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Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UESINAN IMAO'ALAH
AGANA, GUAM 96910, U.S.A.

January 18, 1994

RECEIVED
OFFICE OF THE SPEAKER
DATE: 1/19/94
TIME: 5 PM
REC'D BY: [Signature]

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

REFER TO
LEGISLATIVE SECRETARY

[Signature]

Dear Mr. Speaker:

Transmitted herewith is Bill No. 710 which I have signed into law this date as
Public Law 22-70.

Sincerely yours,

[Signature]
JOSEPH F. ADA
Governor of Guam

220493

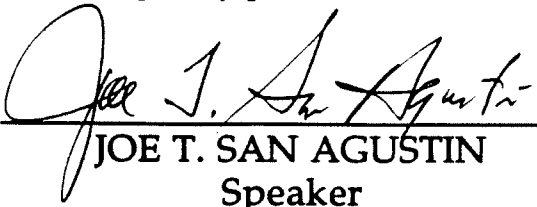
Attachment



TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

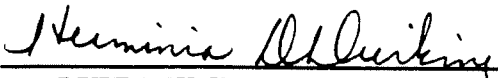
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 710 (LS), "AN ACT TO REPEAL AND REENACT SUBSECTION (3) OF §13940 AND TO AMEND §13943, ALL OF TITLE XIV OF THE GOVERNMENT CODE, TO PERMIT DUPLEX DWELLINGS IN THE ASTUMBO SUBDIVISION IN DEDEDO; TO AMEND PARAGRAPH (c) OF §13947 OF SAID TITLE ON THE CONDITIONS OF SALES OF LOTS IN SAID SUBDIVISION; TO AUTHORIZE THE CONDITIONAL USE OF LOT NO. 2368-R16, BARRIGADA, FOR A PRIVATE SCHOOL; AND TO MAKE A TECHNICAL CORRECTION TO PUBLIC LAW 21-14," was on the 5th day of January, 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 7th day of January, 1994, at
4:40 o'clock P.M.



Theresa J. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: January 18, 1994

Public Law No. 22-70

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 710 (LS)

As amended by the Committee
on Housing and Community
Development and as substituted
by the Committee on Rules

Introduced by:

V. C. Pangelinan
E. D. Reyes
J. T. San Agustin

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

AN ACT TO REPEAL AND REENACT SUBSECTION (3)
OF §13940 AND TO AMEND §13943, ALL OF TITLE XIV
OF THE GOVERNMENT CODE, TO PERMIT DUPLEX
DWELLINGS IN THE ASTUMBO SUBDIVISION IN
DEDEDO; TO AMEND PARAGRAPH (c) OF §13947 OF
SAID TITLE ON THE CONDITIONS OF SALES OF
LOTS IN SAID SUBDIVISION; TO AUTHORIZE THE
CONDITIONAL USE OF LOT NO. 2368-R16,

BARRIGADA, FOR A PRIVATE SCHOOL; AND TO
MAKE A TECHNICAL CORRECTION TO PUBLIC LAW
21-14.

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

2 **Section 1. Legislative findings.** The Legislature finds that Guam is
3 experiencing population and physical growth rates that are among the
4 highest in the region, which require the government of Guam to develop
5 programs that respond to the needs of the community, especially in the most
6 critical area of housing. The development of the Astumbo subdivision is a
7 project that while alleviating the housing shortage by providing one house lot
8 to each head of household who held a valid arrendu land use permit displaces
9 some members of the same families by the one house lot limitation. The
10 Legislature finds the size of the lots that are awarded to each recipient family
11 unit can easily accommodate the construction of duplex dwelling units, that
12 the government has provided all infrastructure requirements i.e., water,
13 power, sewer and roads to service such two-family dwelling units, and that
14 allowing the development of duplex dwelling units promotes family
15 cohesiveness by allowing families to reside in the same residential complex,
16 while providing for distinct and separate family dwelling units, and thus the
17 Legislature wishes to permit owners of lots in the Astumbo subdivision to
18 build duplexes.

