



REFER TO
LEGISLATIVE SECRETARY

Territory of Guam
Territorion Guam

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

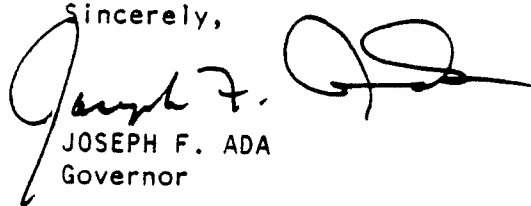
NOV 27 1991

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

Dear Mr. Speaker:

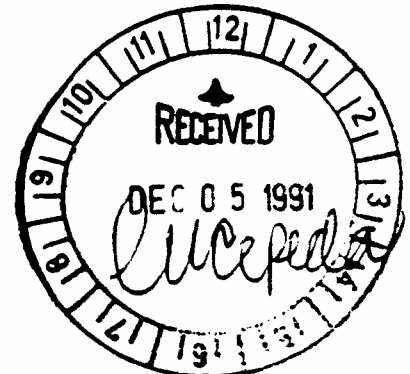
Transmitted herewith is Bill No. 419, which I have signed into law this
date as Public Law 21-71.

Sincerely,


JOSEPH F. ADA
Governor

Attachment

210544



Commonwealth Now!

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

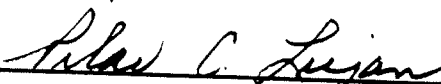
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 419 (LS), "AN ACT TO CHANGE THE ZONING OF LOT NO. 2151-C, DEDEDO, FROM SINGLE FAMILY RESIDENTIAL TO COMMERCIAL AND OF LOT NO. 1, BLOCK 1, TRACT 144, MAGA, MANGILAO FROM MULTI-FAMILY RESIDENTIAL TO COMMERCIAL," was on the 8th day of November, 1991, duly and regularly passed.



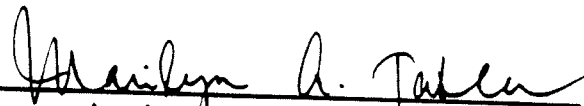
JOE T. SAN AGUSTIN
Speaker

Attested:




PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 15th day of November, 1991, at 3:30 o'clock P.m.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: November 27, 1991

Public Law No: 21-71

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 419 (LS)

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

Introduced by:

M. D. A. Manibusan
H. D. Dierking
J. G. Bamba

J. P. Aguon
E. P. Arriola
A. C. Blaz
M. Z. Bordallo
D. F. Brooks
E. R. Dueñas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
D. Parkinson
M. J. Reidy
M. C. Ruth
J. T. San Agustin
F. R. Santos
D. L. G. Shimizu
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO CHANGE THE ZONING OF LOT NO. 2151-C,
DEDEDO, FROM SINGLE FAMILY RESIDENTIAL TO
COMMERCIAL AND OF LOT NO. 1, BLOCK 1, TRACT 144,
MAGA, MANGILAO FROM MULTI-FAMILY RESIDENTIAL
TO COMMERCIAL.

1

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

1 **Section 1. Legislative findings.** It is the finding of this Legislature that
2 Lot No. 2151-C, Dededo, which property belongs to Frank D. Perez, was
3 inadvertently not rezoned when the property along Chalan San Antonio was
4 all rezoned Commercial, being the only remaining property along that
5 highway which is not so rezoned. This Legislature therefore finds that
6 because of the problems caused by the government's inadvertent omission of
7 such rezoning, Mr. Perez' property should be rezoned to conform with other
8 properties along Chalan San Antonio.

9 **Section 2. Rezoning.** Lot No. 2151-C, Tamuning, Dededo, containing
10 approximately 2784 square meters, and belonging to Frank D. Perez, is
11 hereby rezoned from Single Family Residential ("R-1") to Commercial ("C").

12 **Section 3. Rezoning.** Lot 1, Block 1, Tract 144, Maga, Mangilao,
13 Barrigada, is hereby rezoned from Multi-family Residential ("R-2") to
14 Commercial ("C"), the Legislature finding that the owner of this property,
15 Dr. Franklin Quitugua, desires to build a professional office building thereon
16 to accommodate professional services affiliated with the University of Guam,
17 and that because of the rapid development of the University of Guam, a
18 professional building in the area would be beneficial to the goals and
19 objectives of Guam's highest institution of learning.



