



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
CESINA I MA'AGLAH
AGANA GUAM 96910

JAN 24 1992

REFER TO
LEGISLATIVE SECRETARIAT

Handwritten initials

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. 636, which I have signed into
law this date as Public Law No. 21-78.

Sincerely,

Handwritten signature of Joseph F. Ada
JOSEPH F. ADA
Governor

210597

Attachment



TWENTY-FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session

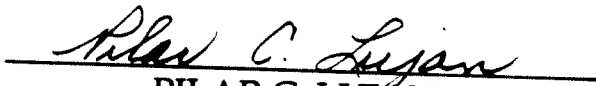
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 636 (COR), "AN ACT TO REZONE LOT NO. 15, BLOCK NO. 3, TRACT NO. 232, SINAJAÑA, FROM SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL; LOT NO. 189-A-R2, AGAT, FROM AGRICULTURAL TO MULTI-FAMILY RESIDENTIAL; LOTS NOS. 2124 #1-3-3, 2124 #1-3-4, 2122 #1-REM1-R3, 2149-3-15NEW, 2149-3-16NEW-1, ALONG CAMP WATKINS ROAD/FARENHOLT AVENUE, TAMUNING, FROM MULTI-FAMILY RESIDENTIAL TO COMMERCIAL; LOT NO. 3400-5-1, TAI, MANGILAO, FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL; AND LOT NO. 13, BLOCK 1, TRACT 1432, BARRIGADA, FROM SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL," was on the 10th day of January, 1992, duly and regularly passed.



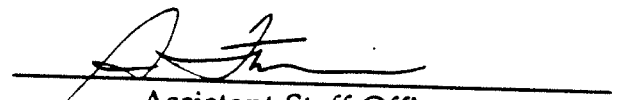
JOE T. SAN AGUSTIN
Speaker

Attested:



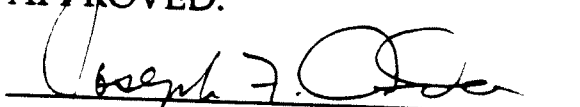
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 15th day of January, 1992, at 5:05 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: JAN 24 1992

Public Law No. 21-78

TWENTY-FIRST GUAM LEGISLATURE
(1992) SECOND Regular Session

Bill No. 636 (COR)

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

Introduced by:

F. R. Santos
C. T. C. Gutierrez
G. Mailloux

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

AN ACT TO REZONE LOT NO. 15, BLOCK NO. 3,
TRACT NO. 232, SINAJAÑA, FROM SINGLE FAMILY
RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL; LOT
NO. 189-A-R2, AGAT, FROM AGRICULTURAL TO
MULTI-FAMILY RESIDENTIAL; LOTS NOS. 2124 #1-
3-3, 2124 #1-3-4, 2122 #1-REM1-R3, 2149-3-15NEW, 2149-
3-16NEW-1, ALONG CAMP WATKINS
ROAD/FARENHOLT AVENUE, TAMUNING, FROM
MULTI-FAMILY RESIDENTIAL TO COMMERCIAL;
LOT NO. 3400-5-1, TAI, MANGILAO, FROM

AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL;
AND LOT NO. 13, BLOCK 1, TRACT 1432, BARRIGADA,
FROM SINGLE FAMILY RESIDENTIAL TO MULTI-
FAMILY RESIDENTIAL.

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

2 **Section 1. (a) Legislative statement.** Dolores A. Cepeda has requested
3 the Legislature to rezone her residential lot in Sinajaña from Single Family
4 Residential ("R-1") to Multi-Family Residential ("R-2") so as to build a duplex
5 apartment in order that she may house her mother in one of the units while
6 her family resides in the other. The Legislature finds that such utilization is,
7 in fact, compatible with the surrounding land uses and follows the Chamorro
8 tradition of the extended family, Mrs. Cepeda's desire to provide for her
9 mother being a worthy ambition reflecting favorably on Guam's culture. This
10 extended family tradition assists the government by providing housing and
11 family care for those who may be aged and in need of the care and proximity
12 of their loved ones. The Legislature further finds that the purpose for which
13 the rezoning is requested will not overburden the infrastructure of the area,
14 and there is adequate on- and off-street parking.

15 **(b) Rezoning.** Lot No. 15, Block No. 3, Tract No. 232, municipality of
16 Sinajaña, containing an area of Eleven Thousand One Hundred Forty-Nine
17 (11,149) square feet, owned by Dolores A. Cepeda, and shown on Document
18 No. 312516, is hereby rezoned from Single Family Residential ("R-1") to
19 Multi-Family Residential ("R-2").

