



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
UPISINAN I MAGA LAHE
AGANA, GUAM 96910 U.S.A.

APR 27 1994

RECEIVED
OFFICE OF THE SPEAKER
DATE: 4/28/94
TIME: 5:05 PM
RECD BY: None

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 964, which I have signed into law this date as
Public Law 22-122.

Sincerely yours,

JOSEPH F. ADA
Governor

220673

Attachment

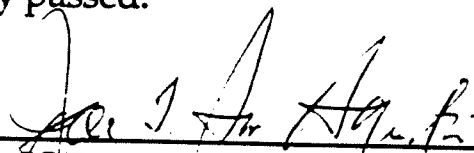


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 964 (LS), "AN ACT TO REZONE PROPERTIES IN SANTA RITA, YIGO, SINAJAÑA, PITI, MERIZO, BARRIGADA, TAMUNING, MANGILAO, DEDEDO, CHALAN PAGO, YOÑA, AGAÑA HEIGHTS, TALOFOFO, MALOJLOJ AND AGAT," was on the 14th day of April, 1994, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



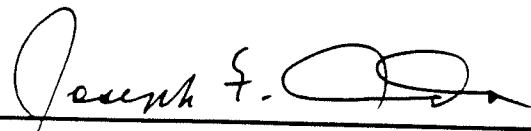
HERMINIA D. DIERKING
Senator and Acting Legislative Secretary

This Act was received by the Governor this 15th day of April
1994, at 5:14 o'clock P.M.



Theresa J. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: APR 27 1994

Public Law No. 22-122

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 964 (LS)
As substituted by the
Committee on Rules

Introduced by:

E. D. Reyes
T. S. Nelson
J. T. San Agustin
M. D. A. Manibusan
T. C. Ada
J. P. Aguon
E. P. Arriola
M. Z. Bordallo
H. D. Dierking
C. T. C. Gutierrez
P. C. Lujan
V. C. Pangelinan
D. Parkinson
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO REZONE PROPERTIES IN SANTA RITA,
YIGO, SINAJAÑA, PITI, MERIZO, BARRIGADA,
TAMUNING, MANGILAO, DEDEDO, CHALAN PAGO,
YOÑA, AGAÑA HEIGHTS, TALOFOFO, MALOJLOJ
AND AGAT.

1

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

1 **Section 1. (a) Legislative statement.** The Legislature was requested by
2 Fred and Dorothea Constantino, longtime residents of Santa Rita, and
3 owners of Lot No. 402-10-6-R8NEW, situated along Route 5A, in the upper
4 Talisay area, to rezone said lot from Rural to Multi-family Residential. The
5 owners wish to improve the property by constructing a multi-unit apartment
6 building thereof for their family and to provide much needed housing. The
7 Legislature finds that this rezoning will not make any adverse environmental
8 change, and that infrastructure requirements are being implemented by the
9 appropriate agencies of the government.

10 **(b) Lots in Santa Rita rezoned.** Lot No. 402-10-6-R8NEW, in the
11 Municipality of Santa Rita, consisting of 5,482± square meters, as shown in
12 the Department of Land Management ("DLM") Drawing No. 516-FY-93,
13 and owned by Fred Constantino and Dorothea Constantino, is hereby
14 rezoned from Rural ("A") to Multi-family Residential ("R-2").

15 **Section 2. Lots in Santa Rita rezoned.** Lot No. 402-10-5-3, consisting
16 of 1,858± square meters, Lot No. 402-10-5-4, consisting of 1,858± square
17 meters, Lot No. 402-10-5-5, consisting of 1,858± square meters, Lot No. 402-
18 10-5-6, consisting of 1,858± square meters, Lot No. 402-10-5-7, consisting of
19 1,858± square meters, Lot No. 402-10-5-8, consisting of 1,858± square meters,
20 Lot No. 402-10-5-9, consisting of 1,858± square meters, and Lot No. 402-10-5-
21 10, consisting of 1,858± square meters, all in the Municipality of Santa Rita,
22 as shown on DLM Drawing No. 190-FY-88, all owned by Jose P. Salas and
23 Teresita A. Salas, are hereby rezoned from Rural ("A") to Multi-family
24 Residential ("R-2"). Lot No. 402-10-5-2, consisting of 1,481± square meters,
25 also in the Municipality of Santa Rita, as shown on DLM Drawing No. 190-
26 FY-88, owned by Jose P. Salas and Teresita A. Salas, is hereby rezoned from
27 Rural ("A") to Commercial ("C").

1 **Section 3. (a) Legislative statement.** The owner of Lots Nos. 7032-3-
2 1-1 and 7032-3-1-2 in Yigo has requested the Legislature to rezone said
3 properties to construct a two-(2-) story apartment complex thereon, which
4 would provide much needed rental housing units for the island. The
5 Legislature finds that as the population, particularly in the north, increases
6 rapidly, the demand for housing or rental units continues to escalate.

7 **(b) Lots in Yigo rezoned.** Lot No. 7032-3-1-1, consisting of 1,362
8 square meters, and Lot No. 7032-3-1-2, consisting of 1,003 square meters,
9 both situated in the Municipality of Yigo, as shown on DLM Drawing No.
10 SDCO58-0471, owned by Frank F.S. Miao, also known as Miao Feng-Song,
11 is hereby rezoned from Single Family Residential ("R-1") to Multi-family
12 Residential ("R-2").

13 **Section 4. (a) Legislative statement.** The Legislature has been
14 requested by Francisco S.N. Gogue, the owner of Lot No. 3254-4-3, Sinajaña,
15 to rezone such property from Single Family Residential to Commercial. The
16 Legislature finds that Mr. Gogue operates a mini-mart on the property under
17 a conditional use which has been in existence for years, and that the
18 community has benefited and is accustomed to the accessibility of such store.
19 The Legislature further finds that the store's continued operation is
20 compatible with other commercially-zoned lots in the vicinity.

21 **(b) Lot in Sinajaña rezoned.** Lot No. 3254-4-3, Municipality of
22 Sinajaña, containing an area of 4,721 square meters, as shown in Drawing
23 No. 7209-1, as identified under Certificate of Title No. 36524, owned by
24 Francisco S.N. Gogue, is hereby rezoned from Single Family Residential ("R-
25 1") to Commercial ("C").

26 **Section 5. (a) Legislative statement.** Daniel J. Mantanoña and Mary
27 A. Mantanoña, who own two lots in Sinajaña, and one lot in Merizo, have

1 requested the Legislature to allow the operation of child care centers in both
2 locations. The Legislature finds that since the number of working parents
3 continues to grow, the need for child care continues to intensify, and that a
4 carefully-designed classroom and learning environment which supports the
5 development of children's physical and intellectual abilities, social and
6 emotional behavior, are in the public interest, subject to the licensure and
7 certification requirements which must be met for the operation of such
8 centers.

9 **(b) Conditional use for child care center authorized.** Conditional use
10 for ten (10) years from the date of enactment of this Act for the operation of a
11 child care center is hereby granted for each of the following two (2) lots: Lot
12 No. 22, Block 9, Tract 232, Municipality of Sinajaña, containing an area of
13 468± square meters, as shown in the subdivision of Tract 232, recorded in
14 DLM under Instruments Nos. 95319 and 460197, and Lot No. 270-A-3,
15 Merizo, Guam containing an area of 929± square meters, as shown on the
16 map recorded at DLM under Instrument No. 106524, as identified under
17 Certificate of Title No. 38962, both of which lots being owned by Daniel J.
18 Mantanoña and Mary A. Mantanoña.

19 **Section 6. Conditional use for rock quarry continued.** The conditional
20 use for the operation of a rock quarry is hereby granted to Lot No. 7030NEW-
21 2, situated in the Municipality of Yigo, containing an area of 190,604± square
22 meters, as shown on DLM Drawing No. 251-FY75, recorded at DLM under
23 Instrument No. 279604, as identified on Certificate of Title No. 90433, owned
24 by Che Chin Hong; provided, that such conditional use shall cease and
25 terminate upon the cessation of rock quarry operations on such lot.

26 **Section 7. (a) Legislative intent.** Dr. Gregory John Miller and Mrs.
27 Norma Carbullido Miller, the owners of property located in Piti, would like

1 to construct a single family dwelling thereon, and have requested the
2 Legislature to rezone the property from Rural to Single Family Residential.
3 The Legislature finds the use appropriate to the area.

4 (b) **Lot in Piti rezoned.** Lot No. 6-1, Tract 2022, Municipality of Piti,
5 containing an area of 1,916 square meters, owned by Dr. Gregory John Miller
6 and Mrs. Norma Carbullido Miller, is hereby rezoned from Rural ("A") to
7 Single Family Residential ("R-1").

8 **Section 8. (a) Legislative statement.** The Legislature has been
9 requested by Edward Anderson Cruz, the owner of Lot No. 268, Merizo, to
10 rezone such property from Single Family Residential to Commercial to
11 permit him to maximize the use of his property by building thereon a
12 commercial complex. The Legislature finds that the Achang Bay Marina
13 abutting the land has already been rezoned to Commercial, and that the
14 owner is entitled to equal treatment and equal opportunity.

15 (b) **Lot in Merizo rezoned.** Lot No. 268, situated in Tachong, Merizo,
16 said to contain 10,519 square meters, as shown on Drawing No. ISL1-
17 65M152, owned by Edward Anderson Cruz, is hereby rezoned from Single
18 Family Residential ("R-1") to Commercial ("C").

19 **Section 9. (a) Legislative statement.** The owners of Lot No. 163, Tract
20 1445, Barrigada, have requested the Legislature to rezone the property from
21 Single Family to Multi-family Residential in order for them to add a second
22 unit to the family home in Barrigada to accommodate a member of their
23 immediate family. The Legislature finds such use appropriate to the
24 neighborhood.

25 (b) **Lot in Barrigada rezoned; condition.** Lot No. 163, Tract 1445,
26 Municipality of Barrigada, containing 579 square meters, as shown on DLM
27 Drawing No. 72-12-02H, recorded at DLM under Instrument No. 256174,

1 identified on Certificate of Title No. 59790, owned by Aniceto C. Basto and
2 Isabelita M. Basto, is hereby rezoned from Single Family Residential ("R-1")
3 to Multi-family Residential ("R-2"); provided, that no building on said lot
4 shall exceed two (2) stories or thirty feet (30') in height or contain more than
5 two (2) single family dwelling units.

6 **Section 10. (a) Legislative statement.** The Legislature has been asked
7 by Nicolas D. Francisco to rezone his property in Mangilao from Single
8 Family to Multi-family Residential in order to build an apartment complex
9 thereon with affordable rental rates. The Legislature finds that such property
10 is adequate in size for such purpose, that the needed utilities serve the parcel,
11 and that Mr. Francisco's intended use of the property is a desirable use which
12 will benefit both his children and the community.

13 (b) **Lot in Mangilao rezoned.** Lot No. 2394-2-R2, situated in
14 Mangilao, said to contain an area of 3,842 square meters, owned by Nicolas
15 D. Francisco, is hereby rezoned from Single Family Residential ("R-1") to
16 Multi-family Residential ("R-2").

17 **Section 11. (a) Legislative statement.** The Legislature has been
18 requested by Barbara B. Cushing and James W. Cushing, wife and husband,
19 the owners of Lots Nos. 3, 4, 5-1, 5-R1 and 6, Dededo, to rezone such parcels
20 of land in order to construct apartments thereon. The Legislature finds that
21 the needs of the community will be served by such change in zone, permitting
22 the owners to realize the best economic potential of their land, and assisting
23 the community in resolving the critical housing shortage in Guam.

24 (b) **Lots in Dededo rezoned.** Lot No. 3, consisting of 4,258.53 square
25 meters, Lot No. 4, consisting of 4,258.53 square meters, Lot No. 5-1, consisting
26 of 1,858 square meters, Lot No. 5-R1, consisting of 2,388 square meters, and
27 Lot No. 6, consisting of 4,258.84 square meters, all in Tract 1032, Municipality

1 of Dededo, all owned by Barbara B. Cushing and James W. Cushing, are
2 hereby rezoned from Rural ("A") to Multi-family Residential ("R-2").

3 **Section 12. (a) Legislative statement.** Manuel Cruz Blas has
4 requested the Legislature to rezone Lot No. 5290-3-7-1, Adacao, Barrigada,
5 to permit operation of a restaurant thereon. This lot is adjacent to the lot on
6 which the family business, Kinney's Cafe, is situated, which for many years
7 has operated under a conditional use permit and which was recently closed.
8 Mr. Blas intends to re-open the restaurant on Lot No. 5290-3-7-1. The
9 Legislature finds that Kinney's Cafe has been a popular family dining spot for
10 years and that requiring the continued renewal of conditional use permits is
11 awkward and not in the public interest, the public being better served by
12 zoning the property to facilitate the famous facility's reconstruction and
13 reopening.

14 (b) **Lot in Barrigada rezoned.** Lot No. 5290-3-7-1, situated in Adacao,
15 Municipality of Barrigada, consisting of 5,070± square meters, as shown on
16 Drawing No. US-524-T72B, owned by Manuel C. Blas, is hereby rezoned
17 from Rural ("A") to Commercial ("C").

18 **Section 13. (a) Legislative statement.** Freddy B. Van Dox, owner of
19 property in Merizo, has requested the Legislature to rezone it from Single
20 Family to Multi-family Residential in order to maximize economic return
21 from for the property. The Legislature finds that the property is within a
22 floodplain, that the owner must adhere to all building permit requirements,
23 that necessary utilities are directly available to the parcel, and that the
24 rezoning is in the public interest.

