

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
164-38 (COR)	Tina Rose Muña Barnes Joe S. San Agustin William A. Parkinson	AN ACT TO <i>ADD</i> A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.	6/27/25 10:57 a.m.	7/7/25	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 7/7/25 7/15/25	7/22/25 2:00 p.m.	9/12/25 As Amended.	



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

September 9, 2025

Honorable Frank F. Blas, Jr

Speaker

Mina'trentai Ocho na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: Honorable V. Anthony Ada 
Chairperson, Committee on Rules

Re: Committee Report on Bill No. 164- 38 (COR) As amended

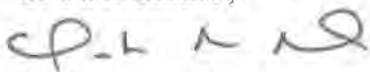
Håfa adai Speaker Blas:

Transmitted herewith is the Committee Report on the **Bill No. 164-38 (COR) As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Tina Rose Muña Barnes – “AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.”

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>7</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',



V. Anthony Ada



COMMITTEE ON RULES

RECEIVED:

September 9, 2025 4:37 p.m.
Marie Crisostomo



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE REPORT

Bill No. 164-38 (COR)

As amended by the Committee on Land, Environment, Housing,
Agriculture, Parks and Infrastructure

Introduced by Tina Rose Muña Barnes

**“AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF
TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO
STREAMLINING THE ZONING LAW FOR AFFORDABLE
HOUSING.”**

by Vice Speaker V. Anthony Ada



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

September 9, 2025

MEMORANDUM

To: All Members
Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure

From: Vice Speaker V. Anthony Ada 
Committee Chairperson

Subject: Committee Report on Bill No. 164-38 (COR) As amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 164-38 (COR), As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Introduced by Tina Rose Muna Barnes – “AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.”

This report includes the following:

- Copy of COR Referral of Bill No. 164-38 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copy of Sponsor Statement
- Copies of Submitted Testimonies & Supporting Documents
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 164-38 (COR)
- Copy of Bill No. 164-38 (COR) as amended by the Committee
- Amended Mark-Up Version
- Copy of Fiscal Note from Bureau of Budget and Management Research

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

July 7, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 164-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 164-38 (COR)** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson. – “AN ACT TO *ADD* A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.”

Please ensure that the subject bill is referred to the Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure chaired by Vice Speaker V. Anthony Ada. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.



FIRST NOTICE of Public Hearing: July 22, 2025

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Mon, Jul 14, 2025 at 9:16 AM

To: phnotice@guamlegislature.gov**FOR IMMEDIATE RELEASE**

July 14, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Vice Speaker V. Anthony Ada****Re: FIRST NOTICE of Public Hearing: July 22, 2025**

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, July 22, 2025 at 2:00 pm** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.
- **Bill No. 164-38 (COR)** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov for further guidance.

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The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's live feed. Written testimonies may be sent via email at vicespeakertonyada@guamlegislature.gov.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via email at vicespeakertonyada@guamlegislature.gov.

--

Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan



Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

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3 attachments



Bill No. 135-38 (COR).pdf

1703K



Bill No. 164-38 (COR).pdf

1797K



2025-07-14 FIRST Notice .pdf

809K



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE

July 14, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

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FIRST NOTICE of Public Hearing: July 22, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

PUBLIC HEARING

 **Posted on:** 07/14/2025 10:05 AM

 **Posted by:** Erin Grajek, Committee Director

 **Public Hearing Date:** 07/22/2025 02:00 PM

 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

July 14, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: FIRST NOTICE of Public Hearing: July 22, 2025

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• **Bill No. 135-38 (COR)**

[https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)

[38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

• **Bill No. 164-38 (COR)**

[https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)

[38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

AD SCRIPT – 07/14/25

FIRST NOTICE OF PUBLIC HEARING: JULY 22, 2025

July 14, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

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- **Bill No. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.
- **Bill No. 164-38 (COR)** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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INVOICE: I LIHESLATURAN GUAHAN-38TH GUAM LEGISLATURE



600 Harmon Loop Road Ste 102
Dededo, GU 96929
Tel: 671.637.5826
Mobile: [REDACTED]

To: I LIHESLATURAN GUAHAN
38TH GUAM LEGISLATURE

Attn: Accounting Department

DATE 7/10/2025
INVOICE NO. 2720-00021-0000M

Date(s)	Service Details	Amount
7/10/2025	COMMITTEE ON LAND, ENVIROMENT, HOUSING AGRICULTURE, PARKS AND INFRASTRUCTURE PUBLIC HEARING FIRST NOTICE: 7.14.25 (PH072225) Please make check payable to: KUAM PAYMENT IS DUE UPON RECEIPT OF INVOICE. THANK YOU.	\$ 160.00
		\$ 160.00

Please pay
amount stated
above.

Should you have any questions please contact: 671-687-8879 or 671-635-5836.

SECOND NOTICE of Public Hearing: July 22, 2025

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov> Sun, Jul 20, 2025 at 10:18 AM
Bcc: phnotice@guamlegislature.gov, "Lola Leon Guerrero, BSP" <lolalg@bsp.guam.gov>, Matthew Santos <matthew.santos@bsp.guam.gov>, "Dr. Anita Enriquez" <abe@triton.uog.edu>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Glenn San Nicolas <glenn.sannicolas@epa.guam.gov>, "joyjean.arceo@mcog.guam.gov" <joyjean.arceo@mcog.guam.gov>, "jesse.alig@mcog.guam.gov" <jesse.alig@mcog.guam.gov>, "robert.hofmann@mcog.guam.gov" <robert.hofmann@mcog.guam.gov>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, Elizabeth Napoli <efnapoli@ghura.org>, Patricia Kier <patricia.kier@ghc.guam.gov>, Edith Pangelinan <edith.pangelinan@ghc.guam.gov>, monty.mcdowell@amiguam.com, Carlos V Camacho <ironwoodhousing@gmail.com>, CLTC Admin <cltc.admin@cltc.guam.gov>, glenn.eay@cltc.guam.gov, "dexter.tan@cltc.guam.gov" <dexter.tan@cltc.guam.gov>, Cathi Blas <cathi.blas@galc.guam.gov>, admin@galc.guam.gov, [REDACTED] <[REDACTED]>, gicccresv@giccguaam.com

FOR IMMEDIATE RELEASE

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: SECOND NOTICE of Public Hearing: July 22, 2025

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, July 22, 2025 at 2:00 pm** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 135-38 (COR)** – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.
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Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

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3 attachments

 **2025-07-20 SECOND NOTICE.pdf**
765K

 **Bill No. 135-38 (COR).pdf**
1703K

 **Bill No. 164-38 (COR).pdf**
1797K



OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

FOR IMMEDIATE RELEASE

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: SECOND NOTICE of Public Hearing: July 22, 2025

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SECOND NOTICE of Public Hearing: July 22, 2025

SECOND NOTICE of Public Hearing: July 22, 2025

PUBLIC HEARING

 **Posted on:** 07/20/2025 02:00 PM

 **Posted by:** Erin Grajek, Committee Director

 **Public Hearing Date:** 07/22/2025 02:00 PM

 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF VICE SPEAKER V. ANTHONY ADA (/notices?division_id=261)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

July 20, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: SECOND NOTICE of Public Hearing: July 22, 2025

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· **Bill No. 135-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20135-38%20(COR).pdf)) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

· **Bill No. 164-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20164-38%20(COR).pdf)) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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OFFICE OF THE VICE SPEAKER

V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

AD SCRIPT – 07/20/25

SECOND NOTICE OF PUBLIC HEARING: JULY 22, 2025

July 20, 2025

FIRST NOTICE of Public Hearing: July 22, 2025

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600 Harmon Loop Road Ste 102
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38TH GUAM LEGISLATURE

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OFFICE OF THE VICE SPEAKER V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

Public Hearing

Public Hearing Room · Guam Congress Building

Tuesday, July 22, 2025 · 2:00 pm

Agenda

Bill No. 135-38 (COR) – Joe S. San Agustin, William A. Parkinson, Eulogio Shawn Gumataotao - AN ACT TO AMEND THE CHAMORRO LAND TRUST LEASE AGREEMENT WITH THE GUAM INTERNATIONAL COUNTRY CLUB, INCORPORATED.

Bill No. 164-38 (COR) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

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Written testimonies may be submitted to the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov.

The Public Hearing will broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and stream online via i Liheslaturan Guåhan's YouTube live feed.



OFFICE OF THE VICE SPEAKER

V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guahan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

PUBLIC HEARING SIGN-IN SHEET

Bill No. 164-38 (COR) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. <i>Barbara Borchardt</i>	<i>Retired Architect</i>	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	[REDACTED]
2. <i>Carlos Canabro</i>	<i>WCDL</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3. <i>Robert Benavente</i>	<i>self</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
4. <i>Liz Quenan</i>	<i>GAR/self</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☐	[REDACTED]
5. <i>Neaty Muña</i>	<i>GAR</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☐	[REDACTED]
6. <i>JERRY TANG</i>	<i>GICC</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☒	[REDACTED]
7. <i>DAVID HERRERA</i>	<i>ASSOCIATE CLIC</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☒	[REDACTED]
8. <i>Michelle Lastimosa</i>	<i>Guam EPA</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☒	[REDACTED]
9. <i>Derek Tan</i>	<i>CUTC</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10. <i>June Pangelinan</i>	<i>[Signature]</i>	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	[REDACTED]



OFFICE OF THE VICE SPEAKER

V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

PUBLIC HEARING SIGN-IN SHEET

Bill No. 164-38 (COR) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. Tom Pangolinan	War survivor	SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	[REDACTED]
2. Crown San Nicolas	Guam EPA	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☐	[REDACTED]
3. Michael Lastimos		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4. Wally Lam Fernandez	BSP	SUPPORT ☐ OPPOSE ☐	WRITTEN ☒ ORAL ☒	[REDACTED]
5. Fabienne Reson.	GAR	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
6. Darwin Dela Cruz	DM1	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	[REDACTED]
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



SENATOR TINA ROSE MUÑA BARNES

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

SPONSOR STATEMENT - Bill No. 164-38 (COR)

Buenas yan Håfa Adai and thank you for convening a public hearing on Bill No. 164-38 (COR). I regret that I cannot be present today, I'm currently attending to an urgent medical issue within my immediate family.

Bill No. 164-38 (COR) proposes the streamlining of Guam's zoning process for affordable housing developments. It will allow projects to move forward—not in years, but in months—so that we don't lose critical financing, or watch costs inflate until they can't be afforded.

But make no mistake, in this bill we are cutting through duplication and delay without cutting corners on public notice or environmental safeguards.

The bill includes guardrails to prevent this mechanism being used to fast track just any housing project—chief among them a mandatory Land Use Restriction Agreement (LURA), which ensures that homes built under this law remain truly affordable for no less than ten years. This means the term “affordable housing” is more than a slogan added to a project's application—it is a legal and enforceable commitment to our working families who struggle with the high cost of renting or owning a home.