20 **Section 2. (a) Legislative statement.** The Legislature, recognizing the
21 growing demand for multiple family dwelling units on Guam, desires to
22 encourage and facilitate the construction of additional affordable housing
23 units throughout the island. Guam Yun Shan Enterprises, Inc., a Guam

1 corporation, has advised the Legislature that it wishes to construct multi-
2 family dwellings in Guam which will be affordable to build, as well as to own
3 and rent. The Legislature finds that such construction can be utilized as a
4 model to convince other landowners to study the feasibility of constructing
5 similar units on their properties to realize the full potential of their lands and
6 to provide much needed housing for the island. Through the rezoning of Lot
7 No. 189-A-R2, Agat, owned by Guam Yun San Enterprises, Inc., the
8 Legislature hopes to encourage the construction of multiple family homes in
9 the community of Agat, as well as, in other areas of Guam.

10 (b) **Rezoning.** Lot No. 189-A-R2, municipality of Agat, Guam, as
11 shown on Drawing No. SDCO-34-0880, and recorded under Document No.
12 317215 is hereby rezoned from Single Family Residential ("R-1") to Multi-
13 Family Residential ("R-2").

14 **Section 3. (a) Legislative statement.** The Legislature has been asked by
15 the owners of parcels of land situated along Camp Watkins Road and
16 Farenholt Avenue to rezone their properties from Multi-Family Residential
17 ("R-2") to Commercial ("C") in order that they may be able to utilize their
18 properties to their highest and best uses, thus realizing the full potential of
19 their lands. The Legislature finds that most of the Camp Watkins and
20 Farenholt Avenue area has already been converted to and is presently being
21 utilized as a commercial and hotel zone, so that the rezoning requested by the
22 concerned property owners is not unique, objectionable nor incompatible with
23 surrounding land uses. Likewise, the Legislature finds that recent
24 improvements to the infrastructure of the area make the commercial zoning
25 feasible and justified, and that in an area that is so heavily commercialized,
26 rezoning of lots to commercial for the purpose of utilizing said lots to their
27 best and highest uses is just and reasonable.

1 **(b) Rezoning.** The following lots, situated along Camp Watkins Road
2 and Farenholt Avenue, Tamuning, are hereby rezoned from Multi-Family
3 Residential ("R-2") to Commercial ("C"):

4	Lots Nos.:	Owners:
5	2124 #1-3-3,	Isabel B. Kamingaksang and Juanita B. Quick,
6	2124 #1-3-4,	Lon Bottcher,
7	2122 #1-REM1-R3,	Lon Bottcher,
8	2149-3-15NEW,	Mr. and Mrs. Jose C. Leon Guerrero,
9	2149-3-16NEW-A,	Mr. and Mrs. Jose C. Leon Guerrero.

10 **Section 4. (a) Legislative statement.** The Legislature has been asked
11 by the owners of Lot No. 3400-5-1, Mangilao, Elizabeth R. Crisostomo and
12 Enhance, Inc., a Guam corporation, to rezone the property to permit
13 constructing two (2) single-family residential units thereon. Given the lot's
14 present Agricultural zoning, the owners are unable to proceed with their
15 proposed plans and sought the assistance of the Legislature. The Legislature
16 finds that recent administration decisions to rezone large tracts of land in the
17 area from Agricultural to either Multi-Family Residential or Planned Unit
18 Development, makes this request to rezone to Single Family Residential
19 reasonable and compatible with the land uses in the area. The Legislature
20 further finds that the cost and time to the owners that would be required to
21 obtain the minor zone change through the Territorial Land Use Commission
22 would be unduly burdensome and so prohibitive in cost as to prevent them
23 from building a home.

24 **(b) Rezoning.** Lot No. 3400-5-1, Tai, Mangilao, containing an area of
25 20,287 square feet, owned by Elizabeth R. Crisostomo and Enhance, Inc., as
26 delineated on Land Management Drawing No. 191-FY 82, is hereby rezoned
27 Agricultural ("A") to Single Family Residential ("R-1").

1 **Section 5. (a) Legislative statement.** Paul Campus, a resident of
2 Barrigada, has requested the Legislature to rezone his residential lot in
3 Barrigada to Multi-Family Residential so that he can convert an existing
4 two- (2-) story duplex to a four- (4-) plex apartment. The Legislature finds
5 that this use would be the best and highest use for the property, and that the
6 conversion of the units will not increase the size of the building nor will it
7 overburden existing infrastructure in Barrigada.

8 **(b) Rezoning.** Lot 13, Block 1, Tract 1432, municipality of Barrigada,
9 belonging to Paul Campus, is hereby rezoned from Single Family Residential
10 ("R-1") to Multi-Family Residential ("R-2").

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Introduced

JAN 06 '92

Bill No. 636 (COR)

Introduced by:


F.R. Santos

AN ACT TO REZONE LOT NO. 15, BLOCK NO. 3, TRACT NO. 232, MUNICIPALITY OF SINAJNA, CONTAINING AN AREA OF ELEVEN THOUSAND ONE HUNDRED FORTY NINE SQUARE FEET (11,149 SQ. FT.), FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY DWELLINGS (R-2).