**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 29, 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. 419**, 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	10
TO DO NOT PASS	0
TO REPORT OUT ONLY	0
NOT VOTING/PASS ON FILE	0
OFF-ISLAND	0

Sincerely yours,



F.R. Santos

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

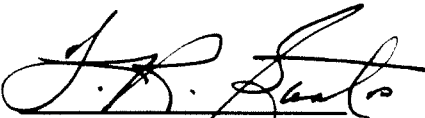
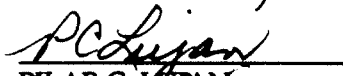



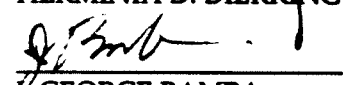
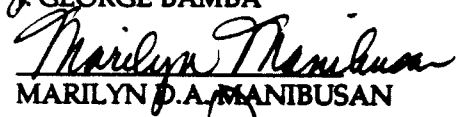

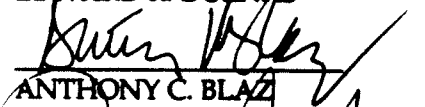
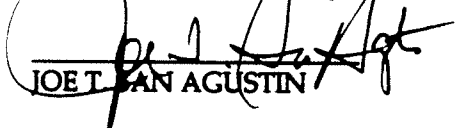
155 Hesler St.
Agaña, Guam 96910

Senator Francisco R. Santos
Chairman

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

Voting Sheet

**On Bill No. 419: An Act to Rezone Lot No. 2151-C, Municipality of
Dededo, from Single Family Dwelling (R1) to Commercial (C).**

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

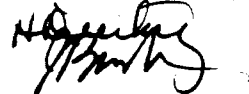
TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 419 (LS)

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

Introduced by:

M.D.A. Manibusan



AN ACT TO CHANGE THE ZONING OF LOT
NO. 2151-C, MUNICIPALITY OF DEDEDO
FROM "R-1" SINGLE FAMILY DWELLING TO
"C" COMMERCIAL AND LOT NO. 1, BLOCK 1,
TRACT 144, MAGA, MANGILAO FROM MULTI
FAMILY DWELLING (R-2) TO COMMERCIAL
(C).

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

3
4 Section 1. Legislative Finding: It is the finding of this Legislature
5 that Lot No. 2151-C, Municipality of Dededo, which property belongs to
6 Mr. Frank D. Perez, was inadvertently not rezoned when the property
7 along Chalan San Antonio was all rezoned as a Commercial (C) district.
8 Thus, Lot No. 2151-C is the only remaining property along that highway
9 which is not zoned as Commercial. This Legislature further finds that
10 because of the time delay caused by the Government of Guam's
11 inadvertent omission of such rezoning, Mr. Perez's property should be
12 rezoned to conform with other properties along Chalan San Antonio.
13

1 Section 2. Rezoning: Lot No. 2151-C, situated in the Municipality
2 of Dededo, said to contain approximately 2784 square meters, and
3 belonging to Mr. Frank D. Perez, is hereby rezoned from Single Family
4 Dwelling (R-1) to Commercial (C).

5
6 Section 3. Rezoning: Lot 1, Block 1, Tract 144, Maga, Mangilao,
7 Municipality of Barrigada, is hereby rezoned from "R-2", (Multi Family
8 Dwellings), to "C", (Commercial). The Legislature finds that the owner
9 of this property, Dr. Franklin Quitugua, desires to build a professional
10 office building to accomodate professional services affiliated with the
11 University of Guam. Because of the rapid development of the University
12 of Guam, the Guam Legislature is of the consensus that a professional
13 building in the area would be beneficial to the goals and objectives of
14 Guam's highest institution of learning.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) REGULAR SESSION

Introduced

BILL NO. 419(LS)

JUN 04 '91

INTRODUCED BY:

M.D.A. MANIBUSAN *Mdm*

AN ACT TO CHANGE THE ZONING OF LOT NO. 2151-C, MUNICIPALITY OF DEDEDO FROM R-1 SINGLE FAMILY DWELLING TO C COMMERCIAL.

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

2 Section 1. Legislative Finding. It is the finding of this
3 Legislature that Lot No. 2151-C, Municipality of Dededo
4 (approximately 2,784 square meters) property of Frank D. Perez
5 and Carmen D. Perez, zoned R-1, was inadvertently not rezoned to
6 Commercial when the property along Chalan San Antonio was all rezoned
7 to Commerical. This Legislature further finds that getting rezoning
8 by private individuals takes the better part of a year and at a
9 very substantial cost. It is the sense of this Legislature that
10 due to the inadvertence and time delay this matter should be
11 expedited by the Legislature.

12 Section 2. The following parcel of land, Lot No. 2151-C,
13 Municipality of Dededo approximately 2,784 square meters is hereby
14 rezoned from Single Family Dwelling (R-1) to Commercial.

