



Territory of Guam  
Territorial Guam

OFFICE OF THE GOVERNOR  
LEFINAN I MAGALAH  
AGANA, GUAM 96910

**REFERS TO  
LEGISLATIVE SECRETARY**

RECEIVED  
OFFICE OF THE SPEAKER  
DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_  
REC'D BY: \_\_\_\_\_

January 21, 1994

The Honorable Joe T. San Agustin  
Speaker  
Twenty Second Guam Legislature  
Agana, Guam 96910

Dear Mr. Speaker:


Enclosed herewith is Substitute Bill No. 661 which I signed into law on January 19, 1994 as Public Law 22-72.

The amendments to the Safe Streets Act allowing continued issuance of drivers licenses are needed immediately. Therefore, I have signed this measure with reservation.

My reluctance to approve this measure arises because three of the provisions concerning land were not subjected to public hearing. We must take great care in enacting laws affecting interests in land. However, in reviewing the three sections not publicly heard I found the changes made relatively minor.

I request that the legislature not pass any other measures affecting land issues without public hearing.

Cordially,

  
JOSEPH F. ADA,  
Governor of Guam

220502

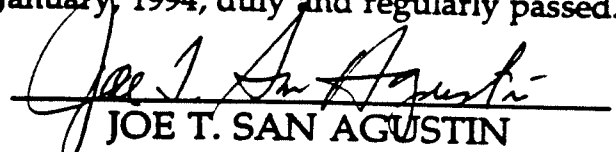


Commonwealth Now!


TWENTY-SECOND GUAM LEGISLATURE  
1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

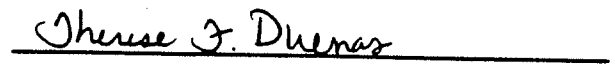
This is to certify that Substitute Bill No. 661 (LS), "AN ACT TO REZONE PROPERTIES IN ASAN, TAMUNING, BARRIGADA, SINAJAÑA, UKUDU, SATPON POINT, AGAÑA HEIGHTS, PAASAN, YIGO, MALOJLOJ, BARRIGADA HEIGHTS, IPAN, INARAJAN, AS-PENGAO, MAPAS, MERIZO, GUGARON, PITI, ADACAO, MAIMAI, AND AGAT; TO GRANT A CONDITIONAL USE IN BARRIGADA; TO REPEAL AND REENACT §61307 OF TITLE 21, GUAM CODE ANNOTATED, ON CONDITIONAL USES IN COMMERCIAL ZONES; TO MAKE TECHNICAL AMENDMENTS TO PUBLIC LAWS NOS. 21-14 AND 21-63 LEASING PROPERTY IN AGAT TO POST 2917, VFW; AND TO AMEND THE SAFE STREETS ACT ON DRIVER EDUCATION AND DRIVERS LICENSES," was on the 5th day of January, 1994, duly and regularly passed.

  
JOE T. SAN AGUSTIN  
Speaker

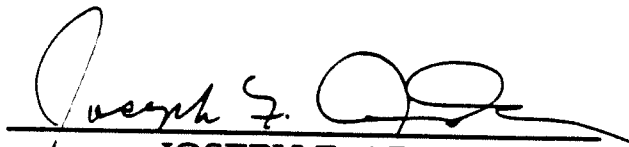
Attested:

  
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.

  
Therese J. Duenas  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
JOSEPH F. ADA  
Governor of Guam

Date: January 19, 1994

Public Law No. 22-72

TWENTY-SECOND GUAM LEGISLATURE  
1993 (FIRST) Regular Session

**Bill No. 661 (LS)**

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

**Introduced by:**

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

AN ACT TO REZONE PROPERTIES IN ASAN, TAMUNING,  
BARRIGADA, SINAJAÑA, UKUDU, SATPON POINT, AGAÑA  
HEIGHTS, PAASAN, YIGO, MALOJLOJ, BARRIGADA  
HEIGHTS, IPAN, INARAJAN, AS-PENGAO, MAPAS, MERIZO,  
GUGARON, PITI, ADACAO, MAIMAI, AND AGAT; TO GRANT  
A CONDITIONAL USE IN BARRIGADA; TO REPEAL AND  
REENACT §61307 OF TITLE 21, GUAM CODE ANNOTATED,

ON CONDITIONAL USES IN COMMERCIAL ZONES; TO MAKE TECHNICAL AMENDMENTS TO PUBLIC LAWS NOS. 21-14 AND 21-63 LEASING PROPERTY IN AGAT TO POST 2917, VFW; AND TO AMEND THE SAFE STREETS ACT ON DRIVER EDUCATION AND DRIVERS LICENSES.

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

2           **Section 1. (a) Legislative statement.** The Legislature recognizes that  
3 despite efforts to speed up, simplify and make less costly the obtaining of zone  
4 changes through the enactment of Public Law 21-82:40 and the promulgation  
5 of Executive Order 9208, zone changes still remain overly bureaucratic, very  
6 time-consuming and quite costly. It is anticipated that should the proposed I  
7 Tano'ta Land Use Plan for Guam be submitted and adopted by the  
8 Legislature, there will be less of a need for the general public to resort to the  
9 Legislature to rezone property. However, in the interim, and in order to  
10 assist in the process, the Legislature finds that it is prudent to act on zone  
11 change requests that the Legislature find to be reasonable and appropriate  
12 before the adoption and implementation of the I Tano'ta Land Use Plan for  
13 Guam.

14           **(b) Legislative findings.** The Legislature finds that the property to be  
15 rezoned in this section is located in East Agaña Bay with approximately 240  
16 feet fronting Camp Watkins Road, and is in the proximity of the Onward  
17 Agaña Beach Hotel. The Legislature further finds that there are operating  
18 commercial facilities in this area. Further, under the proposed I Tano'ta Land  
19 Use Plan for Guam such property is given status under Zoning District 7 for  
20 hotel/resort development in which retail trade and business service  
21 establishments are permitted uses.

22           **(c) Property rezoned.** The following parcels of property (herein  
23 collectively referred to as the "Property") all located in Tamuning, Dededo,

1 are each hereby rezoned from Multi-family Residential ("R-2") to  
2 Commercial ("C"):

3 Lot No. 2129 #1-Rem-B-1, consisting of 1,859± square meters,  
4 as recorded at the Department of Land Management ("DLM")  
5 under Document No. 36339, owned by Nansay Guam Inc.;

6 Lot No. 2130 #1W-1-R1, consisting of 1,952.90± square meters,  
7 as shown on Drawing No. PSL-162-T63 recorded at DLM under  
8 Document No. 53409, owned by Nansay Guam Inc.;

9 Lot No. 2130 #1W-2-3, consisting of 735± square meters, as  
10 shown on Drawing No. JAA79-1D recorded at DLM under  
11 Document No. 310086 (the "Drawing"), owned by Nansay Guam  
12 Inc.;

13 Lot No. 2130 #1W-2-1, consisting of 1,438.31± square meters,  
14 as shown on the Drawing, recorded at DLM under Document No.  
15 52159, owned by Nansay Guam Inc.;

16 Lot No. 2130 #1W-2-4, consisting of 958± square meters, as  
17 shown on the Drawing, owned by Nansay Guam Inc.;

18 Lot No. 2130 #1W-2-2, consisting of 744± square meters, as  
19 shown on the Drawing, owned by Ramon A. Matanane and leased  
20 to Nansay Guam Inc.; and

21 Lot No. 2130 #1W-1-1, consisting of 2,102.16± square meters,  
22 as shown on Drawing No. PLS-162-T63, owned by Edward T.  
23 Quichocho and Guadalupe M. Quichocho, and leased to Nansay  
24 Guam Inc.

25 Section 2. (a) Legislative statement. The Legislature finds that the  
26 owners of certain real property situated in Barrigada desire to utilize their  
27 properties to their highest and best uses and wishes them rezoned from

1 Single Family Residential ("R-1"). The Legislature further finds that the real  
2 properties proposed to be rezoned front Route 16 and the necessary utilities,  
3 water, power, sewer and telephone lines are readily available in and around  
4 the property; thus, a change in zoning would not impose additional demands  
5 on the infrastructure.