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:
3

4 Section 1. Lot No. 15, Block No. 3, Tract No. 232, situated in
5 the municipality of Sinajana, containing an area of Eleven Thousand
6 One Hundred Forty Nine Square Feet (11,149 sq. ft.), owned by
7 Dolores A. Cepeda, and delineated and shown on DLM Document
8 No. 312516, is hereby rezoned from Single Family Residential (R-1)
9 to Multi-Family Dwellings (R-2).

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

163 Chalan Santo Papa
Agaña, Guam 96910

Senator Francisco R. Santos
Chairman

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

January 6, 1992

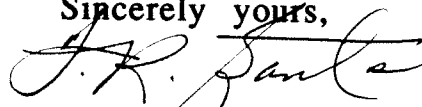
The Honorable Joe T. San Agustin
Speaker, Twenty First Guam Legislature
Agana, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred **Bill No. 636**, An Act to rezone certain parcels of land in Agat, Tamuning, Mangilao and Barrigada, has had the same under consideration and herewith submits its report and recommendation is **TO DO PASS**, as amended and substituted, **Bill No. 636**. The Committee votes are as follows:

To Do Pass	-10-
To Do Not Pass	-0-
To Report Out Only	-0-
To Pass On File	-0-
Not Voting	-0-
Off Island	-0-

Sincerely yours,



F.R. Santos

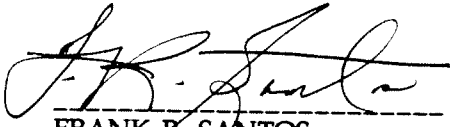


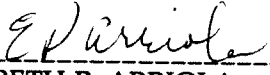
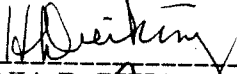
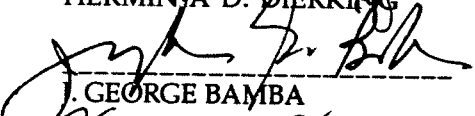
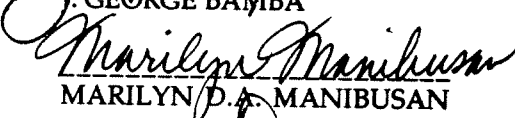

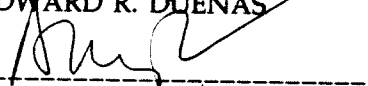
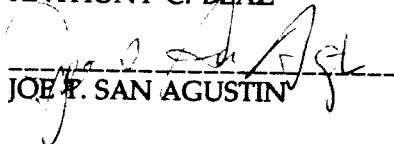
**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL, AND FOREIGN AFFAIRS
TWENTY FIRST GUAM LEGISLATURE
155 Hesler Street
Agaña, Guam 96910**

Senator Francisco R. Santos
Chairman

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

Voting Sheet

On Bills 636, 526, 583, 670 and 672, as amended, substituted and consolidated by the Committee on Housing, Community Development, Federal and Foreign Affairs.

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

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

RECOMMENDATION TO CONSOLIDATE

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bills No. 636, 526, 583, 670 and 672, recommends that said bills be consolidated under a single number for the purposes of expedient handling on the floor. The following reasons are provided as rationale and justification:

- All measures related to a single issue - rezoning of properties.
- All of the measures have received public hearings and the Committee reports on each of the bills are attached as separate indices on the main bill.
- The Committee recommendation in each of the Committee Reports is for passage of the measure. Thus, all of the measures received favorable and supportive consideration by the Committee.

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 636

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

Introduced by:

F.R. Santos
J.P. Aguon
C.T.C. Gutierrez

G. Mailloux

AN ACT TO REZONE LOT NO. 15, BLOCK NO. 3, TRACT NO. 232, SINAJANA FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY DWELLING (R-2); LOT NO. 189-A-R2, AGAT FROM AGRICULTURAL (A) TO MULTI-FAMILY DWELLING (R-2); LOT NO. 2124 #1-3-3, LOT NO. 2124 #1-3-4, LOT NO. 2122 #1-REM1-R3, LOT NO. 2149-3-15NEW, LOT NO. 2149-3-16NEW-A, ALONG CAMP WATKINS ROAD/FARENHOLT AVENUE, TAMUNING, FROM MULTI-FAMILY DWELLING (R-2) TO COMMERCIAL (C); LOT NO. 3400-5-1, TAI MANGILAO, FROM AGRICULTURAL (A) TO SINGLE FAMILY RESIDENTIAL (R-1); LOT NO. 13, BLOCK 1, TRACT 1432, BARRIGADA, FROM

SINGLE FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY DWELLING (R-2).