25 (b) **Lot in Merizo rezoned.** Lot No. 142-1, Municipality of Merizo,
26 Guam, containing an-area of 2,817± square meters, as shown on Map
27 Drawing No. MS-91051, DLM Drawing No. 021-FY92, owned by Freddy B.

1 Van Dox, is hereby rezoned from Single Family Residential ("R-1") to Multi-
2 family Residential ("R-2").

3 **Section 14. (a) Legislative statement.** Angel S. Legaspi and Roberta P.
4 Legaspi, owners of property in Tamuning, have requested the Legislature to
5 rezone such property from Multi-family Residential to Commercial in order
6 to maximize economic return from the property. The Legislature finds that
7 the property is located behind the Cruz Pharmacy, that the adjacent lots
8 along Farenholt Avenue have already been rezoned for commercial uses, that
9 the proposed rezoning is not incompatible with land use in the area, and that
10 the necessary utilities are directly available for the property.

11 (b) **Lot in Tamuning rezoned.** Lot No. 2149-20A-R1, located on
12 Farenholt Avenue, Tamuning, Guam, containing an area of 1,087± square
13 meters, as shown on Drawing No. JAA-80615-D, owned by Angel S. Legaspi
14 and Roberta P. Legaspi, is hereby rezoned from Multi-family Residential ("R-
15 2") to Commercial ("C").

16 **Section 15. (a) Legislative statement.** The Legislature has been
17 requested by Cecilia F. Arceo to rezone property in Chalan Pago owned by
18 her sons. The Legislature finds that Mrs. Arceo intends to construct on such
19 property a multi-unit apartment for her children's future education, that as a
20 single parent, she does not have any additional revenue sources apart from
21 so developing her children's property, that the proposed use is not
22 incompatible with the surrounding area, and that the rezoning is in the public
23 interest.

24 (b) **Lot in Chalan Pago rezoned.** Lot No. 3371-4-5-2, Chalan Pago, in
25 the Municipality of Sinajaña, consisting of 937.54± square meters, as shown
26 on Drawing No. RRV90-015, owned by Kenneth B.F. Arceo and Erik F.F.

1 Arceo, is hereby rezoned from Single Family Residential ("R-1") to Multi-
2 family Residential ("R-2").

3 **Section 16. (a) Legislative statement.** The Legislature has been
4 requested by the owner of Lot No. 3, Tract 911, Yigo, to rezone such lot from
5 Rural to Single Family Residential in order to apportion such property and
6 permit the construction of affordable homes to accommodate his family's
7 needs. The Legislature finds that the property has access to water, telephone
8 and power services and that the proposed rezoning is compatible with uses in
9 the area.

10 (b) **Lot in Yigo rezoned.** Lot No. 3, Tract 911, situated in the
11 Municipality of Yigo, containing an area of 51,565± square meters, as shown
12 on DLM Drawing No. 233-FY77, recorded at DLM under Instrument No.
13 242599, identified under Certificate of Title No. 40105, owned by Jose P.
14 Torres, is hereby rezoned from Rural ("A") to Single Family Residential ("R-
15 1").

16 **Section 17. (a) Legislative statement.** The owner of Lot No. 2414-4,
17 Tai, Mangilao, has requested the Legislature to rezone said lot from Single
18 Family Residential to Commercial for building a commercial complex thereon
19 in order to utilize the property for its highest and best use. The Legislature
20 finds that the property fronts Route 10, that it is adjacent to an existing
21 commercial zone and in the vicinity of the Mangilao Public Health Center,
22 that all utilities, inclusive of sewer, are immediately available thereat, and
23 that the proposed rezoning is compatible with the surrounding area.

24 (b) **Lot in Mangilao rezoned.** Lot No. 2414-4, Tai, Mangilao, said to
25 contain an area of 1,731 square meters, shown on Drawing No. ISL 3-66S474,
26 recorded at DLM under Instrument No. 400410, owned by Thiem Van Tran, is
27 hereby rezoned from Single Family Residential ("R-1") to Commercial ("C").

1 **Section 18. (a) Legislative statement.** The Legislature finds that Peter
2 P. F. Cruz, the owner of Lot No. 22-19E-3-R1, located in Agaña Heights,
3 Sinajaña, should be permitted to operate a day-care center thereon and that
4 such use will greatly benefit working parents in the area.

5 **(b) Conditional use for day-care center authorized.** Conditional use
6 for ten (10) years from the date of enactment of this Act is granted to operate
7 a day-care center on Lot No. 22-19E-3-R1, Agaña Heights, Municipality of
8 Sinajaña, containing an area of 645± square meters, as shown on Drawing
9 No. 3108-1, recorded at DLM under Instrument No. 97079, as identified
10 under Certificate of Title No. 83304, owned by Peter P. F. Cruz.

11 **Section 19. (a) Legislative findings.** The owners of Lots Nos. 55-1-2-1
12 through 55-1-2-30, 56-1-1, 56-1-2-1, 56-1-2-R1, 56-1-3, 56-1-4, 56-1-5, 56-1-6,
13 56-1-7, and 56-1-R7, all in Talofofu, have requested the Legislature to rezone
14 their properties from Rural to Single Family Residential. The owners of Lots
15 Nos. 55-1-2-R30 and 56-1-2-1 have requested that their lots be rezoned to
16 Commercial to make available an emergency medical clinic and retail sales
17 outlets. The Legislature finds that the area is a rapidly-growing community
18 and that the land uses planned and intended by the owners are not
19 incompatible with surrounding uses.

20 **(b) Lots in Talofofu rezoned R-1.** The following lots, all in the
21 Municipality of Talofofu, are hereby rezoned from Rural ("A") to Single
22 Family Residential ("R-1"):

- 23 1. Lot No. 56-1-1, identified under Certificate of Title No.
24 35295, said to contain an area of 57,358± square meters, as shown on
25 Drawing No. U24T-70T (the "Drawing"), owned by Victoria
26 Camacho Cruz; -

1 2. Lot No. 56-1-2-R1, identified under Certificate of Title No.
2 31742, said to contain an area of 51,430± square meters, as shown on
3 Drawing No. ZIM-93-14, owned by Victoria Camacho Cruz;

4 3. Lot No. 56-1-3, identified under Certificate of Title No.
5 35296, said to contain an area of 4,047± square meters, as shown on
6 the Drawing, owned by Victoria Camacho Cruz;

7 4. Lot No. 56-1-4, identified under Certificate of Title No.
8 35300, said to contain an area of 4,046± square meters, as shown on
9 the Drawing, owned by Gloria Camacho Murphy;

10 5. Lot No. 56-1-5, identified under Certificate of Title No.
11 35297, said to contain an area of 4,047± square meters, as shown on
12 the Drawing, owned by Victoria Camacho Cruz;

13 6. Lot No. 56-1-7, identified under Certificate of Title No.
14 35298, said to contain an area of 39,954± square meters, as shown on
15 the Drawing, owned by Victoria Camacho Cruz;

16 7. Lot No. 56-1-R7, identified under Certificate of Title No.
17 35302, said to contain an area of 40,500± square meters, as shown on
18 the Drawing, owned by Gloria Camacho Murphy;

19 8. Lot No. 56-1-6, identified under Certificate of Title No.
20 35301, said to contain an area of 4,046± square meters, as shown on
21 the Drawing, owned by Gloria Camacho Murphy;

22 9. Lots Nos. 55-1-2-1 through 55-1-2-30, said to contain an
23 aggregate area of 55,743± square meters, as shown on Drawing No.
24 ZIM-91-08-A, owned by Jennifer M. Lujan.

25 (c) **Lots in Talofofu rezoned C.** Lot No. 55-1-2-R30, said to contain an
26 area of 8,094 square meters, as shown on DLM Drawing No. 530FY93,
27 owned by Jennifer M. Lujan, and Lot No. 56-1-2-1, identified under

1 Certificate of Title No. 31742, as shown on Drawing No. ZIM-93-14, owned
2 by Victoria Camacho Cruz, both situated in the Municipality of Talofofu, are
3 hereby rezoned from Rural ("A") to Commercial ("C").

4 **Section 20. (a) Legislative statement.** The Legislature has been
5 requested by Concepcion Fejeran Rosario to rezone her lot in Malojloj,
6 Inarajan, from Rural to Multi-family Residential in order to build a multiplex
7 housing unit to help meet the island's housing shortage. The Legislature finds
8 such rezoning compatible with land uses in the area.

9 (b) **Lot in Malojloj rezoned.** Lot No. 7, Block 8, situated in Malojloj,
10 Municipality of Inarajan, containing an area of 64,646 square feet, as shown
11 on Drawing No. E3-68T653, owned by Concepcion Fejeran Rosario, is hereby
12 rezoned from Rural ("A") to Multi-family Residential ("R-2").

13 **Section 21. (a) Legislative statement.** The owners of property in
14 Barrigada have requested the Legislature to rezone it from Single Family
15 Residential to Commercial. The Legislature finds that the property is
16 adjacent to Route 10, approximately one mile from the intersection of Route 8
17 and Route 16, and four miles from Route 4, that the owners wish to construct
18 a commercial building on the property, that since the completion of the
19 reconstruction of Route 10, commercial building demands have increased due
20 to the continued growth in the general area, that the proposed commercial
21 building would help the growing demands of the neighborhood, and will add
22 to the aesthetics of Route 10, and that the proposed rezoning is consistent in
23 servicing the needs and the growth of the local community. The Legislature
24 further finds that the construction of such a commercial building will impact
25 positively on the community by raising additional tax revenue, by increased
26 employment and by more convenience for local shopping.

1 (b) Lot in Barrigada rezoned. Lot No. 1097-2-1, Municipality of
2 Barrigada, containing an area of 2,095.95± square meters, as shown on
3 Drawing No. ISL2-65B170, owned by Mr. and Mrs. Joon Sik Lee, is hereby
4 rezoned from Single Family Residential ("R-1") to Commercial ("C").

5 Section 22. (a) Legislative statement. The owner of property in
6 Chalan Pago/Ordot has requested the Legislature to rezone it from Single
7 Family Residential to Commercial in order to maximize economic return
8 from the property. The Legislature finds that such rezoning has been
9 endorsed by the Chalan Pago Municipal Planning Council, that the necessary
10 utilities are directly available to the property, and that the proposed rezoning
11 is in the public interest.

12 (b) Lot in Chalan Pago rezoned. Lot No. 3262-1A-2-R1, Municipality
13 of Chalan Pago/Ordot, Guam, containing an area of 4,339 square meters, as
14 shown on Drawing No. NI-202, DLM Check No. 342-FY93, owned by Ling's
15 Corporation, is hereby rezoned from Single Family Residential ("R-1") to
16 Commercial ("C").

17 Section 23. (a) Legislative statement. Antonio P. Sablan has requested
18 the Legislature to rezone his Sinajaña property from R-1 to R-2 to provide
19 dwellings for his children, including separate kitchens, bathrooms and living
20 areas, with utility meters independent of the main dwelling. The Legislature
21 finds that such rezoning to be compatible with land uses in the area.

22 (b) Lot rezoned. Lot No. 7, Block 6, Tract 232, Sinajaña, containing an
23 area of 7,157± square feet, as shown in the Subdivision Map of Tract 232,
24 recorded at DLM under Instrument No. 95319, owned by Antonio P. Sablan,
25 is hereby rezoned from Single Family Residential ("R-1") to Multi-family
26 Residential ("R-2").

1 **Section 24. (a) Legislative statement.** The Legislature finds that Lot
2 No. 10135-1-7 in Dededo, owned by Charles Bogg and Michael J. Davis, is
3 currently zoned Rural, that the lot is large enough to subdivide into seventeen
4 lots for the construction of one-family dwellings, that the landowners cannot
5 use the fast track zone change process for parcels two acres or less in size,
6 because their lots are an acre larger than the maximum allowed, that the cost
7 and time required to have the property rezoned through the Territorial Land
8 Use Commission is unreasonable and would delay the timely development of
9 badly needed housing, that the owners have committed themselves to
10 ensuring that adequate infrastructure is made available from the project site
11 to the nearest available government infrastructure or utility superstructure,
12 and that the proposed rezoning is in the public interest.

13 **(b) Lot in Dededo rezoned; conditions.** Lot No. 10135-1-7,
14 Municipality of Dededo, containing an area of 13,253 square meters, as
15 shown on Drawing No. A06-15-87, DLM Check No. 299-FY87, identified
16 under Certificate of Title No. 85997, owned by Charles Bogg and Michael J.
17 Davis, is hereby rezoned from Rural ("A") to Single Family Residential ("R-
18 1"), subject to the following conditions: That electric power, water, and
19 septic tanks/leaching fields are in place and ready to serve the project site,
20 along with the required public and utility easements before any single-family
21 dwelling unit is occupied.

22 **Section 25. (a) Legislative statement.** The Legislature has been
23 requested by the owners of Lot No. 5351-1-1-3-2, Barrigada, and by adjacent
24 property owners, to have the lot rezoned from Rural to Single Family
25 Residential. The Legislature finds that the owners wish to deed a portion of
26 the lot to one of their brothers, which cannot be done because of the current
27 zoning, that such brother is in need of a portion of such lot to construct a

1 home thereon for his growing family, that with the high price of land and the
2 high cost of rental units, it is impossible for the brother, Romeo Batac, to
3 fulfill his dream of providing a home for his family without such rezoning,
4 and that the proposed rezoning is compatible with existing land uses of the
5 area.

