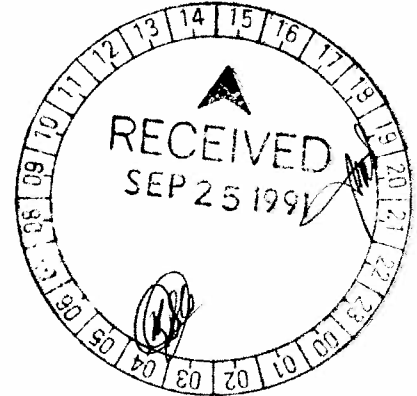




Territory of Guam
Territorion Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

SEP 20 1991



The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 437, which I have signed into law this date as Public Law 21-56.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank F. Blas'.

FRANK F. BLAS
Governor of Guam
Acting

Attachment



Commonwealth Now!

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 437 (COR), "AN ACT TO REZONE CERTAIN REAL PROPERTY IN YIGO AND ELSEWHERE," was on the 30th day of August, 1991, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



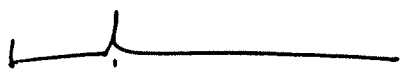
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 10th day of September, 1991, at 4:45 o'clock P.m.



Theresa F. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: SEP 20 1991

Public Law No: 21-56

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 437 (COR)

As substituted by the Committee
on Housing, Community Development,
Federal and Foreign Affairs

Introduced by:

G. Mailloux
M. D. A. Manibusan
H. D. Dierking
J. P. Aguon
E. P. Arriola
J. G. Bamba
A. C. Blaz
M. Z. Bordallo
D. F. Brooks
E. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
D. Parkinson
M. C. Ruth
J. T. San Agustin
F. R. Santos
D. L. G. Shimizu
A. R. Unpingco

**AN ACT TO REZONE CERTAIN REAL PROPERTY IN YIGO
AND ELSEWHERE.**

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Rezoning Agricultural land to R-2.** Certain real property
3 described as Lot 7090-1, Yigo, Guam, consisting of approximately eighty
4 three thousand (83,000) square meters of land adjacent to Andersen Air Force
5 Base and Ano Estates and belonging to Mr. and Mrs. Steve Herring, is hereby

1 rezoned from Agricultural ("A") to Multi-Family Dwellings ("R-2").

2 **Section 2. Condition.** The rezoning authorized in Section 1 of this Act
3 is conditioned on the installation of infrastructure required to provide
4 adequate service for the proposed uses of the property. Upon completion of
5 the installation of the required infrastructure and notification to the
6 Department of Land Management of such installation, the Director of Land
7 Management shall have all zoning maps and documents amended to reflect
8 the rezoning herein authorized.

9 **Section 3. Rezoning R-1 to R-2.** Certain real property described as (i)
10 Lot No. 19.5-13, Afame, Sinajana, Guam, Estate No. 14620, Suburban, as
11 shown on Drawing No. M-267S80, filed under Document No. 80140 and
12 belonging to Oceanic Lumber, Inc., a Guam corporation, (ii) Lot No. 3-1,
13 Tract 169 (Lot No. 7019-2), Yigo, Guam, Estate No. 21064, as shown on map
14 filed under Document No. 97916 and belonging to Soan-Orient, Inc., a Guam
15 corporation, and (iii) Lot No. 4-3, Tract 1413, Dededo, Guam, Estate No.
16 52443, Suburban, as shown on Drawing No. 5083 and belonging to Oceanic
17 Lumber, Inc., a Guam corporation, are hereby rezoned from Single Family
18 Residential ("R-1") to Multi-Family Dwellings ("R-2").

2156

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Date: 8/30/91

VOTING SHEET

Bill No. 437

Resolution No. _____

Question: _____

	AYE	NO	NOT VOTING	ABSENT/ OUT DURING ROLL CALL
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
DIERKING, Herminia D.	✓			
DUENAS, Edward R.	✓			
ESPALDON, Ernesto M.	✓			
GUTIERREZ, Carl T.C.	✓			
LUJAN, Pilar C.	✓			
MAILLOUX, Gordon	✓			
MANIBUSAN, Marilyn D.A.	✓			
PARKINSON, Don	✓			
REIDY, Michael J.		✓		
RUTH, Martha C.			✓	
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.	✓			
SHIMIZU, David L.G. +	✓			
TANAKA, Thomas V.C.		✓		
UNPINGCO, Antonio R.			✓	

17 2 2

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL AND FOREIGN AFFAIRS
TWENTY-FIRST QUAM LEGISLATURE
163 Chalan Santo Papa
Agaña, Guam 96910**

Senator Francisco R. Santos
Chairman

Tel: (671) 472-3414/3415
Fax: (671) 477-3048

August 27, 1991

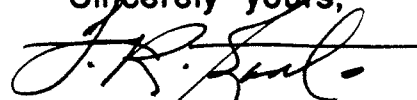
The Honorable Joe T. San Agustin
Speaker
Twenty First Guam Legislature
Agana, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred **Bill No. 437**, has had said bill under consideration and herewith reports the same with its recommendation **TO DO PASS AS SUBSTITUTED BY THE COMMITTEE**. The votes of the Committee members are as follows:

TO DO PASS	<u> 9 </u>
TO DO NOT PASS	<u> 0 </u>
TO REPORT OUT ONLY	<u> 0 </u>
NOT VOTING/PASS ON FILE	<u> 0 </u>
OFF-ISLAND	<u> 1 </u>

Sincerely yours,


F.R. Santos

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL, AND FOREIGN AFFAIRS
TWENTY FIRST GUAM LEGISLATURE**

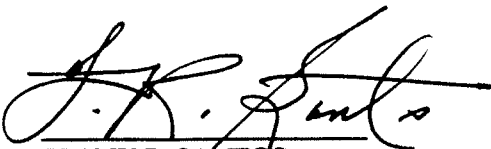
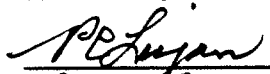

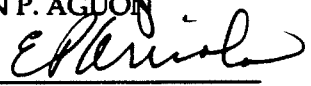
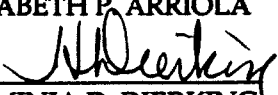



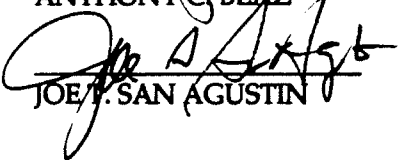
155 Hesler St.
Agaña, Guam 96910

Senator Francisco R. Santos
Chairman

Tel: (671) 472-3414/3415
Fax: (671) 477-3048

Voting Sheet

On Bill No. 437: An Act to Re-Zone certain real property in Yigo

	TO DO PASS	TO DO NOT PASS	TO REPORT OUT ONLY	OFF ISLAND
 FRANK R. SANTOS	✓	_____	_____	_____
 PILAR C. MORAN	✓	_____	_____	_____
 JOHN P. AGUIÑ	✓	_____	_____	_____
 ELIZABETH P. ARRIOLA	✓	_____	_____	_____
 HERMINIA D. DIERKING	✓	_____	_____	_____
 GEORGE BAMBA	✓	_____	_____	_____
 MARILYN D.A. MANIBUSAN	✓	_____	_____	_____
EDWARD R. DUENAS	_____	_____	_____	_____
 ANTHONY C. BLAZ	✓	_____	_____	_____
 JOE F. SAN AGUSTIN	✓	_____	_____	_____

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 437

As Substituted by the
Committee on Housing, Community Development,
Federal and Foreign Affairs

Introduced by:

G. Mailloux
M. Manibusan

AN ACT TO RE-ZONE CERTAIN REAL
PROPERTY IN YIGO.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

3
4 Section 1. Certain real property described as Lot 7090-1, Yigo,
5 Guam, consisting of approximately eighty three thousand (83,000) square
6 meters of land adjacent to Andersen Air Force Base and Ano Estates is
7 hereby rezoned from Agricultural (A) to Multi-Family Dwellings (R-2).

8
9 Section 2. The provisions of the re-zoning authorized in Section 1
10 hereof is conditioned on the installation of infrastructure required to
11 provide adequate service to the proposed uses of the property. Upon
12 completion of the installation of the required infrastructure and
13 notification to the Department of Land Management of such installation,
14 the Director of Land Management shall have all zoning maps and
15 documents amended to reflect the rezoning herein authorized.

16
17 Section 3. Certain real property described as Lot No. 195-13,
18 Sinajana, Guam; Lot No. 3, Tract 169, Yigo, Guam and Lot No. 4-3, Tract
19 1413, Dededo, Guam are hereby rezoned from Single Family Residential
20 (R-1) to Multi-Family Dwellings (R-2).
21

PUBLIC HEARING

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bill No. 437, scheduled a public hearing on June 6, 1991 at the Legislative Session Hall, 155 Hesler St., Agana, Guam, at 9:00 AM to receive testimony on said measure. Pursuant to the Standing Rules of the Twenty First Guam Legislature, public notice was published for said hearing and the following agencies were invited to submit testimony:

The Office of the Governor
Legislative Review Committee
Department of Land Management
Bureau of Planning
Territorial Land Use Commission
Public Utility Agency of Guam
Guam Power Authority
Guam Telephone Authority

Senators present at the Public Hearing were:

Senator Francisco R. Santos, Chairman
Senator Pilar C. Lujan, Vice Chairperson
Senator Elizabeth P. Arriola
Senator John P. Aguon
Senator Anthony C. Blaz
Senator Marilyn D.A. Manibusan

OVERVIEW

Appearing before the Committee to provide testimony were:

Mr. Steve Herring, owner of Lot No. 7090-1, Yigo;
Mr. Frank Castro, Director of Land Management
A Representative of PUAG
Mr. Michael Cruz, Bureau of Planning

Mr. Steve Herring noted to the Committee that his request to rezone the property is to enable him to build apartment buildings to service the US Air Force with temporary living allowance quarters. His plans are to build an apartment complex with various sizes of apartments designed basically to satisfy the TLA requirements of the military. The proximity of his property to Andersen Air Force Base dictates what he feels is the highest and best use of his property. At present the property is zoned agricultural but that because of the type of soil and sub soil structure, basically limestone and rock, farming and agricultural pursuits on the property does not seem feasible to him and would not be cost effective use of the property according to the owner.