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

2 **Section 1. a) Legislative Statement:** Mrs. Dolores A.

3 Cepeda has approached the Legislature requesting the rezoning
4 of her residential lot in Sinajana from Single Family Dwelling (R-
5 1) to Multi-Family Dwelling (R-2) to be able to build a duplex
6 apartment in order that she may house her mother in one of the
7 units while her family resides in the other. The Legislature finds
8 that such utilization is, in fact, compatible with the surrounding
9 land uses and, does, in fact, observe the Chamorro tradition of
10 the extended families. The Legislature finds that Mrs. Cepeda's
11 desire to provide for her mother is a desirable trait reflective
12 of the culture and tradition of Guam. This desire and trait
13 likewise assists the government by providing housing and care
14 for those who may be advancing in their age and who need the
15 care and proximity of loved ones. The Legislature finds that the
16 purposes for which the rezoning is requested will not
17 overburden the infrastructure of the area and there is adequate
18 area for on and off street parking.

19 **b) Lot Rezoned.** Lot No. 15, Block No. 3, Tract No. 232,
20 situated in the municipality of Sinajana, containing an area of
21 Eleven Thousand One Hundred Forty Nine Square Feet (11,149 sq.
22 ft.), owned by Dolores A. Cepeda, and delineated and shown on
23 DLM Document No. 312516, is hereby rezoned from Single
24 Family Residential (R-1) to Multi-Family Dwellings (R-2).

1 **Section 2. a) Legislative Statement.** The Legislature
2 recognizing the growing demand for multiple family dwelling
3 units on Guam, desires to encourage and facilitate the
4 construction of additional affordable housing units in areas
5 throughout the island . Guam Yun Shan Enterprises, Inc., has
6 stated to the Legislature its desire to construct multi-family
7 dwellings which will be affordable to build, as well as, to own and
8 rent. The Legislature finds that such construction can be
9 utilized as a model for other areas of the island in hopes that it
10 will convince other landowners to study the feasibility of
11 constructing similar units on their property thus realizing the
12 full potential of their land and providing much needed
13 superstructure for the island. Through the rezoning of Lot No.
14 189-A-R2, owned by Guam Yun Shan Enterprises, Inc., the
15 Legislature hopes to encourage the construction of multiple
16 family homes in the community of Agat, as well as, other areas
17 of Guam.

18 **b) Lot Rezoned:** Lot No. 189-A-R2, Municipality of Agat,
19 Territory of Guam, Certificate of Title No. 69191, as marked and
20 designated on Drawing No. SDCO-34-0880, as L.M. Check No. 374
21 FY 80, dated October 28, 1980 and recorded under Document No.
22 317215 is hereby zoned R-2 (Multiple Dwelling Zone).

23 **Section 3. a) Legislative Statement:** The Guam
24 Legislature has been approached by the owners of parcels of
25 land situated along Camp Watkins Road and Farenholt Avenue
26 requesting a rezoning of their properties from Multi-Family
27 Dwellings (R-2) to Commercial (C) in order that they may be

1 able to utilize their properties to their highest and best uses
2 and to realize the full potential of said property. The
3 Legislature finds that the greater majority of the Camp Watkins
4 and Farenholt Avenue areas have already been converted to and
5 are presently being utilized as commercial and hotel zones and
6 that the rezoning requested by the property owners are not
7 unique, objectionable nor incompatible with surrounding land
8 uses. Likewise, the Legislature finds that recent improvements
9 to the infrastructure of the area make the commercial zoning
10 feasible and justified. The Legislature finds that in an area that
11 is so heavily commercialized, rezoning of lots to Commercial
12 (C) for the purpose of utilizing said lots to their best and
13 highest uses is just and reasonable.

14 **b) Lots Rezoned:** The following lots, situated along
15 Camp Watkins Road and Farenholt Avenue, Tamuning, are hereby
16 rezoned from Multi-Family Dwellings ("R-2") to Commercial
17 ("C"):

- | | | | |
|----|----|-------------------------|---|
| 18 | a. | LOT NO. 2124 #1-3-3 | Mr. Lon Bottcher |
| 19 | b. | LOT NO. 2124 #1-3-4 | Mr. Lon Bottcher |
| 20 | c. | LOT NO. 2122 #1-REM1-R3 | Mr. Lon Bottcher |
| 21 | d. | LOT NO. 2149-3-15NEW | Mr. and Mrs. Jose C. and
22 Olympia T. Leon Guerrero |
| 23 | e. | LOT NO. 2149-3-16NEW-A | Mr. and Mrs. Jose C. and
24 Olympia T. Leon Guerrero |