We hope Bill 164 strikes the right balance between cutting red tape and maintaining accountability. After this proposal becomes law, Mayors are still empowered to facilitate critical public hearings and outreach, and protections for our aquifer and critical resources will stay in place.

We are in the midst of a housing crisis. Across the island, homes are overcrowded, rents continue to rise, and people are living without water or power. If we don't act, today's housing shortage will become tomorrow's slum problem.

Bill 168-38 is one part of the solution. It's not the whole answer, but it's a necessary step—and we have developers ready, families waiting, and land available.

I humbly ask for the support of my colleagues and our community in moving this measure forward.

Saina Ma'åse' yan Si Yu'os Ma'åse'


Senator Tina Rose Muña Barnes
38th Guam Legislature

PUBLIC HEARING TESTIMONY

Carlos V. Camacho

Micronesia Community Development Corporation (MCDC)

ironwoodhousing@gmail.com

Re: Bill No. 164-38 – “Affordable Housing Streamline Zoning Act of 2025”

Submitted to: Hon. Vice Speaker Anthony Ada, Chairperson

Committee on Environment, Public Safety, and Land

Date: 7.22.2025

Håfa Adai Vice Speaker Ada and Honorable Members of the Committee,

My name is Carlos V. Camacho, and I am submitting this testimony on behalf of Micronesia Community Development Corporation (MCDC) in strong support of Bill No. 164-38, the “Affordable Housing Streamline Zoning Act of 2025.”

We thank the sponsor of this important legislation for advancing a bill that brings both clarity and urgency to Guam’s affordable housing strategy.

In the past, previous legislatures have often resorted to spot zoning through lot-specific legislation which—while sometimes necessary—has contributed to fragmented development patterns and delays in project implementation. This bill does not propose the rezoning of specific lots; instead, it creates a consistent zoning policy framework based on housing types—R-1 for Single-Family Dwellings and R-2 for Multifamily Developments—aligned with HUD’s Area Median Income (AMI) thresholds under the Federal Housing Administration (FHA) affordability guidelines.

By doing so, the bill creates a consistent, transparent pathway for developers to deliver affordable housing that is specifically targeted at households earning 50% to 150% of Guam’s AMI—a critical income range that is underserved in our current market.

Equally important is the issue of timing. In affordable housing development, time is money. Every delay—whether in zoning approvals, public hearings, or agency sign-offs—directly increases project carrying costs. These added costs ultimately reduce the number of units we can build and raise the rents we must charge to remain viable. This bill helps reduce the cost of money by streamlining zoning decisions, ensuring that developments can move forward more quickly and with greater financial efficiency.

Moreover, many affordable housing projects rely on time-sensitive grant awards or tax credits, such as Low-Income Housing Tax Credits (LIHTC), CDBG funds, or local QC programs. When zoning delays jeopardize these timelines, Guam risks losing out on millions in potential investment.

Importantly, this legislation **does not bypass Guam’s existing development safeguards**. While it streamlines the zoning designation for qualified affordable housing types, **all proposed developments must still undergo the full regulatory vetting process**, including review by the **Application Review Committee (ARC)** and the **Guam Land Use Commission (GLUC)**. These stages ensure that project impacts are fully assessed, and that



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July 22, 2025

Testimony on Bill No. 164-38

Honorable Senators,

I am testifying in support of **Bill No. 164-38**.

This Bill directly addresses Guam's urgent housing shortage, particularly for low-to middle-income families. By streamlining the rezoning process, it provides a more efficient pathway for developers to begin their projects, which is essential in meeting our growing housing needs.

Currently, the rezoning process can take up to a year, creating unnecessary delays and discouraging much-needed development. This Bill introduces clear timelines for review and decisions, bringing greater predictability and accountability to the process.

Importantly, Bill 164-38 also ensures that environmental protections—especially those concerning development over the Northern Aquifer—remain intact. This balanced approach demonstrates that we can move forward with responsible growth while safeguarding our critical natural resources.

I respectfully urge the Legislature to pass this Bill without delay.

Thank you for the opportunity to provide testimony.


Liz C. Duenas



July 22, 2025

Testimony in Support of Bill 164-38

Håfa Adai Honorable Senators of I Mina'Trentai Ocho Na Liheslaturan Guåhan,

Thank you for the opportunity to submit testimony in strong support of Bill No. 164-38, introduced by Senators Tina Rose Muna Barnes, Joe S. San Agustin, and William A. Parkinson. This measure, the Affordable Housing Streamline Zoning Act of 2025, represents a timely and much-needed response to Guam's escalating housing crisis.

Guam's housing shortage has been compounded by rapid population growth due to military expansion and limited land availability. At the same time, rising construction costs, labor shortages, and prolonged permitting and zoning processes have made the development of affordable housing increasingly difficult. Bill No. 164-38 addresses these challenges head-on with a thoughtful, comprehensive strategy that balances speed, sustainability, and public accountability.

By streamlining zoning conversions and modernizing the permitting framework, this bill removes many of the bureaucratic delays that often stall affordable housing projects. The inclusion of Land Use Restriction Agreements (LURAs) ensures that housing developments remain affordable and benefit low- to moderate-income families—those most affected by the affordability gap.

Moreover, the bill preserves environmental safeguards, particularly for developments over the Northern Guam Lens Aquifer, and still mandates meaningful community engagement through a revised but effective Municipal Planning Council process.

Crucially, the legislation also recognizes the importance of a data-driven approach to land use planning. Requiring the Bureau of Statistics and Plans to issue clear guidance and conduct inventory assessments of R-1 and R-2 zones will help identify viable lands for development and support long-term planning objectives.

In conclusion, this bill strikes the right balance between urgency and oversight, growth and environmental stewardship, and efficiency and transparency. We respectfully urge this body to pass Bill No. 164-38 and demonstrate our collective commitment to making affordable housing accessible for the people of Guam.

Thank you for your consideration

Sincerely,

Loisa Cabuhat

Principal Broker, Dream Guam Realty
2025 President, Guam Association of REALTORS®
153 Martyr Street, Suite 201
Hagåtña, Guam 96910

 07/21/25

Monty A. McDowell

Principal Broker & CEO, Advance Management, Inc.
Chairman, Government Affairs Committee, Guam Association of REALTORS®
153 Martyr Street, Suite 201
Hagåtña, Guam 96910



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

Written Testimony of Michelle C. R. Lastimoza, Guam EPA Administrator: Bill 164-38 - AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING

The Guam Environmental Protection Agency (Guam EPA) is supportive of any measure that provides an increase in the supply of affordable housing. However, we offer recommendations for amendments to the bill. Guam EPA has no objection to allowing zone changes on proposed properties which are sewerred, or which are outside of the aquifer as legally designated by the GPZ. Therefore, in order to protect aquifer quality and prevent the possible loss of portions of the Northern Guam Lens Aquifer (NGLA) as useable and safe sources of drinking water, Guam EPA recommends that zone changes as proposed not be allowed on unsewerred properties within GPZ.

The installation of a sewer system that complies with federal and local public improvement standards, including extending sewer lines across frontages and providing laterals to each lot is essential to every housing development. The developer is generally responsible for the cost of the sewer line, and potentially for larger or more complex systems. If sewer lines need to cross adjacent properties, the developer must obtain the necessary easements for the sewer lines. The developer is responsible for installing all necessary off-site sewer lines and equipment to connect the development to the Guam Waterworks Authority (GWA) system. Additionally, if a sewage lift station is required, the developer is responsible for its cost and related infrastructure, especially if it serves a larger area than just their development.

On Page 7, Line 15 to 20, the bill states that "*(f) Developments located over the Northern Guam Lens Aquifer (NGLA) or within designated water resource protection areas shall be required to connect to an existing municipal sewer system, if accessible. Where municipal sewer infrastructure is not available, the developer shall install advanced nitrogen-reducing on-site wastewater disposal systems approved by the Guam Environmental Protection Agency (GEPA).*" Guam EPA believes that this should only be extended to R1 (single family dwellings) that meet the current minimum lot size requirements. Apartment buildings, and housing subdivisions should not be allowed to use nitrogen-reducing on-site wastewater disposal systems within the Ground Water Protection Zone. "*§ 612A04. Zoning Conversion. Compliance and Enforcement, (f)*" should not conflict with the Guam Water Quality Standards at 22 GAR §5101(c)(1)(B) that requires that "high-density residential development, more than one (1) dwelling per one-half (1/2) acre, should not occur without adequate public sewer service."

Dāngkolu na si Yu'us ma'āse' for the opportunity to provide testimony.

If you have any questions, please feel free to contact me at (671) 588-4751 or at michelle.lastimoza@epa.guam.gov.


MICHELLE C.R. LASTIMOZA
Administrator



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANLĀLĀLA'

 Like and follow guamepa



LOLA E. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

July 22, 2025

Honorable V. Anthony Ada
Chairperson, Committee on Land, Environment, Housing, Agriculture,
Parks, and Infrastructure
38th Guam Legislature
I Mina'trentai Ocho Na Liheslaturan Guåhan
238 Archbishop Flores St.
Hagatna, Guam 96910

RE: Testimony on Bill No. 164-38 (COR)

Hafa Adai Senator Ada,

The Bureau of Statistics and Plans (BSP) is pleased to provide testimony on Bill No. 164-38 (COR) "AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING."

The Bureau of Statistics and Plans (BSP) extends its sincere appreciation to I Mina'trentai Ocho Na Liheslaturan Guåhan for acknowledging its vital role in advancing land use planning. BSP is committed to maintaining a rigorous screening, assessment, and determination process through its active participation in the Application Review Committee (ARC).

The BSP supports the intent of the bill to address Guam's critical housing shortage, particularly for low-to-moderate income households. As Guam's land use planning agency and a member of the Application Review Committee, BSP is committed to providing technical analysis and recommendations to the Guam Land Use Commission (GLUC) to ensure the development proposals align with Guam's land use policies and for the protection of our environment and natural resources.

Under the purview of the Guam Coastal Management Program (GCMP), BSP has developed Standard Operating Procedures (SOP) designed to thoroughly screen and assess the potential impacts of applications submitted to the ARC. This comprehensive SOP leverages a robust dataset that includes:

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM

Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov

Staff within the Land Use Planning Division used GIS-linked data and maps to review public and private development proposals for environmental and community impacts, ensuring that existing infrastructure could adequately support such development. The division aimed to provide accurate geospatial information to planners and decision-makers, fostering interagency data sharing and informed land use planning.

Due to local funding constraints, the division's functions were integrated into the federally funded Guam Coastal Management Program (GCMP) around 2010. While BSP does not currently employ a full-time GIS manager, GCMP staff and BSP leadership, more specifically, the BSP Deputy Director continues to perform development review functions utilizing GIS tools. Providing additional resources to BSP would strengthen our capacity to meet expedited timelines without compromising the integrity of technical reviews and analysis.