6 (b) Lot No. 2183, Barrigada, containing an area of 2,139± square  
7 meters, fronting Route 16, and belonging to Jesus D. and Wenefreda A.  
8 Castro, recorded at DLM under Document No. 094588, is hereby rezoned  
9 from Single Family Residential ("R-1") to Commercial ("C").

10 Section 3. (a) Legislative findings. The Legislature has been asked by  
11 the owners of Lot No. 3, Block 5, Tract 170, Dededo, to have their property  
12 rezoned from Single Family Residential ("R-1") to Multi-family Residential  
13 ("R-2"). The Legislature finds that the construction of a dwelling on such  
14 property has cleared all government departments and agencies and that an  
15 Occupancy Permit has been issued by the Department of Public Works, but  
16 rezoning of the property is necessary to reflect conformity with such existing  
17 dwelling.

18 (b) Rezoning. Lot No. 3, Block 5, Tract 170, Dededo, containing an  
19 area of 1,021.38 square meters, owned by Jose Rivera, is hereby rezoned from  
20 Single Family Residential ("R-1") to Multi-family Residential ("R-2").

21 Section 4. (a) Legislative intent. Prior to the Urban Renewal  
22 developments in Sinajaña, Lot No. 15, Block No. 1, Tract No. 232, Sinajaña,  
23 Guam, was zoned Commercial ("C"), and was changed to Single Family  
24 Residential ("R-1") with the promise that a nearby commercial lot would  
25 become available, which commercial lot was never made available. Directly  
26 catty-corner to this Lot No. 15 is a commercially zoned neighborhood store.  
27 The owner of Lot No. 15 plans to establish a plant nursery on such lot.

1 (b) Rezoning. Lot No. 15, Block No. 1, Tract No. 232, Sinajaña, Estate  
2 No. 67151, Urban, containing an area of 6,780 square feet, the map recorded  
3 at DLM under Document No. 236418, as shown on Certificate of Title No.  
4 91621, owned by Luke S. N. Dueñas, is hereby rezoned from Single Family  
5 Residential ("R-1") to Commercial ("C").

6 Section 5. (a) Legislative intent. Lot No. 7, Tract No. 2022, Asan/Piti,  
7 may be used to build only two (2) single family homes under its current zone.  
8 There are three (3) families who wish to build three (3) attached residential  
9 units in order to take advantage of common areas such as driveways and so  
10 forth. In order to accommodate three (3) families instead of two (2) on this  
11 lot, which can easily be accomplished with attached residential units rather  
12 than separate residential units, the property must be rezoned to Multi-family  
13 Residential ("R-2"). At present, the lot is owned by Todd S. Smith and John  
14 Scragg; however, Dan Purse will also become an owner of a one-third (1/3)  
15 undivided interest in the lot subsequent to the change of zone.

16 (b) Rezoning. Lot No. 7, Tract No. 2022, Asan/Piti, containing an area  
17 of 3,972 square meters, as shown on Drawing No. JCT-S-04-78, recorded at  
18 DLM under Document No. 304856, owned by Todd S. Smith and John  
19 Scragg, is hereby rezoned from Rural ("A") to Multi-family Residential ("R-  
20 2").

21 Section 6. Lots rezoned. Lots Nos. 5302-2-2 and 5302-2-3, Ukudu,  
22 Dededo, containing areas of 3,957± and 3793± square meters, respectively, as  
23 shown on Drawings Nos. SDCO-0971-77 and SDCO-99-0172, respectively,  
24 belonging to Benjamin S. and Ofelia C. Sison, are hereby rezoned from Rural  
25 ("A") to Commercial ("C").

26 Section 7. Lot rezoned. Lot No. 6, Block 2, Tract 109, Barrigada,  
27 containing an area of 1,561.02 square meters, as shown on L. M. Drawing

1 No. D4-64T205, and bearing Certificate of Title No. 22168, owned by Maria  
2 F. Gutierrez, is hereby rezoned from Single Family Residential ("R-1") to  
3 Multi-family Residential ("R-2").

4 **Section 8. (a) Background.** The owner of Lot No. P15.45-1AB,  
5 Dededo, Estate No. 58854, zoned for single family units, desires to build a  
6 multi-unit dwelling thereon to accommodate the needs of his family.

7 (b) **Lot rezoned.** Lot No. P15.45-1AB-2-5, Dededo, Estate No. 58854,  
8 Suburban, containing an area of 1,807± square meters, as shown on Drawing  
9 No. CSS-0035-81, and bearing Certificate of Title No. 70515, recorded at  
10 DLM under Document No. 326731, owned by Virgilio A. Antonio, Jr., is hereby  
11 rezoned from Single Family Residential ("R-1") to Multi-family Residential  
12 ("R-2").

13 **Section 9. (a) Background.** The owner of Lot No. 5019A-6-1, Dededo,  
14 desires to build a multi-unit dwelling thereon which lot is zoned for single  
15 family dwellings, in order to accommodate the needs of her family. The  
16 property is directly behind Cost-U-Less, a commercial establishment.

17 (b) **Lot rezoned.** Lot No. 5019A-6-1, Dededo, Estate No. 23015,  
18 Suburban, containing an area of 2,929± square meters, as shown on Drawing  
19 No. 7025-14, and bearing Certificate of Title No. 69029, recorded at DLM  
20 under Document No. 320334, owned by Carmen F. Roberto, is hereby rezoned  
21 from Single Family Residential ("R-1") to Multi-family Residential ("R-2").

22 **Section 10. (a) Background.** The owners of Lot No. 22 (176), Block No.  
23 1 (Subdivision of Lot No. 5172-1), 24 Point, Dededo, desire to build a 2- or 4-  
24 unit dwelling thereon, which lot is zoned for single family dwellings, in order  
25 to accommodate the needs of their family.

26 (b) **Lot rezoned.** Lot No. 27 (176), Block No. 1, (Subdivision of Lot No.  
27 5172-2), 24 Point, Dededo, containing an area of 659.10± square meters, as



1 shown on Drawing No. PK-100-2, recorded at DLM under Document No.  
2 27958, owned by Jose M. Parducho and Carolyn I. Parducho, is hereby  
3 rezoned from Single Family Residential ("R-1") to Multi-family Residential  
4 ("R-2").

5       **Section 11. (a) Background.** The owner of Lot No. 15-Rem-2New-2,  
6 Sinajaña, desires to build a 4-unit dwelling thereon, which lot is zoned for  
7 single family dwellings, in order to accommodate the needs of her family.

8       **(b) Lot rezoned.** Lot No. 15-Rem-2New-2, Agaña Heights, Sinajaña,  
9 Estate No. 62765, Suburban, containing an area of 929± square meters, as  
10 shown on Drawing No. CSS-07-02-86, and bearing Certificate of Title No.  
11 82850, recorded at DLM under Document No. 397946, owned by Frances  
12 Cruz Mesa, is hereby rezoned from Single Family Residential ("R-1") to  
13 Multi-family Residential ("R-2").

14       **Section 12. (a) Background.** The owners of Lot No. 1, Block No. 1,  
15 Tract 152, Sinajaña, desire to build a 4-unit dwelling thereon, which lot is  
16 zoned for single family dwellings, in order to accommodate the needs of their  
17 family.

18       **(b) Lot rezoned.** Lot No. 1, Block No. 1, Tract 152, Subdivision of Lot  
19 No. 3354, "Villa Cotla", Paasan, Sinajaña, Estate No. 14175, Suburban,  
20 containing an area of 929.23± square meters, as shown on the map recorded  
21 at DLM under Document No. 78256, bearing Certificate of Title No. 81015,  
22 owned by Marcelo S. Carlos and Adela Carlos, is hereby rezoned from Single  
23 Family Residential ("R-1") to Multi-family Residential ("R-2").

24       **Section 13. (a) Background.** The owners of Lot No. 15, Block No. 25,  
25 desire to building a multi-unit dwelling thereon, which lot is zoned for single  
26 family dwellings, in order to accommodate the needs of their family. They  
27 have five adult children.