25 **Section 4. a) Legislative Statement.** The Guam
26 Legislature has been approached by the owner of Lot No. 3400-
27 5-1, Ms. Elizabeth R. Crisostomo and Enhance, Inc. to rezone said
28 lot for the purpose of subdividing and constructing two single-

1 family residential units on the property. Given the lot's present
2 zoning designation as Agricultural, the owners are unable to
3 proceed with their proposed plans and as such, sought the
4 assistance of the Legislature to resolve their dilemma. The
5 Legislature finds that recent TLUC decisions to rezone large
6 tracts of land in the area from Agricultural to either Multi-
7 Family Dwellings (R-2) or Planned Unit Development, renders
8 this request to rezone from Agricultural (A) to Single Family
9 Residential totally reasonable and compatible with the land
10 uses in the area. The Legislature finds that the cost and time
11 that would be required to seek the zone change through the
12 TLUC would be overburdensome to the owner of the parcel and
13 may be so prohibitive as to prevent her from building her family
14 a home.

15 **b) Lot Rezoned.** Lot No. 3400-5-1, Tai Mangilao.
16 containing an area of 20,287 square feet, and owned by Ms.
17 Elizabeth R. Crisostomo, as delineated on Land Management
18 Drawing No.191-FY 82 is hereby rezoned Residential (R-1).

19 **Section 5 a). Legislative Statement:** Paul Campus, a
20 resident of Barrigada, has approached the Legislature
21 requesting a rezoning of his residential lot in Barrigada to
22 Multi-Family Dwelling (R-2) in order that he may be able to
23 convert an existing two story duplex to a four plex apartment.
24 Mr. Campus contends that this will be the best and highest use
25 for his property and will enable him to use the property to
26 better provide for his family. The conversion of the two units
27 to a four unit quadplex will not increase the size of the floor

1 space nor will it overburden existing infrastructure in
2 Barrigada.

3 **b) Lot Rezoned:** Lot 13, Block 1, Tract 1432, belonging
4 to Mr. Paul Campus, and situated in Municipality of Barrigada, is
5 hereby rezoned from Single Family Residential (R-1) to Multi-
6 family Dwelling (R-2).

COMMITTEE REPORT

o n

Bill No. 636

**An Act to rezone a certain parcel
of land in Sinajana from Single
Family Residential (R-1) to Multi-
Family Dwelling (R-2).**

**Twenty First Guam Legislature
Committee on Housing, Community
Development
Federal and Foreign Affairs**

**Senator Francisco R. Santos
Chairman**

January 6, 1992

Public Hearing

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bills No. 636 scheduled and conducted a public hearing on said measure on November 25 1991, at 9:00 AM, in the Legislative Public Hearing Room.

In accordance with the Standing Rules of the Guam Legislature, the Committee caused to have published and announced notices for said hearings in a newspaper of general circulation. In addition, an invitation to submit testimony to the Committee was forwarded to:

The Legislative Review Committee
Governor's Office
The Department of Land Management
The Municipal Planning Council of Sinajana
The Mayor of Sinajana

Present at the public hearing were the following Committee members:

Senator Francisco R. Santos, Chairman
Senator Pilar C. Lujan, Vice Chair
Senator Herminia D. Dierking
Senator Elizabeth P. Arriola
Senator Anthony C. Blaz
Senator Marilyn D.A. Manibusan

Submitting testimony to the Committee were:

The Department of Land Management
The Bureau of Planning
Ms. Dolores A. Cepeda

SUMMARY OF TESTIMONY

Mrs. Dolores A. Cepeda approached the Guam Legislature requesting a rezoning of her property in the municipality of Sinajana for the purpose of building a duplex apartment in order that she could provide a home for her mother. The lot, which is in excess of 1000 square meters, contains adequate space and adequate parking is available for a duplex unit. Additionally, because Sinajana is already served by a sewer system, there would be problems created for the handling of waste water.

Mrs. Cepeda decided to approach the Legislature because she was advised that going through the Territorial Land Use Commission route would take approximately six months and that it would require her to hire a consultant in order to prepare the submissions required by the TLUC. Mrs. Cepeda elected to approach the Legislature because of the financial burdens hiring a consultant would place on her and because she was prepared to proceed immediately on her project and that a six month delay was unreasonably long.

The only testimony in opposition to the measure was that submitted by the Bureau of Planning as its standard form opposition to any rezoning by the Legislature. The Bureau of Planning testifies against all rezonings, land sales or land exchanges performed by the Legislature because of their prevailing preference to refer everything to the TLUC methodology without any regard as to whether the rezoning is but a simple matter of redesignating land use or whether the request is totally reasonable and poses no problems with the infrastructure of the area.

The Department of Land Management deferred its comments on the matter, as it does with all other rezoning matters, preferring to defer to the zoning authority of the Legislature.

