Final Subdivision to construct 94 single family dwelling units with minimum lot size of 18,000 square feet on Lot Nos. 1-28, Block 1, Lot Nos. 1-26, Block 2, Lot Nos. 1-14, Block 3, and Lot Nos. 1-26, Block 4, Tract 2913, Yona (Windward Estates – Increment III).

**3. APPLICATION CHRONOLOGICAL FACTS:**

**A. Date Application Accepted:** December 30, 2022

**B. Date Heard By ARC:** January 19, 2023

**C. Public Hearing Results:** On October 25, 2023, a Public Hearing was conducted at the Yona Community Center. Present were five (5) planning staff including the Chief Planner (Celine Cruz), the applicants’ representative (Harry Gutierrez), the Yona Mayor Bill Quenga, and six (6) concerned citizens. Although there were questions raised during the public hearing, there were no objections to the proposed development were expressed by attendees.

(Note: Minutes of the hearing is provided as an Attachment )

**4. DISCUSSION and STAFF ANALYSIS:**

As part of its analysis, Planning staff identified additional information regarding the zoning designation applicable to the subject lot. This information indicates that the request involves a change in land use designation that is more appropriately addressed through an amendment to the approved PUD Master Plan to modify the use of the subject property from single-family dwelling to commercial.

The relevant information provided below is for informational purposes:

- a) Rezoning – Lot Nos. 95-2 and 95-REM2, which were rezoned from “A” (Agricultural/Rural) to “P.U.D.” (Planned Unit Development District) by the Territorial Planning Commission in 1972.
- b) Tract Creation – Lot Nos. 95-2 and 95-REM2 were subsequently consolidated and subdivided into several lots and Tract 2913 was created in 1983. Final Subdivision of Increment 3 was approved by the TPC in 1988.
- c) Master Plan Modification – The 1972 approved Master Plan originally designated the subject lot for “Multiple Family” use. However, in 1983, the Master Plan was modified to designate Windward Estates for single-family residences, except for areas specifically identified for commercial use, and to prohibit further parceling of the half-acre lots.
- d) Master Plan Modification – In 1986, the Master Plan was further modified for Increments 3 and 4 to increase the minimum lot size for single-family dwellings to 18,000 square feet.
- e) Covenants and Restrictions – The property is subject to the covenants and restrictions contained in the Warranty Deed, recorded under Instrument No. 422673, which limit the property to residential use and prohibit non-operating vehicles or other items that could create an eyesore, nuisance, or annoyance to other Windward Estates residents.

Although the request does not amend the PUD Master Plan, the proposed development addresses public necessity, convenience and general welfare pursuant to Section 61630 (Requirements for Changes) of Chapter 61 (Zoning Law), Title 21 GCA, where it states “The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action”.

**Public Necessity:** The proposed development addresses a demonstrated need for additional neighborhood-serving retail and housing in Baza Garden and the surrounding residential areas. The retail component provides essential goods and services within close proximity to residents, filling service gaps in a community that currently has limited nearby options. The duplex contributes to public necessity by offering additional housing within the neighborhood, supporting modest residential flexibility and addressing local housing needs without disrupting the predominantly residential character of the area.

**Public Convenience:** Public convenience is enhanced by situating retail services and housing close to where people live, reducing travel distances, time, and associated costs for daily shopping and living needs. The subject property’s location along major roadways allow it to serve both the immediate Baza Garden community and surrounding neighborhoods, as well as passing motorists. The duplex further adds convenience by providing housing within walking distance of retail services, creating a practical, mixed-use environment where residents can live near essential goods and community amenities.

**General Welfare:** The proposed development promotes the general welfare by supporting local economic activity and enhancing access to essential services for residents of Baza Garden and surrounding neighborhoods. The retail component will contribute to Guam's economy by creating jobs, generating tax revenue, and supporting small business growth. The duplex adds to the local housing supply while also contributing economically through property taxes and potential household spending in the community. Existing infrastructure can accommodate the development, and anticipated traffic impacts are modest.

With respect to zoning and land use compatibility, the proposed development is compatible with surrounding residential uses. The retail and duplex are small-scale, neighborhood-serving components that integrate into the existing community without overpowering the residential character. Additionally, the original PUD Master Plan identifies a designated commercial area nearly across from the subject property, which supports the appropriateness and compatibility of the proposed use, notwithstanding that the request does not seek to amend the Master Plan.

Based on the above preceding discussions, the criteria for the grant of zone change is justified. We have reviewed the position statements from ARC members who have responded "no objections with conditions" or "recommend approval with conditions" for the zone change. We, further, find that application is complete and contains all information required; and therefore, meets the requirements of the zone change criteria as cited in the Zoning Law.

5. **RECOMMENDATION:** Planning staff recommends that, if approved by the Commission, the application shall be subject to the following conditions:
- A. That the applicants, adhere to ARC conditions and requirements as stipulated in their official Position Statement; and
  - B. The zone change shall be approved as an amendment to the PUD Master Plan (from "PUD-R1" to "PUD-C"); and
  - C. All structures, including accessory structures, shall not cover more than thirty percent (30%) of the lot area; and
  - D. The subject lot shall not be further subdivided into smaller lots; and
  - E. The following uses shall be prohibited on the subject property: gasoline stations; clubs or bars; massage parlors or therapeutic massage services; pachinko machines; adult gaming; the sale or rental of adult videos; and the sale of electronic cigarettes, vaping devices, or related vaping products on the premises.

  
Celine L. Cruz  
Guam Chief Planner

Attachments: Application Package  
Municipal Public Hearing Minutes  
ARC Memo to GLUC Member

**PUBLIC HEARING MINUTES**  
October 25, 2023 (Wednesday), 6:00 P.M.  
Yona Community Center

**APPLICATION NO.** 2023-07

**APPLICATION TYPE:** Zone Change from "A" (Agricultural/Rural) to "C" (Commercial)

**APPLICANT:** Jose Luis M. De Vera

**APPLICANT'S REPRESENTATIVE:** Harry Gutierrez & Carl Untalan

**LOT NO.:** Lot 1, Block 1, Tract 2913, Increment 3

**MUNICIPALITY:** Yona

The meeting was called to order at 6:30 PM by Planning Division staff. Approximately thirteen (13) individuals were in attendance, including:

- Five (5) Planning staff
- The applicant's representative, Harry Gutierrez
- Six (6) affected property owners
- Mayor Bill Quenga

Mr. Gutierrez provided a detailed description of the proposed development. Below were questions were raised by the attendees.

Question: Will it also rezone my property once this project is approved?

Answer: No, if approved by the GLUC, the approval is only for the subject lot.

Question: What sort of establishments will go up on the property? Will there be a bar?

Answer: The proposed is a retail store.

Question: How about the flooding issue in the area?

Answer: If the property is in a flood zone area, that will be addressed during the permitting process.

The meeting was adjourned at 7:00 PM.

*John*



# MUNICIPALITY OF YONA Mayors' Council of Guam

PO Box 186 Agaña, Guam 96912

## RESOLUTION NO. YONA2025-003

### INTRODUCED BY:

*Brian J. Terlaja* (Chairperson), *John P. Aguon* (Vice Chair), *Lynette Cruz* (Secretary), *Alfonso Fierrez* (Councilor), *Alfonso Borja* (Councilor), *Edward Terlaje* (Councilor), *Christine Cruz*, *Martha Torres*, *Victoria Loza Leon*, *Guillermo Allen Zúñiga*, *Yessica Garcia*, *Isabella George*, *Austin Terlaje*, *Loayza Cruz*, *Bernice Park*, *Matt Muno*

WHEREAS, the Yona Municipal Planning Council (MPC) had previously held a public meeting on December 27, 2024, however, said meeting is hereby deemed void for failure to comply with the Guam Open Government Law (Title 5, Guam Code Annotated, Chapter 40);

WHEREAS, the MPC held a duly noticed and compliant public meeting on June 12, 2025, to review zoning applications in accordance with applicable laws; and

WHEREAS, the MPC subsequently convened a replacement meeting on November 18, 2025, which was properly noticed and broadcast for public transparency and participation in full compliance with the Guam Open Government Law; and

WHEREAS, the MPC reviewed the following zoning applications:

- Application No. 2021-08: Request to rezone properties located at Lot 2, 3, 4, 5, RS, Block 4, Tract 222 and Block 3 Rem. Tract 222, Windward Hills, Yona, from "Agriculture" (A) to "Commercial" (C);
- Application No. 2023-07: Request to rezone the property located at Lot 1, Block 1, Tract 2913, Increment 3, Windward Hills, Yona, from "Agriculture" (A) to "Commercial" (C);

WHEREAS, the MPC has reviewed all relevant documentation, including zoning maps, land use plans, and public comments, and has conducted public hearings in full compliance with the Guam Open Government Law to ensure transparency and public involvement as required by law; and

WHEREAS, after thorough consideration, the MPC has determined that the proposed zoning changes are consistent with the development goals of the Yona region, align with the general land use plans, and will not have negative impacts on surrounding properties or the environment. These changes comply with the standards and requirements set forth by the Guam Land Use Commission (GLUC) and the relevant zoning laws of Guam; and

### NOW, THEREFORE, BE IT RESOLVED:

1. Approval of Application No. 2021-08: The MPC hereby approves the zoning change for Lot 2, 3, 4, 5, RS, Block 4, Tract 222, and Block 3 Rem. Tract 222, Windward Hills, Yona, from "Agriculture" (A) to "Commercial" (C), in full compliance with the zoning laws of Guam.
2. Approval of Application No. 2023-07: The MPC hereby approves the zoning change for the property located at Lot 1, Block 1, Tract 2913, Increment 3, Windward Hills, Yona, from "Agriculture" (A) to "Commercial" (C), in full compliance with the zoning laws of Guam.

BE IT FURTHER RESOLVED, the Chairman and MPC members hereby certify and attest to the adoption hereof, in support of Application Nos. 2021-08 and 2023-07, as approved by the Yona Municipal Planning Council.

DULY ADOPTED AND APPROVED this 18 day of November, 2025.