1 (b) Lot rezoned. Lot No. 5019A-6-1, Dededo, Estate No. 9462,  
2 Suburban, containing an area of 929.03± square meters, as shown on  
3 Drawing No. E4-55T343, bearing Certificate of Title No. 14173, recorded at  
4 DLM under Document No. 53318, owned by Avelino D. Cabreros and  
5 Natividad F. Cabreros, is hereby rezoned from Single Family Residential  
6 ("R-1") to Multi-family Residential ("R-2").

7 Section 14. Lots rezoned. Lot No. 7012-4-2, Yigo, Estate No. 63396, as  
8 shown on Drawing No. PRB87-01, recorded at DLM under Document No.  
9 384354 (the "Drawing"), containing an area of 2,015± square meters, and Lot  
10 No. 7012-4-3, Yigo, Estate No. 63397, as shown on the Drawing, containing  
11 an area of 2,015± square meters, each owned by Yu-chi Wang and Li-Hua  
12 Wang, are hereby rezoned from Single Family Residential ("R-1") to  
13 Commercial ("C").

14 Section 15. Lot rezoned. Lot No. 160-REM-9, Suburban, Sinajaña,  
15 containing an area of 2,076.43± square meters, owned by Dennis G. and  
16 Asuncion S. Rodriguez, is hereby rezoned from Single Family Residential  
17 ("R-1") to Multi-family Residential ("R-2").

18 Section 16. (a) Legislative intent. Section 3 of Public Law 21-72  
19 rezoned Lot No. 7037-3-5-5, Yigo, from Rural ("A") to Multi-family  
20 Residential ("R-2") in order for the owner to build a duplex on the property.  
21 Such Lot No. 7037-3-5-5 is adjacent to Lot No. 7037-3-5-4, and is part of a  
22 larger lot subdivided among family members. Rose Mary Ignacio wishes to  
23 building two (2) duplexes on Lot No. 7037-3-5-4.

24 (b) Rezoning. Lot No. 7037-3-5-4, Yigo, Estate No. 61811, Suburban,  
25 containing an area of 1,972± square meters, as shown on Drawing No. DRP-  
26 4-28-85Y, bearing Certificate of Title No. 77401, owned by Rose Mary

1 Ignacio, is hereby rezoned from Rural ("A") to Multi-family Residential ("R-  
2 2").

3 **Section 17.** Lot No. 3376-3, Sinajaña, Estate No. 24090, Suburban,  
4 containing an area of 12,233± square meters, as shown on Drawing No. 7309-  
5 03, owned by Connie J. B. Leon Guerrero, is hereby rezoned from Rural ("A")  
6 to Single Family Residential ("R-1").

7 **Section 18. (a) Legislative statement.** The Legislature has been asked  
8 by the owner for assistance in rezoning Lot No. P10.9A-7 in Dededo from  
9 Rural ("A") to Single Family Residential ("R-1"), in order to construct single  
10 family residential units on the property which consists of 44,134.33 square  
11 meters in one of Guam's fastest growing municipalities, Dededo. There are  
12 various infrastructure services available to the lot, such as power, water and  
13 telephone. Sewer lines are situated within a distance feasible for hookup.  
14 The Legislature finds that developing the lot for single family residences will  
15 partially meet the need for such housing, and that families who reside in the  
16 area do wish to purchase "starter" homes.

17 (b) **Lot rezoned.** Lot No. P10.9A-7, Dededo, consisting of 44,134.33  
18 square meters, as shown on Drawing No. 371-FY89, recorded at DLM under  
19 Document No. 420890, owned by Edward Choi, is hereby rezoned from Rural  
20 ("A") to Single Family Residential ("R-1").

21 **Section 19. (a) Legislative statement.** The Legislature has been asked  
22 by the owners of Lot No. 14, Tract 314, Dededo, to rezone the property from  
23 "A" to "R-1" to build two (2) single family residences thereon to accommodate  
24 a member of the family and the owners. The Legislature finds that this  
25 proposal is reasonable and prudent and that the family's need to provide  
26 housing for its members justifies the request.

1           **(b) Lot rezoned.** Lot No. 14, Tract No. 314, Dededo, consisting of  
2 3,786± square meters, as shown on Drawing No. SDCO 22-0674, recorded at  
3 DLM under Document No. 268501, owned by Antonio and Anita Atoigue, is  
4 hereby rezoned from Rural ("A") to Single Family Residential ("R-1").

5           **Section 20. (a) Legislative statement.** The owners of Lot No. 276-1,  
6 Asan, have asked the Legislature to correct the split-zoning of the property.  
7 The owners wish to construct affordable rental housing units on the property  
8 which is situated in Asan/Maina. On the Zoning Map, part of the lot is  
9 designated Single Family Residential ("R-1") and as such the property does  
10 not permit construction of multi-family dwellings, while the remaining  
11 portion of the lot is zoned Rural ("A"). The owners have asked the  
12 Legislature to designate the entire lot as Multi-family Residential ("R-2") to  
13 enable them to develop the land in a consistent and economically productive  
14 manner. There is sufficient power, water, sewer and infrastructure available  
15 to service the property and the Legislature finds that the implementation of  
16 the plan to construct affordable multi-family dwellings for the community is  
17 in the public interest.

18           **(b) Lot rezoned.** Lot No. 276-1, Asan, consisting of 12,200 square  
19 meters, as shown on the instrument recorded at DLM under Document No.  
20 253671, bearing Certificate of Title No. 74168, owned by Michael Park and  
21 James Ji, is hereby rezoned from Rural ("A") and Single Family Residential  
22 ("R-1") to Multi-family Residential ("R-2").

23           **Section 21. (a) Legislative statement.** The Legislature has been asked  
24 by the owner to rezone Lots Nos. 1-1, Block C and 1-R1, Block C, (Basic Lot  
25 No. 1, Block C, Tract 9), Barrigada Heights, from Rural ("A") to Multi-family  
26 Residential ("R-2"), to develop affordable multi-family dwelling units to  
27 address the island's housing shortage.

1 (b) Lot rezoned. Lots Nos. 1-1, Block C and 1-R1, Block C, (Basic Lot  
2 No. 1, Block C, Tract 9), situated in Barrigada Heights, Barrigada, consisting  
3 of 10,018± square meters, as shown on Drawing No. E4-53T210/2, owned by  
4 Young Soo Yoon, is hereby rezoned from Rural ("A") to Multi-family  
5 Residential ("R-2").

6 Section 22. (a) Legislative statement. The Legislature has been asked  
7 by the owner of Lot No. 1150-2-R2-R1, Sinajaña, to rezone the property from  
8 Single Family Residential ("R-1") to Multi-family Residential ("R-2") to  
9 allow the owner to construct an apartment complex which would augment  
10 the number of affordable rental housing units in the area. The property is  
11 centrally located and is within minutes from the major business, government  
12 offices and facilities in Agaña. Ample land area is available for the necessary  
13 parking and other ancillary facilities to serve the projected number of tenant  
14 residents. In addition, water, communications, sewer and power services are  
15 available to develop the property in the manner proposed.

16 (b) Lot rezoned. Lot No. 1150-2-R2-R1, Toto, Sinajaña, consisting of  
17 9,484 square meters, shown on Drawing No. 8825 S, recorded at DLM under  
18 Document No. 424251, owned by Duk C. Chung, is hereby rezoned from  
19 Single Family Residential ("R-1") to Multi-family Residential ("R-2").

20 Section 23. (a) Legislative statement. On December 13, 1990, the  
21 Territorial Land Use Commission approved the request of the Guam  
22 Buddhism Society for the conditional use of Lot No. 5224-5-R7, Barrigada, as  
23 a temple in a Rural ("A") zone, under the condition that worship services may  
24 not be conducted thereon after the period of five (5) years, following which  
25 period the use will revert to the permitted use of residential dwellings. While  
26 the granting of the conditional use in this instance was appropriate, the  
27 Legislature finds the time limitation inconsistent with the use periods allowed

1 other churches. Finding no reason not to do so, it is the Legislature's intent to  
2 remove such a time restriction.