19 **Section 2.** Subsection (3) of §13940, Title XIV, Government Code, is
20 hereby repealed and reenacted to read:

21 "(3) 'Plan' means that subdivision plan described in the
22 Consolidation Survey Map of Lots Nos. 10124-1, 10124-2, and 10124-
23 3, Dededo, into Tract 240 and in the Subdivision Survey Map of
24 Tract 240, Dededo, for single-family dwellings and for two-family

1 duplex dwellings. 'Duplex' means a residential building containing
2 two (2) separate dwelling units either side by side or one above the
3 other. The plan shall include: (i) The platting of lots, mapping,
4 layout and design of all street and utilities; (ii) the provision of open
5 spaces and recreational facilities sufficient to meet the needs of the
6 residents of the subdivision; and (iii) the requirement that duplexes
7 may only be constructed on lots within the subdivision that are
8 serviced by adequate sewer lines. The plan shall otherwise be in
9 substantial conformance with the provisions of Title XIX of this
10 Code, except where the Board finds such provisions impractical. The
11 plan shall also provide adequate protection for the sink hole and for
12 a safety margin to prevent any development in the sink hole, and
13 shall include provisions to relocate persons displaced by the
14 construction of the subdivision and to pay relocation expenses to
15 such displaced persons."

16 **Section 3.** §13943 of Title XIV, Government Code, is amended to read:

17 "§13943. **Development of Subdivision.** The Authority is
18 authorized and directed to cause the development of the subdivision
19 in accordance with the subdivision plan described in the
20 Consolidation Survey Map of Lots Nos. 10124-1, 10124-2 and 10124-
21 R3, Dededo, into Tract 240 and in the Subdivision Survey Map of
22 Tract 240 for single-and two-family residential dwellings and in
23 order to do so, may enter into contracts with other government
24 agencies or private companies for all necessary services."

25 **Section 4.** Paragraph (c) of §13947, Title XIV, Government Code, is
26 amended to read:

1 “(c) The Authority is authorized to sell the lots in the
2 subdivision authorized by this Chapter at less than fair market value
3 of the lots; **provided**, that the price of a lot shall not exceed Two
4 Thousand Five Hundred Dollars (\$2,500). The Authority shall collect
5 a downpayment of ten percent (10%) of the purchase price of each
6 lot, but not to exceed Two Hundred Fifty Dollars (\$250), and shall
7 institute a periodic payment plan to cover the payment of the balance
8 of the purchase price, which plan shall not exceed three (3) years.”

9 **Section 5. (a) Legislative statement.** Harvest Christian Academy is a
10 privately owned and operated school located in Toto, which provides quality
11 education as evidenced by its continuing growth. Recently, the school
12 purchased an adjacent lot to expand its facilities. Conditional use of the lots
13 on which the existing school structures are located for school and church
14 purposes has been granted, and the Legislature finds that by extending such
15 conditional use to the newly acquired lot, the school can continue to provide
16 quality education to the children of Guam.

17 **(b) Conditional use granted.** The conditional use of Lot No. 2368-R16,
18 Barrigada, Guam, containing an area of 11,897 square meters, as shown on
19 Drawing No. 773-FY72, owned by the Harvest Baptist Church, for school and
20 church purposes is hereby granted.

21 **Section 6. Technical amendment.** Item (ii) of paragraph (a), Section 3,
22 Public Law 21-14, is amended to read as follows:

23 “(ii) Lot No. A-3, Tract 111, containing an area of
24 approximately three hundred fifty one (351) square meters, to
25 Joaquin and Elizabeth Arriola;”

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 1/5/94

VOTING SHEET (AS REVISED)

Bill No. 710
 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 C. | ✓ | | | |
| PARKINSON, Don | ✓ | | | |
| REYES, Edward D. | ✓ | | | |
| SAN AGUSTIN, Joe T. | ✓ | | | |
| SANTOS, Francis E. | ✓ | | | |
| SHIMIZU, David L. G. | ✓ | | | |
| TANAKA, Thomas V. C. | ✓ | | | |
| UNPINGCO, Antonio R. | ✓ | | | |

TOTAL 20 0 1 0

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

December 10, 1993

SPEAKER JOE T. SAN AGUSTIN

Twenty-Second Guam Legislature

15 Tesler St.

Agana, Guam 96910

FR.

Dear Speaker:

SUB.

The Committee on Housing and Community Development, to which was referred Bill No. 710 - An Act to amend Section 13940 Subsection (3) and Section 13943 to the Government Code of Guam to rezone Lumbo Subdivision in Dededo from Single-Family Residential (R1) to Multi-Family Residential (R2), wishes to report back to the legislature with its recommendation to pass Bill No. 710 as amended by the Committee on Housing and Community Development.