6 (b) **Lot in Barrigada rezoned.** Lot No. 5351-1-1-3-2, Municipality of
7 Barrigada, containing an area of 2,010± square meters, owned by Mr. and
8 Mrs. Carlito Batac, is hereby rezoned from Rural ("A") to Single Family
9 Residential ("R-1").

10 **Section 26. Lot in Chalan Pago rezoned.** Lot No. 6, Tract 1935, Chalan
11 Pago, containing an area of 1,062± square meters, owned by Carlyn Torres-
12 Castro, is hereby rezoned from Rural ("A") to Multi-family Residential ("R-
13 2").

14 **Section 27. (a) Legislative statement.** George Tenorio Barcinas and
15 Linda Tenorio Barcinas have requested the Legislature to rezone their
16 property in Yoña from Single Family to Multi-family Residential. The
17 Legislature finds that the property was deeded by gift to them by their
18 mother, Magdalena Tenorio Barcinas, for the express purpose of assisting
19 them and their family, that the family intends now to lease the property to
20 provide for the well-being of their mother and their own family, and that the
21 proposed rezoning is appropriate.

22 (b) **Lot in Yoña rezoned.** Lot No. 111C-R9, situated in the
23 Municipality of Yoña, containing an area of 7,459± square meters, shown on
24 Drawing No. 110181-D, recorded at DLM under Instrument No. 325572,
25 owned by George Tenorio Barcinas and Linda Tenorio Barcinas, is hereby
26 rezoned from Single Family Residential ("R-1") to Multi-family Residential
27 ("R-2").

1 **Section 28. (a) Legislative statement.** Pascual A. Sablan and Dolores
2 G. Sablan, husband and wife, have requested the Legislature to rezone their
3 Sinajaña property from R-1 to R-2 to accommodate their four adult children,
4 two of whom are parents themselves, proposing to build on the existing
5 dwelling additional dwelling units, including separate complete kitchens,
6 bathrooms, and living areas, with utility meters independent of the main
7 dwelling. The Legislature finds that the only way to accomplish this objective
8 is to have the property rezoned, and that such rezoning is compatible with
9 land uses in the area.

10 **(b) Lot in Sinajaña rezoned.** Lot No. 3, Block No. 2, Tract 232,
11 Sinajaña, containing an area of 5,914± square feet, as described in the
12 warranty deed recorded at DLM under Instrument No. 295433, owned by
13 Pascual A. Sablan and Dolores G. Sablan, is hereby rezoned from Single
14 Family Residential ("R-1") to Multi-family Residential ("R-2").

15 **Section 29. (a) Legislative statement.** Narcisa Baker, the owner of
16 property in **Marcello Heights**, Barrigada, has requested the Legislature to
17 rezone it from A to R-2. The Legislature find that the property fronts **Bello**
18 Road, that necessary utility infrastructure is available, that the area is a
19 rapidly-growing center for business and commerce, that the owner wants this
20 rezoning to maximize use of her property, and that the proposed rezoning is
21 compatible with land uses in the area.

22 **(b) Lot in Marcello Heights rezoned.** Lot No. 6, Block No. 1, Tract 148,
23 **Marcello Heights**, Barrigada, containing an area of 4,047 square meters,
24 identified under Certificate of Title No. 76733, shown on the map recorded at
25 DLM under Instrument No. 75644, owned by Narcisa Baker, is hereby
26 rezoned from Rural ("A") to Multi-family Residential ("R-2").

1 **Section 30. (a) Legislature statement.** The owners of a lot in Yoña
2 have requested the Legislature to rezone it from R-1 to R-2. The Legislature
3 finds that the lot fronts Route 4 and is adjacent to C-zoned property, that the
4 Yoña Municipal Planning Council has endorsed such rezoning, that over a
5 Million Dollars have been put aside for the construction of a sewer line for
6 this area, and that the proposed rezoning is appropriate. The owners of
7 another lot in Yoña have also requested the Legislature to rezone their
8 property from R-1 to C in order for them to construct a commercial building
9 thereon. The Legislature finds that the Yoña Mayor supports this rezoning,
10 and that such rezoning is compatible with land uses in the area.

11 **(b) Lot in Yoña rezoned R-2.** Lot No. 109-2, Yoña, containing an area
12 of 2,657.45 square meters, identified under Certificate of Title No. 96510, as
13 shown on Drawing No. PLS 135T63, recorded at DLM under Instrument No.
14 55770, owned by Enrique C. Baza, Jr. and Roger S. Moran, is hereby rezoned
15 from Single Family Residential ("R-1") to Multi-family Residential ("R-2").

16 **(c) Lot in Yoña rezoned C.** Lot 158-2-4-R1, Yoña, containing an area
17 of 53,027 square feet, identified under Certificate of Title No. 79721, as shown
18 on the map recorded at DLM under Instrument No. 87740, owned by Antonio
19 B. Balajadia and Virginia E. Balajadia, is hereby rezoned from Single Family
20 Residential ("R-1") to Commercial ("C").

21 **Section 31. Lots in Agat rezoned.** Lot No. 402-R10-1-7-R1, Agat, as
22 shown on Drawing No. M600-642, recorded at DLM under Instrument No.
23 228258, Lot No. 402-R10-1-6-2 new, Agat, as shown on Drawing No. 421-89,
24 DLM Check No. 049-FY90, and Lot No. 402-R10-1-6-1, Agat, as shown on
25 Drawing No. GV-011000, DLM Check No. 332-FY85, which lots contain an
26 aggregate area of 15,972.88± square meters, and are all owned by Stephen H.

1 Tyler, are hereby rezoned from Rural ("A") to Single Family Residential ("R-
2 1").

3 **Section 32. (a) Legislative statement.** The Legislature has been
4 requested by Ignacio Taijeron Reyes, Cecilia Reyes Quinata and Joseph
5 Anthony Reyes to rezone Lot No. 341-1, Merizo, from Rural to Multi-family
6 Residential in order to subdivide the property into three equal parcels. The
7 Legislature finds that the lot contains 5,500 square meters, that the family
8 wishes to maximize the economic return on their inheritance, and that the
9 proposed rezoning is reasonable.

10 **(b) Lot in Merizo rezoned.** Lot No. 341-1, Merizo, Guam, containing
11 an area of 5,500 square meters, as shown on Map Drawing No. M71-119,
12 identified under Certificate of Title No. 54862, owned by Ignacio Taijeron
13 Reyes, Cecilia Reyes Quinata and Joseph Anthony Reyes, is hereby rezoned
14 from Rural ("A") to Multi-family Residential ("R-2").

TWENTY-SECOND GUAM LEGISLATURE

1993 (FIRST) Regular Session

Date: 4/14/94

VOTING SHEET (AS REVISED)

Bill No. 964
 Resolution No. _____
 Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	//		✓	
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	//			
CAMACHO, Felix P.	//			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	/		✓	
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	//			
PANGELINAN, Vicente	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.		✓		
UNPINGCO, Antonio R.			✓	

TOTAL

17 1 3 _____

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development
Twenty-Second Guam Legislature

228 Archbishop Flores St.
Agana, Guam 96910

Tel: (671) 472-3453 ~4
Fax: (671) 477-6338

April 11, 1994

SPEAKER JOE T. SAN AGUSTIN
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

POF

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred Bill No. 964, wishes to report back to the Legislature with its recommendation TO DO PASS on the acceptance of its Committee Report on Bill 783 and to waive public hearing on Bill 964 as required under § 2103 Title 2 GCA as the two bills are identical in substance. The voting record is as follows:

TO PASS	<u>8</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.


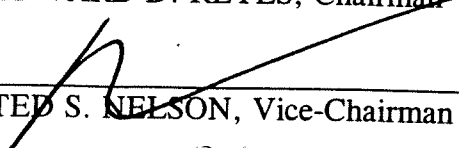
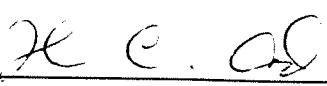
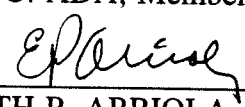
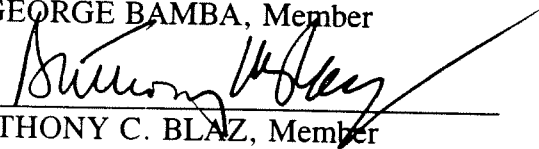

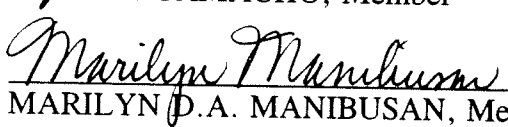
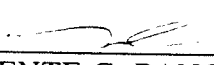
Your attention to this matter is greatly appreciated.


EDWARD D. REYES

Attachments

VOTING RECORD

Committee recommendation to waive public hearing on Bill 964 and to accept
Committee Report on Bill 783 as the two bills are identical in substance.

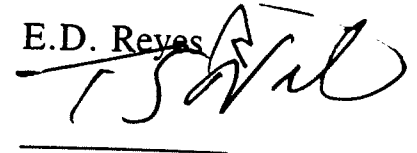
	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 EDWARD D. REYES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TED S. NELSON, Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 THOMAS C. ADA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ELIZABETH P. ARRIOLA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. GEORGE BAMBA, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ANTHONY C. BLAZ, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FELIX P. CAMACHO, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 MARILYN D.A. MANIBUSAN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 VICENTE C. PANGELINAN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOE T. SAN AGUSTIN, Ex-Officio Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Bill No. 964

94 APR 11 AM 11:08

Introduced by:

E.D. Reyes



AN ACT TO REZONE CERTAIN PROPERTIES IN VARIOUS MUNICIPALITIES OF GUAM AND FOR OTHER RELATED PURPOSES.

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

2 **Section 1. (a). Legislative Statement.** The Guam Legislature has been
3 approached by Mr. and Mrs. Fred and Dorothea Constantino, longtime residents of the
4 Municipality of Santa Rita, and owners of Lot No. 402-10-6-R8NEW, situated along
5 Route 5A, in the upper Talisay area, in a request to rezone their private property
6 described as Lot No. 402-10-6-R8NEW, in the Municipality of Santa Rita. Mr. and
7 Mrs. Constantino are in the midst of planning further improvement of the property.
8 They intend to construct a multi-unit apartment for their family and for the much
9 needed housing. The Legislature finds that this zone change will not prevent adequate
10 environmental protections and infrastructure requirements from being implemented by
11 the appropriate agencies of the government.

12 **(b). Lots Rezoned.** Lot No. 402-10-6-R8NEW, in the Municipality of Santa
13 Rita, consisting of 5,482 ± square meters as delineated of Land Management Drawing
14 No. 516-FY-93, and owned by Mr. and Mrs. Fred and Dorothea Constantino, is hereby
15 rezoned from "A Rural" to "R2 Multiple Dwelling".

16 **Section 2. Lots Rezoned.** Lot No. 402-10-5-3, consisting of 1,858 ± square
17 meters, Lot No. 402-10-5-4, consisting of 1,858 ± square meters, Lot No. 402-10-5-5,

1 consisting of 1,858 ± square meters, Lot No. 402-10-5-6, consisting of 1,858 ± square
2 meters, Lot No. 402-10-5-7, consisting of 1,858 ± square meters, Lot No. 402-10-5-8,
3 consisting of 1,858 ± square meters, Lot No. 402-10-5-9, consisting of 1,858 ± square
4 meters, Lot No. 402-10-5-10, consisting of 1,858 ± square meters, all in the
5 Municipality of Santa Rita, as delineated on Land Management Drawing No. 190-FY-
6 88, and owned by Mr. and Mrs. Jose P. and Teresita A. Salas, is hereby rezoned from
7 “A Rural” to “R2 Multiple Dwelling”. Lot No. 402-10-5-2, consisting of 1,481 ±
8 square meters, in the Municipality of Santa Rita, as delineated of Land Management
9 Drawing No. 190-FY-88, and owned by Mr. and Mrs. Jose P. and Teresita A. Salas, is
10 hereby rezoned from “A Rural” to “C Commercial”.

11 **Section 3. (a). Legislative Statement.** The owner of Lot Nos. 7032-3-1-1 and
12 7032-3-1-2 approached the Guam Legislature for assistance in rezoning the said
13 properties for the purpose of constructing a two (2)-story apartment complex in Yigo.
14 Mr. Frank F.S. Miao Aka Miao Feng-Song owner of Lot No. 7032-3-1-1 consisting of
15 1,362 square meters and Lot No. 7032-3-1-2 consisting of 1,003 square meters in
16 aggregate, wish to construct a multi-level apartment complex which would provide
17 much needed rental housing units for the island. As the population, particularly in the
18 north, is increasing fast, the demand for housing or rental units continue to escalate.
19 The owner of the subject lots is unable to afford the costly and time consuming process
20 associated with the Territorial Land Use Commission and thus a decision to approach
21 the Guam Legislature evolved.

22 **(b). Lots Rezoned.** Lot No. 7032-3-1-1 consisting of 1,362 square meters and
23 Lot No. 7032-3-1-2 consisting of 1,003 square meters, situated in the village of Yigo,
24 as delineated on Land Management Drawing No. SDCO58-0471, and owned by Mr.
25 Frank F.S. Miao Aka Miao Feng-Song, is hereby rezoned from Single-family
26 residential (R-1) to Multi-family Dwelling (R-2).