- 4) On Page 4, Line 22 to 23, the bill cites "*along with BSP's comments*" is not necessary as BSP is a member of the ARC and continues to provide position statements for any rezoning application submitted to the ARC.
- 5) On Page 5, Line 19, appears to have conflicting language. The bill states that "*the Guam Land Use Commission (GLUC)...must comply with Application Review Committee (ARC) and GLUC final approval.*" To BSP's knowledge, the ARC is not an approving body, but serves as an advisory group that issues a determination/position statement for the GLUC's consideration. The term "must" in this context may require an approval process of the collective ARC members in which the Executive Order 78-23 or Executive Order 96-26 does not empower the ARC to collectively declare an application "approved" (or disapproved).
- 6) On Page 7, Line 15 to 20, the bill states that "*(f) Developments located over the Northern Guam Lens Aquifer (NGLA) or within designated water resource protection areas shall be required to connect to an existing municipal sewer system, if accessible. Where municipal sewer infrastructure is not available, the developer shall install advanced nitrogen-reducing on-site wastewater disposal systems approved by the Guam Environmental Protection Agency (GEPA).*" BSP believes that this should only be extended to R1 (single family dwellings) that meet the current minimum lot size requirements. Apartment buildings, and housing subdivisions should not be allowed to use nitrogen-reducing on-site wastewater disposal systems within the Ground Water Protection Zone. "§ 612A04. Zoning Conversion. Compliance and Enforcement, (f)" should not conflict with the Guam Water Quality Standards at 22 GAR §5101(c)(1)(B) that requires that "high-density residential development, more than one (1) dwelling per one-half (1/2) acre, should not occur without adequate public sewer service."



OFFICE OF THE VICE SPEAKER

V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE VOTE SHEET

Bill No. 164-38 (COR) – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson – “*AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.*”

As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure

	SIGNATURE/ DATE OF SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker V. Anthony Ada Chairperson	 09/09/25			✓		
Senator Christopher M. Dueñas Vice Chairperson	evote 09/09/25			✓		
Speaker Frank F. Blas, Jr. Member	evote 09/09/25			✓		
Senator Sabrina Salas Matanane Member	evote 09/09/25			✓		
Senator Shelly V. Calvo Member	evote 09/09/25			✓		
Senator Vincent A.V. Borja Member						
Senator Sabina F. Perez Member	evote 09/09/25			✓		
Senator Chris Barnett Member	evote 09/09/25			✓		
Senator Tina Muña Barnes Member	evote 09/09/25	✓				
Senator Joe S. San Agustin Member	evote 09/09/25	✓				

URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Tue, Sep 9, 2025 at 1:59 PM

To: Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Chris Duenas

<senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo

<officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office

Senator Perez <office.senatorperez@guamlegislature.gov>, "Senator Joe S. San Agustin"

<senatorjoessanagustin@gmail.com>

Hafa Adai,

To Report Out Only.

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**The Office of Senator Chris Barnett***I Mina'trentai Ocho Na Liheslaturan Guåhan*

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(671)969-3586 · malafunkshun@guamlegislature.gov

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Tue, Sep 9, 2025 at 2:16 PM

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Cc: Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To report out only



Office of Senator Christopher M. Dueñas

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Tue, Sep 9, 2025 at 10:36 AM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

T0 Report Out Only



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

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URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Tue, Sep 9, 2025 at 10:23 AM

To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr."

<speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator

Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja

<vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina

Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett

<malafunkshun@guamlegislature.gov>

To Do Pass

The Office of Senator Joe S. San Agustin

I Mina'trentai Ocho na Liheslaturan Guåhan

38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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Website: www.senatorjoessanagustin.com

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Office Senator Perez <office.senatorperez@guamlegislature.gov>

Tue, Sep 9, 2025 at 2:54 PM

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Cc: Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To report out only.

On Tue, Sep 9, 2025 at 1:59 PM Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov> wrote:

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URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Tue, Sep 9, 2025 at 10:39 AM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Vice Speaker V. Anthony Ada"

<vicespeakertonyada@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja

<vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina

Muna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett

<malafunkshun@guamlegislature.gov>

To report out only.

[Quoted text hidden]

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All the best,

Isaiah Aguon

Director of Communications & Policy



Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson, Committee on Health and Veterans Affairs

163 W. Chalan Santo Papa, Hagåtña, Guam 96910

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URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Tue, Sep 9, 2025 at 10:43 AM

To: Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>Cc: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Joe S. San Agustin"<senatorjoessanagustin@gmail.com>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>,Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Vince Borja <vince.borja@guamlegislature.gov>, OfficeSenator Perez <office.senatorperez@guamlegislature.gov>, Senator Tina Muna Barnes<senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

Hafa Adai

To Report Out only.

Si Yu'os Ma'åse

Respectfully,

**Office of the People • Senator Shelly V. Calvo**

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior
Citizens, Women's Affairs, Disability Services, the Arts,
Culture, Historic Preservation & Hagåtña Restoration**38th Guam Legislature**

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URGENT REQUEST for Evote: Bill No. 164-38 (COR)

Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

Tue, Sep 9, 2025 at 1:21 PM

To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Cc: Chris Duenas <senator.duenas@guamlegislature.gov>, "Speaker Frank F. Blas Jr."

<speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Office of Senator

Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Vince Borja

<vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator Darrel

Christopher Barnett <malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin"

<senatorjoessanagustin@gmail.com>

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OFFICE OF THE VICE SPEAKER

V. Anthony Ada

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson - Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 164-38 (COR) was introduced on **June 27, 2025**, by **Senator Tina Rose Muña Barnes** and was subsequently referred to the Committee on Rules to the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure on **July 7, 2025**.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure convened a public hearing on **July 22, 2025, at 2:00 pm** at the Public Hearing Room of the Guam Congress Building.

Public Notice Requirements

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on **July 14, 2025** (5-Day Notice), and again on **July 20, 2025** (48-Hour Notice).

Senators Present

Vice Speaker V. Anthony Ada, Chairperson – Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure
Senator Telo T. Taitague
Senator Joe S. San Agustin, Committee Member

Written Testimony Provided by

Barbara Burkhardt
Michelle Lastimoza, Administrator – Guam Environmental Protection Agency
Liz Dueñas
Carlos Camacho – Micronesia Community Development Corporation
Joseph Borja, Director – Department of Land Management
Lola Leon Guerrero, Director – Bureau of Statistics and Plans

II. SUMMARY OF TESTIMONY & DISCUSSION

The **public hearing** was Called-to-Order at **2:00 PM**.

Vice Speaker V. Anthony Ada, Chairperson – Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure: Good afternoon, ladies and gentlemen. This public hearing is conducted by the Committee on Land, Environment, Housing, Agriculture, Parks, Infrastructure. It is now called to order at 2 o'clock p.m. Today's date is July 22, 2025.

Notice of this hearing was disseminated to all local media outlets on June 14, 2025, with the second notice provided on July 20, 2025. Notice of the hearing was also made known on the Guam Legislature's website and the government of Guam public notice portal. This afternoon, the committee

will hear testimony on Bill No. 135-38 COR, an act to amend the Chamorro Land Trust lease agreement with the Guam International Country Club, Inc., sponsored by Senators Joe San Augustin, William Parkinson, and Shawn Gumataotao. We will also be hearing Bill No. 164-38 COR, sponsored by Senators Tina Rose Munoz Barnes, Joe San Augustin, and William Parkinson, an act to add a new Article 2A to Chapter 61 of Title 21, Guam Code Annotated, relative to streamlining the zoning law for affordable housing.

[See testimony proceedings on the public hearing for Bill No. 135-38 (COR)]

Thank you Senator San Agustin, so, with that, um, bill number 135-38 COR has been publicly heard and we will go into the next bill and that is bill number 164-38 COR introduced by Senator Tina Rose Muña Barnes, Joe S. San Augustin, William A. Parkinson and it's an act to add a new article 2 chapter 61 of title 21 Guan code annotated relative to streamlining the zoning law for affordable housing and currently the author of the legislation is uh I'll be reading this the sponsor statement.

[Refer to sponsor statement prepared by **Senator Tina Muña Barnes**, primary author of Bill No.164-38 (COR)]

For this Legislation, I guess we have everyone here that's ready to testify. So, we'll go ahead and uh we'll start with the we'll go from my right, your left. So, Miss Yeah,

Ms. Barbara Burkhardt: Thank you, um, I was surprised to see this bill attached and I was actually excited to see this bill attached. Um, I retired. Um, I reclaimed my time by retiring in 2019 from architecture and I spend I'm still very active. I work full-time for what interests me and I what interests me are things that impact my friends and their families in Dededo. So, I just want you to know where I where I come from. I am open to the thoughtful right use of fi of the finite land resources on this island. We can't go to the next county and put our solar farms in the next county. Guam is the size of many lakes inside of a county in the US. So, it's very finite and I'm very aware of that. Land use and zoning go hand in hand. When I started my journey about finding uh where I stand on the GICC property, I looked for land a land use plan. I found one in 2016. Couldn't find any public hearings. Couldn't find any legislative action that codifies the 2016 plan. What I did find is that 3,000 acres have been rezoned from in from residential to industrial. And what is sitting on that land? It the power plant 260 megahertz. I get that wrong. 260 blah blah blah from Core Tech and the Guam PDN printing press and you know their whole empire there. There's additional land. That's 3,000 acres that was intended to be residential in the 2016 plan. It's right there and it is no longer available for residential use in the most densely populated village of Dededo. Then putting on my land use and planning uh background, I looked for what is the right amount of green space. Is there a plan on Guam for green space? Is there a plan on how many square feet or how many acres of land do we need for solar panels? I couldn't find that. I couldn't find a metric for green space. I can't find a metric for housing. I can't find a metric for schools. I can't find commercial zoning everywhere. But um so Guam doesn't have a plan. So as someone who looked at GICC and said, I'm open to it being a solar farm. I'm open to it being uh actually housing. Why not housing? I'm open to it being a golf course. I'm open to it being green space in a park. I'm open to all of that. But what is Guam's plan? What is the use? What is the thoughtful uh public forum use for that land? And I could not find it anywhere. I spent a lot of time, like I said, I've reclaimed my time. I spend a lot of time looking through documents. I listen to all your hearings, but I don't see a plan. And from my background, land use and zoning go hand in hand. We seem to uh on the Cross Island Road in Santa Rita, we have a huge solar farm going in there on agricultural land uh with the Perez family. You know, there's zoning going on all over the place, but I don't see a plan. I don't see set asides. I don't see a thoughtful uh use of land on Guam and it's getting gobbled up daily. I live I live off of Route Three and I watch things being cleared on a weekly basis and I don't see any houses being built and I don't see housing land use in the zoning plan that is sacred or thoughtful or cared for and thank you.

Chairman Ada: Thank you, Miss Burkhardt, for your testimony. Miss Lastimoza, administrator Lastimoza, your testimony, please.