The voting record is as follows:

| | |
|---------------------------|----------|
| TO PASS | <u>7</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

**COMMITTEE ON HOUSING AND
COMMUNITY DEVELOPMENT
TWENTY-SECOND GUAM LEGISLATURE**

COMMITTEE REPORT

on Bill No. 710

**ACT TO AMEND SECTION 13940 SUBSECTION (3)
AND SECTION 13943 TO THE GOVERNMENT CODE OF
GUAM TO REZONE ASTUMBO SUBDIVISION IN DEDEDO
FROM SINGLE FAMILY RESIDENTIAL ("R1") TO MULTI-
FAMILY RESIDENTIAL ("R2").**

DECEMBER 10, 1993

I. OVERVIEW

The Committee on Housing and Community Development scheduled a Public Hearing on November 29, 1993 at 9:00 a.m. in the Legislative Public Hearing Room, Temporary Legislative Building, Agana, Guam. The notice of public hearing was published in the Pacific Daily News on November 27, 1993.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman

Senator Tom Ada, Member

Senator Ben Pangelinan, Member

ppearing before the committee to testify on Bill No. 710 were:

(No witnesses appeared to testify on Bill 710.)

II. SUMMARY OF TESTIMONY

No Witness

III. Findings and Recommendations

The Committee on Housing and Community Development finds that Guam is experiencing population and physical growth rates that are among the highest in the region. These high growth rates continue to require the Government of Guam to develop programs that respond to the needs of the community, especially in the most critical area of housing. The development of the Astumbo Subdivision is a program that while alleviating the housing shortage by providing one house lot to each head of household who held valid arrendu land use permits, it displaces members of the same family by the one house lot limitation. The Committee also finds the size of the lots that are awarded to each recipient family unit can easily accommodate that construction of multiple family dwelling units; that the government has provided all infrastructure requirements i.e., water, power, sewer and roads to service multiple dwelling units; and that allowing the development of multi-family dwelling units in the Astumbo subdivision will not only maximize the government's limited land resource, but in addition, will contribute to keeping family units intact and promote family cohesiveness by allowing families to reside in the same residential complex. The Committee also finds that the rezoning authorized in Bill No. 710 should be limited to duplexes only.

The Committee on Housing and Community Development to which was referred Bill No. 710 - An Act to Amend Section 13940 Subsection (3) and Section 13943 to the Government Code of Guam to rezone Astumbo Subdivision in Dededo from Single-Family Residential (R1) to Multi-Family Residential (R2) - does hereby submit its recommendation to the Twenty-Second Guam Legislature **"To Do Pass"** Bill No. 710 as amended by the Committee on Housing and Community Development.

TWENTY-SECOND GUAM LEGISLATURE
FIRST (1993) REGULAR SESSION

Bill No. 710

as amended by the Committee on
Housing and Community Development

Introduced by:

V.C. Pangelinan

E.D. Reyes

L.T. San Agustin



AN ACT TO AMEND SECTION 13940 SUBSECTION (3) AND SECTION 13943 TO THE GOVERNMENT CODE OF GUAM TO REZONE ASTUMBO SUBDIVISION IN DEDEDO FROM SINGLE FAMILY RESIDENTIAL ("R-1") TO ULTI-FAMILY RESIDENTIAL ("R-2").

IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

SECTION 1. Legislative Findings. The Legislature finds that Guam is experiencing population and physical growth rates that are among the highest in the region. These high growth rates continue to require the Government of Guam to develop programs that respond to the needs of the community, especially in the most critical area of housing. The development of the Astumbo Subdivision is a program that while alleviating the housing shortage by providing one house lot to each head of household who held valid arrendu land use permits, it displaces members of the same families by the one house lot limitation. The Legislature finds the size of the lots that are awarded to each recipient family unit can easily accommodate the construction of multi-family dwelling units; that the government has provided all infrastructure requirements i.e., water, power, sewer and roads to service multiple dwelling units' and that allowing the development of multi-family dwelling units intactly and promote family cohesiveness by allowing families to reside in the same residential complex, while providing for district and separate family dwelling units, and thus wishes to rezone the Astumbo subdivision to multi-family.