1 **Section 4. (a). Legislative Statement.** The Legislature was approached by
2 Francisco S.N. Gogue, owner of Lot No. 3254-4-3, Municipality of Sinajana, to rezone
3 his property from "R1 One-Family Dwelling" to "C Commercial". Mr. Gogue is
4 currently operating a mini-mart on the property under a conditional use which has been
5 in operation for years. Since the store has been in business for years, the community
6 has benefited and is accustomed with its accessibility. It is the Legislature's intention to
7 provide for its continued operation and to make the zone of this lot compatible with
8 other commercially-zoned lots in the vicinity. The Legislature also finds that the said
9 property comes under the proposed I Tano'-ta Land Use Plan for Guam as Intensity
10 District 3, which permits the use of this type of establishment.

11 **(b). Rezoning.** Lot No. 3254-4-3, Municipality of Sinajana, owned by Mr.
12 Francisco S.N. Gogue, consisting of an area of 4,721 square meters as identified in
13 Drawing No. 7209-1 and Certificate of Title No. 36524 is hereby rezoned from "R1
14 One-Family Dwelling" to "C Commercial".

15 **Section 5. (a). Legislative Statement.** Daniel J. and Mary A. Mantanona,
16 husband and wife, own two lots in Guam, described as follows: Lot No. 22, Block 9,
17 Tract Number 232, Municipality of Sinajana, containing an area of 468 ± square
18 meters, as said Lot is described in that Subdivision of Tract 232, as recorded June 12,
19 1970 in the Department of Land Management, government of Guam under Document
20 No. 95319 and Document No. 460197 and Lot No. 270-A-3, Merizo, Guam containing
21 an area of 929± square meters, as shown on map filed under Document No. 106524
22 and C.T. No. 38962. Mr. and Mrs. Mantanona have requested the Legislature's
23 assistance to allow the operation of a child care center on both lots. Since the number of
24 working parents continues to grow, the need for child care continues to intensify. The
25 Mantanona's intend to establish and maintain a carefully-designed classroom and
26 learning environment which supports the development of children's physical and
27 intellectual ability, social and emotional behavior, along with ensuring the safety and

1 well-being of the children. They project, at each site, a maximum center enrollment of
2 forty children between the ages of two and five years old. The Legislature is aware of
3 the demand and need for more facilities of this nature and supports the Mantanona's
4 request. The Mantanona's are fully aware of the licensure and certification
5 requirements which must be met for the operation

6 **(b). Conditional Use Authorized.** Conditional use for ten years from the
7 enactment date of this Act is granted to the following two lots in order to facilitate
8 operation of a child care center: Lot No. 22, Block 9, Tract Number 232, Municipality
9 of Sinajana, containing an area of $468 \pm$ square meters, as said Lot is described in that
10 Subdivision of Tract 232, as recorded June 12, 1970 in the Department of Land
11 Management, government of Guam under Document No. 95319 and Document No.
12 460197 and Lot No. 270-A-3, Merizo, Guam containing an area of $929 \pm$ square
13 meters, as shown on map filed under Document No. 106524 and C.T. No. 38962.

14 **Section 6. (a). Legislative Statement.** The owner of Lot No. 7030NEW-2
15 approached the Twenty-Second Guam Legislature to seek assistance in the matter of
16 rezoning his property. This individual is the founder of a rock quarrying enterprise in
17 Yigo which has been in existence in Guam since the mid-70's. Mr. Che Chin Hong
18 doing business on Guam as Sammi Rock Products, wishes to continue his rock
19 quarrying operations on the said property for several more months before developing
20 the site to a multi-family residential area and as such is seeking to obtain legislative
21 approval to rezone his property. Presently, the company holds a conditional use permit
22 to conduct business on the property granted October 30, 1969. Mr. Hong anticipates
23 that his business endeavor shall cease in approximately eighteen months at which time
24 plan will be developed to transform the site for multi-family dwelling (R-2) uses. Until
25 such time however, the enterprise will continue to engage in rock quarrying operations
26 and voluntarily terminate the said conditional use permit at the appropriate time.

1 **(b). Property Description and Rezoning.** Lot No. 7030NEW-2 situated in the
2 Municipality of Yigo contains an area of 190,604 ± square meters as shown on Land
3 Management Drawing No. 251-FY75 as attached to Document No. 279604; Certificate
4 of Title No. 90433 as recorded on Land Management Document No. 425604; is hereby
5 rezoned from Single-Family Dwelling (R-1) to Light Industrial (M-1) upon the
6 voluntary termination of the conditional use permit cited in Section 7 (a) of this Act.

7 **Section 7. (a). Legislative Intent.** Dr. Gregory John Miller and Mrs. Norma
8 Carbullido Miller, owners of the property described as Lot No. 6-1, Tract 2022,
9 located in Piti, Guam, would like to construct a single family dwelling on this property.
10 A major setback they have encountered in the construction of their home is the rezoning
11 of the property from “A” Agriculture to “R-1” Residential. Months ago, a request was
12 submitted to the Territorial Land Use Commission for the rezoning of the above
13 property, thus far no response has been received by Dr. and Mrs. Miller. Due to the
14 continuous escalation of construction costs on the island, Dr. and Mrs. Miller would
15 like to expedite the physical construction and completion of their proposed home.
16 Consequently, they have approached the Guam Legislature for assistance.

17 **(b). Rezoning Provision.** The property described as Lot No. 6-1, Tract 2022,
18 containing an area of 1,916 square meters, located in the Municipality of Piti, Guam,
19 under the ownership of Dr. Gregory John Miller and Mrs. Norma Carbullido Miller is
20 hereby rezoned from “A” (Agriculture) to “R-1” (Residential).

21 **Section 8. (a). Legislative Statement.** The Guam Legislature has been
22 approached by Mr. Edward Anderson Cruz, the owner of Lot No. 268, Merizo, with a
23 request to rezone his property from Single Family Residential (R1) to Commercial (C).
24 Mr. Cruz’s request is to permit him to maximize the utilization of his property, by
25 building a commercial complex, in order to realize its highest potential. Mr. Cruz notes
26 that the property (Achang Bay Marina) abutting his land has already been rezoned to
27 Commercial and he is simply seeking equal treatment and equal opportunity.

1 **(b). Lot Rezoned.** Lot No. 268, land square 38, sections 3 & 4, situated in
2 Tachong, Merizo, said to contain 10,519 square meters, as delineated on Drawing No.
3 ISL1-65M152, owned by Edward Anderson Cruz, is hereby rezoned from Single
4 Family Residential (R1) to Commercial (C).

5 **Section 9. (a). Legislative Statement.** The owner of Lot No. 163, Tract 1445,
6 Municipality of Barrigada, is requesting the assistance of the Legislature in rezoning the
7 said property from Single Family Dwelling (R-1) to Multi-Family Dwelling for the
8 purpose of adding a second unit to the family home in Barrigada to accommodate joint
9 residence with a member of the immediate family. The structure once completed would
10 in effect be a duplex that would offer some degree of privacy as well as cohesion for
11 both families occupying the adjoining structures.

12 **(b). Lot Rezoned.** Lot No. 163, Tract 1445 situated in the municipality of
13 Barrigada recorded at the Department of Land Management, Government of Guam
14 under Document No. 256174, Certificate of Title No. 59790, consisting of 579 square
15 meters as shown on Land Management Drawing No. 72-12-02H. and owned by Aniceto
16 C. and Isabelita M. Basto is hereby rezoned from Single Family Dwelling (R1) to
17 Multi-Family Dwelling (R-2).

18 **(c). Condition of Rezoning.** Lot No. 163, Tract 1445, Barrigada shall not
19 exceed more than two (2) stories or thirty (30) feet in height or two (2) single family
20 dwelling units.

21 **Section 10. (a). Legislative Statement.** The Guam Legislature has been
22 approached by Mr. Nicolas D. Francisco with a request to rezone his property in
23 Mangilao from Single Family Residential (R1) to Multi-Family Dwelling (R2) in order
24 to build an apartment complex with affordable rental rates. The Legislature notes that
25 Mr. Francisco's property is adequate in size for his stated purpose and that the needed
26 utilities do serve the parcel. The Legislature finds that Mr. Francisco's intended use of
27 the property is a desirable use which will benefit both his children and the community.

1 **(b). Lot Rezoned.** Lot No. 2394-2-R2, Land Square 18 Sec 3, situated in
2 Mangilao, said to contain an area of 3,842 square meters, and owned by Nicolas D.
3 Francisco, is hereby rezoned from Single Family Residential (R1) to Multi-family
4 Dwellings (R2).

5 **Section 11. (a). Legislative Statement.** The Legislature has been approached by
6 Barbara B. and James W. Cushing, wife and husband, owners of Lot No. 3, Lot No. 4,
7 Lot No. 5-1, Lot No. 5-R1 and Lot No. 6 for assistance to secure a zone change for
8 parcels of land in order to construct apartments. The Legislature finds that the needs of
9 the community will be served by the change in the zoning of the properties. Not only
10 would this permit them to realize the best economic potential of their lands, but they
11 would be assisting the community in resolving the critical housing shortage in Guam.

12 **(b). Lots Rezoned.** Lot No. 3, consisting of 4,258.53 square meters; Lot No. 4,
13 consisting of 4,258.53 square meters; Lot No. 5-1, consisting of 1,858 square meters;
14 5-R1, consisting of 2,388 square meters and 6, consisting of 4,258.84 square meters,
15 all in Tract 1032, and in the Municipality of Dededo, owned by Barbara B. and James
16 W. Cushing, are hereby rezoned from "A Rural" to "R2 Multiple Dwelling".

17 **Section 12. (a). LEGISLATIVE STATEMENT.** Mr. Manuel Cruz Blas has
18 approached the Legislature to change the zone of Lot No. 5290-3-7-1, Adacao,
19 Municipality of Barrigada. This particular lot is adjacent to the lot on which the family
20 business, Kinney's Cafe Restaurant, is situated. For many years, the restaurant has
21 operated under a conditional use variance. Recently closed, Mr. Blas intends to re-open
22 the restaurant on his Lot No. 5290-3-7-1. The Legislature finds that Kinney's Cafe has
23 been a popular family dining spot for years and the continued renewal of conditional
24 use is obsolete and not in the public interest. The public would be better served by
25 zoning the property to facilitate the facility's reconstruction and operation.

26 **(b). LOT REZONED.** Lot No. 5290-3-7-1, situated in Adacao, Municipality of
27 Barrigada, consisting of 5,070 ± square meters as delineated on Drawing No. US-524-

1 T72B, owned by Mr. Manuel C. Blas, is hereby rezoned from "A Rural" to "C
2 Commercial".

3 **Section 13. (a).). Legislative Statement.** Freddy B. Van Dox, owner of the
4 subject parcel, has approached the Legislature requesting a rezoning of Merizo property
5 from One-Family Dwelling (R1) to Multiple Dwelling (R2) in order to maximize
6 economic opportunities for the property. It is noted that the property is within a
7 floodplain and the owner must adhere to all building permit requirements. The
8 Legislature also notes that the necessary utilities are directly available to the parcel.

9 **(b). Lot Rezoned.** Lot No. 142-1, Municipality of Merizo, Guam, containing an
10 area of 2,817± square meters as shown on Map Drawing No. MS-91051, DLM No.
11 021-FY92, and owned by Freddy B. Van Dox, is hereby rezoned from One-Family
12 Dwelling (R1) to Multiple Dwelling (R2).

13 **Section 14. (a). Legislative Statement.** Angel S. and Roberta P. Legaspi,
14 owners of the subject parcel, have approached the Legislature requesting a rezoning of
15 their Farenholt property from Multiple Dwelling (R2) to Commercial (C) in order to
16 maximize economic opportunities for the property. It is noted that the property is that
17 lot behind the Cruz Pharmacy. The Legislature notes that the lots along Farenholt
18 Avenue have already been rezoned for commercial uses and that the rezoning of the
19 subject property is not incompatible. The Legislature also notes that the necessary
20 utilities are directly available to the parcel.

21 **(b). Lot Rezoned.** Lot No. 2149-20A-R1, Farenholt Avenue, Tamuning,
22 Municipality of Dededo, Guam, containing an area of 1,087± square meters as shown
23 on Map Drawing No. JAA-80615-D, and owned by Angel S. and Roberta P. Legaspi,
24 husband and wife, is hereby rezoned from Multiple Dwelling (R2) to Commercial (C).

25 **Section 15 (a). Legislative Statement.** The Guam Legislature has been
26 approached by Mrs. Cecilia F. Arceo, in a request to rezone private property described
27 as Lot No. 3371-4-5-2, Chalan Pago, owned by her son's, namely Kenneth B.F. (14

1 years of age) and Erik F.F. Arceo (10 years of age). Mrs. Arceo intends to construct a
2 multi-unit apartment for her children's future education. Mrs. Arceo who is a single
3 parent does not have any additional revenue sources other than developing her
4 children's property for their future needs.

5 **(b). Lot Rezoned.** Lot No. 3371-4-5-2, Chalan Pago in the Municipality of
6 Sinajana, consisting of 937.54 ± square meters as delineated on Drawing No. RRV90-
7 015, and owned by Kenneth B.F. and Erik F.F. Arceo, is hereby rezoned from Single
8 Family Dwelling (R-1) to Multi Family Dwelling (R-2).

9 **Section 16. (a). Legislative Statement.** The Guam Legislature has been
10 approached by the owner of Lot No. 3, Tract 911 to seek assistance in the matter of
11 rezoning his property in the Municipality of Yigo from Agriculture (a) to Single-Family
12 Dwelling (R1). Mr. Torres' intention is to apportion his property and allow for the
13 construction of affordable homes to accommodate his family's needs. The property
14 consists of 51,656 ± square meters in Yigo, and has access to water, telephone and
15 power services.