Yona MPC Signatures:  
Mayor Brian J. Terlaja (Chairperson) *[Signature]*

John Paul Aguon (Vice Chairman) *[Signature]*

Lynette Cruz (Secretary) *[Signature]*

Jennifer Quintanilla (YMO Admin) *[Signature]*



YONA MAYOR'S OFFICE  
EMAIL: [planning@yona.guam](mailto:planning@yona.guam)  
TEL: (671) 789-1525 / 1526 / 4718-0012  
AX: (671) 789-1821



*TO: Ed  
Guam  
12-19-25*

Yona Municipal Planning Council  
THURSDAY, JUNE 12, 2025 6:30PM  
Yona Community Center  
Or via Facebook live

I. CALL TO ORDER

II. ROLL CALL

III. SECRETARY MINUTES

IV. TREASURERS REPORT

V. OLD BUSINESS

i. PRESENTATION OF REZONING DISCUSSION

i. REZONING

i. LOT 2,3,4,5,R5, BLOCK 4 TRACT 222 AND BLOCK 3 REM. TRACT 222

WINDWARD HILLS, YONA

APPLICANT: ANNA LUJAN- REP: RON AYUYU

ii. FROM "A" (AGRICULTURE) TO "C" (COMMERCIAL) LOT 1 BLOCOK 1 TRACT

2913 INCREMENT 3, WINDWARD HILLS, YONA

APPLICANT: LUIS DEVERA- REP: HARRY GUITERREZ

VI. NEW BUSINESS

ii. MANENGGON MEMORIAL

iii. LIBERATION DAY

a. QUEEN'S CORONATION PAGEANT

b. FLOAT

c. PARADE

VII. YONA CULTURAL WATER FESTIVAL

VIII. NEXT MEETING

IX. ADJOURNMENT

PAID FOR BY: MR. RON AYUYU & MR. HARRY GUITERREZ

*Open Government Law*  
*Guam Daily Post - Wednesday, June 4, 2025*  
*- June 10, 2025*





MUNICIPALITY OF YONA  
Mayors' Council of Guam

P.O. Box 780 Agaña, Guam 96932

- ii. November 15<sup>th</sup> | Tiningo' Cultural Festival @ Lagarhang Beach
  - ii. November 26<sup>th</sup> | Spaghetti Dinner "A Night of Thanks"
    1. Asking for donations
  - b. December Events
    - i. Christmas Tree Lighting Ceremony December 13<sup>th</sup> 7:00PM
    - ii. Christmas Parade & Tropical Christmas Concert – December 27<sup>th</sup> 6PM - 10PM @ Mijin Field
    - iii. Yona Office Staff & MPC Christmas Party: Saturday, January 3, 2026 at Top of the Reef
  - c. Upcoming Fundraisers
    - i. November 22: Yona Bingo Fundraiser
    - ii. December 5: Lunch Plate Fundraiser
    - iii. Gudtymes Bar Fundraiser: December 19<sup>th</sup>
- VII. Announcements/POTF
- VIII. Adjournment

**PAID FOR BY: HARRY GUTIERREZ**

Doc. # 110713

AMENDMENT 7

Yona

Zoning Map No. F-67S47

Adopted by the Territorial Planning Commission

on February 24, 1972

*[Signature]*  
Executive Secretary

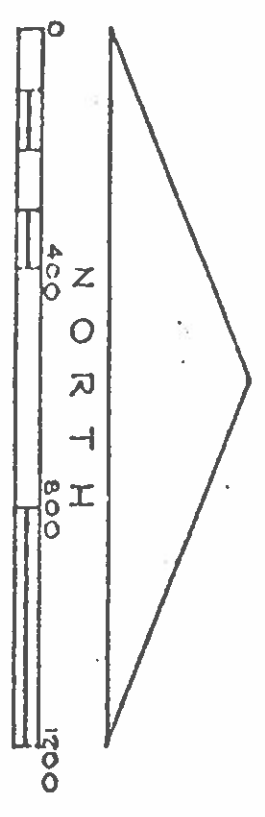
Approved by the Governor of Guam

on APR 3 1972

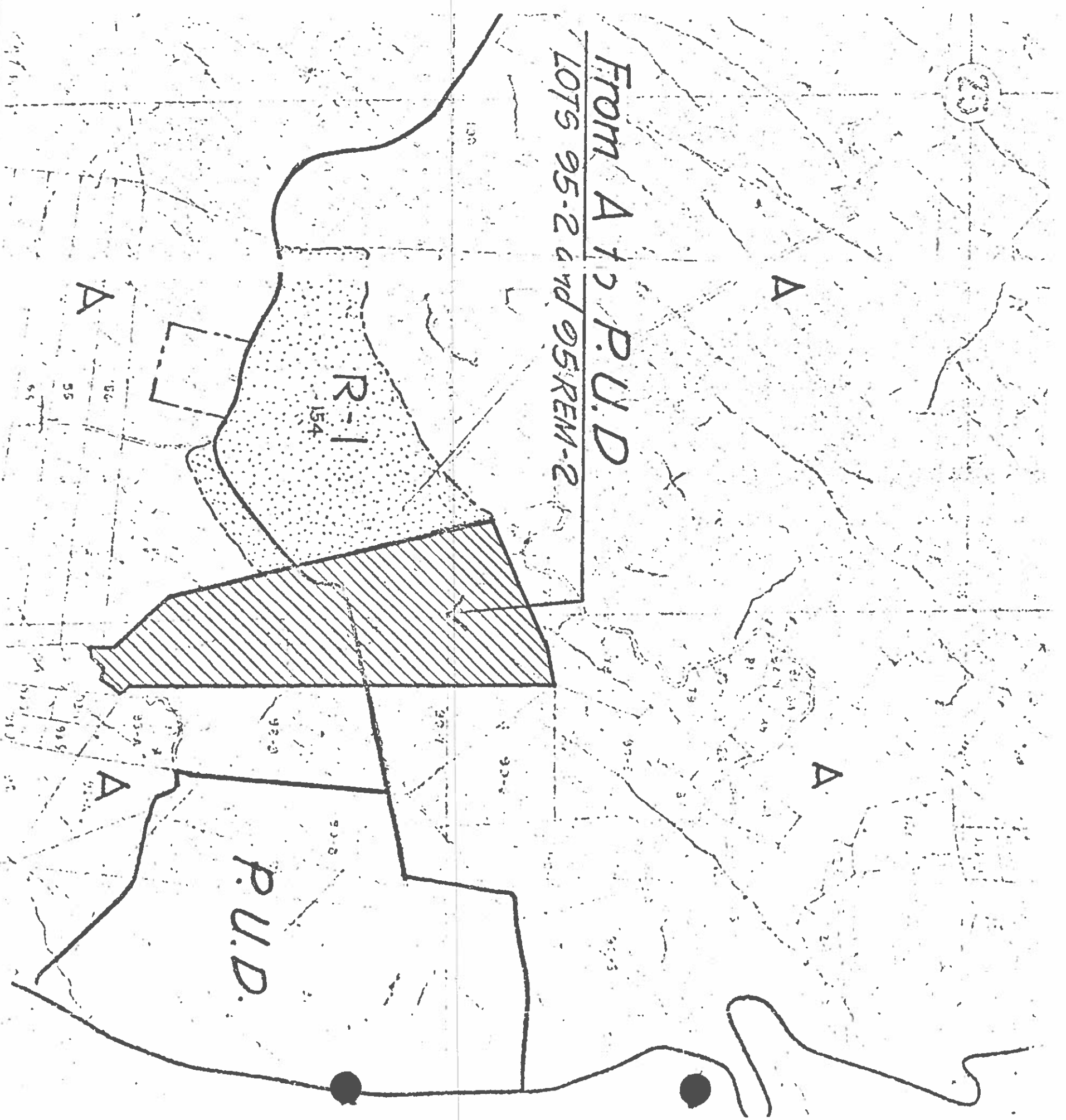
*[Signature]*  
Governor of Guam

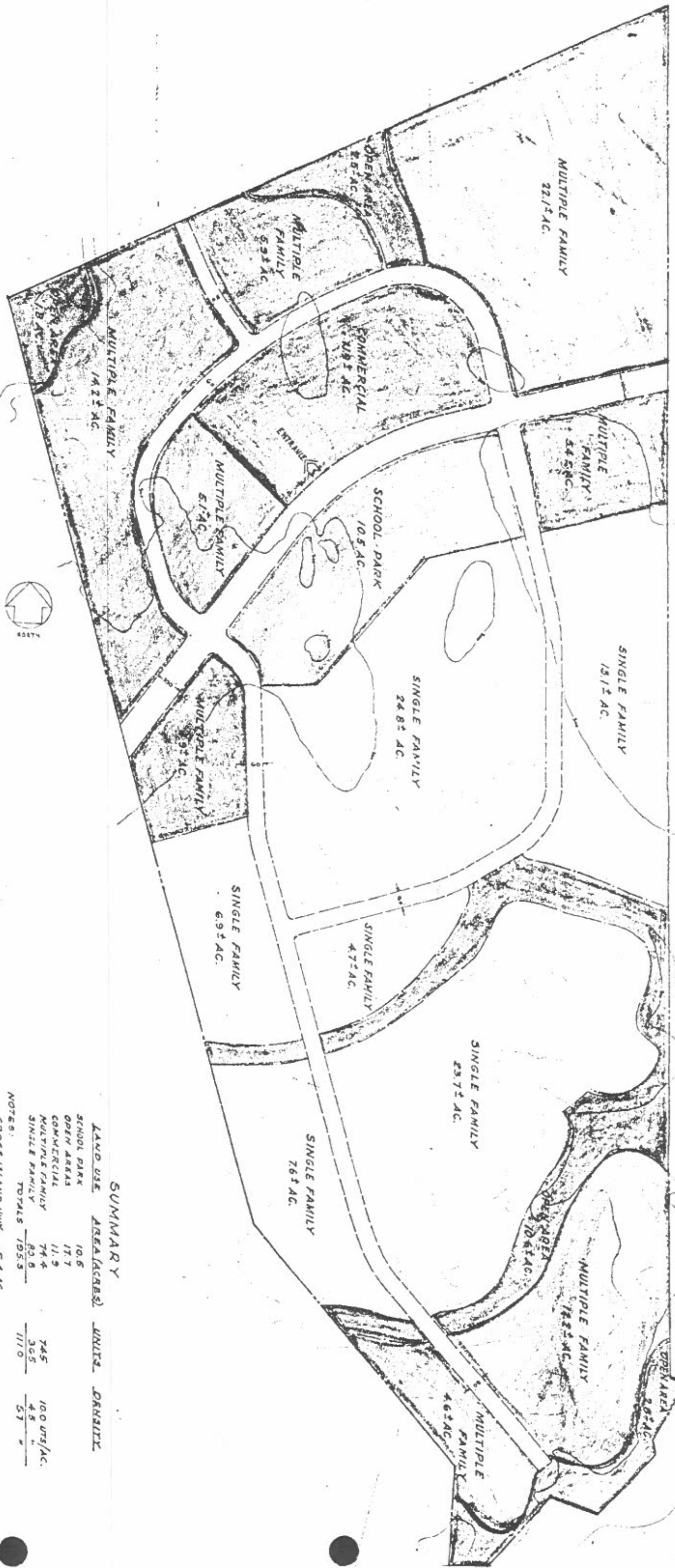
Affixed with the Great Seal of Guam  
on APR 3 1972

*[Signature]*  
LT. Governor of Guam



Dept. of Land Management PLANNING DIVISION





**SUMMARY**

LAND USE	AREA (ACRES)	UNITS	DENSITY
SCHOOL PARK	10.6		
OPEN AREAS	17.7		
COMMERCIAL	11.9		
MULTIPLE FAMILY	74.4	745	100 UTS/AC.
SINGLE FAMILY	80.8	365	4.5 "
TOTALS	135.5	1110	5.7 "

NOTES:  
 CROSS ISLAND HWY 5.4 AC  
 AREAS / PROJECTIONS ARE APPROX. ONLY

DEPARTMENT OF PUBLIC WORKS

H I G H W A Y  
 Approved for general layout of Route No 17  
 and feeder road system  
 Date 1/19/72

DEPARTMENT OF PUBLIC WORKS

D R A I N A G E  
 Approved for drainage system subject to calculations submitted with individual subdivisions  
 Date 1/19/72

DEPARTMENT OF PUBLIC HEALTH

S A N I T A T I O N  
 Concept approved secondary treatment facility to be located after engineering study  
 Sewage collection system to be provided for  
 on lots. Sewage disposal  
 Date Jan 29 1972

DEPARTMENT OF EDUCATION

S C H O O L S I T E R E S E R V A T I O N  
 Approved for area and location subject to  
 revision in the shape & where construction  
 is more desirable.  
 Date 1/15/72

**PROPOSED LAND USE PLAN**  
 FOR TRACT \_\_\_\_\_  
 THE DEVELOPMENT OF LOTS NO 35-2 & NO 35-REM 2, YONA, GUAM

# NOTICE TO REZO

## PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE C APPLICATION DESCRIPTION: ZONE CHANGE APPLICATION No. 202 3 -07 REZONING FROM "A" TO "C" (COMMERCIAL) ON LOT 1, BLOCK 1, TRACT 2913, In Order To Construct a Single Stru 1st Floor For The Retail Store Operation and The 2nd Floor For a Residential Duplex, Baza Gardens, N