SECTION 2. Section 13940 (3) of Chapter X-A, Title XIV of the Government Code is amended to read:

"(3) Plan means a subdivision plan described under Consolidation Survey Map of Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey Map of Tract 240 for multi-family residential ("R-2") dwelling limited to duplexes, which means a house containing two separate

~~dwelling units side by side or one above the other, which includes but is not limited to a comprehensive development plan for a residential subdivision.~~ The plan shall include the platting of lots, mapping, layout and design of all street and utilities. The plan shall also include open space and recreational facilities sufficient to meet the needs of the residents of the subdivision. The plan shall be in substantial conformance with the provisions of Title XIX of this Code, except where the Board finds such provisions impractical. The plan shall provide adequate protection of the sink hole and safety margin prevent any development in the sink hole.

The plan shall include provisions of relocation of persons displaced by the construction of the subdivision and a provision for paying relocation expenses to such individuals".

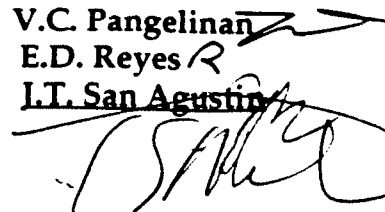
SECTION 3 Section 13943 of Chapter X-A, Title XIV of the Government Code is amended to read

Section 13943 Development of Subdivision. The Authority is authorized and directed to cause the development of subdivision in accordance with the subdivision plan described under Consolidation Survey Map of Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey Map of Tract 240 for multi-family residential ("R-2") dwelling. and in order to do so, may enter into contracts with other government agencies or private companies for all necessary services.

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 710

Introduced by:

V.C. Pangelinan
E.D. Reyes *R*
I.T. San Agustin


HC 1

AN ACT TO AMEND SECTION 13940 SUBSECTION (3) AND SECTION 13943 TO THE GOVERNMENT CODE OF GUAM TO REZONE ASTUMBO SUBDIVISION IN DEDEDO FROM SINGLE FAMILY RESIDENTIAL ("R-1") TO MULTI-FAMILY RESIDENTIAL ("R-2").

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

2 **ection 1: Legislative Findings:**The Legislature finds that Guam is
3 experiencing population and physical growth rates that are among the highest
4 in the region. These high growth rates continue to require the Government of
5 Guam to develop programs that respond to the needs of the community,
6 especially in the most critical area of housing. The development of the
7 Astumbo Subdivision is a program that while alleviating the housing shortage
8 by providing one house lot to each head of household who held valid arrendu
9 land use permits, it displaces members of the same families by the one house lot
10 limitation. The Legislature finds the size of the lots that are awarded to each
11 recipient family unit can easily accommodate the construction of multi-family
12 dwelling units; that the government has provided all infrastructure
13 requirements i.e., water, power, sewer and roads to service multiple dwelling
14 units; and that allowing the development of multi-family dwelling units in the
15 Astumbo subdivision will not only maximize the government's limited land
16 resource, but in addition will contribute to keeping family units intact and
17 promote family cohesiveness by allowing families to reside in the same

1 residential complex, while providing for distinct and separate family dwelling
2 units, and thus wishes to rezone the Astumbo subdivision to multi-family.

3 Section 2: Section 13940 (3) of Chapter X-A, Title XIV of the Government
4 Code is amended to read:

5 "(3) Plan means a subdivision plan described under Consolidation Survey
6 Map of Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey
7 Map of Tract 240 for multi-family residential ("R-2") dwelling, which includes but
8 is not limited to a comprehensive development plan for a residential
9 subdivision. The plan shall include the platting of lots, mapping, layout and
10 location of all street and utilities. The plan shall also include open space and
11 recreational facilities sufficient to meet the needs of the residents of the
12 subdivision. The plan shall be in substantial conformance with the provisions
13 of Title XIX of this Code, except where the Board finds such provisions
14 impractical. The plan shall provide adequate protection of the sink hole and
15 safety margin prevent any development in the sink hole.

16 The plan shall include provisions for relocation of persons displaced by
17 the construction of the subdivision and a provision for paying relocation
18 expenses to such individuals".

19 Section 3: Section 13943 of Chapter X-A, Title XIV of the Government
20 Code is amended to read:

21 " Section 13943 Development of Subdivision. The Authority is
22 authorized and directed to cause the development of the subdivision in
23 accordance with the subdivision plan described under Consolidation Survey Map of
24 Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey Map of
25 Tract 240 for multi-family residential ("R-2") dwelling, and in order to do so, may
26 enter into contracts with other government agencies or private companies for all
27 necessary services.