Committee Findings and Recommendations

- The Committee finds that the rezoning being requested is not unreasonable nor does it pose a threat or problem to the existing infrastructure of the area.
- The Committee finds that the TLUC methodology, because of its cumbersomeness, would cause problems for rezoning requests such as the one contained in this measure simply because the TLUC process takes an inexcusable and unreasonable amount of time and, in many instances, individuals requiring simple rezonings, such as this contained in Bill 636, are required to retain the services of expensive land use consultants and engineers to prepare all the documentation demanded by the TLUC.
- The Committee recommends that the Legislature do pass the rezoning request contained in Bill 636, as referred to the Committee.

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No.

Introduced by:


F.R. Santos

AN ACT TO REZONE LOT NO. 15, BLOCK NO. 3, TRACT NO. 232, MUNICIPALITY OF SINAJNA, CONTAINING AN AREA OF ELEVEN THOUSAND ONE HUNDRED FORTY NINE SQUARE FEET (11,149 SQ. FT.), FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY DWELLINGS (R-2).

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:
3

4 Section 1. Lot No. 15, Block No. 3, Tract No. 232, situated in
5 the municipality of Sinajana, containing an area of Eleven Thousand
6 One Hundred Forty Nine Square Feet (11,149 sq. ft.), owned by
7 Dolores A. Cepeda, and delineated and shown on DLM Document
8 No. 312516, is hereby rezoned from Single Family Residential (R-1)
9 to Multi-Family Dwellings (R-2).

COMMITTEE REPORT

o n

Bill No. 670

**An Act to rezone a certain parcel
of land in Agat from Agricultural
(A) to Multi-Family Dwelling (R-2)**

**Twenty First Guam Legislature
Committee on Housing,
Community Development
Federal and Foreign Affairs**

**Senator Francisco R. Santos
Chairman**

January 6, 1992

Public Hearing

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bills No. 670 scheduled and conducted a public hearing on said measure on December 17, 1991, at 9:00 AM, in the Legislative Public Hearing Room.

In accordance with the Standing Rules of the Guam Legislature, the Committee caused to have published and announced notices for said hearings in a newspaper of general circulation. In addition, an invitation to submit testimony to the Committee was forwarded to:

The Legislative Review Committee
Governor's Office
The Department of Land Management
The Municipal Planning Council of Agat
The Mayor of Agat

Present at the public hearing were the following Committee members:

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

Submitting testimony to the Committee were:

The Department of Land Management

The Bureau of Planning

Mr. Ely Maravilla

Representatives of Guam Yun Shan Ent., Inc.

SUMMARY OF TESTIMONY

Mr. Ely Maravilla, representing Guam Yun Shun Enterprises, Inc., owners of the property, approached the Committee on Housing, Community Development, Federal and Foreign Affairs requesting a rezoning of their property in the municipality of Agat, from Agricultural (A) to Multi-Family Dwelling (R-2), for the purpose of building model low cost multi-family dwelling units.. The lot contains adequate land area for the intended purposes. Basic infrastructure exists in the area and because the area is rapidly developing, infrastructure development is on going. Of note is the designation of the vicinity for the Agat Land for the LandLess project which will bring with it an improvement of the infrastructure serving the area.

Guam Yun Shan Enterprises, Inc. decided to approach the Legislature because of advice that going through the Territorial Land Use Commission route would take approximately six months and that it would require retaining a consultant in order to prepare the submissions required by the TLUC. Because of the financial burdens hiring a consultant would place on the project,

thereby seriously affecting its affordability, and because the six months wait would also affect the ultimate cost of the project to be built, the group decided to approach the Legislature.

The only testimony in opposition to the measure was that submitted by the Bureau of Planning as its standard form opposition to any rezoning by the Legislature. The Bureau of Planning testifies against all rezonings, land sales or land exchanges performed by the Legislature because of their prevailing preference to refer everything to the TLUC methodology without any regard as to whether the rezoning is but a simple matter of redesignating land use or whether the request is totally reasonable and poses no problems with the infrastructure of the area.

The Department of Land Management deferred its comments on the matter, as it does with all other rezoning matters, preferring to defer to the zoning authority of the Legislature.

Committee Findings and Recommendations

- The Committee finds that the rezoning being requested is not unreasonable nor does it pose a threat or problem to the existing infrastructure of the area.
- The Committee finds that the planned project will be beneficial to the area and to Guam in that it will provide a model

of affordable units which can be used or emulated for additional projects in the area. As Agat is one of the rapidly growing districts of Guam, this will provide benefits to the residents and Agat's people will be able to remain with the village rather than be forced to move to other areas because of a lack of affordable housing.

- The Committee finds that the TLUC methodology, because of its cumbersomeness, would cause problems for rezoning requests such as the one contained in this measure simply because the TLUC process takes an inexorbitant and unreasonable amount of time and, in many instances, individuals requiring simple rezonings, such as this contained in Bill 672, are required to retain the services of expensive land use consultants and engineers to prepare all the documentation demanded by the TLUC.