3 (b) **Conditional use granted.** The permanent conditional use as a  
4 Buddhist temple of Lot No. 5224-5-R7, Barrigada, Guam, Estate No. 23672,  
5 Suburban, containing an area of 6,629 square meters, shown on Drawing No.  
6 156-1172, recorded at DLM under Document No. 223183, owned by the Guam  
7 Buddhism Society is hereby granted.

8 **Section 24. (a) Legislative findings.** The owners of Lots Nos. 13-1-3-4,  
9 13-1-3-5, 13-1-3-6-1, 13-1-R3, 13-1-3-7, 13-1-3-8, 13-1-3-1NEW, 13-1-3-3, 13-  
10 1-3-6-2, and 13-1-3-6-3, Ipan, Talofoyo, have asked the Legislature to change  
11 the zoning of such lots from Single Family Residential ("R-1") to Multi-  
12 family Residential ("R-2"). Since several parcels in the immediate vicinity  
13 have been granted conditional use variances for multi-family dwellings and  
14 commercial uses, the Legislature finds that the land uses planned by the  
15 Paulino family for the property are not incompatible with surrounding uses.

16 (b) **Lots rezoned.** The following lots are hereby rezoned from Single  
17 Family Residential ("R-1") to Multi-family Residential ("R-2"):

18 1. Lot No. 13-1-3-4, containing an area of 2,075± square  
19 meters, situated in Ipan, Talofoyo, as shown on Drawing No. NI-  
20 121, owned by Mae Rose Paulino Flores;

21 2. Lot No. 13-1-3-5, containing an area of 2,075± square  
22 meters, situated in Ipan, Talofoyo, as shown on Drawing No. 426778,  
23 owned by Kenneth Ray Paulino;

24 3. Lot No. 13-1-3-6-1, containing an area of 2,075± square  
25 meters, situated in Ipan, Talofoyo, as shown on Drawing No. 426778,  
26 owned by Beverly Paulino Dueñas;

1           4. Lot Nos. 13-1-3-7 and 13-1-3-8, containing areas of 929±  
2           and 1,146± square meters, respectively, situated in Ipan, Talofoyo, as  
3           shown on Drawing No. NI-139, owned by Joseph H. Paulino;

4           5. Lots Nos. 13-1-3-1NEW and 13-1-3-3, containing areas of  
5           1,111± and 1,109± square meters, respectively, situated in Ipan,  
6           Talofoyo, as shown on Drawing No. 419-016, owned by James  
7           Michael Paulino;

8           6. Lots Nos. 13-1-3-6-2 and 13-1-6-3, containing areas of 930±  
9           and 1,145± square meters, respectively, situated in Ipan, Talofoyo, as  
10          shown on Drawing No. NI-142, owned by Charles A. Paulino; and

11          7. Lot No. 13-1-R3, containing an area of 11,755± square  
12          meters, situated in Ipan, Talofoyo, as shown on Drawing No. 426778,  
13          owned by Antonio K. Paulino.

14          Section 25. (a) Legislative intent. The Legislature has been asked by  
15          Gil H. Untalan and Pedro F. Untalan to rezone their property to permit them  
16          to build apartment units for their children and grandchildren. The Untalans  
17          have stated to the Legislature that this is the only way they will be able to give  
18          equally to their progeny and insure that they are provided with affordable  
19          homes situated so that the family can be kept as close together as possible. In  
20          light of the scarcity and cost of land, and the benefit to the community to be  
21          realized by maintain strong familial ties by insuring the unity of individual  
22          families, the Legislature finds that the request of the Untalans will be  
23          beneficial to the community and will not be incompatible with the land uses in  
24          the area.

25          (b) Lots rezoned. Lots Nos. 1, 3, 4, 5, and 6, Tract No. 2011, Agaña  
26          Heights, Sinajaña, containing an aggregate area of approximately 5,619±  
27          square meters, as shown on Drawing No. 328 FY74, Lots Nos. 3341-2-3R2,

1 3341-2-3-1, and 3341-2-3-2, Agaña Heights, Sinajaña, as shown on Drawing  
2 No. 085 FY80, containing an aggregate area of 1,459 square meters, and Lots  
3 Nos. 3308-1-7, 3308-1-5, and 3341-2-1A, Agaña Heights, Sinajaña, containing  
4 an aggregate area of 13,026± square meters, all owned by Gil H. Untalan and  
5 Pedro F. Untalan, and Lots Nos. 3308-1-6, 3308-1-6-R1 and 3341-1B, Agaña  
6 Heights, Sinajaña, containing an aggregate area of 11,923.77± square  
7 meters, owned by Priscilla U. Mesa, are hereby rezoned from Single Family  
8 Residential ("R-1") to Multi-family Residential ("R-2").

9       **Section 26. (a) Legislative statement.** The owner of Lot No. 2151-  
10 23NEW-1, Tamuning, has asked the Legislature to rezone her property to  
11 build a commercial building thereon. The Legislature finds that Public Law  
12 15-61:3 rezoned all property within two hundred (200) feet from the center  
13 line of Chalan San Antonio on the north side thereof in the village of  
14 Tamuning from "R-1" to "C". This rezoning has split zoned her property,  
15 one-half being "C" and the other half "R-1". The Legislature finds it in the  
16 public interest to correct this deficiency so that the landowner may have  
17 maximum use of her property.

18       **(b) Rezoning.** Lot No. 2151-23NEW-1, Tamuning, Dededo, as shown  
19 on Drawing No. RRV88-48PA, recorded at DLM under Document No.  
20 415441, owned by Agnes Ada Sgro, containing an area of 7,955 square meters,  
21 is hereby rezoned from Single Family Residential ("R-1") to Commercial  
22 ("C").

23       **Section 27. (a) Legislative statement.** The Legislature was asked by  
24 Green Paradise Corporation to rezone Lot No. 67-R, Inarajan, in order to  
25 build a fast-food outlet which would provide refreshment services to  
26 motorists traveling along Route 4 in southern Guam, and to those tourists  
27 and other enjoying Inarajan's natural swimming pool. Green Paradise



1 Corporation wishes to provide a place for tourists and motorists, as well as  
2 for residents of Inarajan to enjoy the convenience of a fast-food outlet such as  
3 those available in Agaña, Tumon, Tamuning, and Dededo, within a  
4 convenient distance from the village and the Inarajan Pool. The Legislature  
5 notes that the necessary infrastructure is available within the area and the  
6 size of the lot itself will permit ample off-street parking.

7 (b) Rezoning. Lot No. 67-R, Inarajan, containing an area of 3,260.58  
8 square meters, as shown on Drawing No. ED 8989, bearing Certificate of  
9 Title No. 83233, owned by Francisco C. Meno, is hereby rezoned from Single  
10 Family Residential ("R-1") to Commercial ("C").

11 Section 28. (a) Legislative statement. The Legislature was asked by  
12 owner of Lot No. 14, Block 1, Tract 111, Dededo, to rezone it from "R-1" to  
13 "C". Although the Territorial Land Use Commission has granted a variance  
14 permitting construction of a grocery store, the Legislature finds that this lot  
15 should be permanently rezoned in order that the property may be fully  
16 utilized.

17 (b) Rezoning. Lot No. 14, Block 1, Tract 111, Dededo, containing an  
18 area of 6,973.2 square meters, as shown on Drawing No. 273035, recorded at  
19 DLM under Document No. 397457, owned by Teresita Respicio, is hereby  
20 rezoned from Single Family Residential ("R-1") to Commercial ("C").

21 Section 29. (a) Legislative statement. The Legislature was asked by  
22 the owners of Lot No. 2149-3-20A-1, Tamuning, Dededo, to rezone their  
23 property from "R-1" to "C" in order to continue the commercial utilization of  
24 their property. The Legislature finds that the property is where the Cruz  
25 Pharmacy was located. The owners desire to build a three-story professional  
26 building to house the Cruz Pharmacy as well as medical doctors offices. The  
27 Legislature finds that the nearby lots along Farenholt Avenue have already

1 been rezoned for commercial uses and that the rezoning of the property is  
2 appropriate.