Ms. Michelle Lastimoza, Administrator – Guam Environmental Protection Agency: [Written testimony presented orally]

Chairman Ada: Thank you, Administrator Lastimoza for your testimony. Miss Dueñas, you're recognized for your testimony. Ma'am, thank you for being here all day for this bill like with the rest of you. Thank you.

Ms. Liz Dueñas: [Written testimony provided by the Guam Association of Realtors presented orally]

[Written testimony provided by Liz Dueñas presented orally]

Chairman Ada: Thank you, Miss Dueñas. Mr. Camacho.

Mr. Carlos Camacho – Micronesia Community Development Corporation: Okay thank you uh Vice Speaker Ada, senator San Augustin, senator Telo for hanging in there it's a long day. I've been here also since this afternoon. [Written testimony presented orally] Now, let me just rephrase that paragraph. One of the things and for my example, when you apply for any of these projects, you must be zoned correctly. We go to DLM like Mr. Borja's agency and ask for a zoning certification. if your property is not zoned correctly, you would not be allowed to apply for those grants. That's why this is very important and again I'm just going to cut this very short. I don't have to read the whole thing, I just submitted it anyways, but real quick, LURA, land use restriction. This streamline zoning is only for affordable housing targeted to the 50 to 150% area median income and the bill says 10-year LURA provision. I verified with HUD because of the big, beautiful bill that just passed. They adjusted it to 15 years. So, please if I can ask the chairman to put that on a footnote. I it's in my write up that we have to change the LURA provision from a 10 year uh deed certification restriction to 15 years so we can be we can be compliance with FHA. Finally, when I read the bill it, they still have they still streamlined the most important players. The mayor still plays a role in the one public hearing compared to three. DLM still plays a role by us submitting an application to DLM when you're doing for the streamline. BSP still plays a role by providing a comment within 30 days we shorten it so we can and then the land use commission plays a role just for the zoning part of it just for the zoning part of it. Once we get the zoning part of the process R1, R2. You still got the back-end safeguard you still got to submit to the agency review committee; you still got to submit to the land use commission for the full tentative development plans. We're not worried about the part two of it. The most important is the zoning category when we apply for these federal programs. So again, there's this safeguard in phase one with those four agencies I just described. Of course on a shorter timeline, but there's still the backends where they still have the public hearing process to the land use commission and still the agency review committee like EPA's here and land managers here and everybody's here that will still sit in the uh agency review committee to make comments because that's where they're going to check if the water, sewer, power impact would accommodate these properties. If it doesn't, they'll sign off and they won't do it then Land Use Commission won't approve it. If they sign off that it has all meets all the i's and dots all the i's and t's, land use commission goes in have their own public hearing and that will be the additional comments from the community when they have their public hearing so there's a two part. We're just trying fast track the streamline on the zoning side so we can comply and meet some of the very tight schedule especially again this is not lot specific so it's not for me anybody that wants to use this when they apply for CBDGDR in January when they finally announced the 500 million coming out. Let them become creative because now there's a process. They don't have to wait for 9 to 10 months for zoning process, and you know that there's a timing for the CBDGDR. It's called fix in six. They got to finish it in six years, right? They already lost a year by putting all the comment period, but this is just an opportunity for anybody that wants to get into that line of work affordable housing. So, this one is neutral based. It is development specific and it's not lot specific. So, thank you very much.

Chairman Ada: Thank you, Mr. Camacho, for your testimony this evening. Mr. Borja which uh

Mr. Joseph Borja, Director – Department of Land Management: vice chair could I defer to uh beauty before age and uh ask the uh director of BBMR. She was here before me and

Chairman Ada: and the gentleman that you are I expected that from you sir to let Miss uh Leon Guerrero go first. Thank you. Miss Leon Guerrero. Thank you.

Ms. Lola Leon Gurrero, Director – Bureau of Statistics and Plans: Yes, the name is Lola Leon Guerrero, director of bureau of statistics and plans. [Written testimony presented orally]

Chairman Ada: Thank you, Director Leon Guerrero, for your testimony tonight. Director Borja,

Mr. Borja: I don't know if I have enough energy to present that. Um, I do want to say that uh you know the u always the question when we come down here the uh especially members of the administration is do you support the bill? I kind of like to wait until the sausage is done before I give the recommendation whether to support the bill. Um having said that uh my presence here is uh from the department of land management not through the Guam land use commission uh where if they were to make a comment on this bill it would be done as a group and not as one member. Um, having said that, I do want to uh, you know, uh, um, react actually to some of these, uh, uh, points that were brought up. And, uh, I'll just list the ones then that are outside of my lane, which is the absolute definition of affordable. Um, we at land management, we don't do that on a daily basis. Um, you know, to define, you know, what's affordable. However, in the law, there is an um in the zoning laws, there is a uh part of the law that kind of like determines uh what or how land management or the GLUC processes an application and that's the hybrid commission. So, if there's a project over X amount, I believe it's two or three million dollars, they call the mayors in. the hybrid commission is actually made up by the uh by the uh mayor of the that particular municipality that has the project in there and um and members of the regular GLUC. So, um you know this uh issue about affordable you know we don't really have any comment on that. I know there's some definition on that, you know, and I guess the title of the bill is to streamline for affordable housing projects. I would maybe request that let's streamline it for any project. Why should we streamline it just for affordable housing? If you've identified a section of the bill, the law existing now that there is a zoning delay for whatever reason, then let's address that delay for all kinds of applications and like that, you know. So, zoning delays at the Guam Land Use Commission and the Department of Land Management, we actually have a flowchart. You come to us with your application. We review it within 10 days, sometimes sooner. Every all the information is complete. Sorry Siri. Um so you know the uh the zoning delays on that flowchart. Application does this goes forward. Application does that goes forward. So, in that flowchart you could probably see where a particular application you know may be delayed. Um I'll tell you uh we can process land use applications 90 to 120 days. The perfect ones the ones that have a problem you know those go uh take a little bit longer. one year. You're being kind, Liz. But um and the reason for that really is when uh the preliminary application interview comes in, we always advise the applicant, go work with the agencies where you might have a potential problem. If your application is for something up in the hills and you think you might have a problem with uh endangered species, talk to agriculture before you submit your application so that when your application comes in, there won't be a delay from agriculture saying, "Hey, wait a minute. We got some snails there." Although the snails are found all over the island, they seem to be endangered, you know. So, so that thing. So, you have to identify the zoning delays. And I wouldn't really call it zoning delays. I would call it conforming to the law as to what is required for a zoning thing. Um, and some agencies I believe should get special dispensation of the time that they're to review an application. For example, EPA, they actually review that application for four issues. Soil, water, and a couple of other things. You know, land management. uh we don't review it for soil water that's there maybe that's the application review committee so we have that on it that so

the zoning delay might not be a delay the only time that we think it may be a delay when the agency requests for a 45 day extension as they are allowed in the law uh some of these applications are quite complicated you know like you heard the previous bill you know uh half of the thing they were saying about uh environmental I don't understand you know like that so, so let's just uh try and define the absolute definition of what affordable. That's very hard, you know. Um I could afford my house because uh when my dad was getting old, he said, "Son, you want to buy the house?" I said, "I thought I was going to get it for free, Dad." Because no, you know, I got to sell it to you, you know. So, sure, you know, \$5,000, I'll take it, you know. So, that was affordable for me, but for some other people who may not be as fortunate, it's not affordable on it, you know. Um the delay really in not really, it's really not in the zoning thing. It's really when it comes to that point where the developer of that subdivision has to prove to land management, the GLUC that you install the infrastructure already before they signed off on it on the planning division. Um and next is the uh and again this is next one is out of my lane 10-year post certificate um of affordability. Um, I guess you should get that from Guam Housing, but why not make it run the term of the mortgage? So, why just 10 years, you know? So, and that's like I said, that's out of my uh lane in there, but I was talking to Guam Housing on there and uh I said, why don't they just make it the term of the mortgage, you know, rather than 10 years. Um, looking at the bill, it's uh long bill, it's uh 10. Uh just as a disclosure, I was previously asked to review the bill, and I said uh no because um if I review the bill and give you comments then it's my bill. I don't want to say, "Oh, Joe said this okay." You know, like that. But the uh so that 10-year certificate, but looking at the bill, really, I think what we're looking at to streamline is really the public hearing requirement in all the applications that have gone through to the Guam Land Use Commission. That's kind of like always the stickler because if you do make a decision on something that was not duly noticed for public hearing, your decision is no good. We've had that two issues the Emerald Green condos where uh one right across the street neighbor did not get that certified mail that there was going to be a rezoning and the darn thing is like 10 ft away from your, you know, house and like that, you know. So that land management had to do that over because we didn't fulfill that. But it's that public hearing requirement and the law requires that the municipality mayor's office municipality council hold two public hearings in addition to the land management public hearing. So, an application could be required to actually have five public hearings. And the problem with the public hearings, it's not like a hey, we're going to have public hearing tomorrow on your application. Nope, we got to schedule it 25 days later, mail out that thing before, you know, it comes in. So, there's a lot of administrative nightmares in that, you know, and if you don't mail out those letters 25 days before the hearing, then and some of these landowners are off island. We get letters coming in after the 25-day period, you know, because they were off island and they probably didn't respond to it. So, it's really, I think the issue in the bill is that public hearing. It says that it's uh three municipal planning council hearings. Really, it's only required two and only one. Why is the municipal planning council uh hearing two? One to learn about it and one to vote on it. So, you have a public hearing. Okay, this is what we're going to do. Okay, now I got the information. Now, I can go back. I don't want to make my decision tonight, you know, but the municipal public hearings uh might say, "Okay, we'll have another hearing at our next scheduled session and then do that." Now, unlike the GLUC, we're mandated to have our meetings every second and fourth Thursday. It's without fail municipal planning council. Uh some of them don't even have members senator. We had a real big project delayed down here in Agana because there was no municipal planning council. Uh we've had two projects that were delayed, and I say we because once that application is in there, the application belongs to GLUC in several municipalities where the mayor just flatly refused to have a public hearing because you know for whatever reason and uh you know so we don't move along. We don't want to move along without the input from the uh municipality. You know, that's kind of a no on it, but by the same token, I don't see any mayors here tonight. My suggestion to my staff out there when we were there, I said I go in there and tell the uh ask the chairperson to uh cancel the hearing until the mayors come down here because even the mayors on the summary zone change thing which is doesn't require a uh a public hearing or a commission uh commission hearing at uh like that. Um you know, I've got a couple of mayors said, "Joe, we don't want to do that anymore. You do it you know, you decide what the zone is should be in our village through that summary zone process. And offline, I can tell you who those two have said uh mayors are