OWNER: JOSE LUIS M. DE VERA  
DEVELOPER: N/A

LOT, BLOCK, TRACT, MUNICIPALITY: LOT1, BLOCK 1, TRACT 2913, BAZA GARDENS, YONA  
PROPOSED CHANGE OF ZONE: REZONING FROM "A" (AGRICULTURE) TO "C" COMMERCIAL

	DATE	TIME	PLACE
PUBLIC HEARING:	JAN 22, 2026	1:30 PM	TAMUNING 3RD FLOOR
GLUC MEETING:			ITC BUILDING





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



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

LOURDES A. LEON GUERRERO  
 MAGA'LIHA • GOVERNOR

JOSHUA F. TENORIO  
 SIGUNDO MAGA'LAHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA  
 DIRECTOR

ROSSANA SAN MIGUEL TISTON  
 DEPUTY DIRECTOR

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

**February 5, 2026**

**Memorandum**

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

**To:** Guam Land Use Commission (GLUC) Members  
**From:** Chairperson, Application Review Committee (ARC)  
**Subject:** Summary of Positions Submitted by ARC  
**Re:** Application No. 2023-07 (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 that, if approved by the Commission, the application shall be subject to the following conditions:

- A. That the applicants, adhere to ARC conditions and requirements as stipulated in their official Position Statement; and
- B. The zone change shall be approved as an amendment to the PUD Master Plan (from "PUD-R1" to "PUD-C"); and
- C. All structures, including accessory structures, shall not cover more than thirty percent (30%) of the lot area; and
- D. The subject lot shall not be further subdivided into smaller lots; and
- E. The following uses shall be prohibited on the subject property: gasoline stations; clubs or bars; massage parlors or therapeutic massage services; pachinko machines; adult gaming; the sale or rental of adult videos; and the sale of electronic cigarettes, vaping devices, or related vaping products on the premises.

**BUREAU OF STATISTICS AND PLANS (BSP):**

BSP recommends approval of the zone change application based on the aforementioned conditions on their position statement.



E-mail Address:  
[dldir@land.guam.gov](mailto:dldir@land.guam.gov)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2023-07

February 5, 2026

Page 2 of 2

**GUAM WATERWORKS AUTHORITY (GWA):**

GWA's in favor of the approval of the application, subject to the conditions on their position statement.

**GUAM POWER AUTHORITY (GPA):**

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

**GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):**

GEPA submits concerns with conditions.

**DEPARTMENT OF PUBLIC WORKS (DPW):**

DPW recommends approval of the zone change, subject to the conditions on their position statement.

**DEPARTMENT OF PARKS AND RECREATION (DPR):**

DPR has no objection to the approval of the application, subject to the condition on their position statement.

**DEPARTMENT OF AGRICULTURE (DoAg):**

DoAg does not oppose to the request, subject to the conditions on their position statement.

**GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):**

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

**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

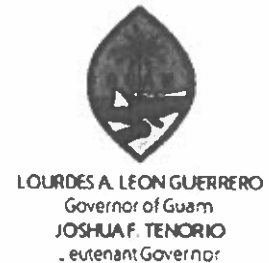
Attachments: ARC Position statements

CC: Executive Secretary, GLUC



# BUREAU OF STATISTICS AND PLANS

Guam Coastal Management Program



February 15, 2023

## Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2023-07 Zone Change  
Location: Lot 1, Block 1, Tract 2913  
Municipality: Yona  
Applicant: Jose Luis M. De Vera  
Proposed Use: Commercial

*JulB*

*W*

***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 Centralized Planning and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies 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, Jose Luis M. De Vera, is submitting a Zone Change Application to rezone the subject lot from "A" Agricultural Zone to "C" Commercial Zone, to allow for the construction of a retail store and duplex. The subject lot is located within the municipality of Yona, containing a land area of 1,672.26 square meters or .41 acres. Power, water, and sewer is directly available and will be used on site. Within the immediate surrounding area is a mix of single-family dwellings and vacant and undeveloped land.

### **Planning Considerations and Constraints**

#### A. Surrounding Zone and Land Use Characterization

The subject lot is located along Route 17, in the Baza Gardens Subdivision in Yona. The surrounding neighborhood comprises single-family residential dwellings and vacant and undeveloped land.

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

*email sent  
2-15-2023*

*104*

The subject lot is located in an area designated as Urban District under the Guam Land Use Districting Map. Urban districts shall include those areas characterized by and designated for higher concentrations of people, structures and streets, proximity to basic services such as sewers, water, sanitation, police and fire protection power and other major facilities and areas of high intensity use. Therefore, the proposed commercial retail store and duplex is compatible with the area's Urban District designation under Guam Land Use Districting Map.

#### B. Geographical Landscape Assessment Based on Watershed

The subject lot is located in the Ylig Watershed. 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 9.73% from 2005 to 2015.

In terms of development impacts, as of 2015 land cover data, 16.74% of the watershed was developed and 6.7% comprised of impervious surfaces. 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 to 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 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%. Effects of runoff consist of channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes and algae blooms, noxious odors as result in poor water quality, and coral mortality.

With no existing structures or development within the project site, the proposed development is expected to contribute to the overall development rate of the area and increase the impervious surface area of 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:

**Housing:** The government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and manmade hazards, and recognize the limitations of the island's resources to support historical patterns of residential development.

#### *Determination of Effects: Yes*

In light of the applicant proposing to construct a residential duplex and commercial retail store within the Baza Gardens Subdivision, the Bureau shall include the following conditions of approval to ensure efficient design and environmental sustainability is incorporated into the development.

#### Conditions:

- The applicant must incorporate green building concepts and sustainable community designs in the design and construction phase of the project or any future improvements to the property.

- The applicant must include in its design permeable pavers for areas requiring pavement such as parking lots, driveways and walking paths. The applicant shall provide accessible walking paths on the lot boundaries adjacent to the public right of way in order to promote walkability as the neighborhood continues to be developed.
- The applicant must comply with 21 GCA, Ch. 61, Article 3 § 61302. Regulations Along District Boundaries. Where a commercial or industrial use occurs in zones permitting such uses, but in areas which are located adjacent to rural or residential zones, the yard requirement shall be twice that required of such use or twenty (20) feet, whichever is the greater.

**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.

*Determination of Effects: Yes*

Condition: The applicant must comply with CNMI and Guam Stormwater Management Manual Standards and implement Island Best Management Practices specifications. The applicant must include island bio-retention, permeable parking and walkway, and rainwater harvesting features as much as is reasonably practicable. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID. There shall be no contamination of the wetlands and surrounding areas.

**Agricultural Lands Policy:** Critical agricultural lands shall be preserved and maintained for agricultural use.

*Determination of Effects: Yes*

As the applicant is requesting to rezone the currently agricultural zoned lot to a commercial zone, there is a loss of land with potential for agricultural production, or land which includes natural and environmental resources and functions.

Conditions:

- The applicant must minimize the project's development footprint, avoid lot-line-to-lot-line clearing, and preserve vegetation in open spaces of the property.
- The applicant must save as much native tree species as possible and or replicate the native forests through propagation and out planting along the green corridors of the property. The applicant must follow the list of trees preferred by the Guam Department of Agriculture. Any ornamentals must not exceed 10% of the flora biomass in the development plans.

### **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](mailto:christianpaul.benitez@bsp.guam.gov) or Mr. Edwin Reyes, Coastal Program Administrator, at [edwin.reyes@bsp.guam.gov](mailto:edwin.reyes@bsp.guam.gov). Si Yu'os Ma'åse'.

A handwritten signature in black ink, appearing to read 'Lola E. Leon Guerrero', with a long horizontal flourish extending to the right.

**LOLA E. LEON GUERRERO**  
Director



## GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building  
688 Route 15, Mangilao, Guam 96913

*Jub*  
*De*

### MEMORANDUM

January 17, 2023

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Bill Quenga, Municipality of Yona (yonamayor2020@gmail.com)

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

SUBJECT: Position Statement on Zone Change Application 2023-07 for Lot 1, Block 1, Tract 2913 in the Municipality of Yona

APPLICANT: Jose Luis M. De Vera

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agriculture) to "C" (Commercial) zone for the proposed development of a retail store and a duplex on top of store.

This memorandum shall serve as GWA's position statement for the referenced application related to the availability of water and sewer infrastructure to serve the above subject 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 approval. Submittals shall include correct water and sewer design calculations (as the calculations provided in the application identify a wastewater load greater than the water demand); as well as complete drawings and specifications. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations.

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*Ed* *EC*

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal. Discussions shall include 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 stage, as unavailable for use by newly proposed developments. Discussions with the GWA Engineering Department will also include applicable 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, must meet GWA standards, be constructed in the public easement or right of way, and shall be subject to inspection by GWA. Any infrastructure improvements will be at the expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite 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 onsite or offsite 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.
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.
10. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite 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.

11. Mixed use activities in a residential and commercial development must have separate individual water meters due to the difference in utility rates with the activities.

This memorandum shall remain valid for 365 calendar days from the date of this response. Contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#300-6041 or bhess@guamwaterwork.org) for water and sewer system standards or additional information.



# GUAM POWER AUTHORITY

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

February 7, 2023

## MEMORANDUM

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

From: General Manager

Subject: Lot 1, Block 1, Tract 2913, Municipality of Yona, (Jose Luis M. De Vera); Zone Change Application from "A" (Agricultural) to "C" (Commercial) for a 2 story building includes retail & residential. **Application No. 2023-07**

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 established under Document No. 34959, 422673 & Lot 95-REM2C(NEW)-2R/W**
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/arp



## INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Jose Luis M. De Vera

Location: Lot 1, Block 1, Tract 2913, Yona

Type of Application: Zone Change

GLUC/GSPC Application No. 2023-07

Brief Project Description:

"A" to "C" for a 2 story building includes retail & residential.

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

2/9/23  
 \_\_\_\_\_  
 Date

**Comments:**

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. 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.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIÑSIAN PROTUKSION TINATA GUAMIAN  
TODRDES Y LEON GUERRERO • GOVERNOR OF GUAM • JOSHUA T. TENORIO • DEPUTY GOVERNOR OF GUAM  
WALTER S. LEON GUERRERO • ADMINISTRATOR • MICHELLE C. R. CASTAÑOZA • DEPUTY ADMINISTRATOR

JAN 25 2023

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. 2023-07, The applicant, Jose Luis M. De Vega, represented by Harry Gutierrez and Carlos Untalan, are requesting a Zone Change from "A" (Agricultural Zone to "C" (Commercial) Zone for a proposed two-story structure with a retail store and duplex on Lot 1 Block 1 Tract 2913, in the Municipality of Yona.**

*Hafa adai* Dr. Enriquez:

*Buenas yan Saluda.* The staff of this Agency has reviewed the **application for the proposed zone change** and has the following concerns related to the proposal (as reviewed):

A. Stormwater and Erosion Control

1. The proposed development must meet all requirements of the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10), and must provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02.