3 (b) **Rezoning.** Lot No. 2149-3-20A-1, Tamuning, Dededo, containing  
4 an area of 888 square meters, as shown on Drawing No. JAA-80615-D,  
5 owned by Jesus C. and Karen Sablan, is hereby rezoned from Single Family  
6 Residential ("R-1") to Commercial ("C").

7 **Section 30. (a) Legislative statement.** The owner of Lots Nos. 7057-1  
8 and 7057-2, Yigo, has asked the Legislature to rezone it from Rural to  
9 Commercial to construct a small commercial facility thereon.

10 (b) **Rezoning.** Lots Nos. 7057-1 and 7057-2, Yigo, each containing an  
11 area of 929± square meters, as shown on Drawing No. L-5-78-123, recorded  
12 at DLM under Documents Nos. 300151 and 300121, owned by Eddie J. Cruz,  
13 are hereby rezoned from Rural ("A") to Commercial ("C").

14 **Section 31. (a) Legislative statement.** The owners of Lot No. 6 NEW,  
15 Block 9, Barrigada, have asked the Legislature to rezone the property from  
16 "R-1" to "R-2" to construct multiple family dwelling units thereon.

17 (b) **Rezoning.** Lot No. 6 NEW, Block 9, Barrigada, containing an area  
18 of 1,323 square meters, shown on Drawing No. PLS-93-07, bearing  
19 Certificate of Title No. 94188, owned by Mr. and Mrs. Juan M. Unpingco, is  
20 hereby rezoned from Single Family Residential ("R-1") to Multi-family  
21 Residential ("R-2").

22 **Section 32. (a) Legislative statement.** Anthony R. Gill and Antonia  
23 Pablo Camit have asked the Legislature to rezone the properties on which  
24 they reside in order to build a duplex in order to provide housing for members  
25 of their immediate family. In the case of Mr. Gill, the improvement would  
26 allow housing for himself, his spouse and their two sons in one unit and the  
27 housing of his mother in the adjacent unit. The Legislature finds that in both

1 instances the improvements proposed are consistent with the family housing  
2 predominant in the area and that the needs of the families will be served by  
3 the change in the zoning of the properties.

4 (b) **Rezoning.** Lot No. 9, Block 3, Piti, Guam, Estate No. 6394, Urban,  
5 containing an area of 773 square meters, bearing Certificate of Title No.  
6 74521, recorded at DLM under Document No. 345549, owned by Anthony R.  
7 Gill, is hereby rezoned from Single Family Residential ("R-1") to Multi-  
8 family Residential ("R-2").

9 (c) **Rezoning.** Lot No. 126-1-1, Mapas, Mongmong, Estate 15175,  
10 Suburban, containing an area of 886 square meters, as shown on Drawing  
11 No. 701-T67S, recorded at DLM under Document No. 83893, bearing  
12 Certificate of Title No. 20872, owned by Antonia Pablo Camit, is hereby  
13 rezoned from Single Family Residential ("R-1") to Multi-family Residential  
14 ("R-2").

15 **Section 33. (a) Legislative statement.** The Legislature was asked by  
16 the owner of Lot No. 266-R1, Merizo, to rezone the property from "R-1" to  
17 "C" to construct a full-service bank and apartments. Such rezoning will also  
18 permit the renovation and modernization of the existing self-service  
19 Laundromat, a frequently-used facility in operation since 1977, when  
20 construction thereof was allowed through a land use variance which expired  
21 in 1991.

22 (b) **Rezoning.** Lot No. 266-R1, Merizo, containing an area of 4,932.42  
23 square meters, as shown on Drawing No. LCJ67T126, bearing Certificate of  
24 Title No. 20812, owned by Jose M. Torres, is hereby rezoned from Single  
25 Family Residential ("R-1") to Commercial ("C").

1           **Section 34. (a) Legislative statement.** The owners of Lot No. 5243-3,  
2 Dededo have asked the Legislature to rezone the lot from "A" to "M-1" to  
3 construct apartment units for the benefit of Guam residents.

4           **(b) Rezoning.** Lot No. 5243-3, Dededo, containing an area of 41,062  
5 square meters, as shown on Drawing No. 15-10-89, owned by Mr. and Mrs.  
6 Jose Leon Guerrero, Peter P. Mendiola, Im Sik Chang and Barbara  
7 Mendiola, is hereby rezoned from Rural ("A") to Light Industrial ("M-1").

8           **Section 35. (a) Legislative statement.** Public Law No. 21-80 rezoned  
9 Tract 143, Increments One and Two, Lot No. 10061, Dededo (adjacent to  
10 Route 3), from "R-1" to "R-2", except for Lots Nos. 18-1 and 18-2. This  
11 inconsistency in zoning in the same neighborhood is not warranted and the  
12 owner has requested that these lots be zoned the same as the surrounding  
13 lots.

14           **(b) Section 2 of Public Law No. 21-80 is hereby amended to read:**

15           **"Section 2. Limited R-2 uses in R-1 and A zones.** The  
16 respective owners of: (i) Tract 136, Gugaron, Municipality of  
17 Dededo, as delineated on Land Management Drawing No. ISL 11-  
18 65D398, and situated off Route 3 near the Naval Communications  
19 Station, (ii) Tract 143, Increments One and Two, Lot No. 10061,  
20 Municipality of Dededo (adjacent to Route 3), (iii) Lots Nos. 10060  
21 (excepting Lot No. 10060-REM-4-R1) and 10129-1, Tract No. 1011,  
22 Lots Nos 10127-1 through 10 of Gugagon, situated in the  
23 Municipality of Dededo (off Route 3 near Naval Communication  
24 Station, and (iv) Lot No. 10056 of As-Tagat, Machanao, situated in  
25 the Municipality of Dededo (off Route 3 near Naval Communication  
26 Station, are each hereby authorized to immediately utilize their  
27 current single family residentially ("R-1") and agriculturally zoned

1 property, as the case may be, for all uses permitted in Multi-family  
2 Residential ("R-2") zones, except for the construction and operation  
3 of a hotel or a horizontal property regime (condominium)."

4 **Section 36. (a) Legislative statement.** The owners of Lots Nos. 244-1,  
5 244-2, 244-3 and 244-R-3, Asan, have asked the Legislature to rezone the  
6 properties to construct a multi-story apartment complex, which would  
7 provide much needed rental housing units for the island. The Legislature  
8 finds that the property is highly developable for the proposed apartment  
9 complex due to its unique cliffside location and view. The Legislature notes  
10 that lots adjacent to the property are presently zoned "R-2".

11 (b) **Rezoning.** Lots Nos. 244-1, 244-2, 244-3 and 244-R-3, situated in  
12 Maina, Asan, containing an aggregate area of 3,143 square meters, as shown  
13 on Drawing No. PLS 244-64, owned by Pedro M. and Cecilia Terlaje, are  
14 hereby rezoned from Single Family Residential ("R-1") to Multi-family  
15 Residential ("R-2").

16 **Section 37. Rezoning.** Lot No. 34, Estate No. 354, Merizo, containing  
17 an area of Two Thousand Eight Hundred Twenty (2,820) square meters,  
18 owned by Herbert Cruz, is hereby rezoned from Commercial ("C") to Multi-  
19 family Residential ("R-2").

20 **Section 38. Rezoning.** Lots Nos. 5325-1, 5325-2-1, 5325-2-R1, 5325-3-1,  
21 5325-3-2, 5325-3-R2, 5325-4-1, 5325-4-2-1, 5325-4-2-R1, 5325-4-3-1, 5325-4-3-  
22 2, 5325-4-3-3, 5325-4-3-4, 5325-4-3-R4, Ukudu, Dededo, containing an  
23 aggregate area of 64,982± square meters, as described in Drawing No. L-17,  
24 DLM Check No. 427-FY70, owned by Juan Q. Hernandez, Eliza H. Castro  
25 and Lorenza H. Cepeda, Jose Q. Hernandez, Cicelia H. Acosta, Maria A.  
26 Evaristo, Vicente H. Acosta, Jose H. Acosta, Eliza H. Castro and Lorenza H.  
27 Cepeda, Joaquin Q. Hernandez, Jesus H. Cruz, Elena C. Benavente, Pedro H.