16 **(b). Lot Rezoned.** Lot No. 3, Tract 911 owned by Mr. Jose P. Torres and
17 situated in the Municipality of Yigo, consisting of 51,565 ± square meters as drawn
18 and described in the Land Management Drawing No. 233-FY77, recorded under
19 Document No. 242599 and C.T. No. 40105, registered on December 13, 1974 at the
20 Department of Land Management is hereby rezoned from Agriculture (A) to One-
21 Family Dwelling (R1).

22 **Section 17. (a). Legislative Statement.** The owner of Lot No. 2414-4, Tai,
23 Mangilao, is requesting the assistance of the Legislature in rezoning the said property
24 from Single Family Residential (R-1) to Commercial (C) for the purpose of building a
25 commercial complex in order to utilize the property to its highest and best use. The
26 property is situated fronting Route 10 and is adjacent to an existing commercial zone

1 and in the vicinity of the Mangilao Public Health Center. All utilities, inclusive of
2 sewer, is immediately available to the property.

3 (b). **Lot Rezoned.** Lot No. 2414-4, Tai, Mangilao, said to contain an area of
4 1,731 square meters, delineated on Drawing No. ISL 3-66S474, recorded under
5 Document No. 400410, and belonging to Mr. Thiem Van Tran, is hereby rezoned from
6 Single Family Residential (R-1) to Commercial (C).

7 **Section 18. (a). Legislative Statement.** It is the finding of the Legislature that
8 the property, Lot No. 22-19E-3-R1, located in Agana Heights, Sinajana, Guam, Estate
9 No. 10809, Suburban, containing an area of 645 ± square meters, as shown on Drawing
10 No. 3108-1, prepared by T.H. Yamamoto, RLS No. 12, filed under Document
11 No.97079, is owned by Peter P.F. Cruz. The Legislature also finds that the subject
12 property is registered under his name as shown on Certificate of Title No. 83304,
13 Recorded Document Number 402497. The Legislature also finds that Mr. Peter P.F.
14 Cruz wishes to operate a day care center at this location, which will greatly benefit
15 working parents and by making such a services by granting conditional use in this R-1
16 zoned lot.

17 (b). **Conditional Use Authorized.** Conditional use for ten years from the
18 enactment date of this Act is granted to the following in order to facilitate operation of a
19 child care center: Lot No. 22-19E-3-R1, Agana Heights, Municipality of Sinajana,
20 containing an area of 645 ± square meters, as shown on Certificate of Title No. 83304,
21 recorded as Document No. 402497.

22 **Section 19. (a). Legislative Findings.** The Legislature finds that the owners of
23 Lot Numbers 55-1-2-1 through 55-1-2-30, 56-1-1, 56-1-2-1, 56-1-2-R1, 56-1-3, 56-1-4,
24 56-1-5, 56-1-6, 56-1-7, 56-1-R7, all situated in the Municipality of Talofofo, are
25 desirous of and have petitioned the Twenty-Second Guam Legislature to change the
26 zoning of their properties from "A Rural" to "R1 One Family Dwelling" and Lot
27 Numbers 55-1-2-R30 and 56-1-2-1 from "A Rural" to "C Commercial". The owners

1 intend to make available an emergency medical clinic and retail sales outlets. The area
2 is a rapidly-growing community and the Legislature finds that the land uses planned and
3 intended by the owners are not incompatible with surrounding uses.

4 (b). **Lots Rezoned.** The following lots, zoned as "A Rural", are hereby re-zoned
5 to "R1 One Family Dwelling":

6 1. Lot Number 56-1-1, under Certificate of Title No. 35295, said to contain an
7 area of 57,358 ± square meters, situated in the Municipality of Talofoto, as delineated
8 in drawing number U24T-70T, and owned by Victoria Camacho Cruz;

9 2. Lot Number 56-1-2-R1, under Certificate of Title No. 31742, said to contain
10 an area of 51,430 ± square meters, situated in the Municipality of Talofoto, as
11 delineated in drawing number ZIM-93-14, and owned by Victoria Camacho Cruz;

12 3. Lot Number 56-1-3, under Certificate of Title No. 35296, said to contain an
13 area of 4,047 ± square meters, situated in the Municipality of Talofoto, as delineated
14 in drawing number U24T-70T, and owned by Victoria Camacho Cruz;

15 4. Lot Number 56-1-4, under Certificate of Title No. 35300, said to contain an
16 area of 4,046 ± square meters, situated in the Municipality of Talofoto, as delineated
17 in drawing number U24T, and owned by Gloria Camacho Murphy;

18 5. Lot Number 56-1-5, under Certificate of Title No. 35297, said to contain an
19 area of 4,047 ± square meters, situated in the Municipality of Talofoto, as delineated
20 in drawing number U24T, and owned by Victoria Camacho Cruz;

21 6. Lot Number 56-1-7, under Certificate of Title No. 35298, said to contain an
22 area of 39,954 ± square meters, situated in the Municipality of Talofoto, as delineated
23 in drawing number U24T, and owned by Victoria Camacho Cruz;

24 7. Lot Number 56-1-R7, under Certificate of Title No. 35302, said to contain an
25 area of 40,500 ± , square meters, situated in the Municipality of Talofoto, as delineated
26 in drawing number U24T, and owned by Gloria Camacho Murphy;

1 8. Lot Number 56-1-6, under Certificate of Title No. 35301, said to contain an
2 area of 4,046 ± square meters, situated in the Municipality of Talofoyo, as delineated
3 in drawing number U24T, and owned by Gloria Camacho Murphy;

4 9. Lot Numbers 55-1-2-1 through 55-1-2-30, said to contain an area of 55,743 ±
5 square meters, situated in the Municipality of Talofoyo, as delineated in drawing
6 number ZIM-91-08-A, and owned by Jennifer M. Lujan.

7 (c). **Lots Rezoned.** Lot Number 55-1-2-R30, said to contain 8,094 square meters
8 as delineated in DLM No. 530FY93, owned by Jennifer M. Lujan, and Lot Number
9 56-1-2-1, under Certificate of Title No. 31742, said to contain an area of 5,256 ±
10 square meters, as delineated in drawing number ZIM-93-14, and owned by Victoria
11 Camacho Cruz, both situated in the Municipality of Talofoyo, are hereby rezoned to “C
12 Commercial”.

13 **Section 20. (a). Legislative Statement.** The assistance of the Guam Legislature
14 has been requested by Ms. Concepcion Fejeran Rosario to rezone Lot No. 7, Block 8,
15 Malojloj, Municipality of Inarajan, from Agricultural (A) to Multiple Dwelling (R2).
16 Ms. Rosario wishes to rezone for the purpose of building a multi-plex unit to meet the
17 needs of the island’s housing shortage.

18 (b). **Lot Rezoned.** Lot No. 7, Block 8 situated in Malojloj, Municipality of
19 Inarajan consisting of 64,646 square feet as delineated on Drawing No. E3-68T653
20 owned by Ms. Concepcion Fejeran Rosario, is hereby rezoned from Agricultural (A) to
21 Multiple Dwelling (R2).

22 **Section 21. (a). LEGISLATIVE STATEMENT.** Mr. and Mrs. Joon Sik Lee
23 has approached the Legislature to change the zone of Lot No. 1097-2-1, Municipality of
24 Barrigada. This particular lot is adjacent to Route 10, approximately 1 mile from the
25 intersection of route 8 and route 16 and 4 miles from Route 4. Mr. Lee wishes to
26 construct a commercial building on this lot, although with the current zone R1 this is

1 not possible. Since the completion of Route 10, commercial building demands have
2 increased due to the continued growth in the general area.

3 The legislature finds that the proposed commercial building would help the growing
4 demands and when properly planned, will add to the aesthetics of Route 10. This
5 proposed activity is consistent in serving the needs and the growth of the local
6 community.

7 The legislature finds that the construction of the commercial building will provide a
8 positive impact to the community in the form of additional tax revenue, employment
9 and the convenience of local area shopping.

10 (b). **LOT REZONED.** Lot No. 1097-2-1, Municipality of Barrigada, consisting
11 of 2,095.95 ± square meters as delineated on Drawing No. ISL2-65B170, owned by
12 Mr. and Mrs. Joon Sik Lee, is hereby rezoned from "R1 Single Family Residential" to
13 "C Commercial".

14 **Section 22. (a). Legislative Statement.** Terri C. Davis, representing Ling's
15 Corporation, owner of the subject parcel, has approached the Legislature requesting a
16 rezoning of this property which fronts Route 10 in Chalan Pago from One-Family
17 Dwelling (R1) to Commercial (C) in order to maximize economic opportunities for the
18 property. The Legislature notes that rezoning of the subject property has been endorsed
19 by the Municipal Planning Council. The Legislature also notes that the necessary
20 utilities are directly available to the parcel.

21 (b). **Lot Rezoned.** Lot No. 3262-1A-2-R1, Municipality of Chalan Pago/Ordot,
22 Guam, containing an area of 4,339 square meters as shown on Drawing No. NI-202,
23 DLM No. 342-FY93, and owned by Ling's Corporation, is hereby rezoned from One-
24 Family Dwelling (R1) to Commercial (C).

25 **Section 23. (a). Legislative Statement.** Mr. Antonio P. Sablan has requested the
26 Legislature to rezone his Sinajana property from "R1" to "R2" to facilitate dwellings

1 for his children, including separate, complete kitchen, bathrooms, and living areas,
2 with utility meters independent of the main dwelling.

3 **(b). Lot Rezoned.** Lot No. 7, Block 6, Tract 232, Sinajana, Guam, owned by
4 Antonio P. Sablan, containing an area of 7,157 ± square feet, as identified in that
5 subdivision Map of Tract 232 as Document No. 95319, is hereby rezoned from "R1
6 One-Family Dwelling" to "R2 Multiple Dwelling".

7 **Section 24. (a). Legislative Statement.** The parcel of land, Lot No. 10135-1-7
8 owned by Messrs. Charles Boggs and Michael J. Davis, is currently zoned "A
9 (Agricultural)". The 13,253± square meter property is sufficient to subdivide into
10 seventeen (17) lots for the development of one-family dwellings. The landowners are
11 constrained in using the zoning process established by Public Law 21-82 (fast track zone
12 change from "A" to "R-1" for parcels two acres or less in size), because their lot is an
13 acre larger than the maximum allowed. The cost and time required to have the property
14 rezoned through the Territorial Land Use Commission is unreasonable and would delay
15 the timely development of badly needed housing for Guam's population. The owners have
16 committed themselves to ensuring that adequate infrastructure is made available from the
17 project site (Lot No. 10135-1-7) to the nearest available government infrastructure or
18 utility superstructure.

19 **(b). Lot Rezoned.** Lot No. 10135-1-7, Municipality of Dededo, owned by Messrs.
20 Charles Boggs and Michael J. Davis, consisting of an area of 13,253 square meters as
21 identified in Map Drawing No. A06-15-87, L.M. No. 299-FY87, and Certificate of Title
22 No. 85997, Document No. 478765, is hereby zoned "R-1 (Single -Family Dwelling)"
23 with the following condition: power, water and septic tanks/leaching fields services are in
24 place and ready to serve the project site along with the required public and utility
25 easements before any single-family dwelling unit is occupied.

26 **Section 25. (a). Legislative Statement.** The legislature has been petitioned by
27 Mr. and Mrs. Carlito Batac, the owners of Lot No. 5351-1-1-3-2 and the adjacent

1 property owners of said lot to have the property rezoned from Agricultural (A) to
2 Single-Family Dwelling (R-1).

3 **(b). Legislative Findings.** The Legislature finds that at the present time, it is the
4 intent of Mr. and Mrs. Carlito Batac to deed a portion of Lot No. 5351-1-1-3-2 to
5 Romeo Batac, (brother of Carlito) however, because of the current zoning, the
6 transaction is not possible. Mr. Romeo Batac is in need of this lot for the purpose of
7 constructing a home for the well being of his growing family. Additionally, with the
8 price of land and the high cost of rental units, it is impossible for Mr. Romeo Batac to
9 fulfill his dream of providing a home for his family.

10 **(c). Rezoning.** The property designated as Lot No. 5351-1-1-3-2, Municipality of
11 Barrigada, containing an area of 2,010 ± square meters is hereby rezoned from
12 Agricultural (A) to Single-Family Dwelling (R-1).

13 **Section 26.** Lot No. 6, Tract 1935 located in Chalan Pago, Guam, Estate No.
14 63715, Suburban, containing an area of 1,062± square meters belonging to Carlyn
15 Torres-Castro is hereby rezoned from "A" Agricultural to "R-2" Multi-family Dwelling.

16 **Section 27. (a). LEGISLATIVE STATEMENT.** Mr. George Tenorio Barcinas
17 and Ms. Linda Tenorio Barcinas have approached the Guam Legislature requesting to
18 rezone their private property described as Lot 111C-R9 in the Municipality of Yona from
19 One-Family Dwelling to Multi-Family Dwelling. The Barcinas' in their request state that
20 this property was a deed of gift from their mother, Magdalena Tenorio Barcinas, for the
21 express purpose of assisting them and their family. As the property had remained idle for
22 years, the family intends now to lease the property to help provide an economic
23 opportunity for the well-being of their mother and their own family.