B. Water & Wastewater

1. Public water and sewer services are available along Route 17 and Flores Rosa Street. This proposed development must be connected to adequate sewer and water service and it is the responsibility of the applicant to coordinate with Guam Waterworks Authority for the adequacy of those sewer and water services.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by Guam Environmental Protection Agency.

sg  
Scanned  
K

If you have any questions, please feel free to contact Mr. Walter Leon Guerrero, Administrator, at [walter.leonguerrero@epa.guam.gov](mailto:walter.leonguerrero@epa.guam.gov) or at (671) 300-4751/52. For technical questions, you may contact CAPT Brian Bearden, P.E., BCEE, Chief Engineer at [brian.bearden@epa.guam.gov](mailto:brian.bearden@epa.guam.gov) or at (671) 300-4779.

*Dangkolu na si Yu'us ma'ase',*

*Senseramente,*



WALTER S. LEON GUERRERO  
Administrator

cc: Mr. Joseph Borja  
Director  
Department of Land Management

*The Honorable*  
LOURDES A. LEON GUERRERO  
*Maga' Huga - Governor*

*The Honorable*  
JOSHUA F. TENORIO  
*Sigundo Maga' Lahi • Lieutenant Governor*



VINCENT P. ARRIOLA  
*Director*  
LINDA J. IBANEZ  
*Deputy Director*



**MEMORANDUM**

**TO:** Anita B. Enriquez, PhD  
Chairman, Guam Land Use Commission

**VIA:** Director, Department of Land Management

**FROM:** Director

**SUBJECT:** 2023-07 (Jose Luis M. De Vera) Zone Change from "A" to "C"  
Lot 1, Block 1, Tract 2913, Yona, Guam

Hafa Adai! The above applicant is requesting a zone change from Agricultural to Commercial for the proposed retail store on the first floor, and duplex type on the second floor. The lot area is approximately 1,672.26 square meters within the Municipality of Yona.

Based on the review, the Department of Public Works, recommends approval of the zone change request with the following:

- Entry/Exit must be wide enough for public access.
- The proposed duplex unit must provide a separate power and water meter.
- The parking layout plan, must be in detail, to include parking stalls (compact, standard and accessible stalls), and must meet the American Disability Act (ADA) requirements.
- Provide a copy of a delineation map to show the wetland area.
- Coordinate with DPW (Division of Highways) for pedestrian or crosswalk area.

If you have any questions, please contact Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646- 3224.

  
VINCENT P. ARRIOLA

*PD: Ed  
Comm  
9-5-23*



Department of Parks and Recreation  
*Dipattamenton Plaset yan Dibuetision*  
 Government of Guam



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

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

**Warren Pelletier**  
*Acting Director*  
**Jack Hattig**  
*Deputy Director*

February 1, 2023

In reply refer to:  
 RC 2023-0197

**Memorandum**

To: Director, Department of Land Management  
 From: Acting Director, Department of Parks and Recreation  
 Subject: DLM Application No. 2023-07, The Applicant request a Zone Change on Lot 1, Tract 2913, Increment 3, From "A" to "C", Baza Gardens, Municipality of Yona

We reviewed the subject Zone Change Application for Jose Luis M. De Vera on the subject lot and have no objection to the approval of the application. However, our office will be conducting a site inspection of this property to try and identify any indication of historic properties. The subject property is in close proximity to Guam Historic Property Inventory (GHPI) No. **66-09-0180, As Linget River Site** and any adverse impact to historic properties on the property will need to be mitigated. If we believe there is potential to adversely impact a historic property, we will issue a Certificate of Approval.

Should you have any questions, please contact Mr. John Mark Joseph, State Archaeologist at (671) 475-6339 or by email: [JohnMark.Joseph@dpr.guam.gov](mailto:JohnMark.Joseph@dpr.guam.gov).

Sincerely,

Warren Pelletier *PL*

*2-8-23*  
*4:30*



**Department of Agriculture**  
**Dipårtamenton Agrikottura**  
 163 Dairy Road, Mangilao, Guam 96913



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

Chelsa Muña-Brecht  
 Director

**MEMORANDUM**

**To:** Joseph Borja, Director  
 Department of Land Management

**Attn:** Executive Secretary  
 Guam Land Use Commission

**From:** Chelsa Muña-Brecht, Director Digitally signed by Chelsa Muña-Brecht DN: cn=Chelsa Muña-Brecht, o=DOAG, ou=DOAG, email=chelsa@doag.gu, c=GU

**Date:** January 17, 2023

**Subject:** Position Statement for "Zone Change", Application 2023-07 for Lot 1, Block 1, Tract 2913, Increment 3, from "A" to "C", Yoña. (Jose Luis M. De Vera)

*Handwritten signature*

The Department of Agriculture (DOAG) has reviewed Application 2023-07 for a "Zone Change" from Agriculture zone (A) to Commercial zone (C) for Lot 1 Block 1 Tract 2913 Increment 3, located along Route 17, Baza Gardens, Yoña. The purpose of the zone change will allow landowner to construct a two-story structure composing with a retail store on the first floor and a single duplex on the second floor, on the 18,000 square foot lot. The project area is vacant and undeveloped with vegetation.

Following is the position statement provided by DOAG, under the agency's authorities:

1. A wetland delineation survey for Lot 1 Block 1 Tract 2913 Increment 3 must be provided to DOAG with the Clearing and Grading and/or Building Permit Application. DOAG will review the survey and provide recommendations to avoid or minimize impacts to wetland habitat and biological resources that occur, or may occur, in the project area.
2. A biosecurity plan must be developed and approved by DOAG prior to any work commencing. Once approved, the biosecurity plan must be employed during development phase to ensure that avoidance measures are in place to prevent the spread and introduction of Little fire ant (LFA) and other noxious species that may impact residents in the area.
3. Mitigation measures must be developed addressing protected species such as Mariana fruitbat, Yellow bittern, Guam swiftlet, Common moorhen that have been observed in

*Handwritten notes:*  
 Approved  
 1/17/23  
 [Signature]

close proximity of Lot 1 Block 1 Tract 2913 Increment 3. Mitigation measures must address avoidance and or minimal impacts to these species of concern.

4. A storm water plan must be submitted for review to determine mitigation for run-off, flooding, and erosion. Percolation rates at stormwater collection and drainage area must be ideal to prevent migratory bird species and moorhen from inhabiting the pond during wet season.
5. Eco-friendly development must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: native plants for landscaping, shielded light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.
6. Pre-consultation with DOAG must be scheduled to discuss development plans and mitigation actions to minimize or avoid impacts to resources at the project area and adjacent areas.

DOAG does not oppose the request for a zone change, from A to C, however, the Owner is required to address the conditions to the approval, as stated above, and looks forward to discussing in more detail the proposed development in Baza Gardens, Yoña. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at [Jeffrey.Quitugua@doag.guam.gov](mailto:Jeffrey.Quitugua@doag.guam.gov) or [permits@doag.guam.gov](mailto:permits@doag.guam.gov).

ATTACHMENT B



**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

LOURDES A. LEON GUERRERO  
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA  
DIRECTOR

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

JOSHUA F. TENORIO  
SIGUNDO MAGA TAMI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON  
DEPUTY DIRECTOR

February 6, 2026

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2025-21, Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) Zone, on Lot 10185-4-2, in the Municipality of Tamuning.

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

E-mail Address:  
[dlmdir@land.guam.gov](mailto:dlmdir@land.guam.gov)

Telephone:  
671-649-LAND (5263)

Facsimile:  
671-649-5383

1. **PURPOSE:**

- A. **Application Summary:** The applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, is requesting approval of a Zone Change from "H" (Resort-Hotel) to "M1" (Light Industrial) Zone for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning.
- B. **Legal Authority:** Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. **FACTS:**

- A. **Location:** The site is located approximately 0.33 miles Southeast of Two Lover's Point and 0.50 miles Northwest of Ukudu Power Plant.
- B. **Lot Area:** 48,924± sq.m. or 526,613.55± sq.ft. or 12.08± acres
- C. **Present Zoning:** "H" (Hotel) Zone.
- D. **Field Description:** The site is presently undeveloped with overgrown vegetation.
- E. **Masterplan:** "H" (Resort-Hotel)
- F. **Community Design Plan:** Undesignated



- G. **Previous Commission Action:** February 28, 2009 Adoption of the "Dos Amantes" Official Zoning Map designating subject properties "H" (Resort-Hotel) Zone.

3. **APPLICATION CHRONOLOGICAL FACTS:**

- A. **Date Application Accepted:** July 2, 2025
- B. **Date Heard By ARC:** August 7, 2025
- C. **Public Hearing Results:** November 13, 2025 (See Attachment)

4. **DISCUSSION and STAFF ANALYSIS:**

A Zone Change must address **Public Necessity, Public Convenience and General Welfare** criteria. Our analysis is as follows:

**Public Necessity:** The proposed project fulfills a legislatively mandated public necessity under Public Law 35-46, which requires the Guam Power Authority (GPA) to achieve 100 percent renewable energy reliance by 2045 in response to rising and volatile fossil fuel costs and Guam's dependence on imported fuel. GPA has accordingly prioritized the expansion of renewable energy to improve energy security and achieve long-term cost savings for ratepayers. The proposed solar farm directly advances these objectives by increasing renewable generation beyond the current approximate 18 percent of GPA's 460+ MW system and supporting a sustainable, reliable, and cost-effective power supply for Guam.

**Public Convenience:** Public convenience will be enhanced through improved reliability and resilience of Guam's electrical grid. The island has experienced recurring power shortages due to limited generation capacity, aging infrastructure, and fuel dependency. The addition of a utility-scale solar facility will diversify energy sources, increase generation capacity during peak demand, reduce strain on existing power plants, and improve service reliability. Reduced fuel dependence will also help stabilize utility rates and increase predictability for customers.

**General Welfare:** The project promotes the general welfare by supporting essential public services and improving overall quality of life. Reliable electrical power is critical to healthcare, emergency response, public safety, transportation, and food storage systems. Renewable energy generation further benefits public health and the environment by reducing emissions and pollution associated with fossil fuel use. These outcomes align with Government of Guam initiatives focused on sustainability, environmental stewardship, and long-term operational cost reduction.

**Land Use Compatibility**

In terms of zoning and land use compatibility, the proposed development aligns well with the surrounding area, which is characterized by industrial activities and public facilities. Converting the site into a solar energy project introduces a low-impact, reversible use that is fully consistent with M1 (Light Industrial) zoning standards. The project requires minimal infrastructure and generates negligible noise, traffic, or emissions, ensuring compatibility with adjacent properties. This land use adjustment

optimizes the utilization of industrially zoned land while advancing Guam Power Authority initiatives, the Guam Energy Office mission, and the Guam Strategic Energy Plan. By promoting renewable energy, reducing reliance on fossil fuels, and supporting objectives such as reliable and affordable energy, environmental stewardship, and economic resilience, the proposed zone change represents a practical and forward-thinking decision that meets the community's evolving needs and contributes to a sustainable energy future for Guam.

Based on the above preceding discussions, we find the criteria for the grant of zone change is justified. We have reviewed the position statements from ARC members who have responded "no objections with conditions" or "recommend approval with conditions" for the zone change. We, further, find that application is complete and contains all information required; and therefore, meets the requirements of the zone change criteria as cited in the Zoning Law. We find it proper that it be considered favorably by the Guam Land Use Commission.

5. **RECOMMENDATION:** Based on the above, we recommend **APPROVAL** with the following conditions:
- A. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement.