COMMITTEE REPORT ON BILL NO. 419

PREPARED BY

THE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL AND FOREIGN AFFAIRS

TWENTY-FIRST GUAM LEGISLATURE

AUGUST 21, 1991

COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL AND FOREIGN AFFAIRS - COMMITTEE REPORT
ON BILL NO. 419

"AN ACT TO REZONE LOT NO. 2151-C, IN THE MUNICIPALITY OF
DEDEDO FROM SINGLE-FAMILY DWELLING (R-1) TO COMMERCIAL
(C)"

I. INTRODUCTION

THE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS CONDUCTED A PUBLIC HEARING ON BILL NO. 419 ON AUGUST 20, 1991 AT 9:00 A.M. AT THE PUBLIC HEARING ROOM OF THE TWENTY-FIRST GUAM LEGISLATURE, 155 HESLER STREET, PACIFIC ARCADE BLDG., AGANA, GUAM TO RECEIVE PUBLIC INPUT AND TESTIMONY ON THE SAID BILL.

COMMITTEE MEMBERS IN ATTENDANCE WERE:

SENATOR FRANCISCO R. SANTOS, CHAIRMAN
SENATOR PILAR C. LUJAN, VICE-CHAIR
SENATOR ELIZABETH P. ARRIOLA, MEMBER
SENATOR JOHN P. AGUON, MEMBER
SENATOR J. GEORGE BAMBA, MEMBER
SENATOR ANTHONY C. BLAZ, MEMBER
SENATOR MARILYN D.A. MANIBUSAN, MEMBER

WITNESSES TESTIFYING BEFORE THE COMMITTEE WERE:

MR. HERO Y. HUANG, REPRESENTING MR. FRANK D. PEREZ
MR. FRANK L.G. CASTRO, DIRECTOR OF LAND MANAGEMENT
MR. MICHAEL J. CRUZ, DIRECTOR, BUREAU OF PLANNING

II. SUMMARY OF TESTIMONY

MR. H. HUANG ADVISED THE COMMITTEE THAT HE WAS APPEARING BEFORE THEM AS A REPRESENTATIVE OF MR. FRANK D. PEREZ, OWNER OF LOT NO. 2151-C AND

THAT HE IS IN FULL SUPPORT OF THE BILL. THE PROPERTY, HUANG STATES, IS SITUATED BETWEEN SAINT ANTHONY'S SCHOOL AND THE GUAM GREYHOUND RACEPARK IN TAMUNING WITH NEARLY 400 LINEAR FEET ADJACENT TO CHALAN SAN ANTONIO.

THE BASIS FOR THE REZONING REQUEST IS THE FACT THAT ALL PROPERTIES ADJACENT TO LOT NO. 2151-C AND FRONTING CHALAN SAN ANTONIO (OLD HOSPITAL ROAD) WERE ZONED COMMERCIAL WITH THE EXCEPTION OF LOT NO. 2151-C IN THE MID-1960'S. LOT NO. 2151-C AT THE TIME WAS EXCLUDED FROM REZONING DUE TO PENDING GOVERNMENT OF GUAM CONDEMNATION ACTION. HOWEVER, THE ACQUISITION OF THIS LOT WAS LATER FOUND UNNECESSARY THUS LEAVING THE PROPERTY AS RESIDENTIAL (R-2) WITHIN THE COMMERCIAL PROPERTIES FRONTING CHALAN SAN ANTONIO. AS A RESULT OF THIS ZONING OVERSIGHT ATTRIBUTED TO THE GOVERNMENT'S INACTION AND DECISION NOT TO CONDEMN SAID LOT, MR. FRANK D. PEREZ IS SEEKING LEGISLATIVE ASSISTANCE IN RECTIFYING THIS MATTER.

THE BUREAU OF PLANNING TESTIFIED THAT THOUGH THEY RECOGNIZE THE RATIONALE BEHIND THE PROPOSED ZONE CHANGE, THEY ARE UNABLE TO SUPPORT THE MEASURE SINCE ANY LEGISLATIVE ACTION ON SUCH WOULD BYPASS THE TERRITORIAL LAND USE COMMISSION PROCESS WHILE NOT AFFORDING GOVGUAM AGENCIES THE BENEFIT OF COMPREHENSIVE REVIEW.

MR. FRANK L.G. CASTRO, DIRECTOR OF LAND MANAGEMENT TESTIFIED IN FAVOR OF THE BILL. MR. CASTRO HOWEVER, POINTED OUT SOME MINOR CORRECTIONS THAT WOULD HAVE TO BE ADDRESSED IN THE ORIGINAL BILL. THE PROPERTY IN QUESTION IS ZONED R-2 AND NOT R-1 AS CITED IN THE BILL.