that they don't really want that authority. But that public hearing thing is a really definitely new thing. It was put in there by a bill sponsored by Senator Tom Ada I believe in the 33rd or 34th Guam Legislature because a couple of mayors several mayors were complaining that they weren't getting the information to make a decision a resolution before the thing but now we have it and um kind of like you know we're not here you know so I think that's the thing you know so change the part of the law about the public hearing. Never mind all the other portions of those seven pages 6 7 8 and 9. If you identify that it's a uh this is your zoning delay. What's the zoning delay? Look and see where the delay is. You know, is the um planner on leave or something you know and to me I wouldn't call it a delay. It's a legal requirement to do that. Same token by the things that uh you know that we have 30 days to receive the position statements on the application review committee and if we don't uh the law says you don't have a public hearing until any and all position statements are in any and all. So, if I don't get a position statement from uh EPA, I can't have that hearing. And we've had that uh, but you know and again I use EPA as an example because theirs is not a one-day thing. You submit the application to them say oh yeah, it's okay. No, we got to route it to three or four different uh divisions you know whereas if land management and the other like DPW it's mostly access you know how's the road to the place. uh BSP is usually um water quality seashore things and other issues and like that. So, if we identify where the delay is, quote unquote delay, you know, what's holding it up, you know, we've had people coming, you know, very prominent people call up and say, "Can't you just have the public hearing on that?" Or, "Can't you just have the meeting on?" Sure, we'll have the meeting and then it could get challenged and then we're back to square one, you know. So, so I think if you're going to look at the um at the uh the delay thing, um I don't think this bill really is necessary. Almost I would say maybe 90% to 90% of these things in the bill that requires a thing like with the ARC we're already doing that we're already doing that you know it would uh um I don't think the bill would uh in its present form in the uh beginning of the sausage making uh would really uh have an effect on the timing on it. What would have an effect is take a look at the flowchart you know is it uh Joe Borja has always on leave and he can't sign the thing or uh you know take a look at it you know so there's no really average time on it but I'll tell you if we get a perfect application 90 to 120 days on that rezoning thing but you know those are kind of hard to come by and like that so I would just say that uh looking at the thing there the what's an affordable housing I don't know that's not my lane. You know what? How long should it be as the as an affordable thing? I don't know. You know, but uh if you're trying to look and see where the delay might be, quote unquote delay, it might be the public hearing uh requirement to do that. But you also have to balance that out as uh one of the things, you know, she didn't know about this hearing, she didn't know about that one, you know. So, you do have to have some sort of public hearing, you know. So, you have to balance that out. You want to make sure when your neighbor starts bulldozing his place, you want to what the hell is going on next door? You know, is it going to make my lot flooded? You know, so yes, definitely there should be a requirement, but also by the same token, you know, you set these things up, the agencies don't turn in their things on time and us really and senator, we don't have that problem now of agencies of us having to call up an agency. Hey, where's your precision thing? they come in on time and when they request an extension, it's a valid reason and it's an automatic uh yes, you know, get the extension. We just need to know in the process where your review is. Why isn't it here or why you don't think it'll be here in 30 days? So, we don't have a problem with it. That's not what's causing the delay. I think what's causing the delay, quote unquote delay, is that public hearing requirement. And again, it's setting a public hearing is very, very hard. If you want a public hearing uh on the 25th, you don't send your notice to the paper on the 22nd. You send it 25 days prior to that day, you know, and before you do that, somebody's got to go check who are your neighbors, you know, they check to see who you give the notice out to besides the big notice and like that. So maybe looking at the bill maybe it seems that the issue in the bill is the uh three MPC hearings but it's actually only two hearings one for the uh the uh land management and if the MPC and the mayors were good when we set up the land management hearing why don't you just come to that hearing and get all that information on it rather than having to set up another public hearing get the consultants in again to do the same thing over probably at night and like that and probably two or three members of the MPC. Some MPCs are very good you know at keeping their mandates you know on it but some of them you know like and you know most of these applications they're not down in Malessso

or uh in Inalahan some of them are the great majority of applications are Tamuning, Dededo, that's the way it is so to me I think and again I can't say I support the bill or not support it because I don't see what the end is but let's identify the problem where is that quote unquote delay my opinion in running the GLUC as executive secretary it's that public house uh public hearing requirement that's where the delay is I don't think there's any delay coming back from uh the agencies on it you know I I've never had that problem with the agencies where man you got to get that thing in because uh you know something like that you know and if they see that it's a complicated review they'll ask for the extension which is allowed You know, the only other one that I can think of that may speed up things is probably in the rules and regulations for the GLUC. You have an application is processed is presented for a vote on say um the meeting of the commission say on May 4th. That application really is not approved technically legally until you have the following meeting where the minutes are approved or not. If the minutes are approved and all the action that was taken before that, you know, I don't agree with that as an administrator. You have uh you have public hearings, you have it uh online and like that. I think if that application is approved there uh September 6, then it's September 6 not have to wait until the next one-month meeting to actually confirm that it is uh approved like that and then you also have to send it down to the legislature to see if they have to say anything about it. Hey, you already delegated the zoning authority to the land use commission. Why does it have to come back here again to uh to do it? you know, and then of course it goes down to the governor again for her approval, you know, but chief executive officers administrator, I think they should require her signature, but to get it back down here to the legislature where they can have a second, third bite on that thing, I you know, I used to work for the legislature, but uh you know, I don't think they should. So, so that one month time of the minutes being approved and then technically that's the approval of the project. I think we can cut a month of out of the project, you know, out of the process on that. So, I think that's it. And um I am disappointed that the mayors are not here, but you know, they've been really busy and especially for Barrigada since we won that thing. Uh I think they're still celebrating for the float, you know, but thank you for the opportunity. And I do want to say that uh you know uh there were some people there, oh it's taking so long and like that. I say, "How about you, Mr. Borja are you going to go?" I said, "I'm 75. I'll stick around. I'm used to this." All right. Thank you very much.

Chairman Ada recognized **Senator Telo T. Taitague**.

Senator Taitague said that what we have a problem with people being able to rent affordable house. We open it up to anybody and we're just creating places for military to rent and that was our biggest problem with a lot of apartments and homes being rented out to military and it's undercutting people who can't afford it. She asked Ms. Leon Guerrero if she has had an opportunity to collaborate with EPA when she did her testimony.

Ms. Leon Guerrero said that it was Deputy Director Matt (Santos) that spoke with Michelle (Lastimoza of GEPA). She said we have one staff at GCMP that does part of the ARC, and they have back up. So, they have asked for extensions, and they try to accommodate a turnaround and when there is an issue with staff being sick or other pressing activities, they have had to ask for an extension.

Senator Taitague pointed out that in order to process the legislation, she recommends allocating funding to support the hiring of additional personnel. She asked **Mr. Borja** if 45 calendar days is enough time to adopt procedural guidelines.

Mr. Borja said he would have to look at the administrative adjudication law and implementation of rules, but he doesn't think so.

Chairman Ada thanked **Senator Taitague** and recognized **Senator Joe S. San Agustin**.

Senator San Agustin said we're going to address the timeline mentioned by Mr. Borja and maybe we can just reward it where the mayors are going to meet or when the managers are going to mee so they

can gather the information together. He asked that they send in information about staff they will need, how many people and how much it will cost.

Mr. Borja said he submitted a financial impact statement to BBMR as requested by them.

Chairman Ada thanked the panel and his colleagues and adjourned the public hearing at 7:23 pm.

The public hearing was adjourned at **7:23 PM**.

III. FINDINGS & RECOMMENDATIONS

The Committee finds that Bill No. 164-38(COR) provides an alternative to create affordable housing. The bill allows for expedited zoning changes or variances for tracks of land in exchange for the owner's agreement to keep the price housing affordable through a Land Use Restriction Agreement (LURA). This agreement requires the landowner to keep the property available for affordable housing for a period of not less than 10 years.

The committee further finds that the Bureau of Statistics and Plans (BSP) role envisioned in the original bill would create a burden on this agency. The committee accepted amendments suggested by the author that remove BSP from the role intended in the original bill. The amended bill requires nitrogen reducing septic systems to be used for single family housing for units constructed over the Ground Water Protection Zone. It prohibits the use of septic systems for multifamily units and expressly requires multifamily units to be connected to the sewer system.

The committee further finds that the affordable housing plan envisioned by the bill to not be comprehensive but a single alternative to affordable housing. Other options include mixed housing programs (affordable and market housing in the same subdivision) such as those used in the Kapolei and Westlock projects on the island of Oahu in the State of Hawaii, credit enhancement programs recognized by secondary mortgage market purchasers of mortgage FHLMC (Federal Home Loan Mortgage Corporation or Freddie Mac) and FNMA (Federal National Mortgage Association or Fannie Mae), down payment reduction mortgage insurance programs such as FHA, VA and PMI (private mortgage insurance) and federal tax programs such as mortgage revenue bonds and credit certificates.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure hereby reports out **Bill No. 164-38 (COR) As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure** – Tina Rose Muña Barnes, Joe S. San Agustin, William A. Parkinson – “AN ACT TO ADD A NEW ARTICLE2A TO CHAPTER 61 OF TITLE 21, GUAM COD ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING,” with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 164-38 (COR)

Introduced by:

Tina Rose Muna Barnes
Joe S. San Agustin
William A. Parkinson

**AN ACT TO *ADD* A NEW ARTICLE 2A TO CHAPTER 61
OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE
TO STREAMLINING THE ZONING LAW FOR
AFFORDABLE HOUSING.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Guam is facing a significant housing supply shortage, which has been further strained by the ongoing relocation of U.S. Marines from Okinawa, the expansion of military facilities, and the accompanying influx of civilian support personnel and private contractors. These factors, having disproportionately increased housing demand without a corresponding increase in the supply of residential housing, create severe market imbalances.

Compounding this imbalance are rising costs of concrete, rebar, and construction materials and labor availability challenges with the limited pool of skilled local labor being utilized for on base projects. Although private sector developers may access H-2B labor similar to military contractors, regulatory and administrative constraints continue to hinder streamlined housing production.

There exists a critical need to increase the supply of affordable housing units, particularly for low- to moderate-income households earning between 50% and

1 150% of Guam’s Area Median Income (AMI), as defined by the U.S. Department
2 of Housing and Urban Development (HUD). A review of Guam’s current median
3 household income versus the median price of a home reveals an alarming
4 affordability gap, indicating that conventional market-driven solutions alone are
5 insufficient.

6 Furthermore, the Federal Housing Administration (FHA) mandates that
7 multifamily developments aimed at middle-income households include a Land Use
8 Restriction Agreement (LURA) as a requirement for eligibility under FHA
9 underwriting guidelines. A LURA serves as a legally binding agreement to maintain
10 affordability by limiting rents and tenant income levels for a specified duration.
11 Therefore, the intent of this Act is to enforce the mandatory inclusion of a LURA as
12 a prerequisite for participation in Guam’s affordable housing program. This aligns
13 Guam’s local housing policies with federal FHA multifamily financing
14 requirements.