- The Committee recommends that the Legislature do pass the rezoning request contained in Bill 670, as referred to the Committee.

TWENTY-FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Bill No. 670

Introduced by:

F.R. Santos

**AN ACT TO REZONE LOT NO. 189-A-R2,
MUNICIPALITY OF AGAT FROM AGRICULTURAL (A)
TO MULTI-FAMILY DWELLING (R-2).**

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

3
4 **Section 1. Legislative Statement.** The Legislature recognizing the
5 growing demand for multiple dwelling household units on Guam, desires
6 to encourage and facilitate the construction of additional affordable
7 housing units in areas throughout the island . Through the rezoning of Lot
8 No. 189-A-R2, owned by Guam Yun Shan Enterprises, Inc., the Legislature
9 hopes to encourage the construction of multiple family homes in the
10 community of Agat.

11
12 **Section 2. Lot Rezoned.** Lot No. 189-A-R2, Municipality of Agat,
13 Territory of Guam, Certificate of Title No. 69191, as marked and
14 designated on Drawing No. SDCO-34-0880, as L.M. Check No. 374 FY 80,
15 dated October 28, 1980 and recorded under Document No. 317215 is hereby
16 zoned R-2 (Multiple Dwelling Zone).

COMMITTEE REPORT

o n

Bill No. 583

**An Act to rezone certain parcels of land along Camp
Watkins Road and Farenholt Avenue, Tamuning from
Multi-Family Dwelling (R-2) to Commercial (C)**

**Twenty First Guam Legislature
Committee on Housing,
Community Development
Federal and Foreign Affairs**

**Senator Francisco R. Santos
Chairman**

January 6, 1992

Public Hearing

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bills No. 526 scheduled and conducted a public hearing on said measure on November 25, 1991, at 9:00 AM, in the Legislative Public Hearing Room.

In accordance with the Standing Rules of the Guam Legislature, the Committee caused to have published and announced notices for said hearings in a newspaper of general circulation. In addition, an invitation to submit testimony to the Committee was forwarded to:

The Legislative Review Committee
Governor's Office
The Department of Land Management
The Municipal Planning Council of Tamuning
The Mayor of Tamuning

Present at the public hearing were the following Committee members:

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

Submitting testimony to the Committee were:

The Department of Land Management

The Bureau of Planning

Mr. Lon Bottcher

Mr. Jose C. and Mrs. Olympia T. Leon Guerrero

SUMMARY OF TESTIMONY

Mr. Lon Bottcher, who maintains a lease on Lots No. 2124 #1-3-3; 2124 #1-3-4; and 2122 #1-REM1-R3, situated along Camp Watkins Road in the vicinity of the newly built Onward Agana Beach Hotel, and Mr. Jose C. and Mrs. Olympia T. Leon Guerrero, husband and wife and owners of Lots No. 2149-3-15NEW and 2149-3-16NEW-A, situated along Farenhold Avenue, approached Senators Carl T.C. Gutierrez and Francisco R. Santos, respectively, requesting a rezoning of their property in the heavily commercialized Camp Watkins Road/Farenholt Avenue area of Tamuning, from Multi-Family Dwelling (R-2) to Commercial (C), for the purpose of building commercial and professional buildings in an area already heavily commercialized.. The subject lots contain adequate land area for the intended purposes and adequate off street parking will be provided for. Basic infrastructure exists in the area and because the area is rapidly developing, infrastructure development is on going.

The property owners decided to approach the Legislature because of advice that going through the Territorial Land Use

Commission route would take approximately six months and that it would require retaining a consultant in order to prepare the submissions required by the TLUC. Because of the financial burdens hiring a consultant would place on the project, thereby seriously affecting its affordability, and because the six months wait would also affect the ultimate cost of the project to be built, they decided to approach the Legislature. The Legislature is of the consensus that because of the nature and complexion of the area as already heavily commercialized, the hopes, dreams and goals of Mr. Bottcher and Mr. and Mrs. Leon Guerrero should not be hindered or possibly destroyed because of the cumbersome and expensive TLUC process. These local residents of Guam are taking the initiative to utilize their property to the highest and best use and to hopefully realize the full potential of that property. The Legislature deems it just and reasonable and desires to assist them in these efforts.

The only testimony in opposition to the measure was that submitted by the Bureau of Planning as its standard form opposition to any rezoning by the Legislature. The Bureau of Planning testifies against all rezonings, land sales or land exchanges performed by the Legislature because of their prevailing preference to refer everything to the TLUC methodology without any regard as to whether the rezoning is but a simple matter of redesignating land use or whether the request is totally reasonable and poses no problems with the infrastructure of the area.