Celine L. Cruz  
Guam Chief Planner

Case Planner: Frank Taitano

Attachments: Application Package  
Municipal Planning Council Resolution  
Municipal Public Hearing Minutes  
ARC Memo to GLUC Member

**PUBLIC HEARING MINUTES**  
November 13, 2025 (Thursday), 6:00 P.M.  
Tamuning Community and Senior Center

**APPLICATION NO.** 2025-21

**APPLICATION TYPE:** Zone Change from "H" (Hotel) to "M1" (Light Industrial)

**APPLICANT:** Pacific Energy Corporation

**APPLICANT'S REPRESENTATIVE:** W.B. Flores & Associates

**LOT NO.:** Lot 10185-4-2

**MUNICIPALITY:** Tamuning

The meeting was called to order at 6:05 PM by Planning Division staff. After a brief explanation by Planning Division staff of the public hearing process, the floor was turned over to the applicant's representative, Mr. Willie Flores. Mr. Flores provided the attendees with a detailed description of the project, after his presentation, the floor was opened for questions as noted below:

**Q.** Will there be batteries?

**A.** Yes.

**Q.** Will they be stored on a separate building?

**A.** Yes

**Q.** When is the projected to be completed?

**A.** There is no exact completion date yet, as the application must first be approved by the Guam Land Use Commission before proceeding to the building permit process. We anticipate clearing and grading to begin early next year, followed by the building permit process later in the year.

**Q.** What is the next process after this public hearing?

**A.** We have MPC meetings scheduled for December, and we will need to wait for the MPC resolution before the application can be heard by the Guam Land Use Commission.

**Q.** Will the poles be similar in size to the poles along Cross Island Road?

**A.** They will only be standard power poles. Guam Power Authority (GPA) will be responsible for installing them

**Q.** Is there a plan to involve small businesses in the project?

**A.** No.

No further discussions. Meeting adjourned at 6:29PM.

**TAMUNING MUNICIPAL PLANNING COUNCIL  
Resolution No. 2025 - 010**



**Introduced by:**

Antonio Charfauros	Rosanne Lastimosa	Dean Lattague
Joaquin JR. Guerrero, II	Gregory Perez	Co-Chair Vice Mayor Loves
Michael Lasiste	Chair Mayor Rivera	William Naulf

Relative to

**Guam Land Use Commission Application No. 2025-21, Expressing the Support / Non-Support of the Tamuning Municipal Planning Council for the Development of a Solar Farm on Lot No. 10185-4-2, Municipality of Tamuning**

**BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF TAMUNING:**

**WHEREAS,** the Tamuning Municipal Planning Council recognizes the importance of transitioning to sustainable and renewable energy sources to reduce the Guam's carbon footprint and dependence on fossil fuels; and

**WHEREAS,** the Pacific Energy Corporation (Developer), has requested a Conditional Use Permit for the proposed utility-scale photovoltaic solar power facility to be located at Lot No. 10185-4-2, Municipality of Tamuning, Guam; and

**WHEREAS,** the proposed solar farm is anticipated to generate 4.99 MW or Kilowatts (kW) of clean, renewable energy, contributing to the region's energy independence and stability; and

**WHEREAS,** the Developer has engaged with the Tamuning Municipal Planning Council, the Tamuning Mayor's Office, the Guam Power Authority and the Guam Department of Land Management, as well as other relevant community stakeholders regarding the project's details, including its potential environmental, economic, and visual impacts; and

**WHEREAS,** the proposed project aligns with the Guam Power Authority's objectives for achieving optimal supply levels for renewable energy, falls within allowable conditional uses in Guam's Land Use Plan and zoning regulations for light industrial applications, will adhere to setback requirements, screening measures, and regulatory agency regulations for conditional use as a photovoltaic facility; and

**WHEREAS,** the project is expected to provide economic benefits to Guam including employment (job creation), revenues from the sale of "clean" power, increased tax revenues and fees to the government among others; and

**WHEREAS,** the Developer has committed to a good-neighbor policy, including ongoing communication with the municipality and residents throughout the project's lifecycle; and

**WHEREAS,** the Developer will secure all necessary permits and approvals from relevant authorities and agencies; and

**WHEREAS,** the Developer has the approval from the Guam Power Authority to construct and operate the proposed photovoltaic facility, subject to the issuance of requisite permits and clearances;

**TAMUNING MUNICIPAL PLANNING COUNCIL  
Resolution No. 2025 - 010**



**WHEREAS**, the Tamuning MPC voted to approve this Resolution for the and Guam Land Use Commission Application No. 2025-21 on Thursday, December 4, 2025, and

**NOW, THEREFORE, BE IT RESOLVED** that the Tamuning Municipal Planning Council hereby has no objections to Zone Change from "R" (Resort-Hotel) to "MI" (Light Industrial) for the proposed construction and operation of a photovoltaic solar power facility on Lot 10185-4-2, in the Municipality of Tamuning

**DULY AND REGULARLY ADOPTED ON THE** 4<sup>th</sup> **DAY** DECEMBER **, 2025.**

**LOUISE C. RIVERA**  
Mayor and Chair

**ALBERT M. TOVES**  
Vice Mayor and Co-Chair

**DANILO TINSAY**  
MPC Member and Council Secretary



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



Street Address  
 590 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  
 Hagatña, GU 96932

JOSHUA F. TENORIO  
 SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON  
 DEPUTY DIRECTOR

**February 6, 2026**

**Memorandum**

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

**To:** Guam Land Use Commission (GLUC) Members  
**From:** Chairperson, Application Review Committee (ARC)  
**Subject:** Summary of Positions Submitted by ARC  
**Re:** Application No. 2025-21 (Zone Change)

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the 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 as follows:

A. That the applicant adheres to the ARC conditions and requirements as stipulated on their official Position Statement.

**BUREAU OF STATISTICS AND PLANS (BSP):**  
 BSP recommends approval of the zone change application, subject to the aforementioned conditions, in their position statement.

**GUAM WATERWORKS AUTHORITY (GWA):**  
 GWA has no objection to the approval of this application, subject to the conditions stipulated in their official position statement.

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

**GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):**  
 GEPA approves the proposed zone change, subject to the conditions stated in their position statement.

E-mail Address  
[dldir@land.guam.gov](mailto:dldir@land.guam.gov)

Telephone  
 671-649-LAND (5263)

Facsimile  
 671-649-5383



Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2025-21

February 6, 2026

Page 2 of 2

**DEPARTMENT OF PUBLIC WORKS (DPW):**

DPW has no objection to the request, subject to the conditions stated in their position statement.

**DEPARTMENT OF PARKS AND RECREATION (DPR):**

DPR has no objection to the approval of the zone change application, subject to the conditions in their position statement.

**DEPARTMENT OF AGRICULTURE (DoAg):**

DoAg supports the purpose of the zone change, subject to the conditions in their position statement.

**GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):**

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

**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



# BUREAU OF STATISTICS AND PLANS

*Sagan Planu Siha Yan Emfotmasion*



September 11, 2025

## Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2025-21 Zone Change  
Location: Lot 10185-4-2  
Municipality: Tamuning  
Applicant: Pacific Energy Corporation  
Proposed Use: M1



***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 5 GCA Ch.1 Article 2 Comprehensive Planning<sup>1</sup> and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies<sup>2</sup> 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, Pacific Energy Corporation, is requesting a zone change from "H" Hotel zone to "M1" Light Industrial to allow for the proposed installation and operation of a Photovoltaic Solar Facility on Lot 10185-4-2, in the Municipality of Tamuning. The subject lot contains a total of 48,924 square meters or approximately 12.08 acres. Power, water, and sewer is directly available to the property.

### **Planning Considerations and Constraints**

#### **A. Surrounding Zone and Land Use Characterization**

<sup>1</sup> 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).

<sup>2</sup> 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](http://www.BSP.Guam.Gov)

RECEIVED  
By Cristina at 10:47 am, Sep 11, 2025

P. Frank  
Cristina  
9-23-25

The subject lot, lot 10184-6, is accessible via an unnamed road which connects to Tanguisson Route and Two Lovers Point road. The immediate surrounding area comprises vacant and undeveloped land. Also within close proximity is Two Lovers Point to the north-west, the Ukudu Power Plant to the south-west, and further north along Tanguisson Route is GWA Northern Water Treatment and Core Tech Development Inc. Temporary Workforce Housing Facility, Cement Plant, and Heavy Equipment Laying Yard.

The subject lot is located in a Tourist-Resort designated area under the North and Central Guam Land Use Plan (NCGLUP) - Future Land Use Map<sup>3</sup>. The Tourist-Resort land use category applies to areas needed for commercial uses to serve the traveling public, including hotels/motels, condominium-hotels, single family and multiple family residential uses, golf courses and other typical resort services and retail uses. These categories are located primarily along the shoreline and include existing and future tourist and resort areas.<sup>4</sup>

Solar farms, as large-scale energy generation facilities are not compatible with the Tourist-Resort land use designation. The proposed use aligns with the description of an "industrial use" and a "large storage facility" for energy. This makes the Industrial land use category the most fitting for this type of development within the framework of the plan. At the time the North and Central Guam Land Use Plan was adopted, the Dos Amantes Planning Area (Plan) was not yet finalized, leading to inconsistencies between its future land use map and the area's eventual zoning. Following the approval of Public Law 30-211, the final zoning map for Dos Amantes was established, with several parcels being rezoned to Light Industrial (M1) to reflect the changing conditions and approved uses in the surrounding area. Given these changes, the Bureau believes that the proposed development of a photovoltaic solar power facility should be evaluated by the existing conditions established by Public Law 30-211 and compatible use of surrounding properties, provided the applicant can demonstrate the project's public necessity, convenience, and contribution to the general welfare, as required by the Guam Zoning Law.<sup>5</sup>

#### 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.<sup>6</sup>

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 15.78% comprised impervious surfaces.<sup>7</sup> 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.

<sup>3</sup> Public Law 30 224 §, Section 4 (2010) [https://archives.guamlegislature.gov/30th\\_Guam\\_Legislature\\_Public\\_Laws\\_300\\_P1\\_%202010-224%20SB11%20NS%2021462-1%20LS.pdf](https://archives.guamlegislature.gov/30th_Guam_Legislature_Public_Laws_300_P1_%202010-224%20SB11%20NS%2021462-1%20LS.pdf) Note: The plan was adopted due to inaction by the 90<sup>th</sup> day of the of the 31<sup>st</sup> Guam Legislature

<sup>4</sup> ICF International. North and Central Guam Land Use Plan. (2009) 2-3.

<sup>5</sup> 21 GCA, CH 61 Guam Zoning Law

<sup>6</sup> 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/>

<sup>7</sup> Ibid

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.

Land cover within the subject lot comprises bare land with some light vegetation. The proposed project will likely increase the extent of impervious surfaces due to the placement of solar panels, access roads, and associated infrastructure. This change in land cover may reduce natural infiltration, increase surface runoff, and contribute to localized erosion if not properly managed. The alteration could potentially impact downstream water quality and hydrology by introducing pollutants and sediment through stormwater runoff. To mitigate these impacts, the project should implement stormwater management practices consistent with the 2006 CNMI and Guam Stormwater Management Manual, including permeable surfaces, vegetated buffers, and erosion control measures to maintain watershed function and support sustainable land use.

### **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.<sup>8</sup>

#### *Determination of Effects: Yes*

The proposed development has the potential to adversely impact air quality. Site preparation and construction activities generate air pollutant emissions from ground-disturbing activity, and the operation of work vehicles and construction equipment.

**Condition:** Incorporate Best Management Practices (BMPs) in accordance with the Guam Air Pollution Control Standards and Regulations during any future construction 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 area and habitat are 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.<sup>9</sup>

Policy LU-15 Encourage organic production and chemicals best management practices over the Northern Aquifer.<sup>10</sup>

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<sup>8</sup> Government of Guam. 1978 Executive Order 78-37 November 2 <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/EO-78-37-Guam-Land-Use-Policies.pdf>

<sup>9</sup> Ibid

<sup>10</sup> ICF International. North and Central Guam Land Use Plan (2009) 2-6

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.”<sup>11</sup>

#### *Determination of Effects: Yes*

As stated earlier, increased impervious surface and decreased vegetative cover resulting from future development will contribute to the cumulative negative impact to the water quality within the Watershed.