15 *I Liheslaturan Guåhan* further recognizes that dormant lands may represent
16 untapped opportunities for targeted development; however, a comprehensive
17 inventory of R-1 and R-2 lands is critically lacking. A deeper understanding of
18 existing R-1 and R-2 inventory will be crucial to strategic planning and identifying
19 the highest-yield zoning conversions.

20 *I Liheslaturan Guåhan* further finds that current public hearing and planning
21 Council mandates—such as the requirement for three (3) Mayors Planning Council
22 (MPC) meetings per zoning application—may unnecessarily delay otherwise
23 meritorious and time-sensitive affordable housing projects. These delays are
24 particularly burdensome where grant deadlines, financing timelines, or escrow
25 closing conditions require certainty in zoning approvals. Therefore, this Act
26 authorizes a flexible, mayor-led approach to MPC hearings, reducing duplication for

1 non-controversial projects, while still ensuring meaningful community engagement
2 and adherence to the Open Government Law.

3 It is therefore the intent of *I Liheslaturan Guåhan* to –

- 4 • Streamline the zoning process to support the rapid development of
5 affordable and multifamily housing through appropriate conversions of
6 existing zones such as Agricultural (A), R-1, Commercial (C), Hotel
7 (H), and Planned Unit Developments (PUDs), subject to clear
8 environmental, infrastructure, and planning standards;
- 9 • Reinforce transparency and legitimacy in the zoning process by vesting
10 zoning designation authority in the Guam Land Use Commission
11 (GLUC), whose members are appointed by the Governor and
12 confirmed by *I Liheslaturan Guåhan*, with planning guidance provided
13 by the Bureau of Statistics and Plans (BSP) and administrative
14 processing handled by the Department of Land Management (DLM);
- 15 • Ensure that developments located over the Northern Guam Lens
16 Aquifer (NGLA) or other designated water resource protection areas
17 are connected to municipal sewer infrastructure when available, or
18 utilize advanced, environmentally sustainable waste treatment systems
19 where sewer infrastructure is unavailable;
- 20 • Respect the statutory height limitations defined under Guam zoning
21 law, particularly the 30-foot maximum height restriction for areas
22 outside Hagåtña, unless a variance is duly granted by the GLUC;
- 23 • Provide flexibility in the public hearing process, particularly by
24 empowering mayors to determine the necessity of Municipal Planning
25 Council (MPC) hearings following participation in DLM’s municipal

1 public hearing process, thereby reducing duplicative requirements for
2 non-controversial projects;

- 3 • Define the application of Land Use Restriction Agreements (LURAs)
4 to ensure a minimum 10-year affordability period post-certificate of
5 occupancy, with appropriate monitoring and enforcement provisions to
6 ensure compliance;
- 7 • Align permitting deadlines with agency capacity and due process
8 requirements, including the submission and timely review of ARC
9 agency position papers, to enable a more efficient—but still publicly
10 accountable—approval process.

11 Through these reforms, *I Liheslaturan Guåhan* seeks to strike a balance
12 between increasing affordable housing supply, maintaining environmental
13 safeguards, and ensuring proper community engagement and agency oversight.

14 **Section 2.** A new Article 2A is *added* to Chapter 61, Title 21, Guam Code
15 Annotated, to read:

16 **“Article 2A**

17 **Affordable Housing Streamline Zoning Act of 2025**

18
19 **§ 612A01. Short Title.** This Act may be cited as the “Affordable Housing
20 Streamline Zoning Act of 2025.”

21 **§ 612A02. Definitions.**

22 For the purposes of this Act:

23 (a) "Department" means the Department of Land Management (DLM) of
24 Guam.

25 (b) “Affordable housing” means housing units designated for families earning
26 between 50% and 150% of the Area Median Income of Guam.

1 (c) "Land Use Restriction Agreement (LURA)" means a deed restriction that
2 ensures that the property remains designated for affordable housing, and meets U.S.
3 Department of Housing and Urban Development (HUD) 50% - 150% of the Area
4 Median Income as per HUD Designated High-Cost Living Area. A LURA executed
5 under this Act shall require the affordability designation to remain in effect for a
6 period of ten (10) years from the date of issuance of the certificate of occupancy, in
7 compliance with Federal Housing Administration (FHA) lender underwriting
8 requirements."

9 **"§ 612A03. Streamlined Zoning Process.**

10 (a) The Bureau of Statistics and Plans (BSP), as Guam's designated land use
11 planning agency, shall issue planning guidelines and long-range zoning policies.
12 BSP shall transmit any position statements for applications submitted under this Act
13 to the Department of Land Management (DLM) within thirty (30) calendar days of
14 receipt. All other zoning applications outside this Act shall remain subject to BSP's
15 standard review timelines.

16 (b) The Guam Land Use Commission (GLUC), composed of members
17 appointed by *I Maga'låhi/ I Maga'håga* (the Governor) and confirmed by *I*
18 *Liheslaturan Guåhan*, shall be the approving authority for zone designations under
19 this Act and must comply with Application Review Committee (ARC) and GLUC
20 final approval. DLM shall serve as the implementing agency.

21 (1) Upon submission of a complete rezoning application under this Act,
22 DLM shall facilitate the review and forward the application, along with BSP's
23 comments and the Mayor's resolution, to GLUC for a preliminary zoning
24 determination. This zoning decision shall serve as a conditional zoning
25 approval, limited to rezoning purposes only.

26 (2) Final approval of the proposed development, including site plans,
27 permits, and use compliance, shall occur separately via the Application

1 Review Committee (ARC) and GLUC, in accordance with standard processes
2 and procedures.

3 (3) GLUC shall have the authority to designate zones specifically for:

4 (A) Single Family Dwellings (R-1).

5 (B) Multi Family Dwellings (R-2) targeting low to moderate-
6 income communities.

7 (C) Zoning Conversion to R2. Zones defined as A
8 [Agricultural], R1 [Single-Family Residential], C [Commercial], H
9 (Hotel), or Planned Unit Development may be converted to R2 [Multi-
10 Family Residential] zoning, provided the conversion complies with all
11 applicable regulations and standards set forth for R2 zones, including
12 but not limited to - density, building height, setback requirements, and
13 parking. Building height for R-2 conversions shall be subject to the
14 maximum height limitations provided in § 61401, Article 4, Chapter
15 61, Title 21, Guam Code Annotated. In areas outside the Hagåtña
16 Central Business District, building height shall not exceed thirty (30)
17 feet unless a variance is granted by the Guam Land Use Commission
18 (GLUC).

19 (4) Zoning Conversion to R1. Zones defined as A (Agricultural) may
20 be converted to R1 (Single-Family Residential) zoning, provided the
21 conversion complies with all applicable regulations and standards set forth for
22 R1 zones, including but not limited to - density, building height, setback
23 requirements, and parking.

24 **§ 612A04. Zoning Conversion. Compliance and Enforcement.**

25 (a) Any development undergoing zoning conversion under § 612A03(b)(3)
26 and § 612A03(b)(4) shall adhere to all current environmental regulations, building
27 codes, and urban planning guidelines.

1 **(b) The Department of Land Management (DLM) shall oversee the**
2 **enforcement of zoning conversions to ensure compliance with all stipulated**
3 **conditions and standards.**

4 **(c) Violations of zoning conversion regulations may result in penalties,**
5 **including fines and revocation of conversion approvals.**

6 **(d) Applications for such zoning designations shall be expedited, and the**
7 **Department must approve or deny an application within thirty (30) days of**
8 **submission.**

9 **(e) A Land Use Restriction Agreement (LURA) executed pursuant to this Act**
10 **shall require the property to remain restricted for affordable housing for a period of**
11 **ten (10) years from the date of certificate of occupancy. The agreement shall be**
12 **recorded with the Department of Land Management (DLM) and shall include**
13 **provisions for monitoring, enforcement, and penalties for early termination or non-**
14 **compliance.**

15 **(f) Developments located over the Northern Guam Lens Aquifer (NGLA) or**
16 **within designated water resource protection areas shall be required to connect to an**
17 **existing municipal sewer system, if accessible. Where municipal sewer**
18 **infrastructure is not available, the developer shall install advanced nitrogen-reducing**
19 **on-site wastewater disposal systems approved by the Guam Environmental**
20 **Protection Agency (GEPA). The Department of Land Management (DLM), in**
21 **coordination with GEPA, shall promulgate rules and enforcement schedules to**
22 **ensure ongoing maintenance and compliance of said systems, including mandatory**
23 **biennial inspections. Funding mechanisms may be identified by DLM for**
24 **enforcement personnel to fulfill this mandate.”**

25 **§ 612A05. Application Requirements.**

26 **(a) All proposed developments under this Act must comply with relevant**
27 **permitting requirements administered by the Application Review Committee (ARC)**

1 and the Guam Land Use Commission (GLUC) prior to issuance of final development
2 approvals.

3 (b) Developers must obtain a resolution from the Mayor of the impacted
4 municipality confirming that community engagement has occurred. The Mayor shall
5 convene a single Municipal Planning Council (MPC) meeting, held on the same day
6 as the Department of Land Management’s municipal public hearing, for the purposes
7 of soliciting community input and adopting a resolution of support.

8 (c) The Mayor’s resolution, reflecting MPC participation, shall be transmitted
9 to DLM and appended to the application file. The Mayor and MPC may submit
10 additional comments to the GLUC during final ARC and GLUC review proceedings.
11 This process shall not preclude additional community engagement during the
12 subsequent GLUC approval stages.”

13 **§ 612A06. Reporting and Oversight.**

14 (a) The Department shall report annually to the Legislature on the number of
15 applications received, approved, and the status of developments under this Act.

16 (b) This report shall include an assessment of the effectiveness of the
17 streamlined process in addressing the housing shortage.”

18 **§ 612A07. Streamlined Public Hearing and Mayor’s Planning /council**
19 **(MPC) Review Process for Affordable Housing Projects.**

20 (a) The Mayor of the impacted municipality shall convene a single MPC
21 public hearing held concurrently with or immediately following the Department of
22 Land Management’s (DLM) municipal public hearing for the rezoning application.
23 This joint public hearing shall fulfill the statutory public notice and community input
24 requirements set forth in § 61106 of Title 21 GCA.

25 (b) Following the hearing, the Mayor shall issue a resolution confirming the
26 MPC’s recommendation and certifying that community engagement has occurred.

1 This resolution shall be submitted to DLM no later than seven (7) calendar days after
2 the hearing.

3 (c) The resolution shall address zoning designation only. The Mayor and MPC
4 shall retain the right to submit additional feedback during subsequent ARC and
5 GLUC proceedings regarding the final development application.

6 (d) The provisions of this section shall apply exclusively to zoning conversion
7 or conditional use applications submitted under this Act for affordable or mixed-
8 income housing developments serving households earning between 50% and 150%
9 of Guam's AMI.

10 (e) The Department of Land Management shall adopt procedural guidelines
11 within forty-five (45) calendar days of enactment of this Act to ensure compliance
12 with the expedited zoning process, and shall ensure that all zoning determinations
13 are issued within ninety (90) calendar days of receipt of a complete application.”