The Department of Land Management deferred its comments on the matter, as it does with all other rezoning matters, preferring to defer to the zoning authority of the Legislature.

Committee Findings and Recommendations

- The Committee finds that the rezoning being requested is not unreasonable nor does it pose a threat or problem to the existing infrastructure of the area, and, in fact, the Committee finds that the requested rezoning is in line with the heavily commercialized complexion of the Camp Watkins/Farenholt Avenue area of Tamuning.

- The Committee finds that the planned projects, as expressed to members of the Legislature, will enable these residents of Guam to utilize their property to the highest and best uses in order to provide for their families, now and in the future. The Legislature commends Mr. Lon Bottcher and Mrs. and Mrs. Jose C. Leon Guerrero for their entrepreneurial spirit and initiative in their plans to become a part of Guam's growing economy and in their efforts to show and prove that local residents can partake and participate in the economy.

- The Committee finds that the TLUC methodology, because of its cumbersomeness, would cause problems for rezoning requests such as the one contained in this measure

simply because the TLUC process takes an inexorbitant and unreasonable amount of time and, in many instances, individuals requiring simple rezonings, such as this contained in Bill 583, are required to retain the services of expensive land use consultants and engineers to prepare all the documentation demanded by the TLUC.

- The Committee recommends that the Legislature do pass the rezoning request contained in Bill 583, as referred to the Committee.

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Introduced

NOV 05 '91

Bill No. 583(con)

Introduced by:


C.T.C. Gutierrez

AN ACT TO REZONE LOT NO. 2124 #1-3-3; LOT
NO. 2124 #1-3-4; AND LOT NO. 2122 #1-REM1-
R3, SITUATED ALONG CAMP WATKINS ROAD,
TAMUNING, MUNICIPALITY OF DEDEDO,
FROM MULTI-FAMILY DWELLINGS ("R-2") TO
COMMERCIAL ("C").

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:
3

4 Section 1. The following contiguous lots, which are situated along
5 Camp Watkins, Tamuning, Municipality of Dededo, are hereby rezoned
6 from Multi-Family Dwellings ("R-2") to Commercial ("C"):
7

8 1. LOT NO. 2124 #1-3-3 Mr. Lon Bottcher
9

10 2. LOT NO. 2124 #1-3-4 Mr. Lon Bottcher
11

12 3. LOT NO. 2122 #1-REM1-R3 Mr. Lon Bottcher

TESTIMONY ON BILL 583 REZONE R-2 LOTS TO COMMERCIAL

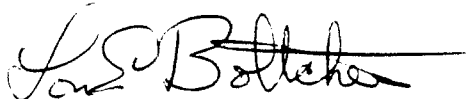
Good Morning Chairman Santos and members of this committee. Thank you for intertaining this bill and allowing me to speak before you.

I have this property in Tamuning along Camp Watkins road and I have been trying to analyze what is the most appropriate way to utilyze it. As I see it the land is too valuable for residential and expensive condominiums are overbuilt. Low priced condominiums are economically unfeasible for this high priced location. There are already Hotels, Condominiums , resturants and businesses in the area. What the island appears to need at this time is high quality office space. A commercial building would not be as expensive as a condominium. If this zone change is passed, I hope to build a commercial building myself and retain onership. If there are profits, they will stay here on Guam. This would allow me to participate in the growth of Guam. A house on the property is already connected to sewer, power and water.

I hope to incorporate and appropriate design which will reflect some of the islands flavor. I have an architect who has been here many years to do this.

I have consulted professional researchers who have evaluated several alternatives and commercial usage of this property seems to be the most appropriate economically and will fill a need in the community.

Thank You.



Lon E. Bottcher

November 25, 1991

The Honorable Frank R. Santos
Chairman
Committee on Housing, Community Development
Federal and Foreign Affairs
21st Guam Legislature
Agana, Guam

Dear Senator and Members of the Committee,

By way of introduction we are Jose and Olympia Leon Guerrero, residents of the village of Tamuning and owners of lots in the Camp Watkins Road/Farenholt Avenue area.

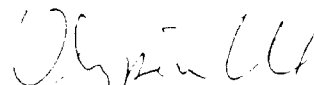
We are here today in support of Bill 583 calling for the rezoning of certain parcels of property along Camp Watkins Road as the rezoning would be in agreement with the general development of the area into a commercial district.

We would also like to request your favorable consideration of including the rezoning of our parcels of property, namely Lot No. 2149-3-15NEW and Lot No. 2149-3-16NEW-A, situated in the same general area and also surrounded by Commercial zoned properties, in Bill 583. The rezoning of our property would permit us to utilize our property to its highest potential.

Sincerely yours,



Jose Leon Guerrero



Olympia Leon Guerrero