III. COMMITTEE FINDINGS

THE COMMITTEE UPON RECEIVING INPUT AND TESTIMONY FROM THE REPRESENTATIVES OF GOVERNMENT AND THE GENERAL PUBLIC, FINDS THAT BILL NO. 419 MERITS DUE CONSIDERATION OF BOTH THE COMMITTEE AND THE TWENTY-FIRST GUAM LEGISLATURE AND FURTHER, THAT THE PASSAGE OF SAID BILL WOULD AID THE INTERESTS OF THE PEREZ FAMILY AND NOT ADVERSELY AFFECT THE RESIDENT OF TAMUNING OR THE PUBLIC AT LARGE.

THE LEGISLATURE FINDS THAT THE REZONING OF LOT 1, BLOCK 1, TRACT 144, MAGA, MANGILAO, MUNICIPALITY OF BARRIGADA, DOES NOT PRESENT ANY COMPATIBILITY PROBLEMS WITH EXISTING STRUCTURES IN THE AREA. THE LEGISLATURE HAS BEEN APPRISED THAT THE PURPOSES OF THE REZONING WILL BE FOR THE CONSTRUCTION OF A PROFESSIONAL BUILDING FOR SERVICES AFFILIATED WITH THE UNIVERSITY OF GUAM AND OTHER INSTITUTIONS OF HIGHER LEARNING IN THE AREA. BECAUSE THERE IS A LACK OF PROFESSIONAL TYPE BUILDINGS IN THAT COMMUNITY, THE LEGISLATURE FINDS THAT THE BUILDING OF A PROFESSIONAL BUILDING IN THE AREA WILL FILL A VOID AND NEED THAT IS COMMON IN OTHER AREAS AND HIGHER EDUCATION COMMUNITIES.

IV. COMMITTEE RECOMMENDATIONS

AS A RESULT OF THE SUPPORTIVE TESTIMONY RECEIVED ON BILL NO. 419, THE COMMITTEE RECOMMENDS TO DO PASS BILL NO. 419 AS SUBSTITUTED BY THE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS. NOTED FOR THE RECORD IS AN AMENDMENT TO BILL NO. 419 CONSISTING OF A ZONE CHANGE OF LOT 1, BLOCK 1, TRACT 144, MAGA, MANGILAO, MUNICIPALITY OF BARRIGADA FROM "R-2" TO "C" (SECTION 3 OF SUBSTITUTE BILL NO. 419 (LS)).

V. ATTACHMENTS

HERO Y. HUANG
P.O. BOX 8121
TAMUNING, GUAM 96931

AUG. 20, 1991

SENATOR FRANCISCO R. SANTOS, CHAIRMAN
COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT
FEDERAL AND FOREIGN AFFAIRS
21ST GUAM LEGISLATURE
155 HESLER STREET
AGANA, GUAM 96911

DEAR MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

HABA ADAI AND GOOD MORNING. I AM HERO Y. HUANG, I REPRESENT MR. FRANK D. PEREZ, OWNER OF LOT 2151-C, DEDEDO, MR. PEREZ IS UNABLE TO ATTEND THIS HEARING DUE TO FAMILY EMERGENCY MATTER.

I AM HERE THIS MORNING TO PRESENT TESTIMONY ON

BILL NO. 419: AN ACT TO REZONE LOT NO. 2151-C, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY DWELLING(R1) TO COMMERCIAL(C)

IN REFERENCE TO BILL NO. 419, I SUPPORT THE INTENT OF THIS BILL 100% AND RECOMMEND FOR IT'S IMMEDIATE PASSAGE. THE SUBJECT LOT IS LOCATED BETWEEN SAINT ANTHONY SCHOOL AND GUAM GREYHOUND RACE TRACK, WITH 400 FT FRONTAGE ALONG THE MAJOR HIGHWAY, CHALAN SAN ANTONIO ROAD, OR MORE FAMILIAR BY THE NAME OF HOSPITAL ROAD. ALL OF THE LAND ALONG HOSPITAL ROAD HAS BEEN REZONED TO COMMERCIAL ACCORDING TO THE MASTER PLAN. THE SUBJECT LOT WAS LEFT OUT DUE TO THE LAND EXCHANGE WITH GOVERNMENT OF GUAM IN PROCESS WHEN THE MASTER PLAN WAS PASSED. SINCE THE LAND EXCHANGE WITH GOVERNMENT OF GUAM DIDN'T GO THROUGH, THE LOT HAS BEEN RETURNED TO IT'S OWNER. IN ADDITION TO THAT, THE LOT IS SURROUNDED BY MAJOR BUSINESS ESTABLISHMENTS. IT IS ONLY PROPER THAT THIS LOT BE REZONED TO COMMERCIAL TO REFLECT IT'S PRESENT STATUS.