14 **Section 3. Severability.** If any provision of this Act or its application to any
15 person or circumstance is found to be invalid or inorganic, such invalidity shall not
16 affect other provisions or applications of this Act which can be given effect without
17 the invalid provisions or application, and to this end the provisions of this Act are
18 severable.

19 **Section 4. Effective Date.** This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 164-38 (COR)

as amended by the Committee on Land,
Environment, Housing, Agriculture, Parks,
and Infrastructure

Introduced by:

Tina Rose Muna Barnes
Joe S. San Agustin
William A. Parkinson

**AN ACT TO *ADD* A NEW ARTICLE 2A TO CHAPTER 61
OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE
TO STREAMLINING THE ZONING LAW FOR
AFFORDABLE HOUSING.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Guam is facing a significant housing supply shortage, which has been further strained by the ongoing relocation of U.S. Marines from Okinawa, the expansion of military facilities, and the accompanying influx of civilian support personnel and private contractors. These factors, having disproportionately increased housing demand without a corresponding increase in the supply of residential housing, create severe market imbalances.

Compounding this imbalance are rising costs of concrete, rebar, and construction materials and labor availability challenges with the limited pool of skilled local labor being utilized for on base projects. Although private sector developers may access H-2B labor similar to military contractors, regulatory and administrative constraints continue to hinder streamlined housing production.

1 There exists a critical need to increase the supply of affordable housing units,
2 particularly for low- to moderate-income households earning between 50% and
3 150% of Guam’s Area Median Income (AMI), as defined by the U.S. Department
4 of Housing and Urban Development (HUD). A review of Guam’s current median
5 household income versus the median price of a home reveals an alarming
6 affordability gap, indicating that conventional market-driven solutions alone are
7 insufficient.

8 Furthermore, the Federal Housing Administration (FHA) mandates that
9 multifamily developments aimed at middle-income households include a Land Use
10 Restriction Agreement (LURA) as a requirement for eligibility under FHA
11 underwriting guidelines. A LURA serves as a legally binding agreement to maintain
12 affordability by limiting rents and tenant income levels for a specified duration.
13 Therefore, the intent of this Act is to enforce the mandatory inclusion of a LURA as
14 a prerequisite for participation in Guam’s affordable housing program. This aligns
15 Guam’s local housing policies with federal FHA multifamily financing
16 requirements.

17 *I Liheslaturan Guåhan* further recognizes that dormant lands may represent
18 untapped opportunities for targeted development; however, a comprehensive
19 inventory of R-1 and R-2 lands is critically lacking. A deeper understanding of
20 existing R-1 and R-2 inventory will be crucial to strategic planning and identifying
21 the highest-yield zoning conversions.

22 *I Liheslaturan Guåhan* further finds that current public hearing and planning
23 Council mandates—such as the requirement for three (3) Mayors Planning Council
24 (MPC) meetings per zoning application—may unnecessarily delay otherwise
25 meritorious and time-sensitive affordable housing projects. These delays are
26 particularly burdensome where grant deadlines, financing timelines, or escrow
27 closing conditions require certainty in zoning approvals. Therefore, this Act

1 authorizes a flexible, mayor-led approach to MPC hearings, reducing duplication for
2 non-controversial projects, while still ensuring meaningful community engagement
3 and adherence to the Open Government Law.

4 It is therefore the intent of *I Liheslaturan Guåhan* to –

- 5 • Streamline the zoning process to support the rapid development of
6 affordable and multifamily housing through appropriate conversions of
7 existing zones such as Agricultural (A), R-1, Commercial (C), Hotel
8 (H), and Planned Unit Developments (PUDs), subject to clear
9 environmental, infrastructure, and planning standards;
- 10 • Reinforce transparency and legitimacy in the zoning process by vesting
11 zoning designation authority in the Guam Land Use Commission
12 (GLUC), whose members are appointed by the Governor and
13 confirmed by *I Liheslaturan Guåhan*, with administrative processing
14 handled by the Department of Land Management (DLM);
- 15 • Ensure that developments located over the Northern Guam Lens
16 Aquifer (NGLA) or other designated water resource protection areas
17 are connected to municipal sewer infrastructure when available, or
18 utilize advanced, environmentally sustainable waste treatment systems
19 where sewer infrastructure is unavailable;
- 20 • Respect the statutory height limitations defined under Guam zoning
21 law, particularly the 30-foot maximum height restriction for areas
22 outside Hagåtña, unless a variance is duly granted by the GLUC;
- 23 • Provide flexibility in the public hearing process, particularly by
24 empowering mayors to determine the necessity of Municipal Planning
25 Council (MPC) hearings following participation in DLM’s municipal

1 public hearing process, thereby reducing duplicative requirements for
2 non-controversial projects;

- 3 • Define the application of Land Use Restriction Agreements (LURAs)
4 to ensure a minimum 15-year affordability period post-certificate of
5 occupancy, with appropriate monitoring and enforcement provisions to
6 ensure compliance;
- 7 • Align permitting deadlines with agency capacity and due process
8 requirements, including the submission and timely review of ARC
9 agency position papers, to enable a more efficient—but still publicly
10 accountable—approval process.

11 Through these reforms, *I Liheslaturan Guåhan* seeks to strike a balance
12 between increasing affordable housing supply, maintaining environmental
13 safeguards, and ensuring proper community engagement and agency oversight.

14 **Section 2.** A new Article 2A is *added* to Chapter 61, Title 21, Guam Code
15 Annotated, to read:

16 **“Article 2A**

17 **Affordable Housing Streamline Zoning Act of 2025**

18
19 **§ 612A01. Short Title.** This Act may be cited as the “Affordable Housing
20 Streamline Zoning Act of 2025.”

21 **§ 612A02. Definitions.**

22 For the purposes of this Act:

23 (a) "Department" means the Department of Land Management (DLM) of
24 Guam.

25 (b) “Affordable housing” means housing units designated for families earning
26 between 50% and 150% of the Area Median Income of Guam.

1 (c) “Land Use Restriction Agreement (LURA)” means a deed restriction that
2 ensures that the property remains designated for affordable housing, and meets U.S.
3 Department of Housing and Urban Development (HUD) 50% - 150% of the Area
4 Median Income as per HUD Designated High-Cost Living Area. A LURA executed
5 under this Act shall require the affordability designation to remain in effect for a
6 period of ten (10) years from the date of issuance of the certificate of occupancy, in
7 compliance with Federal Housing Administration (FHA) lender underwriting
8 requirements.”

9 **“§ 612A03. Streamlined Zoning Process.**

10 (a) The Bureau of Statistics and Plans (BSP), as Guam’s designated land use
11 planning agency, shall issue planning guidelines and long-range zoning policies.
12 BSP shall transmit any position statements for applications submitted under this Act
13 to the Department of Land Management (DLM) within thirty (30) calendar days of
14 receipt. If BSP determines that a specific rezoning application requires additional
15 technical analysis or review time due to staffing limitations or the complexity of the
16 proposed development, BSP may request a conditional extension of no more than
17 thirty (30) additional calendar days. Such request shall be submitted in writing to
18 DLM and copied to the applicant, stating the justification for the extension. To
19 support the effective implementation of this Act and ensure timely processing of
20 applications under the streamlined zoning process, appropriations may be made to
21 BSP for the recruitment and hiring of qualified planning personnel or consultants, as
22 well as for the acquisition, maintenance, and enhancement of Geographic
23 Information System (GIS) resources and other technical infrastructure necessary to
24 support land use analysis and zoning reviews. All other zoning applications outside
25 this Act shall remain subject to BSP’s standard review timelines.

26 (b) The Guam Land Use Commission (GLUC), composed of members
27 appointed by *I Maga’låhi/ I Maga’håga* (the Governor) and confirmed by *I*

1 Liheslaturan Guåhan, shall be the approving authority for zone designations under
2 this Act. The GLUC shall consider recommendations and advisory input provided
3 by the Application Review Committee (ARC) in its deliberations. DLM shall serve
4 as the implementing agency.

5 (1) Upon submission of a complete rezoning application under this Act,
6 DLM shall facilitate the review and forward the application, along with the
7 Mayor's resolution, to GLUC for a preliminary zoning determination. This
8 zoning decision shall serve as a conditional zoning approval, limited to
9 rezoning purposes only.

10 (2) Final approval of the proposed development, including site plans,
11 permits, and use compliance, shall occur separately via the Application
12 Review Committee (ARC) and GLUC, in accordance with standard processes
13 and procedures.

14 (3) GLUC shall have the authority to designate zones specifically for:

15 (A) Single Family Dwellings (R-1).

16 (B) Multi Family Dwellings (R-2) targeting low to moderate-
17 income communities.

18 (C) Zoning Conversion to R2. Zones defined as A
19 [Agricultural], R1 [Single-Family Residential], C [Commercial], H
20 (Hotel), or Planned Unit Development may be converted to R2 [Multi-
21 Family Residential] zoning, provided the conversion complies with all
22 applicable regulations and standards set forth for R2 zones, including
23 but not limited to - density, building height, setback requirements, and
24 parking. Building height for R-2 conversions shall be subject to the
25 maximum height limitations provided in § 61401, Article 4, Chapter
26 61, Title 21, Guam Code Annotated. In areas outside the Hagåtña
27 Central Business District, building height shall not exceed thirty (30)

1 feet unless a variance is granted by the Guam Land Use Commission
2 (GLUC).

3 (4) Zoning Conversion to R1. Zones defined as A (Agricultural) may
4 be converted to R1 (Single-Family Residential) zoning, provided the
5 conversion complies with all applicable regulations and standards set forth for
6 R1 zones, including but not limited to - density, building height, setback
7 requirements, and parking.

8 **§ 612A04. Zoning Conversion. Compliance and Enforcement.**

9 (a) Any development undergoing zoning conversion under § 612A03(b)(3)
10 and § 612A03(b)(4) shall adhere to all current environmental regulations, building
11 codes, and urban planning guidelines.

12 (b) The Department of Land Management (DLM) shall oversee the
13 enforcement of zoning conversions to ensure compliance with all stipulated
14 conditions and standards.

15 (c) Violations of zoning conversion regulations may result in penalties,
16 including fines and revocation of conversion approvals.

17 (d) Applications for such zoning designations shall be expedited, and the
18 Department must approve or deny an application within thirty (30) days of
19 submission.

20 (e) A Land Use Restriction Agreement (LURA) executed pursuant to this Act
21 shall require the property to remain restricted for affordable housing for a period of
22 ten (10) years from the date of certificate of occupancy. The agreement shall be
23 recorded with the Department of Land Management (DLM) and shall include
24 provisions for monitoring, enforcement, and penalties for early termination or non-
25 compliance.

1 (f) Developments located over the Northern Guam Lens Aquifer (NGLA) or
2 within designated water resource protection areas shall be required to connect to an
3 existing municipal sewer system, if accessible.