**Condition:** The applicant must comply with CNMI and Guam Stormwater Management Manual<sup>12</sup> Standards and implement Island Best Management Practices specifications. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual<sup>13</sup> and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner’s Guide to Implementing LID<sup>14</sup>. The applicant should consider incorporating green infrastructure into the project’s design. This includes features like native plant buffers and bioretention areas, as well as strategies like permeable access roads and minimal land disturbance. These practices, detailed in the CNMI and Guam Stormwater Management Manual, will help protect water quality, preserve infiltration, and improve the project’s overall environmental performance. These design features and blueprints for consideration in commercial sites on Guam are found in the CNMI and Guam Stormwater Management Manual, specifically under Chapter 4, “Design Examples”.<sup>15</sup>

#### **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

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<sup>11</sup> 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. 5-5

<sup>12</sup> 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>

<sup>13</sup> 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](https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906_island_swm_specs_supplement_cnmi_guam_design.pdf)

<sup>14</sup> 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](https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA/CRCP/project/1906_Feb2014_IslandBMPGuide_wAppendix.pdf)

<sup>15</sup> Ibid.

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](mailto:christianpaul.benitez@bsp.guam.gov) or Mr. Edwin Reyes, Coastal Program Administrator, at [edwin.reyes@bsp.guam.gov](mailto:edwin.reyes@bsp.guam.gov). Si Yu'os Ma'ase'.



LOLA E. LEON GUERRERO  
Director



**GUAM WATERWORKS AUTHORITY**

Gloria B. Nelson Public Service Building  
688 Route 15, Mangilao, Guam 96913



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: *Bordallo*  
for Miguel C. Bordallo, P.E., General Manager

SUBJECT: Position Statement on Zone Change Application 2025-21 for Lot  
10185-4-2 in the Municipality of Tamuning

APPLICANT: Pacific Energy Corp.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Zone Change in an "H" (Hotel) zone to a M-1 (Light-Industrial) Zone for the proposed installation of a photovoltaic solar power facility.

It is GWA's understanding that there is no request for water and wastewater services for this project. Therefore, GWA has no objection to the approval of this application. If your project requirements change and you need water and wastewater services, please contact GWA Permits and New Area Development at #671-300-6058 or [permits@guamwaterworks.org](mailto:permits@guamwaterworks.org) for information on how to apply for utility services.

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](mailto:jpmiller@guamwaterworks.org)) for water and sewer system standards or additional information.

*Tr. Fran  
Cristina  
8-23-25*

RECEIVED  
By Cristina at 3:20 pm, Aug 27, 2025

*Cy*



# GUAM POWER AUTHORITY

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

August 13, 2025

## MEMORANDUM

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

From: General Manager

Subject: Lot 10185-4-2; Municipality of Tamuning, (PACIFIC ENERGY CORPORATION) Zone Change Application "H" (Hotel) zone to "M-1" (Light-Industrial). To install and construct a photovoltaic (PV) power facility to produce electric power to supply to the GPA grid. Application No. 2025-21

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 to the following Portion of Parcel F-1 (AJKP) for Fuel Line as shown on Instrument No. 664867**
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.

As-  
VJS  
  
JOHN M. BENAVENTE, P.E.

ASG/app

To: Frank  
Date  
2-21-25

## INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: **PACIFIC ENERGY CORPORATION**

Location: **Lot 10185-4-2; Municipality of Tamuning**

Type of Application: **Zone Change**

GLUC GSPC Application No: **2025-21**

Brief Project Description: **Zone Change Application "H" (Hotel) zone to "M-I" (Light-Industrial).**

**To install and construct a photovoltaic (PV) power facility to produce electric power to supply to the GPA grid.**

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

8/14/25  
 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.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIENSIAK PROTIEKSION TINATA GUAHAN  
LOURDUSA LEON GUERRERO • GOVERNOR OF GUAM JOSHUA I. TENORIO • LIEUTENANT GOVERNOR OF GUAM  
MICHELLE C. R. TASTIMOZA • ADMINISTRATOR

SEP 16 2025



Dr. Anita B. Enriquez  
Chairman, Guam Land Use Commission  
c/o Department of Land Management  
590 S. Marine Corps Drive  
HC Bldg., Ste. 733  
Tamuning, Guam 96913

**Ref: Application No. 2025-21, the Applicant, Pacific Energy Corporation, represented by W.B. Flores & Associates, requests a Zone Change from "H" (Hotel/Resort) zone to "M-1" (Light Industrial zone) for the construction and operation of a photovoltaic solar power facility, on Lot 10185-4-2, in the Municipality of Tamuning.**

*Hafa adai* Dr. Enriquez.

The Guam Environmental Protection Agency (EPA) has completed its review of the proposed Zone Change Application (ZCA) for Lot 10185-4-2, located in Tamuning. The application seeks to rezone the property from Hotel (H) to Light Industrial (M1).

**Guam EPA's Position Statement:**

The project site must connect to the nearest public sewer line, approximately 2,729 feet away along Route 34 (Two Lovers Point Road). If this connection is initially unfeasible due to costs, construction challenges, or infrastructure limits, the project may be conditionally approved to use a holding tank for wastewater temporarily. Once public sewer service becomes available or feasible, the project must connect according to local laws and regulations.

The following statutes support this conditional requirement:

**Legal Basis**

**1. 10 Guam Code Annotated (GCA) Chapter 48 – Toilet Facilities and Sewage Disposal Act**

- **§48102:** This provision authorizes the Guam EPA to regulate sewage disposal systems by requiring connection to public sewer infrastructure when available. It also allows the agency to issue permits for holding tanks prior to the establishment of formal regulations, provided all application requirements are satisfied.
- **§48104(b):** Requires that all developments, including industrial facilities, connect to public sewer systems when available.



*Handwritten notes:*  
TO: Front  
9-26-25

*Handwritten initials:* Cef

## Implementation Conditions

- The holding tank must be:
  - Designed and installed in accordance with Guam EPA standards.
  - Regularly maintained and monitored to prevent overflow or contamination.
  - Decommissioned upon connection to the public sewer system.
- The developer must:
  - Submit a sewer connection plan to Guam EPA and GWA.
  - Connect to the public sewer system within 90 days of service availability.
  - Obtain all necessary approvals before operation of any wastewater system.

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'ase'.*

*Senseramente.*

  
MICHELLE C.R. LASTIMOZA  
Administrator

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





*The Honorable*  
**LOURDES A. LEON GUERRERO**  
*Maga' Håga - Governor*

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

*JP*



**VINCENT P. ARRIOLA**  
*Director*  
**LINDA J. IBANEZ**  
*Deputy Director*  
**ERNEST G. CANDELETA**  
*Deputy Director*

*Stamp: RECEIVED... 8-5-25*

8-5-25

**MEMORANDUM**

**TO:** Anita B. Enriquez, PhD  
 Chairman, Guam Land Use Commission

**FROM:** Director

**APPLICANT:** Pacific Energy Corporation  
**Application No.:** H2025-21 (Pacific Energy Corporation)  
**Lot No. 10185-4-2**

**SUBJECT:** Zone Change ("H" to "M-1"), Tamuning, Guam

The applicant is requesting a zone change from "H" to "M-1". The intent is to design, install and construct a photovoltaic (PV) power station, to produce electrical power to supply to GPA's power grid. The lot is approximately 12.8 acres or 48,924 square meters of property in the Village of Ukudu, Municipality of Tamuning.

The Department of Public Works has completed the review of the subject application and has no objection to the request provided the following conditions are met:

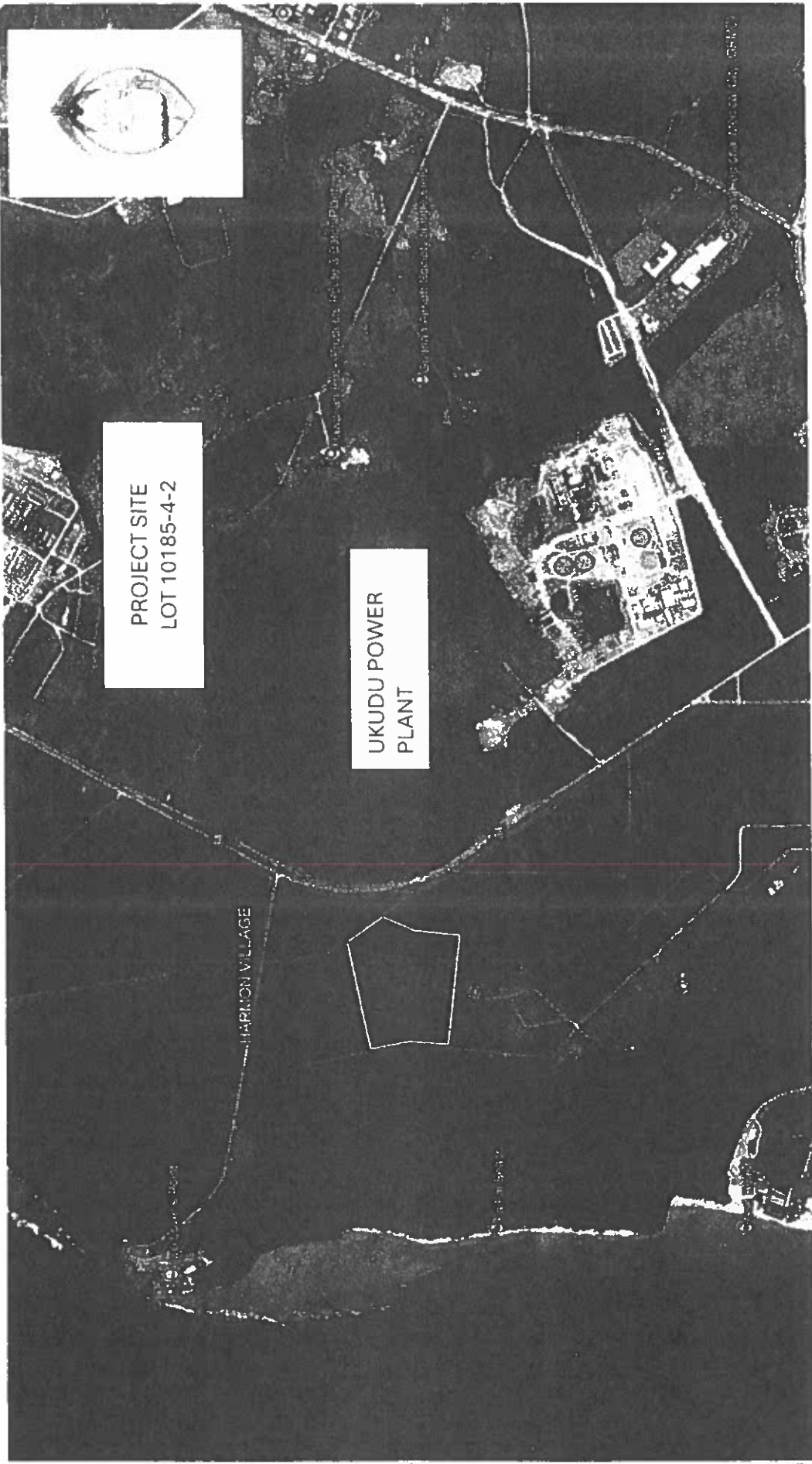
- Provide preventive measures to protect the structure, be reasonably resistant to weather conditions (wind, fire, typhoon, earthquake, natural disaster or any physical threats).
- Must ensure that the project must follow NFPA solar setbacks and does not contribute to any negative impact within the neighboring area.
- Must be in compliance to electrical code and fire safety code (NEC).
- NOTE: Provide a certified and qualified installer that meets the standard of the American Society of Electrical Engineers and licensed to do Business in Guam.