1 Cruz, Rosario H. Cruz, and Maria C. Esteban, respectively, are hereby  
2 rezoned from Rural ("A") to Single Family Residential ("R-1").

3 **Section 39. (a) Legislative findings and intent.** The Legislature finds  
4 that, despite legislative efforts to speed up, simplify and make less costly  
5 obtaining zone changes in the municipalities of Guam, and despite the  
6 enactment of Public Law No. 21-82:40 and the promulgation of Executive  
7 Order 92-08, zone changes remain time-consuming and costly. In order to  
8 rectify the situation, the Legislature finds that it is necessary to act on those  
9 zone change requests that the Legislature has found reasonable and  
10 appropriate before once more attempting to rewrite the Zoning Law to bring  
11 about the desired result of making zone changes swift and inexpensive. The  
12 zone change in Sinajaña set out in this section is hereby found to be  
13 reasonable and appropriate, as well as justified by public necessity, public  
14 convenience and the general welfare.

15 (b) **Rezoning.** Lot No. 8-1, Block 2, Tract 1948, Sinajaña, consisting of  
16 2,035 square meters, owned by Inocencio and Pamela San Agustin, is hereby  
17 rezoned from Rural ("A") to Single Family Residential ("R-1").

18 **Section 40. Lot rezoned.** Lot No. 3408-2-R1, Sinajaña, consisting of  
19 16,488 square meters, owned by Mr. and Mrs. Jesus S. Leon Guerrero, is  
20 hereby rezoned from Agricultural ("A") to Single Family Residential ("R-1").

21 **Section 41. (a) Legislative finding.** The owner of Lot No. 5292-3-2-2-  
22 2-2, Adacao, Barrigada, has asked the Legislature to change the zoning of  
23 such property from "R-1" to "M-1". Although, rezoning is normally  
24 undertaken by the Territorial Land Use Commission, the cost of such action  
25 by the property owner is beyond his means. It is therefore the finding of the  
26 Legislature that such rezoning is appropriate.

1 (b) Lot rezoned. Lot No. 5292-3-2-2-2-2, Adacao, Barrigada, owned  
2 by Michael Joseph Guzman, is hereby rezoned from Single Family Residential  
3 ("R-1") to Light Industrial ("M-1").

4 Section 42. (a) Legislative statement. The Legislature finds that  
5 Maria Babauta Garrido and Guadalupe Babauta Castro are the joint owners  
6 of Lot No. 180-4A, Agat, that Fernando Penafiel, the administrator of the  
7 estate of Rosa Babauta Penafiel, deceased, and Carmen S. Babauta are joint  
8 owners of Lot No. 180-4B, Agat, that Jesus Q. Guerrero, the administrator of  
9 the estate of Ana Babauta Guerrero, deceased, and Josefa Babauta Portodo  
10 are the joint owners of Lot No. 180-4D, Agat, and that Lourdes Babauta  
11 Hulett, also known as Lourdes Babauta Hasher, is the owner of Lot No. 180-  
12 4C, Agat. Such owners have requested the Legislature to rezone such lots  
13 from Rural ("A") to Single Family Residential ("R-1") in order to subdivide  
14 the lots to build affordable home thereon for their children.

15 (b) Lots rezoned. Lots Nos. 180-4A, 180-4B, 180-4C, and 180-4D, Agat,  
16 containing areas of 3,873.14±, 3873.1±, 3872.96±, and 1,036.62± square  
17 meters, respectively, and owned by those persons set out in paragraph (a) of  
18 this section, are hereby rezoned from Rural ("A") to Single Family Residential  
19 ("R-1").

20 Section 43. (a) Legislative statement. The Legislature has been asked  
21 by Rosa Quintanilla Sapalaran to rezone her property in Agat from Rural  
22 ("A") to Commercial ("C") to permit her to build a laundromat and barber  
23 shop to make such services available to the Finili, Agat community which  
24 continues to grow. The Legislature finds that no such services exist in that  
25 area and that the necessary adequate infrastructure is in place for such  
26 services. The Legislature also finds that the land use proposed is not

1 incompatible with the surrounding uses and the complexion of the community  
2 and will provide benefits to the residents of the area.

3 (b) Lot rezoned. Lot No. 170-1New-2-4, Finili, Agat, containing an  
4 area of 4,173 square meters, as shown on Drawing No. TM71-72, bearing  
5 Certificate of Title No. 83233, owned by Rosa Quintanilla Sapalaran, is  
6 hereby rezoned from Rural ("A") to Commercial ("C").

7 Section 44. (a) Legislative intent. §61307 of Title 21, Guam Code  
8 Annotated, was amended by Section 20 of Public Law 21-40 to include the  
9 phrase, "inclusive of professional healing arts offices and clinics" after the  
10 phrase, "Offices, business or professional" in item (8) of subsection (a) of the  
11 section. At the time that this amendment was made, the introductory phrase  
12 repealing and reenacting §61307 of Title 21, Guam Code Annotated, cited  
13 "§61307 of Title 21, Chapter 61, Guam Code Annotated" rather than  
14 "Subsection (a) of §61307 of Title 21, Chapter 61, Guam Code Annotated",  
15 thereby inadvertently repealing subsection (b) of that section, which  
16 contained conditional uses in the Commercial ("C") Zone. For this reason, it  
17 is necessary to correct this inadvertent repeal and restore subsection (b) of  
18 §61307 of Title 21, Guam Code Annotated.

19 (b) Repeal and reenactment of §61307. §61307 of Title 21, Guam Code  
20 Annotated, is repealed and reenacted to read:

21 "§61307. C Commercial Zone.

22 (a) Use Permitted.

23 (1) One family dwellings.

24 (2) Duplexes.

25 (3) Wholesale and retail stores, shops and businesses.

26 (4) Amusement enterprises.

27 (5) Automobile service station, including minor repairs.



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(6) Bakeries.

(7) Mortuaries.

(8) Offices, business or professional inclusive of professional healing arts offices and clinics, and banks.

(9) Personal service shops, including barber shops, beauty parlors, laundromats, and the like.

(10) Repair shops and service shops, including shoe repair shops, plumbing shops, dressmaking shops, and the like, but not including automobile repair shops for major work.

(11) Restaurants and cafes.

(12) Studios.

(13) Other uses which in the judgment of the Commission, as evidenced by resolution in writing, are similar to those listed herein.

(14) Uses customarily accessory to any of the above listed uses, including only those accessory to manufacturing, storage, compounding, or processing activities which are necessary for the ordinary conduct of said listed uses and which are an integral part thereof.

(15) Accessory structures for the above.

(b) Conditional Use.

(1) Hospital and clinics.

(2) Public utility and other public buildings.

(3) Shopping center.

(4) Recreation, including cockpits, marinas, amusement centers, drive-in theaters.

(5) Multi-family.

- 1 (6) Hotels, motels, tourist accommodations.
- 2 (7) Air, bus, taxi, auto rental terminals
- 3 (8) Auto sales and car wash.
- 4 (9) Parking garages and lots.
- 5 (10) Service vehicle storage.
- 6 (11) Laundries and cleaning and dyeing establishments.
- 7 (12) Schools and churches.
- 8 (13) Parks, playgrounds, community centers.
- 9 (14) Utilities and public facilities.
- 10 (15) Accessory uses and structures for the above."

11 **Section 45. (a) Legislative statement.** The Legislature has been asked  
12 by Jose M. Taitano, the owner of Lots Nos. 19.3-11NEW-2 and P19.3-11NEW-  
13 5, situated in Afame, Sinajaña, to rezone said property from Rural ("A") to  
14 Single Family Residential ("R-1") so he can subdivide it among his children.  
15 The Legislature finds that adequate infrastructure for such purpose is in place  
16 and that the proposed plan will be substantially in conformance with  
17 surrounding land uses.