24 **(b).** The following-described property owned by George Tenorio Barcinas and
25 Linda Tenorio Barcinas, is hereby rezoned from one-family dwelling ("R-1") to Multi-
26 Family dwelling ("R-2"):

1 Lot No. 111C-R9, situated in the municipality of Yona, Territory of Guam,
2 containing an area of 7,459+ square meters, marked and designated on Map
3 Drawing No. 110181-D, recorded on December 17, in the Department of
4 Land Management, Government of Guam under Document No. 325572.

5 **Section 28. (a). Legislative Statement.** Pascual A. and Dolores G. Sablan,
6 husband and wife, have approached the Legislature to rezone their Sinajana property
7 from "R1" to "R2". In order to accommodate their four adult children, two of whom
8 are parents themselves, they propose to build on the existing dwelling additional
9 dwelling units, including a separate, complete kitchen, bathrooms, and living areas,
10 with utility meters independent of the main dwelling. The only way to legitimately
11 accomplish this objective is to have the property rezoned.

12 **(b). Lot Rezoned.** Lot No. 3, Block No. 2, Tract 232, Sinajana, Guam, owned
13 by Pascual A. and Dolores G. Sablan, containing an area of 5,914± square feet, as
14 identified in the Warranty Deed recorded as DLM Instrument No. 295433, is hereby
15 rezoned from "R1 One-Family Dwelling" to "R2 Multiple Dwelling".

16 **Section 29. (a). Legislative Statement.** Narcisa Baker, the owner of Lot No. 6,
17 Block No. 1, Tract 148, "Marcello Heights", Barrigada, has requested the Legislature
18 to rezone her property from A to R2. The property fronts Bello Road and infrastructure
19 is available. It is noted that the area is a rapidly-growing center for business and
20 commerce and the owner wants this rezoning to maximize use of her property.

21 **(b). Lot rezoned.** Lot No. 6, Block No. 1, Tract 148, "Marcello Heights",
22 Barrigada, containing 4,047 square meters, owned by Narcisa Baker as evidenced by
23 C.T. No. 76733 and shown on the map filed under Document No. 75644, is hereby
24 rezoned from "A Rural" to "R2 Multiple Dwelling".

25 **SECTION 30. (a). Legislative Statement.** Lot No. 109-2, Yona, containing
26 2,657.45 square meters, as shown on Map Drawing No. PLS 135T63, recorded as
27 Document No. 55770, is owned by Enrique C. Baza, Jr. and Roger S. Moran, as

1 evidenced by C.T. No. 96510. The owners have requested the Legislature to rezone the
2 property from R1 to R2. The subject lot fronts Route 4 and is adjacent to a C-zoned lot.
3 The Yona Municipal Planning Council has endorsed such rezoning, indicating that over
4 \$1 Million Dollars have been put aside for the construction of a sewer line for this area.

5 Lot 158-2-4-R1, Yona, containing 53,027 square feet, as shown on map recorded
6 as Document No. 87740, is owned by Antonio B. and Virginia E. Balajadia, as
7 evidenced by C.T. No. 79721. The owners have requested the Legislature to rezone the
8 property from R1 to C in order for them to construct a commercial building, The Yona
9 Mayor has expressed his support of the rezoning.

10 (b). **Lots Rezoned. (1).** Lot No. 109-2, Yona, containing 2,657.45 square
11 meters, as shown on Map Drawing No. PLS 135T63, recorded as Document No.
12 55770, owned by Enrique C. Baza, Jr. and Roger S. Moran, as evidenced by C.T. No.
13 96510, is hereby rezoned from "R1 One-Family Dwelling" to "R2 Multiple Dwelling".

14 (2). Lot 158-2-4-R1, Yona, containing 53,027 square feet, as shown on the map
15 recorded as Document No. 87740, owned by Antonio B. and Virginia E. Balajadia, as
16 evidenced by C.T. No. 79721, is hereby rezoned from "R1 One-Family Dwelling" to
17 "C Commercial".

18 **SECTION 31. (a). Legislative Statement.** The assistance of the Guam
19 Legislature has been requested by Ignacio Taijeron Reyes, Cecilia Reyes Quinata and
20 Joseph Anthony Reyes to rezone Lot No. 341-1, Merizo, from "A Rural" to "R2
21 Multiple Dwelling" in order to subdivide the property into three equal parcels. The
22 current lot contains 5,500 square meters and the family is desirous of maximizing
23 economic opportunities of their inheritance.

24 (b). Lot No. 341-1, Merizo, Guam, Estate No. 24792, Suburban, containing an
25 area of 5,500 square meters, as shown on Map Drawing No. M71-119, owned by
26 Ignacio Taijeron Reyes, Cecilia Reyes Quinata and Joseph Anthony Reyes as delineated

1 on Certificate of Title No. 54862, Document No. 269605, is hereby rezoned from "A
2 Rural" to "R2 Multiple Dwelling".

TWENTY-SECOND GUAM LEGISLATURE
SECOND (1994) REGULAR SESSION

Introduced

APR 11 '94

Bill No. 764(LS)

Introduced by:

E.D. Reyes 

AN ACT TO REZONE CERTAIN PROPERTIES IN VARIOUS
MUNICIPALITIES OF GUAM AND FOR OTHER RELATED
PURPOSES.

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

2 **Section 1. (a). Legislative Statement.** The Guam Legislature has been
3 approached by Mr. and Mrs. Fred and Dorothea Constantino, longtime residents of the
4 Municipality of Santa Rita, and owners of Lot No. 402-10-6-R8NEW, situated along
5 Route 5A, in the upper Talisay area, in a request to rezone their private property
6 described as Lot No. 402-10-6-R8NEW, in the Municipality of Santa Rita. Mr. and
7 Mrs. Constantino are in the midst of planning further improvement of the property.
8 They intend to construct a multi-unit apartment for their family and for the much
9 needed housing. The Legislature finds that this zone change will not prevent adequate
10 environmental protections and infrastructure requirements from being implemented by
11 the appropriate agencies of the government.

12 **(b). Lots Rezoned.** Lot No. 402-10-6-R8NEW, in the Municipality of Santa
13 Rita, consisting of 5,482 ± square meters as delineated of Land Management Drawing
14 No. 516-FY-93, and owned by Mr. and Mrs. Fred and Dorothea Constantino, is hereby
15 rezoned from "A Rural" to "R2 Multiple Dwelling".

16 **Section 2. Lots Rezoned.** Lot No. 402-10-5-3, consisting of 1,858 ± square
17 meters, Lot No. 402-10-5-4, consisting of 1,858 ± square meters, Lot No. 402-10-5-5,

1 consisting of 1,858 ± square meters, Lot No. 402-10-5-6, consisting of 1,858 ± square
2 meters, Lot No. 402-10-5-7, consisting of 1,858 ± square meters, Lot No. 402-10-5-8,
3 consisting of 1,858 ± square meters, Lot No. 402-10-5-9, consisting of 1,858 ± square
4 meters, Lot No. 402-10-5-10, consisting of 1,858 ± square meters, all in the
5 Municipality of Santa Rita, as delineated on Land Management Drawing No. 190-FY-
6 88, and owned by Mr. and Mrs. Jose P. and Teresita A. Salas, is hereby rezoned from
7 “A Rural” to “R2 Multiple Dwelling”. Lot No. 402-10-5-2, consisting of 1,481 ±
8 square meters, in the Municipality of Santa Rita, as delineated of Land Management
9 Drawing No. 190-FY-88, and owned by Mr. and Mrs. Jose P. and Teresita A. Salas, is
10 hereby rezoned from “A Rural” to “C Commercial”.

11 **Section 3. (a). Legislative Statement.** The owner of Lot Nos. 7032-3-1-1 and
12 7032-3-1-2 approached the Guam Legislature for assistance in rezoning the said
13 properties for the purpose of constructing a two (2)-story apartment complex in Yigo.
14 Mr. Frank F.S. Miao Aka Miao Feng-Song owner of Lot No. 7032-3-1-1 consisting of
15 1,362 square meters and Lot No. 7032-3-1-2 consisting of 1,003 square meters in
16 aggregate, wish to construct a multi-level apartment complex which would provide
17 much needed rental housing units for the island. As the population, particularly in the
18 north, is increasing fast, the demand for housing or rental units continue to escalate.
19 The owner of the subject lots is unable to afford the costly and time consuming process
20 associated with the Territorial Land Use Commission and thus a decision to approach
21 the Guam Legislature evolved.

22 **(b). Lots Rezoned.** Lot No. 7032-3-1-1 consisting of 1,362 square meters and
23 Lot No. 7032-3-1-2 consisting of 1,003 square meters, situated in the village of Yigo,
24 as delineated on Land Management Drawing No. SDCO58-0471, and owned by Mr.
25 Frank F.S. Miao Aka Miao Feng-Song, is hereby rezoned from Single-family
26 residential (R-1) to Multi-family Dwelling (R-2).

1 **Section 4. (a). Legislative Statement.** The Legislature was approached by
2 Francisco S.N. Gogue, owner of Lot No. 3254-4-3, Municipality of Sinajana, to rezone
3 his property from "R1 One-Family Dwelling" to "C Commercial". Mr. Gogue is
4 currently operating a mini-mart on the property under a conditional use which has been
5 in operation for years. Since the store has been in business for years, the community
6 has benefited and is accustomed with its accessibility. It is the Legislature's intention to
7 provide for its continued operation and to make the zone of this lot compatible with
8 other commercially-zoned lots in the vicinity. The Legislature also finds that the said
9 property comes under the proposed I Tano'-ta Land Use Plan for Guam as Intensity
10 District 3, which permits the use of this type of establishment.

11 **(b). Rezoning.** Lot No. 3254-4-3, Municipality of Sinajana, owned by Mr.
12 Francisco S.N. Gogue, consisting of an area of 4,721 square meters as identified in
13 Drawing No. 7209-1 and Certificate of Title No. 36524 is hereby rezoned from "R1
14 One-Family Dwelling" to "C Commercial".

15 **Section 5. (a). Legislative Statement.** Daniel J. and Mary A. Mantanona,
16 husband and wife, own two lots in Guam, described as follows: Lot No. 22, Block 9,
17 Tract Number 232, Municipality of Sinajana, containing an area of 468 ± square
18 meters, as said Lot is described in that Subdivision of Tract 232, as recorded June 12,
19 1970 in the Department of Land Management, government of Guam under Document
20 No. 95319 and Document No. 460197 and Lot No. 270-A-3, Merizo, Guam containing
21 an area of 929± square meters, as shown on map filed under Document No. 106524
22 and C.T. No. 38962. Mr. and Mrs. Mantanona have requested the Legislature's
23 assistance to allow the operation of a child care center on both lots. Since the number of
24 working parents continues to grow, the need for child care continues to intensify. The
25 Mantanona's intend to establish and maintain a carefully-designed classroom and
26 learning environment which supports the development of children's physical and
27 intellectual ability, social and emotional behavior, along with ensuring the safety and

1 well-being of the children. They project, at each site, a maximum center enrollment of
2 forty children between the ages of two and five years old. The Legislature is aware of
3 the demand and need for more facilities of this nature and supports the Mantanona's
4 request. The Mantanona's are fully aware of the licensure and certification
5 requirements which must be met for the operation

6 **(b). Conditional Use Authorized.** Conditional use for ten years from the
7 enactment date of this Act is granted to the following two lots in order to facilitate
8 operation of a child care center: Lot No. 22, Block 9, Tract Number 232, Municipality
9 of Sinajana, containing an area of 468 \pm square meters, as said Lot is described in that
10 Subdivision of Tract 232, as recorded June 12, 1970 in the Department of Land
11 Management, government of Guam under Document No. 95319 and Document No.
12 460197 and Lot No. 270-A-3, Merizo, Guam containing an area of 929 \pm square
13 meters, as shown on map filed under Document No. 106524 and C.T. No. 38962.

14 **Section 6. (a). Legislative Statement.** The owner of Lot No. 7030NEW-2
15 approached the Twenty-Second Guam Legislature to seek assistance in the matter of
16 rezoning his property. This individual is the founder of a rock quarrying enterprise in
17 Yigo which has been in existence in Guam since the mid-70's. Mr. Che Chin Hong
18 doing business on Guam as Sammi Rock Products, wishes to continue his rock
19 quarrying operations on the said property for several more months before developing
20 the site to a multi-family residential area and as such is seeking to obtain legislative
21 approval to rezone his property. Presently, the company holds a conditional use permit
22 to conduct business on the property granted October 30, 1969. Mr. Hong anticipates
23 that his business endeavor shall cease in approximately eighteen months at which time
24 plan will be developed to transform the site for multi-family dwelling (R-2) uses. Until
25 such time however, the enterprise will continue to engage in rock quarrying operations
26 and voluntarily terminate the said conditional use permit at the appropriate time.

1 **(b). Property Description and Rezoning.** Lot No. 7030NEW-2 situated in the
2 Municipality of Yigo contains an area of 190,604 ± square meters as shown on Land
3 Management Drawing No. 251-FY75 as attached to Document No. 279604; Certificate
4 of Title No. 90433 as recorded on Land Management Document No. 425604; is hereby
5 rezoned from Single-Family Dwelling (R-1) to Light Industrial (M-1) upon the
6 voluntary termination of the conditional use permit cited in Section 7 (a) of this Act.