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Senator Edward D. Reyes
Chairman

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

AGENDA

November 29, 1993
2:00 p.m.
Public Hearing Room
Guam Legislature, Agana

2:00 p.m.

Bill No. 572 - An Act to Rezone Lot No. 34, Municipality of Merizo, From Commercial ("C") to Residential Dwelling Zone ("R-2"); by J.T. San Agustin

Bill No. 671 - An Act to Rezone Lot No. 7012-4-2, Municipality of Yigo, Containing an area of 2,015 Square Meters, and owned by Yu-Chi Wang and Li-Hua Wang, From One-Family Dwelling Zone ("R-1") to Commercial ("C"); by C.T.C. Gutierrez.

Bill No. 693 - An Act to Rezone Lot No. 2183 Situated in the Municipality of Barrigada and Fronting Route 16 from Single Family Residential ("R-1") to Commercial ("C"); by T.S. Nelson.

Bill No. 694 - An Act to Amend Section 61103, 61531 and Subsection (d) of Section 61532 and to Add a new Section 61532.2 to Chapter 61, Title 21, Guam Code Annotated to Change the Parking Requirements of the Zoning Law; by V.C. Pangelinan

Bill Nos. 699, 729 - An Act to Rezone Lot No. 3, Tract 911, Yigo. from "A" Rural to "R1" One Family Dwelling; by E.D. Reyes, T.S. Nelson.

Bill No. 710 - An Act to Amend Section 13940 Subsection (3) and Section 13943 to the Government Code of Guam to Rezone Astumbo Subdivision in Dededo from Single Family Residential ("R-1") to Multi-Family Residential ("R-2"); by V.C. Pangelinan

NOTICE OF PUBLIC HEARING



Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature

9:00 a.m.

Bill No. 532 - An Act to Rezone Lot No. 15-REM-2NEW-2, Municipality of Sinajana, Containing an area of 939 ± Square Meters, from One-Family Dwelling ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 533 - An Act to Rezone Lot No. 27 (176), Block No. 1, (Subdivision of Lot No. 5172-2), Satpon Point, Municipality of Dededo, Containing an area of 569.10 ± Square Meters, from One-family Dwelling Zone ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 534 - An Act to Rezone Lot No. P15.45-1AB, Estate No. 58854, Municipality of Dededo, Containing an area of 1,807 ± Square Meters, from One-Family Dwelling Zone ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 535 - An Act to Rezone Lot No. 5019A-6-1, Estate No. 23015, Municipality of Dededo, Containing an area of 2,929 ± Square Meters, from One-Family Dwelling Zone ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 536 - An Act to Rezone Lot No. 15, Block No. 25, Dededo Village Extension, Guam, Estate No. 9462, Municipality of Dededo, Containing an area of 929.03 ± Square Meters, from One-family Dwelling Zone ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 537 - An Act to Rezone Lot No. 1, Block No. 1, Tract No. 152, Subdivision of Lot No. 3354, "Villa Cola", Paasan, Sinajana, Guam, Estate No. 14175, Suburban, Containing an area of 929.23 ± Square Meters, from One-family Dwelling Zone ("R-1") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 656 - An Act to Rezone Lot No. 3376-3, Sinajana, Guam, Estate No. 24090, Containing an area of 12,233 ± Square Meters, and owned by Connie J.B. Leon Guerrero, from Rural Zone ("A") to One-Family Dwelling Zone ("R-1"); by C.T.C. Gutierrez.

Bill No. 663 - An Act to Rezone Lot No. 7037-3-5-4, Municipality of Yigo, Containing an area of 1,972 ± Square Meters, and Owned by Rose Mary Ignacio, from Rural Zone ("A") to Multiple Dwelling Zone ("R-2"); by C.T.C. Gutierrez.

Bill No. 677 - An Act to Rezone Lot No. 3, Block No. 5, Tract No. 170, Municipality of Dededo from Single-Family Dwelling (R1) to Multi Family Dwelling (R2); by T.S. Nelson. Single Family Residential ("R-1") to Multi-Family Residential ("R-2"); by V.C. Pangelinan

2:00 p.m.

Bill No. 572 - An Act to Rezone Lot No. 34, Municipality of Merizo, from Commercial ("C") to Multiple Dwelling Zone ("R-2"); by J.T. San Agustin

Bill No. 671 - An Act to Rezone Lot No. 7012-4-2, Municipality of Yigo, Containing an area of 2,015 ± Square Meters, and owned by Yu-Chi Wang and Li-Hua Wang, from One-Family Dwelling Zone ("R-1") to Commercial ("C"); by C.T.C. Gutierrez.