MR. CHAIRMAN AND MEMBERS, I THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO PRESENT MY COMMENTS ON BILL NO. 419, AND SHOULD YOU HAVE ANY QUESTIONS, I WILL ANSWER THEM TO THE BEST OF MY ABILITY.

THANK YOU AND SI YUUS MAASE.

RESPECTFULLY YOURS,


HERO Y. HUANG

FRANK D. PEREZ
P.O. BOX F
AGANA, GUAM 96910

May 31, 1991

To Whom It May Concern

I hereby grant permission for Mr. Ying H. Huang to request for the re-zoning of Lot No. 2151-C Tamuning, from residential to commercial for the purpose of constructing a commercial building on the same lot.

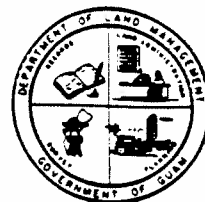
Your action on this request is appreciated.

Sincerely,


FRANK D. PEREZ SR.
Owner



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON MANMANEHAN TANO')
GOVERNMENT OF GUAM
P.O. BOX 2950
AGANA, GUAM 96910



TEL: (671) 475-LAND/FAX: (671) 477-0883

JOSEPH F. ADA
Governor

F. L.G. CASTRO
Director

FRANK F. BLAS
Lieutenant Governor

JOAQUIN A. ACFALLE
Deputy Director

August 20, 1991

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

Subject: L.B. No. 419
Zone Change Lot 2151-C Tamuning

Dear Mr. Chairman:

I would like to indicate on the outset of my testimony that Land Management is in support of rezoning Lot No. 2151-C in Tamuning to Commercial and rightfully so. As the said property is immediately adjoining Route No. 14 with great potential for commercial purpose, together that the next lot has been zoned commercial, its only proper that the move to rezone the subject lot be considered. With that in mind, I submit my support to the intent and purposes of Bill 419.

For the record, I would like to cite however that the said Bill did not properly cite the correct and existing zone of Lot 2151-C. In actuality, the said property is currently and has been within an R-2 zone area and not R-1 as the Bill reflected. Nevertheless, I support the zone change from R-2 to Commercial.

Thank you for giving me the opportunity to comment on the matter.

Sincerely yours,

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





SETBISION MAMPLANEHA
Bureau of Planning
GOVERNMENT OF GUAM
AGANA GUAM 96910

AUG 20 1991

Testimony of Michael J. Cruz
Acting Director, Bureau of Planning
on Bill No. 419

While the Bureau understands the rationale behind the Legislature's desire to rezone Lot No. 2151-C, Tamuning, Dededo, the Bureau cannot support Bill No. 419 for the following reasons.

There is currently a process which permits changes of zones should public necessity, convenience, and general welfare justify such actions. This process, which is conducted by the Development Review Committee (DRC) and the Territorial Land Use Commission (TLUC) allows for agency review as well as public input. Zone change proposals that bypass this process are not given the benefit of a comprehensive review by appropriate GovGuam agencies in which impacts can be determined and fully analyzed.

Thank you for the opportunity to comment.


MICHAEL J. CRUZ



TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) REGULAR SESSION

Introduced

BILL NO. 419(LS)

JUN 04 '91

INTRODUCED BY:

M.D.A. MANIBUSAN *Mdm*

AN ACT TO CHANGE THE ZONING OF LOT NO. 2151-C, MUNICIPALITY OF DEDEDO FROM R-1 SINGLE FAMILY DWELLING TO C COMMERCIAL.

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

2 Section 1. Legislative Finding. It is the finding of this
3 Legislature that Lot No. 2151-C, Municipality of Dededo
4 (approximately 2,784 square meters) property of Frank D. Perez
5 and Carmen D. Perez, zoned R-1, was inadvertently not rezoned to
6 Commercial when the property along Chalan San Antonio was all rezoned
7 to Commerical. This Legislature further finds that getting rezoning
8 by private individuals takes the better part of a year and at a
9 very substantial cost. It is the sense of this Legislature that
10 due to the inadvertence and time delay this matter should be
11 expedited by the Legislature.

12 Section 2. The following parcel of land, Lot No. 2151-C,
13 Municipality of Dededo approximately 2,784 square meters is hereby
14 rezoned from Single Family Dwelling (R-1) to Commercial.