7 **Section 7. (a). Legislative Intent.** Dr. Gregory John Miller and Mrs. Norma
8 Carbullido Miller, owners of the property described as Lot No. 6-1, Tract 2022,
9 located in Piti, Guam, would like to construct a single family dwelling on this property.
10 A major setback they have encountered in the construction of their home is the rezoning
11 of the property from “A” Agriculture to “R-1” Residential. Months ago, a request was
12 submitted to the Territorial Land Use Commission for the rezoning of the above
13 property, thus far no response has been received by Dr. and Mrs. Miller. Due to the
14 continuous escalation of construction costs on the island, Dr. and Mrs. Miller would
15 like to expedite the physical construction and completion of their proposed home.
16 Consequently, they have approached the Guam Legislature for assistance.

17 **(b). Rezoning Provision.** The property described as Lot No. 6-1, Tract 2022,
18 containing an area of 1,916 square meters, located in the Municipality of Piti, Guam,
19 under the ownership of Dr. Gregory John Miller and Mrs. Norma Carbullido Miller is
20 hereby rezoned from “A” (Agriculture) to “R-1” (Residential).

21 **Section 8. (a). Legislative Statement.** The Guam Legislature has been
22 approached by Mr. Edward Anderson Cruz, the owner of Lot No. 268, Merizo, with a
23 request to rezone his property from Single Family Residential (R1) to Commercial (C).
24 Mr. Cruz’s request is to permit him to maximize the utilization of his property, by
25 building a commercial complex, in order to realize its highest potential. Mr. Cruz notes
26 that the property (Achang Bay Marina) abutting his land has already been rezoned to
27 Commercial and he is simply seeking equal treatment and equal opportunity.

1 **(b). Lot Rezoned.** Lot No. 268, land square 38, sections 3 & 4, situated in
2 Tachong, Merizo, said to contain 10,519 square meters, as delineated on Drawing No.
3 ISL1-65M152, owned by Edward Anderson Cruz, is hereby rezoned from Single
4 Family Residential (R1) to Commercial (C).

5 **Section 9. (a). Legislative Statement.** The owner of Lot No. 163, Tract 1445,
6 Municipality of Barrigada, is requesting the assistance of the Legislature in rezoning the
7 said property from Single Family Dwelling (R-1) to Multi-Family Dwelling for the
8 purpose of adding a second unit to the family home in Barrigada to accommodate joint
9 residence with a member of the immediate family. The structure once completed would
10 in effect be a duplex that would offer some degree of privacy as well as cohesion for
11 both families occupying the adjoining structures.

12 **(b). Lot Rezoned.** Lot No. 163, Tract 1445 situated in the municipality of
13 Barrigada recorded at the Department of Land Management, Government of Guam
14 under Document No. 256174, Certificate of Title No. 59790, consisting of 579 square
15 meters as shown on Land Management Drawing No. 72-12-02H. and owned by Aniceto
16 C. and Isabelita M. Basto is hereby rezoned from Single Family Dwelling (R1) to
17 Multi-Family Dwelling (R-2).

18 **(c). Condition of Rezoning.** Lot No. 163, Tract 1445, Barrigada shall not
19 exceed more than two (2) stories or thirty (30) feet in height or two (2) single family
20 dwelling units.

21 **Section 10. (a). Legislative Statement.** The Guam Legislature has been
22 approached by Mr. Nicolas D. Francisco with a request to rezone his property in
23 Mangilao from Single Family Residential (R1) to Multi-Family Dwelling (R2) in order
24 to build an apartment complex with affordable rental rates. The Legislature notes that
25 Mr. Francisco's property is adequate in size for his stated purpose and that the needed
26 utilities do serve the parcel. The Legislature finds that Mr. Francisco's intended use of
27 the property is a desirable use which will benefit both his children and the community.

1 **(b). Lot Rezoned.** Lot No. 2394-2-R2, Land Square 18 Sec 3, situated in
2 Mangilao, said to contain an area of 3,842 square meters, and owned by Nicolas D.
3 Francisco, is hereby rezoned from Single Family Residential (R1) to Multi-family
4 Dwellings (R2).

5 **Section 11. (a). Legislative Statement.** The Legislature has been approached by
6 Barbara B. and James W. Cushing, wife and husband, owners of Lot No. 3, Lot No. 4,
7 Lot No. 5-1, Lot No. 5-R1 and Lot No. 6 for assistance to secure a zone change for
8 parcels of land in order to construct apartments. The Legislature finds that the needs of
9 the community will be served by the change in the zoning of the properties. Not only
10 would this permit them to realize the best economic potential of their lands, but they
11 would be assisting the community in resolving the critical housing shortage in Guam.

12 **(b). Lots Rezoned.** Lot No. 3, consisting of 4,258.53 square meters; Lot No. 4,
13 consisting of 4,258.53 square meters; Lot No. 5-1, consisting of 1,858 square meters;
14 5-R1, consisting of 2,388 square meters and 6, consisting of 4,258.84 square meters,
15 all in Tract 1032, and in the Municipality of Dededo, owned by Barbara B. and James
16 W. Cushing, are hereby rezoned from "A Rural" to "R2 Multiple Dwelling".

17 **Section 12. (a). LEGISLATIVE STATEMENT.** Mr. Manuel Cruz Blas has
18 approached the Legislature to change the zone of Lot No. 5290-3-7-1, Adacao,
19 Municipality of Barrigada. This particular lot is adjacent to the lot on which the family
20 business, Kinney's Cafe Restaurant, is situated. For many years, the restaurant has
21 operated under a conditional use variance. Recently closed, Mr. Blas intends to re-open
22 the restaurant on his Lot No. 5290-3-7-1. The Legislature finds that Kinney's Cafe has
23 been a popular family dining spot for years and the continued renewal of conditional
24 use is obsolete and not in the public interest. The public would be better served by
25 zoning the property to facilitate the facility's reconstruction and operation.

26 **(b). LOT REZONED.** Lot No. 5290-3-7-1, situated in Adacao, Municipality of
27 Barrigada, consisting of 5,070 ± square meters as delineated on Drawing No. US-524-

1 T72B, owned by Mr. Manuel C. Blas, is hereby rezoned from "A Rural" to "C
2 Commercial".

3 **Section 13. (a).). Legislative Statement.** Freddy B. Van Dox, owner of the
4 subject parcel, has approached the Legislature requesting a rezoning of Merizo property
5 from One-Family Dwelling (R1) to Multiple Dwelling (R2) in order to maximize
6 economic opportunities for the property. It is noted that the property is within a
7 floodplain and the owner must adhere to all building permit requirements. The
8 Legislature also notes that the necessary utilities are directly available to the parcel.

9 **(b). Lot Rezoned.** Lot No. 142-1, Municipality of Merizo, Guam, containing an
10 area of 2,817± square meters as shown on Map Drawing No. MS-91051, DLM No.
11 021-FY92, and owned by Freddy B. Van Dox, is hereby rezoned from One-Family
12 Dwelling (R1) to Multiple Dwelling (R2).

13 **Section 14. (a). Legislative Statement.** Angel S. and Roberta P. Legaspi,
14 owners of the subject parcel, have approached the Legislature requesting a rezoning of
15 their Farenholt property from Multiple Dwelling (R2) to Commercial (C) in order to
16 maximize economic opportunities for the property. It is noted that the property is that
17 lot behind the Cruz Pharmacy. The Legislature notes that the lots along Farenholt
18 Avenue have already been rezoned for commercial uses and that the rezoning of the
19 subject property is not incompatible. The Legislature also notes that the necessary
20 utilities are directly available to the parcel.

21 **(b). Lot Rezoned.** Lot No. 2149-20A-R1, Farenholt Avenue, Tamuning,
22 Municipality of Dededo, Guam, containing an area of 1,087± square meters as shown
23 on Map Drawing No. JAA-80615-D, and owned by Angel S. and Roberta P. Legaspi,
24 husband and wife, is hereby rezoned from Multiple Dwelling (R2) to Commercial (C).

25 **Section 15 (a). Legislative Statement.** The Guam Legislature has been
26 approached by Mrs. Cecilia F. Arceo, in a request to rezone private property described
27 as Lot No. 3371-4-5-2, Chalan Pago, owned by her son's, namely Kenneth B.F. (14

1 years of age) and Erik F.F. Arceo (10 years of age). Mrs. Arceo intends to construct a
2 multi-unit apartment for her children's future education. Mrs. Arceo who is a single
3 parent does not have any additional revenue sources other than developing her
4 children's property for their future needs.

5 **(b). Lot Rezoned.** Lot No. 3371-4-5-2, Chalan Pago in the Municipality of
6 Sinajana, consisting of 937.54 ± square meters as delineated on Drawing No. RRV90-
7 015, and owned by Kenneth B.F. and Erik F.F. Arceo, is hereby rezoned from Single
8 Family Dwelling (R-1) to Multi Family Dwelling (R-2).

9 **Section 16. (a). Legislative Statement.** The Guam Legislature has been
10 approached by the owner of Lot No. 3, Tract 911 to seek assistance in the matter of
11 rezoning his property in the Municipality of Yigo from Agriculture (a) to Single-Family
12 Dwelling (R1). Mr. Torres' intention is to apportion his property and allow for the
13 construction of affordable homes to accommodate his family's needs. The property
14 consists of 51,656 ± square meters in Yigo, and has access to water, telephone and
15 power services.

16 **(b). Lot Rezoned.** Lot No. 3, Tract 911 owned by Mr. Jose P. Torres and
17 situated in the Municipality of Yigo, consisting of 51,565 ± square meters as drawn
18 and described in the Land Management Drawing No. 233-FY77, recorded under
19 Document No. 242599 and C.T. No. 40105, registered on December 13, 1974 at the
20 Department of Land Management is hereby rezoned from Agriculture (A) to One-
21 Family Dwelling (R1).

22 **Section 17. (a). Legislative Statement.** The owner of Lot No. 2414-4, Tai,
23 Mangilao, is requesting the assistance of the Legislature in rezoning the said property
24 from Single Family Residential (R-1) to Commercial (C) for the purpose of building a
25 commercial complex in order to utilize the property to its highest and best use. The
26 property is situated fronting Route 10 and is adjacent to an existing commercial zone

1 and in the vicinity of the Mangilao Public Health Center. All utilities, inclusive of
2 sewer, is immediately available to the property.

3 **(b). Lot Rezoned.** Lot No. 2414-4, Tai, Mangilao, said to contain an area of
4 1,731 square meters, delineated on Drawing No. ISL 3-66S474, recorded under
5 Document No. 400410, and belonging to Mr. Thiem Van Tran, is hereby rezoned from
6 Single Family Residential (R-1) to Commercial (C).

7 **Section 18. (a). Legislative Statement.** It is the finding of the Legislature that
8 the property, Lot No. 22-19E-3-R1, located in Agana Heights, Sinajana, Guam, Estate
9 No. 10809, Suburban, containing an area of 645 ± square meters, as shown on Drawing
10 No. 3108-1, prepared by T.H. Yamamoto, RLS No. 12, filed under Document
11 No.97079, is owned by Peter P.F. Cruz. The Legislature also finds that the subject
12 property is registered under his name as shown on Certificate of Title No. 83304,
13 Recorded Document Number 402497. The Legislature also finds that Mr. Peter P.F.
14 Cruz wishes to operate a day care center at this location, which will greatly benefit
15 working parents and by making such a services by granting conditional use in this R-1
16 zoned lot.

17 **(b). Conditional Use Authorized.** Conditional use for ten years from the
18 enactment date of this Act is granted to the following in order to facilitate operation of a
19 child care center: Lot No. 22-19E-3-R1, Agana Heights, Municipality of Sinajana,
20 containing an area of 645 ± square meters, as shown on Certificate of Title No. 83304,
21 recorded as Document No. 402497.

22 **Section 19. (a). Legislative Findings.** The Legislature finds that the owners of
23 Lot Numbers 55-1-2-1 through 55-1-2-30, 56-1-1, 56-1-2-1, 56-1-2-R1, 56-1-3, 56-1-4,
24 56-1-5, 56-1-6, 56-1-7, 56-1-R7, all situated in the Municipality of Talofofo, are
25 desirous of and have petitioned the Twenty-Second Guam Legislature to change the
26 zoning of their properties from “A Rural” to “R1 One Family Dwelling” and Lot
27 Numbers 55-1-2-R30 and 56-1-2-1 from “A Rural” to “C Commercial”. The owners

1 intend to make available an emergency medical clinic and retail sales outlets. The area
2 is a rapidly-growing community and the Legislature finds that the land uses planned and
3 intended by the owners are not incompatible with surrounding uses.

4 (b). **Lots Rezoned.** The following lots, zoned as “A Rural”, are hereby re-zoned
5 to “R1 One Family Dwelling”:

6 1. Lot Number 56-1-1, under Certificate of Title No. 35295, said to contain an
7 area of 57,358 ± square meters, situated in the Municipality of Talofoto, as delineated
8 in drawing number U24T-70T, and owned by Victoria Camacho Cruz;

9 2. Lot Number 56-1-2-R1, under Certificate of Title No. 31742, said to contain
10 an area of 51,430 ± square meters, situated in the Municipality of Talofoto, as
11 delineated in drawing number ZIM-93-14, and owned by Victoria Camacho Cruz;

12 3. Lot Number 56-1-3, under Certificate of Title No. 35296, said to contain an
13 area of 4,047 ± square meters, situated in the Municipality of Talofoto, as delineated
14 in drawing number U24T-70T, and owned by Victoria Camacho Cruz;

15 4. Lot Number 56-1-4, under Certificate of Title No. 35300, said to contain an
16 area of 4,046 ± square meters, situated in the Municipality of Talofoto, as delineated
17 in drawing number U24T, and owned by Gloria Camacho Murphy;

18 5. Lot Number 56-1-5, under Certificate of Title No. 35297, said to contain an
19 area of 4,047 ± square meters, situated in the Municipality of Talofoto, as delineated
20 in drawing number U24T, and owned by Victoria Camacho Cruz;

21 6. Lot Number 56-1-7, under Certificate of Title No. 35298, said to contain an
22 area of 39,954 ± square meters, situated in the Municipality of Talofoto, as delineated
23 in drawing number U24T, and owned by Victoria Camacho Cruz;

24 7. Lot Number 56-1-R7, under Certificate of Title No. 35302, said to contain an
25 area of 40,500 ± , square meters, situated in the Municipality of Talofoto, as delineated
26 in drawing number U24T, and owned by Gloria Camacho Murphy;

1 8. Lot Number 56-1-6, under Certificate of Title No. 35301, said to contain an
2 area of 4,046 ± square meters, situated in the Municipality of Talofoyo, as delineated
3 in drawing number U24T, and owned by Gloria Camacho Murphy;

4 9. Lot Numbers 55-1-2-1 through 55-1-2-30, said to contain an area of 55,743 ±
5 square meters, situated in the Municipality of Talofoyo, as delineated in drawing
6 number ZIM-91-08-A, and owned by Jennifer M. Lujan.