Mr. Herring noted that upon checking with the housing divisions of both the Air Force and Navy, both offices noted that there is a need for TLA housing on Guam. This is especially true considering the situation surrounding Clark Air Force Base in the Philippines.

Mr. Frank Castro noted that the Department of Land Management has no objections to rezoning the property to R2 because of its proximity to

Andersen Air Force Base. However, Mr. Castro noted that Land Management wishes to insure that the adequate infrastructure be installed in the area prior to granting an occupancy permit for apartment buildings built on the property.

Mr. Michael Cruz, Bureau of Planning, noted that the Bureau objects to the rezoning because it did not go through the TLUC process and review by the Development Review Committee. However, Mr. Cruz noted that should the Legislature decide to rezone the property, Bureau of Planning wishes the inclusion in the bill of a requirement for adequate infrastructure.

The Public Utility Agency of Guam does not object to the rezoning in the legislation provided that their concern for adequate infrastructure be addressed prior to the granting of an occupancy permit. The same objections and concerns were raised by the Guam Environmental Protection Agency when questioned on the matter by Committee staffers.

COMMITTEE RECOMMENDATION

- The Committee recommends amendment of the bill with a provision requiring adequate infrastructure as a condition of the rezoning.
- The Committee recommends that the rezoning take effect only upon notification of the Department of Land Management that the required infrastructure has been installed and completed on the property.
- The Committee recommends that upon inclusion of provisions for required and adequate infrastructure, the bill be passed as substituted.



DEPARTMENT OF LAND MANAGEMENT
GOVERNMENT OF GUAM
AGANA, GUAM 96910

June 6, 1991

The Honorable Frank R. Santos
Chairman, Committee on Housing,
Community Development, Federal
and Foreign Affairs
Twenty First Guam Legislature
Agana, Guam 96910

Subject: Legislative Bill No. 169

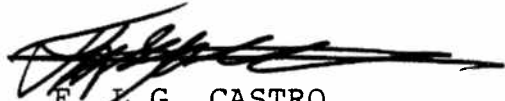
Dear Mr. Chairman:

The need for recreational facilities within the immediate environ of any residential area is unique and we support the said concept for the numerous areas cited in the municipality of Dededo.

Accordingly, we stand prepared to work with the Mayor on this matter and I have already asked to meet with him and the Municipal Planning Council. All necessary support which are required will be rendered by Land Management.


Thank you for the opportunity afforded us in commenting on Bill 169 and if we could answer any of the Committee's questions, we will be glad to try and answer them.

Sincerely yours,


F. L.G. CASTRO
Director, Department of
Land Management



TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session



Bill No. 437
As substituted by the Committee
on Housing, Community Development,
Federal and Foreign Affairs

Introduced by:

G. Mailloux
M. D. A. Manibusan

AN ACT TO REZONE CERTAIN REAL PROPERTY IN YIGO.

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

2 **Section 1. Rezoning Agricultural land to R-2.** Certain real property
3 described as Lot 7090-1, Yigo, Guam, consisting of approximately eighty
4 three thousand (83,000) square meters of land adjacent to Andersen Air Force
5 Base and **Ano** Estates is hereby rezoned from Agricultural ("A") to Multi-
6 Family Dwellings ("R-2").

7 **Section 2. Condition.** The rezoning authorized in Section 1 of this Act
8 is conditioned on the installation of infrastructure required to provide
9 adequate service for the proposed uses of the property. Upon completion of
10 the installation of the required infrastructure and notification to the
11 Department of Land Management of such installation, the Director of Land
12 Management shall have all zoning maps and documents amended to reflect
13 the rezoning herein authorized.

14 **Section 3. Rezoning R-1 to R-2.** Certain real property described as Lot
15 No. 19.5-13, **Afame**, Sinajana, Guam, Estate No. 14620, Suburban, as shown
16 on Drawing No. M-267S80, filed under Document No. 80140, Lot No. 3-1,

1 Tract 169 (Lot No. 7019-2), Yigo, Guam, Estate No. 21064, as shown on map
2 filed under Document No. 97916, and Lot No. 4-3, Tract 1413, Dededo,
3 Guam, Estate No. 52443, Suburban, as shown on Drawing No. 5083 is hereby
4 rezoned from Single Family Residential ("R-1") to Multi-Family Dwellings
5 ("R-2").


Introduced

AUG 27 '91

TWENTY-FIRST GUAM LEGISLATURE
1991 (First) Regular Session

Bill No. 437 (COR)

Introduced by:

G. Mailloux 

**AN ACT TO RE-ZONE CERTAIN REAL
PROPERTY IN YIGO**

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2

3 Section 1. Certain real property described as Lot 7090-1,
4 Yigo, Guam, consisting of approximately eighty-three thousand
5 (83,000) square meters of flat terrain adjacent to Andersen Air Force
6 Base, adjacent to military housing, and adjacent to Ano Estates,
7 currently zoned as Agricultural (A) is hereby re-zoned as R-2.