Should you have any questions, please contact the Division of Capital Improvement Projects, (CIP) at (671) 646-3224 or (671) 646-3131.

*V*  
**VINCENT P. ARRIOLA**

**RECEIVED**  
 8-5-25  
 Planning Division

*To: Frank  
 8-8-25*



**VICINITY MAP**

Pacific Renewable Unlimited, LLC  
Lot No. 10185-4-2  
Municipality of Tamuning

Prepared by:



**EXHIBIT 5b**



Lourdes A. Leon Guerrero

1037194  
11 Governor

**Department of Parks and Recreation**  
*Dipattamenton Paset yan Dibuesion*  
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

July 11, 2025

In reply refer to:  
RC 2024-0397

**Memorandum**

To: Director, Department of Land Management  
From: Director, Department of Parks and Recreation  
Subject: The applicant, Pacific Energy Corporation propose a "Zone Change" for from "H" to "M1" Zone for the construction of a Photovoltaic Solar Power Facility on Lot 10185-4-2 within the Municipality of Tamuning. DLM Application No. 2025-21



We reviewed the subject request by the applicant, Pacific Energy Corporation's proposed "Zone Change" from "H" to "M1" zone for the construction of a Photovoltaic Solar Power Facility on Lot 10185-4-2 within the Municipality of Barrigada. The subject Lot has an overall size of 12.08 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](mailto:logan.myers@dpr.guam.gov).

Sincerely,

Angel R. Sablan  
Director



Lourdes A. Leon Guerrero  
*Governor*  
 Joshua F. Tenorio  
*1st Governor*

# Department of Agriculture Dipårtamenton 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 2025-21, Pacific Energy Corporation for a "Zone Change" Application on Lot 10185-4-2, Municipality of Tamuning – Rezoning from "H" (Hotel) Zone to "M-1" (Light-Industrial) Zone.**



The Department of Agriculture (DOAG) has reviewed **Application 2025-21**, requesting to **rezone Lot 10185-4-2 from Hotel (H) zone to Light-Industrial (M-1) zone**, located along Tanguisson Route, Dededo, Guam. The purpose to rezone is to install photovoltaic panels (solar farm) in the future.

The following are conditions from the various divisions within DOAG that must be met prior to any development activity:

**1. Division of Aquatic and Wildlife Resources (DAWR):**

- a. If the property is greater than one (1) acre in size, a biological survey is required prior to any ground disturbance or development activity. This survey must be conducted by a qualified biologist and submitted to the Department of Agriculture for review. The purpose of the survey is to identify any protected species or sensitive habitats present on the lot and to guide appropriate avoidance or mitigation measures.
- b. Conservation measures must be developed to address the presence of protected species, including but not limited to the Mariana Fruit Bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids, and other flora and fauna species of concern that may occur on-site. These measures must focus on avoidance and/or minimization of impacts to these species and must be clearly outlined in the biological survey report submitted to the Department of Agriculture.
- c. Eco-friendly development practices must be incorporated in the plans to minimize impacts to the environment and natural resources. Examples of eco-friendly development include but are not limited to: planting native plants for landscaping, shielding light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.

Director's Office 666-343-3306, 3306 Mangilao, Mangilao, Guam 96913, 1st Floor, 1st Floor, 1st Floor  
 Aquatic & Wildlife Resources Division 666-343-3306, 3306 Mangilao, Mangilao, Guam 96913, 1st Floor  
 Plant Nursery 666-343-3306, 3306 Mangilao, Mangilao, Guam 96913, 1st Floor, 1st Floor, 1st Floor  
 Website: [doag.guam.gov](http://doag.guam.gov)



- d. Landowner and the contractor conducting the Biological Survey must consult with DAWR to discuss the methodology and findings of the survey and determine conservation measures that best address impacts to the natural resources.
- e. Mitigation measures must be proposed to address potential impacts to native waterbirds such as the Mariana Common Moorhen, which may perceive solar panels as open water due to reflective glare.
- f. A hazardous waste management plan must be submitted with the development proposal. This plan must identify potential sources of hazardous waste and outline containment, disposal, and spill response procedures to prevent contamination of surrounding habitats.

**2. Biosecurity Division:**

- a. A biosecurity plan must be developed and submitted to the DOAG for approval prior to the start of any work. This plan must outline avoidance measures to prevent the introduction and spread of Little Fire Ants (LFA) and other noxious or invasive species that may pose a risk to nearby residents and the surrounding environment. Development activities may not proceed until DOAG has reviewed and approved this plan.
- b. Landowner and the contractor must consult with the Biosecurity Division.

**3. Forestry and Soil Resource Division:**

- a. A stormwater plan must be submitted to DOAG for review prior to development. The plan should assess mitigation measures for runoff, flooding, and erosion. Percolation rates in stormwater collection and drainage areas must be sufficient to prevent attraction of migratory bird species such as moorhens. If the landowner intends to create habitat for these species, consultation with DOAG is required.
- b. The Biological Survey must identify vegetation on-site. Upon review, DOAG will notify the landowner of any culturally valued, protected, or rare plant species that may require seed collection for nursery inventory. These may be used in conservation or reforestation projects.

**4. Agricultural Development Services:**

- a. If clearing is to occur, six to eight inches of topsoil must be preserved and designated for agricultural use. This nutrient-rich layer supports native plant seedlings, seasonal crops, and fruit trees. The preserved soil must be reused or donated to benefit community-based agricultural efforts. For more information on donation options, contact DOAG at [agriculture@doag.guam.gov](mailto:agriculture@doag.guam.gov).
- b. If vegetation will be cleared, the material must be mulched on-site and made available to the community. Mulch helps reduce erosion, conserve water, suppress weeds, and protect landscaped areas. To prevent the spread of invasive species such as the Coconut

Rhinoceros Beetle, all mulch piles must be covered with a protective net or barrier until they are removed or treated.

The Department of Agriculture grants **conditional approval** for the requested zone change from H to M-1, contingent upon the landowner's full compliance with the conditions outlined above. 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](mailto:permits@doag.guam.gov).

ATTACHMENT C

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



Street Address:  
590 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  
Hagatña, GU 96932

JOSHUA F. TENORIO  
SIGUNDO MAGA HAGA - DEPUTY GOVERNOR

ROSSANA SAN MIGUEL TISTON  
DEPUTY DIRECTOR

February 5, 2026

MEMORANDUM

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

TO: Chairperson, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Commission Brief – Final Subdivision on Lot 13, Tract 10416  
Municipality of Yigo, Application No. 2025-04A

E-mail Address:  
[dlmdir@land.guam.gov](mailto:dlmdir@land.guam.gov)

1. **PURPOSE:** The applicants, Conrado V. and Katherine D. Alegria, pursuant to Section 5 of Executive Order 96-26, is requesting for an extension of time of an approved Final Subdivision on Lot 13, Tract 10416, in the Municipality of Yigo.

2. **LEGAL AUTHORITY:** Title 21, GCA, Chapter 62, Article 5, Section 62501 thru 62504, Subdivision Law, Section 5 of Executive Order 96-26.

3. **APPLICATION SUMMARY:**

As conditionally approved by the Commission on January 9, 2025, the subject application involves a Final Subdivision to create 28 single-family residential lots with full infrastructure improvements. The applicants propose to construct 14 two-story homes with 3 bedrooms and 2.5 bathrooms, and 14 two-story homes with 4 bedrooms and 3.5 bathrooms. The subdivision will include a 40-foot-wide access easement, recreational area, and a 9± sq.m. bus stop lot.

Planned on-site improvements include paved roads, sidewalks, curbs, gutters, streetlights, fire hydrants, underground utilities, stormwater collection and drainage systems, and a large neighborhood park. A runoff drainage system will also be developed to manage on-site runoff, and a perimeter fence will be installed for security.

The applicants have secured an infrastructure bond equal to 115% of total work costs, which has been approved by the Department of Public Works.

Telephone:  
671-649-LAND (5263)

Facsimile:  
671-649-5383



The applicants are requesting for an Extension of Time pursuant to Section 5 of Executive Order 96-26, which states, "The applicant must apply for and receive a building or grading permit for the approved project within one (1) year of the date of recordation of the Notice of Action; otherwise, the approval of the project as granted by the Commission shall expire". The applicants have been actively working with permitting agencies since February 2024 to satisfy regulatory requirements for subdivision infrastructure construction and are currently awaiting signature from the Guam Environmental Protection Agency (GEPA) to proceed with the construction permit.

**3. RECOMMENDATION:**

Considering that the applicants have been, and continue to, consult and coordinate with the Government of Guam permitting entities to address the permitting conditions and requirements for the approved Final Subdivision, planning staff recommends approval subject to the following conditions:

1. That the applicants shall continue to comply with the ARC conditions and requirements as stipulated in their Official Position Statement for the Commission's approval of the Tentative Subdivision on October 12, 2023; 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 GCA.



Celine L. Cruz

Attachment: Request Package

Case Planner: Grace Vergara

January 23, 2026

MS. ANITA B. ENRIQUEZ  
Chairperson, Guam Land Use Commission  
Department of Land Management  
ITC Building, Tamuning, Guam 96913

RE: REQUEST FOR EXTENSION – APPLICATION NO. 2025-04 FINAL  
SUBDIVISION APPROVAL OF LOT 13, TRACT 10416, YIGO, GUAM

Hafa Adai Ms. Enriquez,

This letter is to respectfully request your good office to extend our application's time of acquisition and compliance. Based on the Department of Land Management, Government of Guam, Office of the Recorder, the expiration date of "Notice of Action" with an approval of the project as granted by the Commission is on January 27, 2026. (Please see Attachment 1-Recorded Notice of Action).


In the course of our acquisition of the required building permit, we have obtained all the approvals of government agencies except the Guam EPA. (Please see Attachment 2-Application for Building Permit). The good news is, we are now in the final stage of the plan review with Guam EPA engineers, and approval is imminent very soon.

Additionally, as required by Guam DPW and pursuant to Title 21, Ch. 62, Article 5, § 62504 (b), the Owner and Contractor acquired a performance and payment bond from First Net Insurance, 424 West O'Brien Drive, Suite 202, Hagatna, Guam. (See Attachment 3-Performance & Payment Bond).

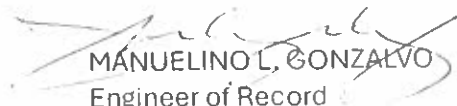
Given the above informations/narrative, we respectfully request that the extension be granted.

We look forward to your favorable action.

If you have any questions or clarification, please contact us at your convenience.