7 (c). **Lots Rezoned.** Lot Number 55-1-2-R30, said to contain 8,094 square meters
8 as delineated in DLM No. 530FY93, owned by Jennifer M. Lujan, and Lot Number
9 56-1-2-1, under Certificate of Title No. 31742, said to contain an area of 5,256 ±
10 square meters, as delineated in drawing number ZIM-93-14, and owned by Victoria
11 Camacho Cruz, both situated in the Municipality of Talofoyo, are hereby rezoned to “C
12 Commercial”.

13 **Section 20. (a). Legislative Statement.** The assistance of the Guam Legislature
14 has been requested by Ms. Concepcion Fejeran Rosario to rezone Lot No. 7, Block 8,
15 Malojloj, Municipality of Inarajan, from Agricultural (A) to Multiple Dwelling (R2).
16 Ms. Rosario wishes to rezone for the purpose of building a multi-plex unit to meet the
17 needs of the island’s housing shortage.

18 (b). **Lot Rezoned.** Lot No. 7, Block 8 situated in Malojloj, Municipality of
19 Inarajan consisting of 64,646 square feet as delineated on Drawing No. E3-68T653
20 owned by Ms. Concepcion Fejeran Rosario, is hereby rezoned from Agricultural (A) to
21 Multiple Dwelling (R2).

22 **Section 21. (a). LEGISLATIVE STATEMENT.** Mr. and Mrs. Joon Sik Lee
23 has approached the Legislature to change the zone of Lot No. 1097-2-1, Municipality of
24 Barrigada. This particular lot is adjacent to Route 10, approximately 1 mile from the
25 intersection of route 8 and route 16 and 4 miles from Route 4. Mr. Lee wishes to
26 construct a commercial building on this lot, although with the current zone R1 this is

1 not possible. Since the completion of Route 10, commercial building demands have
2 increased due to the continued growth in the general area.

3 The legislature finds that the proposed commercial building would help the growing
4 demands and when properly planned, will add to the aesthetics of Route 10. This
5 proposed activity is consistent in serving the needs and the growth of the local
6 community.

7 The legislature finds that the construction of the commercial building will provide a
8 positive impact to the community in the form of additional tax revenue, employment
9 and the convenience of local area shopping.

10 **(b). LOT REZONED.** Lot No. 1097-2-1, Municipality of Barrigada, consisting
11 of 2,095.95 ± square meters as delineated on Drawing No. ISL2-65B170, owned by
12 Mr. and Mrs. Joon Sik Lee, is hereby rezoned from "R1 Single Family Residential" to
13 "C Commercial".

14 **Section 22. (a). Legislative Statement.** Terri C. Davis, representing Ling's
15 Corporation, owner of the subject parcel, has approached the Legislature requesting a
16 rezoning of this property which fronts Route 10 in Chalan Pago from One-Family
17 Dwelling (R1) to Commercial (C) in order to maximize economic opportunities for the
18 property. The Legislature notes that rezoning of the subject property has been endorsed
19 by the Municipal Planning Council. The Legislature also notes that the necessary
20 utilities are directly available to the parcel.

21 **(b). Lot Rezoned.** Lot No. 3262-1A-2-R1, Municipality of Chalan Pago/Ordot,
22 Guam, containing an area of 4,339 square meters as shown on Drawing No. NI-202,
23 DLM No. 342-FY93, and owned by Ling's Corporation, is hereby rezoned from One-
24 Family Dwelling (R1) to Commercial (C).

25 **Section 23. (a). Legislative Statement.** Mr. Antonio P. Sablan has requested the
26 Legislature to rezone his Sinajana property from "R1" to "R2" to facilitate dwellings

1 for his children, including separate, complete kitchen, bathrooms, and living areas,
2 with utility meters independent of the main dwelling.

3 **(b). Lot Rezoned.** Lot No. 7, Block 6, Tract 232, Sinajana, Guam, owned by
4 Antonio P. Sablan, containing an area of 7,157 ± square feet, as identified in that
5 subdivision Map of Tract 232 as Document No. 95319, is hereby rezoned from “R1
6 One-Family Dwelling” to “R2 Multiple Dwelling”.

7 **Section 24. (a). Legislative Statement.** The parcel of land, Lot No. 10135-1-7
8 owned by Messrs. Charles Boggs and Michael J. Davis, is currently zoned "A
9 (Agricultural)". The 13,253± square meter property is sufficient to subdivide into
10 seventeen (17) lots for the development of one-family dwellings. The landowners are
11 constrained in using the zoning process established by Public Law 21-82 (fast track zone
12 change from "A" to "R-1" for parcels two acres or less in size), because their lot is an
13 acre larger than the maximum allowed. The cost and time required to have the property
14 rezoned through the Territorial Land Use Commission is unreasonable and would delay
15 the timely development of badly needed housing for Guam's population. The owners have
16 committed themselves to ensuring that adequate infrastructure is made available from the
17 project site (Lot No. 10135-1-7) to the nearest available government infrastructure or
18 utility superstructure.

19 **(b). Lot Rezoned.** Lot No. 10135-1-7, Municipality of Dededo, owned by Messrs.
20 Charles Boggs and Michael J. Davis, consisting of an area of 13,253 square meters as
21 identified in Map Drawing No. A06-15-87, L.M. No. 299-FY87, and Certificate of Title
22 No. 85997, Document No. 478765, is hereby zoned "R-1 (Single -Family Dwelling)"
23 with the following condition: power, water and septic tanks/leaching fields services are in
24 place and ready to serve the project site along with the required public and utility
25 easements before any single-family dwelling unit is occupied.

26 **Section 25. (a). Legislative Statement.** The legislature has been petitioned by
27 Mr. and Mrs. Carlito Batac, the owners of Lot No. 5351-1-1-3-2 and the adjacent

1 property owners of said lot to have the property rezoned from Agricultural (A) to
2 Single-Family Dwelling (R-1).

3 **(b). Legislative Findings.** The Legislature finds that at the present time, it is the
4 intent of Mr. and Mrs. Carlito Batac to deed a portion of Lot No. 5351-1-1-3-2 to
5 Romeo Batac, (brother of Carlito) however, because of the current zoning, the
6 transaction is not possible. Mr. Romeo Batac is in need of this lot for the purpose of
7 constructing a home for the well being of his growing family. Additionally, with the
8 price of land and the high cost of rental units, it is impossible for Mr. Romeo Batac to
9 fulfill his dream of providing a home for his family.

10 **(c). Rezoning.** The property designated as Lot No. 5351-1-1-3-2, Municipality of
11 Barrigada, containing an area of 2,010 ± square meters is hereby rezoned from
12 Agricultural (A) to Single-Family Dwelling (R-1).

13 **Section 26.** Lot No. 6, Tract 1935 located in Chalan Pago, Guam, Estate No.
14 63715, Suburban, containing an area of 1,062± square meters belonging to Carlyn
15 Torres-Castro is hereby rezoned from “A” Agricultural to “R-2” Multi-family Dwelling.

16 **Section 27. (a). LEGISLATIVE STATEMENT.** Mr. George Tenorio Barcinas
17 and Ms. Linda Tenorio Barcinas have approached the Guam Legislature requesting to
18 rezone their private property described as Lot 111C-R9 in the Municipality of Yona from
19 One-Family Dwelling to Multi-Family Dwelling. The Barcinas’ in their request state that
20 this property was a deed of gift from their mother, Magdalena Tenorio Barcinas, for the
21 express purpose of assisting them and their family. As the property had remained idle for
22 years, the family intends now to lease the property to help provide an economic
23 opportunity for the well-being of their mother and their own family.

24 **(b).** The following-described property owned by George Tenorio Barcinas and
25 Linda Tenorio Barcinas, is hereby rezoned from one-family dwelling (“R-1”) to Multi-
26 Family dwelling (“R-2”):

1 Lot No. 111C-R9, situated in the municipality of Yona, Territory of Guam,
2 containing an area of 7,459+ square meters, marked and designated on Map
3 Drawing No. 110181-D, recorded on December 17, in the Department of
4 Land Management, Government of Guam under Document No. 325572.

5 **Section 28. (a). Legislative Statement.** Pascual A. and Dolores G. Sablan,
6 husband and wife, have approached the Legislature to rezone their Sinajana property
7 from "R1" to "R2". In order to accommodate their four adult children, two of whom
8 are parents themselves, they propose to build on the existing dwelling additional
9 dwelling units, including a separate, complete kitchen, bathrooms, and living areas,
10 with utility meters independent of the main dwelling. The only way to legitimately
11 accomplish this objective is to have the property rezoned.

12 **(b). Lot Rezoned.** Lot No. 3, Block No. 2, Tract 232, Sinajana, Guam, owned
13 by Pascual A. and Dolores G. Sablan, containing an area of 5,914± square feet, as
14 identified in the Warranty Deed recorded as DLM Instrument No. 295433, is hereby
15 rezoned from "R1 One-Family Dwelling" to "R2 Multiple Dwelling".

16 **Section 29. (a). Legislative Statement.** Narcisa Baker, the owner of Lot No. 6,
17 Block No. 1, Tract 148, "Marcello Heights", Barrigada, has requested the Legislature
18 to rezone her property from A to R2. The property fronts Bello Road and infrastructure
19 is available. It is noted that the area is a rapidly-growing center for business and
20 commerce and the owner wants this rezoning to maximize use of her property.

21 **(b). Lot rezoned.** Lot No. 6, Block No. 1, Tract 148, "Marcello Heights",
22 Barrigada, containing 4,047 square meters, owned by Narcisa Baker as evidenced by
23 C.T. No. 76733 and shown on the map filed under Document No. 75644, is hereby
24 rezoned from "A Rural" to "R2 Multiple Dwelling".

25 **SECTION 30. (a). Legislative Statement.** Lot No. 109-2, Yona, containing
26 2,657.45 square meters, as shown on Map Drawing No. PLS 135T63, recorded as
27 Document No. 55770, is owned by Enrique C. Baza, Jr. and Roger S. Moran, as

1 evidenced by C.T. No. 96510. The owners have requested the Legislature to rezone the
2 property from R1 to R2. The subject lot fronts Route 4 and is adjacent to a C-zoned lot.
3 The Yona Municipal Planning Council has endorsed such rezoning, indicating that over
4 \$1 Million Dollars have been put aside for the construction of a sewer line for this area.

5 Lot 158-2-4-R1, Yona, containing 53,027 square feet, as shown on map recorded
6 as Document No. 87740, is owned by Antonio B. and Virginia E. Balajadia, as
7 evidenced by C.T. No. 79721. The owners have requested the Legislature to rezone the
8 property from R1 to C in order for them to construct a commercial building, The Yona
9 Mayor has expressed his support of the rezoning.

10 **(b). Lots Rezoned. (1).** Lot No. 109-2, Yona, containing 2,657.45 square
11 meters, as shown on Map Drawing No. PLS 135T63, recorded as Document No.
12 55770, owned by Enrique C. Baza, Jr. and Roger S. Moran, as evidenced by C.T. No.
13 96510, is hereby rezoned from "R1 One-Family Dwelling" to "R2 Multiple Dwelling".

14 **(2).** Lot 158-2-4-R1, Yona, containing 53,027 square feet, as shown on the map
15 recorded as Document No. 87740, owned by Antonio B. and Virginia E. Balajadia, as
16 evidenced by C.T. No. 79721, is hereby rezoned from "R1 One-Family Dwelling" to
17 "C Commercial".

18 **SECTION 31. (a). Legislative Statement.** The assistance of the Guam
19 Legislature has been requested by Ignacio Taijeron Reyes, Cecilia Reyes Quinata and
20 Joseph Anthony Reyes to rezone Lot No. 341-1, Merizo, from "A Rural" to "R2
21 Multiple Dwelling" in order to subdivide the property into three equal parcels. The
22 current lot contains 5,500 square meters and the family is desirous of maximizing
23 economic opportunities of their inheritance.

24 **(b).** Lot No. 341-1, Merizo, Guam, Estate No. 24792, Suburban, containing an
25 area of 5,500 square meters, as shown on Map Drawing No. M71-119, owned by
26 Ignacio Taijeron Reyes, Cecilia Reyes Quinata and Joseph Anthony Reyes as delineated

1 on Certificate of Title No. 54862, Document No. 269605, is hereby rezoned from "A
2 Rural" to "R2 Multiple Dwelling".