Bill No. 593 - An Act to Rezone Lot No. 2183 Situated in the Municipality of Barrigada and Fronting Route 16 from Single Family Residential ("R-1") to Commercial ("C"); by T.S. Nelson.

Bill No. 694 - An Act to Amend Section 61103, 61531 and Subsection (d) of Section 61532 and to Add a new Section 61532.2 to Chapter 61, Title 21, Guam Code Annotated to Change the Parking Requirements of the Zoning Law; by V.C. Pangelinan

Bill Nos. 699 & 729 - An Act to Rezone Lot No. 3, Tract 911 Yigo from "A" Rural to "R1" One Family Dwelling; by E.D. Reyes, T.S. Nelson

Bill No. 710 - An Act to Amend Section 13940 Subsection (3) and Section 13943 to the Government Code of Guam to Rezone Astumbo Subdivision in Dededo from

DATE: MONDAY, NOVEMBER 29, 1993

TIME: 9:00 AM and 2:00 PM

**PLACE: Public Hearing Room, Guam Legislature Building
155 Hessler St., Agana**

The Public is Invited to Attend and Participate

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 710 (LS)

Introduced by:

V.C. Pangelinan
E.D. Reyes *R*
J.T. San Agustin *JA*

AN ACT TO AMEND SECTION 13940 SUBSECTION (3) AND SECTION 13943 TO THE GOVERNMENT CODE OF GUAM TO REZONE ASTUMBO SUBDIVISION IN DEDEDO FROM SINGLE FAMILY RESIDENTIAL ("R-1") TO MULTI-FAMILY RESIDENTIAL ("R-2").

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM

1
2 **Section 1:** Legislative Findings: The Legislature finds that Guam is
3 experiencing population and physical growth rates that are among the highest
4 in the region. These high growth rates continue to require the Government of
5 Guam to develop programs that respond to the needs of the community,
6 especially in the most critical area of housing. The development of the
7 Astumbo Subdivision is a program that while alleviating the housing shortage
8 by providing one house lot to each head of household who held valid arrendu
9 land use permits, it displaces members of the same families by the one house lot
10 limitation. The Legislature finds the size of the lots that are awarded to each
11 recipient family unit can easily accommodate the construction of multi-family
12 dwelling units; that the government has provided all infrastructure
13 requirements i.e., water, power, sewer and roads to service multiple dwelling
14 units; and that allowing the development of multi-family dwelling units in the
15 Astumbo subdivision will not only maximize the government's limited land
16 resource, but in addition will contribute to keeping family units intact and
17 promote family cohesiveness by allowing families to reside in the same

1 residential complex, while providing for distinct and separate family dwelling
2 units, and thus wishes to rezone the Astumbo subdivision to multi-family.

3 **Section 2:** Section 13940 (3) of Chapter X-A, Title XIV of the Government
4 Code is amended to read:

5 "(3) Plan means a subdivision plan described under Consolidation Survey
6 Map of Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey
7 Map of Tract 240 for multi-family residential ("R-2") dwelling, which includes but
8 not limited to a comprehensive development plan for a residential
9 subdivision. The plan shall include the platting of lots, mapping, layout and
10 design of all street and utilities. The plan shall also include open space and
11 recreational facilities sufficient to meet the needs of the residents of the
12 subdivision. The plan shall be in substantial conformance with the provisions
13 of Article XIX of this Code, except where the Board finds such provisions
14 impractical. The plan shall provide adequate protection of the sink hole and
15 safety margin prevent any development in the sink hole.

16 The plan shall include provisions for relocation of persons displaced by
17 the construction of the subdivision and a provision for paying relocation
18 expenses to such individuals".

19 **Section 3:** Section 13943 of Chapter X-A, Title XIV of the Government
20 Code is amended to read:

21 " Section 13943 Development of Subdivision. The Authority is
22 authorized and directed to cause the development of the subdivision in
23 accordance with the subdivision plan described under Consolidation Survey Map of
24 Lots 10124-1, 10124-2 and 10124-R3 into Tract 240 and Subdivision Survey Map of
25 Tract 240 for multi-family residential ("R-2") dwelling, and in order to do so, may
26 enter into contracts with other government agencies or private companies for all
27 necessary services.