18 (b) Lots rezoned. Lot No. P19.3-11NEW-2, containing an area of 4,581  
19 square meters, as shown on L.M. Drawing No. 106-FY85, bearing Certificate  
20 of Title No. 88654, and Lot No. P19.3-11NEW-5, containing an area of 2,984  
21 square meters, both lots being situated in Afame, Sinajaña, and owned by Jose  
22 M. Taitano, are hereby rezoned from Rural ("A") to Single Family  
23 Residential ("R-1").

24 **Section 46. Lot rezoned.** Lot No. 3415-R2, Maimai, Sinajaña, Guam,  
25 estate No. 60566, suburban, containing an area of 64,722± square meters, as  
26 shown on Drawing No. A11-01-79S, recorded at DLM under Document No.

1 316383, owned by Marcelo C. Biscoe and Maria C. Biscoe, is hereby rezoned  
2 from Rural ("A") to Single Family Residential ("R-1").

3 **Section 47. (a) Section 10 of Public Law 21-14 is amended to read:**

4 "Section 10. The Governor shall lease at nominal rent Lot  
5 No. 266-1-1, Agat, containing an area of approximately eleven  
6 thousand (11,000) square meters, to the Veterans of Foreign Wars  
7 Post No. 2917, for a term of Fifty (50) years, to construct and  
8 operate a clubhouse, and recreational facilities, the latter to be  
9 open to the general public. Such lease may not be assigned or the  
10 property subleased."

11 **(b) Section 7 of Public Law 21-63 is amended to read:**

12 "Section 7. Survey in Agat. Ten Thousand Dollars  
13 (\$10,000) are appropriated from the General Fund to the  
14 Department of Land Management to conduct an as-built survey  
15 of Lot No. 266-1-1, Agat, leased to the VFW Post 2917 pursuant to  
16 Section 10 of Public Law 21-14, as amended."

17 **Section 48. Amendments to Safe Streets Act. (a) Subparagraph (g) of**  
18 **Section 9, Public Law 22-20, is amended to read:**

19 "(g) Effective date of certain subsections. The provisions  
20 contained in subsections (d), (e) and (f) of this section shall take effect  
21 in school year 1994-1995."

22 **(b) Section 9 of Public Law 22-20, the Safe Streets Act, is hereby**  
23 **amended by adding a new subparagraph (h) to said section to read as follows:**

24 "(h) Use of private driver education schools. The Territorial  
25 Board of Education and the Board of Trustees of GCC are  
26 authorized to implement driver education at the public high schools  
27 or GCC, respectively, as required by this Section, by contracting

1 directly with private driver training schools to provide such driver  
2 education at such public high schools."

3 (c) The references in Section 9 of Public Law 22-20 to "individuals  
4 applying for a new Guam drivers license" or "applying for a license for the  
5 first time" shall mean any individual or applicant who does not possess a  
6 valid drivers license issued by any state or territory of the United States.

7 (d) §3113 of Title 16, Guam Code Annotated, added by subparagraph (f)  
8 of Section 9, Public Law 22-20, is amended to read:

9 "§3113. Private and nonpublic secondary school driver  
10 education services. (a) The Director of Revenue and Taxation shall  
11 adopt rules and regulations under the provisions of the  
12 Administrative Adjudication Law to license private driver education  
13 services and authorizing such licensed service firms to issue valid  
14 Certificates of Completion.

15 (b) Nonpublic secondary schools operated not-for-profit may  
16 adopt a driver education program equivalent to that provided by the  
17 Department of Education or Guam Community College and issue  
18 valid Certificate of Completions to students who satisfactorily  
19 complete such a program."

61

**TWENTY-SECOND GUAM LEGISLATURE**  
1994 (SECOND) Regular Session

Date: 1-5-94

**VOTING SHEET**  
(AS REVISED)

Bill No. 661  
Resolution No. \_\_\_\_\_  
Question: \_\_\_\_\_

| NAME                     | AYE | NO | NOT<br>VOTING/<br>ABSTAINED | ABSENT/<br>OUT DURING<br>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

19   1   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

November 08, 1993

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

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred **Bill No. 661**, An Act to Rezone Certain properties in Tamuning from Multiple Dwelling (R2) to Commercial (C). The voting record is as follows:

|                           |          |
|---------------------------|----------|
| TO PASS                   | <u>6</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

# 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

September 30, 1993

### MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 661** - An Act to Rezone Certain properties in Tamuning from Multiple Dwelling (R2) to Commercial (C)

Transmitted herewith for your information and action is the Committee on Housing and Community Development's Report on the subject Bill.

The narrative report is accompanied by the following:

1. Bill No. 661
2. Committee on Housing and Community Development Voting Sheet;
3. Written Testimony and Sign-in Sheet.
4. Public Hearing Notice

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.


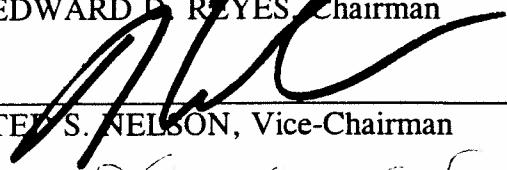
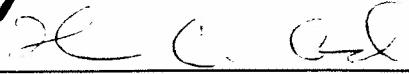
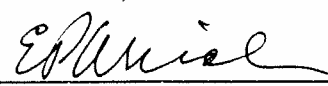

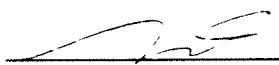
  
EDWARD D. REYES

Attachments.

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT  
 22nd Guam Legislature

VOTING RECORD

Bill No. 661 - An Act to Rezone Certain properties in Tamuning from  
 Multiple Dwelling (R2) to Commercial (C).

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



**COMMITTEE ON HOUSING AND  
COMMUNITY DEVELOPMENT**

**TWENTY-SECOND GUAM LEGISLATURE**

**COMMITTEE REPORT**

on Bill No. 661

**"AN ACT TO REZONE CERTAIN PROPERTIES IN  
TAMUNING FROM MULTIPLE DWELLING (R2) TO  
COMMERCIAL (C)."**

**September 30, 1993**

## **I. OVERVIEW**

The Committee on Housing and Community Development scheduled a Public Hearing on September 30, 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 September 28, 1993.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman  
Senator Ted Nelson, Vice-Chairman  
Senator Vicente Pangelinan  
Senator Felix Camacho  
Senator Tom Ada

Appearing before the Committee to testify on Bill No. 661. were:

Mr. Phil Carbullido, Attorney  
Mr. Eddie Yokeno, Nansay Guam

## **II. SUMMARY OF TESTIMONY**

### **Mr. Phil Carbullido, Attorney**

Mr. Phil Carbullido testified orally to Bill 661 requesting the Committee's assistance in rezoning certain lots in Tamuning from (R-2 to C) for the purpose of constructing a Restaurant and Bar which would provide much needed entertainment's and eating establishments on island. The project site is situated at a prime location in East Agana Bay. The site has 9,829 square meters with approximately 240 feet of Camp Watkins Road frontage and 314 feet beach front.

Due to the increased traffic volume in the East Agana area, the Department of Public Works is currently working on an expansion plan for the Camp Watkins Road endorsed by the Legislature. Camp Watkins Road will be transformed into a 100' wide avenue with three lanes, shoulders, and pedestrian walkways on both sides of the road.

The site is strategically adjacent to the 288-unit 5-star Onward Agana Beach Hotel. It is also a five-minute walk from the 455-unit Palace Hotel. Given its proximity to these hotels, the "Restaurant" will have a captive audience of 1,040 tourists on a given day based on a 70% occupancy from the two hotels.

The site has many built in advantages. It has an extremely high vehicular traffic volume, a panoramic ocean vista with breath taking sunset viewing and city light scapes. It has a captive market from both of the two hotels mentioned above.