  
CONRADO V. ALEGRIA  
Owner

Co TL 4871301

  
MANUELINO L. GONZALVO  
Engineer of Record

671-7771173

RECEIVED  
1.23.26 Cy  
DLM / Planning Division

ATTACHMENT 1  
RECORDED NOTICE OF ACTION

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

.1005567

File for Record is Instrument Number

on the Year 20<sup>25</sup> Month 01 Day 27 Time 3:45PM

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder: E. DeFina

(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

**NOTICE OF ACTION**

January 16, 2025  
Date

To: Conrado V. and Katherine D. Alegria  
Represented by Daniel D. Swavely  
505 Harmon Loop Road  
Dededo, Guam 96929

Application No. 2025-04

The Guam Land Use Commission at its meeting on January 9, 2025

   / Approved       / Disapproved    XX / Approved with Conditions

   / Fabled

Your request on Lot 13, Tract 10416, Municipality of Yigo, for a

ZONING

- / Zone Change\*\*\*
- / Conditional Use
- / Zone Variance
- [ ] Height                      [ ] Use
- [ ] Density                      [ ] Other (Specify)
- [ ] Setback
- TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

- Subdivision Variance
- 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

MISCELLANEOUS

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

NOTICE OF ACTION

Application No. 2025-04

Conrado V. & Katherine D. Alegria  
Lot 13, Tract 10416, Municipality of Yigo  
GLUC Meeting of January 9, 2025  
Page 3 of 4

**APPLICATION DESCRIPTION:** The Applicants, Conrado V. and Katherine D. Alegria, represented by Daniel D. Swavely, pursuant to Section 62504 (b), Chapter 62, Title 21 GCA are requesting for a Final Subdivision approval on Lot 13, Tract 10416, in the Municipality of Yigo.


**COMMISSION DECISION:**

The Guam Land Use Commission **APPROVED** the applicant's request for a Final Subdivision, subject to the following conditions

- A That applicants continue compliance to the permitting ARC conditions and requirements as stipulated on their Official Position Statement submitted for the October 12, 2023 Commission approval of the Tentative Subdivision, and.
- B 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.

  
 \_\_\_\_\_  
 Celine L. Cruz  
 Guam Chief Planner

1/17/25  
 Date

 for 1/23/25  
 \_\_\_\_\_  
 Anita B. Enriquez  
 Chairperson  
 Guam Land Use Commission

C. Planner: Grace Vergara  
 C. Building Permits Section: DPW

CERTIFICATION OF UNDERSTANDING

I/We \_\_\_\_\_ / DANIEL D. SWARTZ  
(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.

_____	_____	<u>Daniel D. Swartz</u>	<u>1-25-25</u>
Signature of Applicant	Date	Signature of Representative	Date

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

_____	_____	<u>Daniel D. Swartz</u>	<u>2-05-25</u>
Applicant	Date	Representative	Date

ATTACHMENT 2  
APPLICATION FOR BUILDING PERMIT



**BUILDING INSPECTION & PERMITS SECTION  
APPLICATION FOR PERMIT**

Application Number \_\_\_\_\_  
Permit Number B24000076

IMPORTANT: Applicant must complete all items in sections I, II, III, IV

**I. LOCATION OF BUILDING**

Location CHALAN LUJUNA Y160, GUAM (Design District) RI  
Between CHN JOSEFAN FELIX GALLO and CHLN GE HADOM  
Subdivision LOT 13, TRACT 10416 Block \_\_\_\_\_ Lot Size \_\_\_\_\_

**II. TYPE AND COST OF BUILDING**

**A. Type of Building** Group Occupancy \_\_\_\_\_ Type of Constructor \_\_\_\_\_ Foundation \_\_\_\_\_  
 New Building  
 Foundation Only  
 Shell Only  
 Fence Wall  
 Retaining Wall  
 Other INFRASTRUCTURE  
 Add  
 Alter  
 Repair  
 Demolished  
 Reconstructed  
 Relocated  
352' x 829'  
(Dimensions of Building)

**B. Ownership**  
 Private (individual, corporation, non-profit institution, etc.)  
 Public (Federal, State, or Local Government)

**C. COST** **SCOPE OF WORK**  
 Cost of Improvements: 973,858.36  
 electrical \_\_\_\_\_  
 plumbing \_\_\_\_\_  
 heating air conditioning \_\_\_\_\_  
 other (elevator, etc.) \_\_\_\_\_  
**TOTAL COST OF IMPROVEMENT \$ 973,858.36**  
INSTALLATION OF WATER, SEWER LINES, ELECTRICAL HANDHOLES & UNDERGROUND PIPES, TELEPHONE/CABLE PIPES (INFRASTRUCTURE ONLY) INCLUDING PAVEMENT & SIDEWALK

**D. PROPOSED USE**  
**Residential**  
 One family  
 Two or more families  
 Enter No. of Units → \_\_\_\_\_  
 Full service hotel, motel or dormitory  
 Enter No. of Units → \_\_\_\_\_  
**Non-Residential**  
 Amusement, recreational  
 Church, other religious  
 Industrial  
 Parking garage  
 Service station, repair shop, etc.  
 Hospital, health care  
 Office, bank, professional  
 Public utility  
 School, library, other educational  
 Store, mercantile  
 Tanks, towers  
 Other (specify) \_\_\_\_\_  
 Other specify SUBDIVISION

**III. SELECT CHARACTERISTICS OF BUILDING**

**E. Principal Type of Frame**  
 Masonry (wall bearing)  
 Wood frame  
 Structural steel  
 Reinforced concrete  
 Other (specify) \_\_\_\_\_  
**F. Type of Sewage Disposal**  
 Public Sewer  
 Private (septic tank, etc.)  
**G. Type of Mechanical**  
 Yes  No Central Air Conditioning  
 Yes  No Will there be an elevator?  
**H. Type of Water Supply**  
 Public Supply  
 Private (well, cistern)  
**I. Dimensions**  
 Number of stories \_\_\_\_\_  
 Total square feet of floor area, all floors, based on exterior dimensions \_\_\_\_\_  
 Total land area in sq. ft. 290,545 SF  
**J. Number of Parking Spaces**  
 Enclosed \_\_\_\_\_  
 Outdoors \_\_\_\_\_  
**K. Residential Buildings Only**  
 Number of bedrooms \_\_\_\_\_  
 Number of Bathrooms } Full \_\_\_\_\_  
 } Partial \_\_\_\_\_

**IV. IDENTIFICATION**

	Print Name / Signature	Mailing Address - Number, street, city and state	ZIP Code	Telephone
1. Owner or Lessee	<u>CONRADO MIEGRIA</u>	<u>505 HARMON LOOP RD.</u>	<u>96929</u>	<u>671-4871301</u>
	<u>KATHERINE MIEGRIA</u>	<u>DEDEDO, GUAM</u>		
2. Contractor	<u>Z&amp;P BUILDERS</u>	<u>PO Box 12208 Y160, GU</u>	<u>96929</u>	<u>671-7771173</u>
	<u>7931</u>			
3. Architect or Engineer SEAL NO	<u>FRANCISCO DIAMBRIN</u>	<u>P.O. Box 4739 Hagatna, Guam</u>	<u>96931</u>	<u>671-777 5002</u>

The owner of this building and the undersigned agree to conform to all applicable laws of the Government of Guam.  
 Owner/Agent [Signature] Current Address 505 HARMON LOOP RD DEDEDO, GUAM 96929 Activation Date \_\_\_\_\_  
 Page 1 of 2

**BUILDING INSPECTION & PERMITS SECTION  
APPLICATION FOR PERMIT**

Application Number \_\_\_\_\_  
Permit Number B24000076

TO BE FILLED OUT BY BUILDING STAFF ONLY

**V. PLAN REVIEW**

Review Required	Date Plans Started	Date Plans Approved	Print Name Signature	Comments
Architectural				
Structural				
Mechanical/Plumbing				
Flood Control				
Electrical				
HPCC				
Hydraulics/Civil				
Highway Encroachment				
Rights of Way				
Traffic Engineering				

**VI. ZONING EXAMINATION TO BE DONE BY DLM**

District 4160-RI  
 Use SEE SLOPE OF WORK (FOR LEGACY SUBDIVISION)  
 Front Yard \_\_\_\_\_  
 Side Yard N/A Side Yard N/A  
 Rear Yard \_\_\_\_\_  
 Ownership of Property CONRADO & KATHERINE ALEGRIA  
 If not owner, is there a lease or authorization for the property? \_\_\_\_\_  
 Did this project receive HUC approval? What are the conditions? YES, TENTATIVE SUBD, NOA 001.

**VII. COMMENTS BY OTHER AGENCIES (Route as indicated)**

Agency	Date	Print Name Signature	Comments
Land Management Zone (D)	<u>02/09/24</u>	<u>GILBERT VERGARA</u>	
Contractor's License Board	<u>02/01/2024</u>	<u>Avron Kingston</u>	License valid until June 2024
Public Health			
EPA (W)			
GWA	<u>10/15/25</u>	<u>Jacob Miller</u>	Approved with conditions.
Guam Power Authority	<u>3/13/25</u>	<u>A. TANGELONA</u>	APPROVED AS NOTED
Fire Prevention Bureau (D)			
Parks Board	<u>2/1/24</u>	<u>Nilsaac</u>	Valid Registration
Parks & Rec.	<u>2/2/24</u>	<u>Russell Korman</u>	Approved as per RC 2023-0526
Dept. of Agriculture	<u>4/10/2025</u>	<u>Christine C. Reyes</u>	Approved with conditions letter dated 4/9/25.

**VIII. VALIDATION**

Building Permit Number B24000076 Approved Valuation \$ 973,858.36  
 Building Permit Issued \_\_\_\_\_ 20 \_\_\_\_\_ Plan Checking Fee \$ 3191.18 - 10/02/24 B  
 Approved By: \_\_\_\_\_ Building Permit Fee \$ 4909.50  
 Title: \_\_\_\_\_ Date \_\_\_\_\_ Total \$ 8100.68

ATTACHMENT 3  
PERFORMANCE & PAYMENT BOND

**FIRST NET INSURANCE COMPANY**  
**PERFORMANCE & PAYMENT BOND**

**Bond No. AGA-5127-PF/PM**

Any singular reference to Contractor, Surety, Obligee or other party shall be considered plural where applicable.

**CONTRACTOR (Name & Address)**

**Z & P BUILDERS**  
P.O. Box 12208  
Yigo, Guam 96929

**SURETY (Name & Principal Place of Business)**

**FIRST NET INSURANCE COMPANY**  
424 West O'Brien Drive, Suite 202  
Hagatña, Guam 96910

**OBLIGEE (Name & Address)**

**Dr. Conrado V. Alegria & Katherine D. Alegria**  
505 Harmon Loop Rd.  
Dededo, Guam 96929

**CONSTRUCTION CONTRACT**

Date: November 15, 2023

Amount: ONE MILLION ONE HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED SEVENTY-TWO & 00/100 (\$1,121,672.00) U.S. Dollars

Description (Name & Location): For the construction of infrastructure and utility works for 28 lots subdivision, also known as Legacy Subdivision, located at Lot No. 13, Tract 10416, Yigo, Guam belonging to Dr. Conrado V. Alegria & Katherine D. Alegria.

**BOND**

Date (Not earlier than Construction Contract Date): October 14, 2024

Performance & Payment Bond: Amount: ONE MILLION ONE HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED SEVENTY-TWO & 00/100 (\$1,121,672.00) U.S. Dollars

**CONTRACTOR AS PRINCIPAL**

Company: (Corporate Seal)  
**Z & P BUILDERS**

**SURETY**

Company: (Corporate Seal)  
**FIRST NET INSURANCE COMPANY**

Signature:   
Name and Title: Manuelino Gonzalvo  
Owner

Signature:   
Name and Title: Carolina G. Serafica  
Attorney-in-Fact

(FOR INFORMATION ONLY - Name, Address & Telephone)

**GENERAL AGENT**  
**MOYLAN'S INSURANCE UNDERWRITERS**  
424 W O'Brien Drive, Suite 202  
Hagatña, Guam 96910

**OBLIGEE'S REPRESENTATIVE**  
(Architect, Engineer or other party):