## **III. Findings and Recommendations**


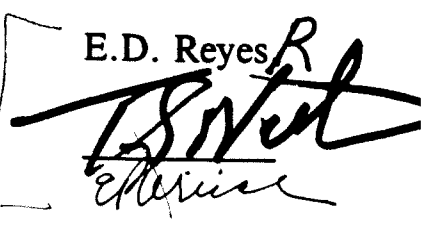
The Committee on Housing and Community Development finds that the rezoning for Nansay Guam Inc., Tamuning from R-2 to C for the purpose of constructing a Restaurant and Bar will be significant due to its unique location and view. Members of the Committee expressed their support for the bill.

The Committee on Housing and Community Development, to which was referred Bill No. 661 -An Act to Rezone Certain properties in Tamuning from Multiple Dwelling (R2) to Commercial (C), does hereby submit its recommendation to the Twenty-Second Guam Legislature "**To Do Pass**" Bill No. 661.

93 SEP 24 PM 2:20

Bill No. 661

Introduced by:

  
E.D. Reyes R  


AN ACT TO REZONE CERTAIN PROPERTIES IN TAMUNING FROM MULTIPLE DWELLING (R2) TO COMMERCIAL (C) ZONE.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2 **Section 1. Legislative Statement.** The Legislature recognized that despite  
3 legislative efforts to speed up, simplify and make less costly obtaining zone changes and  
4 the enactment of Public Law 21-82:40 as well as the promulgation of Executive Order  
5 9208, zone changes remain bureaucratic, time consuming and costly. It is anticipated  
6 that should the proposed I Tano'-ta Land Use Plan for Guam be submitted and adopted  
7 by the Legislature, there should be less of a need for the general public to resort to the  
8 Legislature to rezone their property. In the interim, in order to assist in the process, the  
9 Legislature finds that it is prudent to act on zone change requests that the Legislature  
10 find to be reasonable and appropriate before the adoption and implementation of the I  
11 Tano'-ta Land Use Plan for Guam.  
12 **Section 2. Legislative Findings.** The Legislature finds that the "Property"  
13 herein described is located in East Agana Bay with approximately 240 feet fronting  
14 Camp Watkins Road and is located in the proximity of the Onward Agana Beach Hotel.  
15 The Legislature further finds that there presently are existing commercial shops in this  
16 area. Further, under the proposed I Tano'-ta Land Use Plan for Guam the Property  
17 comes under Zoning District 7 for hotel/resort development in which retail trade and  
18 business service establishments are permitted uses.

**Section 3. Property Rezoned.**

The following parcels of property (herein collectively referred to as the "Property") located in Tamuning, Municipality of Dededo are hereby rezoned from Multiple Dwelling Zone (R2) to Commercial Zone (C).

(a) **Lot Rezoned.** Lot No. 2129 #1-Rem-B-1, Apurguan, Tamuning, Dededo consisting of 1,859 ± square meters as recorded on June 14, 1959 in the Department of Land Management under Document No. 36339 Owned by Nansay Guam Inc. presently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

(b) **Lot Rezoned.** Lot No. 2130 #1W-1-R1, Tamuning, Dededo consisting of 1,952.90 ± square meters as marked and designated on Drawing No. PSL162T63 and recorded on January 17, 1964 in the Department of Land management under Document No. 53409 owned by Nansay Guam Inc. presently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

(c) **Lot Rezoned.** Lot No. 2130#1W-2-3, Dededo, Guam consisting of 735 ± square meters as marked and designated on Drawing No. JAA79-1D and recorded in the Department of Land Management under Document No. 310086 owned by Nansay Guam Inc. presently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

(d) **Lot Rezoned.** Lot No. 2130 #1W-2-1, Dededo, Guam consisting of 1,438.31 ± square meters as marked and designated on Drawing No. JAA79-ID and recorded in the Department of Land Management under Document No. 52159 owned by Nansay Guam Inc. presently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

(e) **Lot Rezoned.** Lot No. 2130 #1W-2-4, Dededo, Guam consisting of 958 ± square meters as marked and designated on Map Drawing No. JAA79-ID owned by Nansay Guam Inc. currently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

(f) **Lot Rezoned.** Lot No. 2130 #1W-2-2, Dededo, Guam consisting of 744 ± square meters as marked and designated on Map Drawing No. JAA79-ID owned by Ramon A. Matanane, leased to Nansay Guam Inc. currently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).

1           **(g) Lot Rezoned.** Lot No. 2130 #1W-1-1, Dededo, Guam consisting of 2,102.16  
2 ± square meters as marked and designated on Map Drawing No. PLS-162-T63 owned  
3 by Edward T. Quichocho and Guadalupe M. Quichocho, leased to Nansay Guam Inc.  
4 currently zoned Multiple Dwelling (R2) is hereby rezoned Commercial (C).





**NOTICE OF PUBLIC HEARING**  
**Senator Edward D. Reyes**

Chairman  
Committee on Housing and Community Development  
Twenty-Second Guam Legislature

**Bill No. 660 - An Act to Rezone, Sell and Lease certain Properties in Various Municipalities of Guam and for other related purposes; by E.D. Reyes.**

**Section 1.** An Act to Rezone Lot no. P10.9A-7 in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R1) to allow for the Construction of Affordable One -Family Residential Housing Units;

**Section 2.** An Act To Rezone Lot no. 14, Tract 314, in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R1) to Construct Single-Family Residential Units;

**Section 3.** An Act to Rezone Lot no. 276-1 in the Municipality of Asan from Single-Family Dwelling (R1) and Agricultural (A) to Multi-Family Dwelling (R2);

**Section 4.** An Act to Rezone Lot no. 1-1 Block C and Lot no. 1-R1 Block C, Barrigada Heights, Municipality of Barrigada from Agricultural (A) to Multi-Family Dwelling (R2) to Construct affordable Multi-Family Dwellings;

**Section 5.** An Act to Rezone Lot no. 5223-R9-2 consisting of 4,171 square meters in the Municipality of Barrigada from Agricultural (A) to Light Industrial (M1);

**Section 6.** An Act to Rezone Lot no. 1150-2-R2-R1 in Toto, Municipality of Sinajana from Single-Family Dwelling (R1) to Multiple-Dwelling (R2);

**Section 7.** An Act to Authorize Permanent Conditional Use on Lot No. 5224-5-R7, Barrigada, Guam;

**Section 8.** An Act to Authorize the Governor to Enter into a Lease Agreement for a Portion of Government Real Property (Lot No. 3465) in the Municipality of Sinajana;

**Section 9.** An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Track 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz;

**Section 10.** An Act to Add a New Subsections (A) and (B) to Section 3, Public Law 21-127 (Lot No. 7150-R4NEW-5 and Lot No. 7150-R4NEW-7, Yigo);

**Bill No. 659 - An Act to Authorize the Governor to Exchange a Portion of Government of Guam Lot No. 5401-1, Containing an area of 120,013 +/- square meters, municipality of Barrigada, for Lot No. 421P, containing an area of 384 +/- square meters, Municipality of Agana, and owned by the Heirs of Rita Mariano Bamba; by Sen. C.T. C. Gutierrez.**

**Bill No. 661 - An Act to Rezone Certain Properties in Tamuning from Multiple Dwelling (R2) to Commercial (C) Zone.**

**Date:** Thursday, September 30, 1993  
**Time:** 9:00 AM  
**Place:** Public Hearing Room  
Guam Legislature Building  
155 Hesler St., Agana

**The Public is Invited to Attend and Participate**



# COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Twenty-Second Guam Legislature

155 Hesler Street  
Agana, Guam 96910

Senator Edward D. Reyes  
Chairman

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

## AGENDA

**September 30, 1993**

**9:00 a.m.**

**Public Hearing Room**

**Guam Legislature, Agana**

**Bill No. 660** - An Act to Rezone, Sell and Lease certain Properties in Various Municipalities of Guam and for other related purposes; by E.D. Reyes.

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**Bill No. 661** - An Act to Rezone certain properties in Tamuning from Multiple Dwelling (R2) to Commercial (C) zone; by Sen. E.D. Reyes.

NOV 03 '93

Bill No. 661 (LS)

Introduced by:

E.D. Reyes *R*

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