4 (1) Where municipal sewer infrastructure is not available:

5 (A) Only single-family detached dwellings shall be permitted to install
6 advanced nitrogen-reducing on-site wastewater disposal systems, provided
7 such systems are approved by the Guam Environmental Protection Agency
8 (GEPA), are located outside the primary groundwater recharge area, and meet
9 all applicable siting, setback, and performance standards; and

10 (B) Multi-family housing projects, apartment buildings, and
11 subdivisions shall be prohibited from using nitrogen-reducing on-site
12 wastewater disposal systems within the NGLA or designated groundwater
13 protection zones. These developments shall be required to connect to a public
14 sewer system or otherwise demonstrate compliance with all GEPA
15 requirements for wastewater infrastructure in sensitive recharge areas.

16 (2) The Department of Land Management (DLM), in coordination with
17 GEPA, shall promulgate rules and enforcement schedules to ensure ongoing
18 maintenance and compliance of said systems, including mandatory biennial
19 inspections. Funding mechanisms may be identified by DLM for enforcement
20 personnel to fulfill this mandate.”

21 (3) All provisions of this subsection shall be subject to the land use
22 management policy set forth in § 5101(c)(1)(B) of Chapter 5 GARR, the Guam
23 Environmental Protection Agency Water Quality Standards, which states that high-
24 density residential development - defined as more than one (1) dwelling per one-half
25 (½) acre should not occur within the Groundwater Protection Zone unless adequate
26 public sewer service is available.”

27 **§ 612A05. Application Requirements.**

1 (a) All proposed developments under this Act must comply with relevant
2 permitting requirements administered by the Application Review Committee (ARC)
3 and the Guam Land Use Commission (GLUC) prior to issuance of final development
4 approvals.

5 (b) Developers must obtain a resolution from the Mayor of the impacted
6 municipality confirming that community engagement has occurred. The Mayor shall
7 convene a single Municipal Planning Council (MPC) meeting, held on the same day
8 as the Department of Land Management’s municipal public hearing, for the purposes
9 of soliciting community input and adopting a resolution of support.

10 (c) The Mayor’s resolution, reflecting MPC participation, shall be transmitted
11 to DLM and appended to the application file. The Mayor and MPC may submit
12 additional comments to the GLUC during final ARC and GLUC review proceedings.
13 This process shall not preclude additional community engagement during the
14 subsequent GLUC approval stages.”

15 **§ 612A06. Reporting and Oversight.**

16 (a) The Department shall report annually to the Legislature on the number of
17 applications received, approved, and the status of developments under this Act.

18 (b) This report shall include an assessment of the effectiveness of the
19 streamlined process in addressing the housing shortage.”

20 **§ 612A07. Streamlined Public Hearing and Mayor’s Planning /council**
21 **(MPC) Review Process for Affordable Housing Projects.**

22 (a) The Mayor of the impacted municipality shall convene a single MPC
23 public hearing held concurrently with or immediately following the Department of
24 Land Management’s (DLM) municipal public hearing for the rezoning application.
25 This joint public hearing shall fulfill the statutory public notice and community input
26 requirements set forth in § 61106 of Title 21 GCA.

1 **(b) Following the hearing, the Mayor shall issue a resolution confirming the**
2 **MPC’s recommendation and certifying that community engagement has occurred.**
3 **This resolution shall be submitted to DLM no later than seven (7) calendar days after**
4 **the hearing.**

5 **(c) The resolution shall address zoning designation only. The Mayor and MPC**
6 **shall retain the right to submit additional feedback during subsequent ARC and**
7 **GLUC proceedings regarding the final development application.**

8 **(d) The provisions of this section shall apply exclusively to zoning conversion**
9 **or conditional use applications submitted under this Act for affordable or mixed-**
10 **income housing developments serving households earning between 50% and 150%**
11 **of Guam’s AMI.**

12 **(e) The Department of Land Management shall adopt procedural guidelines**
13 **within forty-five (45) calendar days of enactment of this Act to ensure compliance**
14 **with the expedited zoning process, and shall ensure that all zoning determinations**
15 **are issued within ninety (90) calendar days of receipt of a complete application.”**

16 **Section 3. Severability.** If any provision of this Act or its application to any
17 person or circumstance is found to be invalid or inorganic, such invalidity shall not
18 affect other provisions or applications of this Act which can be given effect without
19 the invalid provisions or application, and to this end the provisions of this Act are
20 severable.

21 **Section 4. Effective Date.** This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 164-38 (COR)

as amended by the Committee on Land,
Environment, Housing, Agriculture, Parks
and Infrastructure

Introduced by:

Tina Rose Muna Barnes
Joe S. San Agustin
William A. Parkinson

**AN ACT TO *ADD* A NEW ARTICLE 2A TO CHAPTER 61
OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE
TO STREAMLINING THE ZONING LAW FOR
AFFORDABLE HOUSING.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Guam is facing a significant housing supply shortage, which has been further strained by the ongoing relocation of U.S. Marines from Okinawa, the expansion of military facilities, and the accompanying influx of civilian support personnel and private contractors. These factors, having disproportionately increased housing demand without a corresponding increase in the supply of residential housing, create severe market imbalances.

Compounding this imbalance are rising costs of concrete, rebar, and construction materials and labor availability challenges with the limited pool of skilled local labor being utilized for on base projects. Although private sector developers may access H-2B labor similar to military contractors, regulatory and administrative constraints continue to hinder streamlined housing production.

1 There exists a critical need to increase the supply of affordable housing units,
2 particularly for low- to moderate-income households earning between 50% and
3 150% of Guam’s Area Median Income (AMI), as defined by the U.S. Department
4 of Housing and Urban Development (HUD). A review of Guam’s current median
5 household income versus the median price of a home reveals an alarming
6 affordability gap, indicating that conventional market-driven solutions alone are
7 insufficient.

8 Furthermore, the Federal Housing Administration (FHA) mandates that
9 multifamily developments aimed at middle-income households include a Land Use
10 Restriction Agreement (LURA) as a requirement for eligibility under FHA
11 underwriting guidelines. A LURA serves as a legally binding agreement to maintain
12 affordability by limiting rents and tenant income levels for a specified duration.
13 Therefore, the intent of this Act is to enforce the mandatory inclusion of a LURA as
14 a prerequisite for participation in Guam’s affordable housing program. This aligns
15 Guam’s local housing policies with federal FHA multifamily financing
16 requirements.

17 *I Liheslaturan Guåhan* further recognizes that dormant lands may represent
18 untapped opportunities for targeted development; however, a comprehensive
19 inventory of R-1 and R-2 lands is critically lacking. A deeper understanding of
20 existing R-1 and R-2 inventory will be crucial to strategic planning and identifying
21 the highest-yield zoning conversions.

22 *I Liheslaturan Guåhan* further finds that current public hearing and planning
23 Council mandates—such as the requirement for three (3) Mayors Planning Council
24 (MPC) meetings per zoning application—may unnecessarily delay otherwise
25 meritorious and time-sensitive affordable housing projects. These delays are
26 particularly burdensome where grant deadlines, financing timelines, or escrow
27 closing conditions require certainty in zoning approvals. Therefore, this Act

1 authorizes a flexible, mayor-led approach to MPC hearings, reducing duplication for
2 non-controversial projects, while still ensuring meaningful community engagement
3 and adherence to the Open Government Law.

4 It is therefore the intent of *I Liheslaturan Guåhan* to –

- 5 • Streamline the zoning process to support the rapid development of
6 affordable and multifamily housing through appropriate conversions of
7 existing zones such as Agricultural (A), R-1, Commercial (C), Hotel
8 (H), and Planned Unit Developments (PUDs), subject to clear
9 environmental, infrastructure, and planning standards;
- 10 • Reinforce transparency and legitimacy in the zoning process by vesting
11 zoning designation authority in the Guam Land Use Commission
12 (GLUC), whose members are appointed by the Governor and
13 confirmed by *I Liheslaturan Guåhan*, with ~~planning guidance provided~~
14 ~~by the Bureau of Statistics and Plans (BSP) and~~ administrative
15 processing handled by the Department of Land Management (DLM);
- 16 • Ensure that developments located over the Northern Guam Lens
17 Aquifer (NGLA) or other designated water resource protection areas
18 are connected to municipal sewer infrastructure when available, or
19 utilize advanced, environmentally sustainable waste treatment systems
20 where sewer infrastructure is unavailable;
- 21 • Respect the statutory height limitations defined under Guam zoning
22 law, particularly the 30-foot maximum height restriction for areas
23 outside Hagåtña, unless a variance is duly granted by the GLUC;
- 24 • Provide flexibility in the public hearing process, particularly by
25 empowering mayors to determine the necessity of Municipal Planning
26 Council (MPC) hearings following participation in DLM’s municipal

1 public hearing process, thereby reducing duplicative requirements for
2 non-controversial projects;

- 3 • Define the application of Land Use Restriction Agreements (LURAs)
4 to ensure a minimum ~~10~~15-year affordability period post-certificate of
5 occupancy, with appropriate monitoring and enforcement provisions to
6 ensure compliance;
- 7 • Align permitting deadlines with agency capacity and due process
8 requirements, including the submission and timely review of ARC
9 agency position papers, to enable a more efficient—but still publicly
10 accountable—approval process.

11 Through these reforms, *I Liheslaturan Guåhan* seeks to strike a balance
12 between increasing affordable housing supply, maintaining environmental
13 safeguards, and ensuring proper community engagement and agency oversight.

14 **Section 2.** A new Article 2A is *added* to Chapter 61, Title 21, Guam Code
15 Annotated, to read:

16 **“Article 2A**

17 **Affordable Housing Streamline Zoning Act of 2025**

18
19 **§ 612A01. Short Title.** This Act may be cited as the “Affordable Housing
20 Streamline Zoning Act of 2025.”

21 **§ 612A02. Definitions.**

22 For the purposes of this Act:

23 (a) "Department" means the Department of Land Management (DLM) of
24 Guam.

25 (b) “Affordable housing” means housing units designated for families earning
26 between 50% and 150% of the Area Median Income of Guam.

1 (c) "Land Use Restriction Agreement (LURA)" means a deed restriction that
2 ensures that the property remains designated for affordable housing, and meets U.S.
3 Department of Housing and Urban Development (HUD) 50% - 150% of the Area
4 Median Income as per HUD Designated High-Cost Living Area. A LURA executed
5 under this Act shall require the affordability designation to remain in effect for a
6 period of ten (10) years from the date of issuance of the certificate of occupancy, in
7 compliance with Federal Housing Administration (FHA) lender underwriting
8 requirements."

9 **"§ 612A03. Streamlined Zoning Process.**

10 (a) The Bureau of Statistics and Plans (BSP), as Guam's designated land use
11 planning agency, shall issue planning guidelines and long-range zoning policies.
12 BSP shall transmit any position statements for applications submitted under this Act
13 to the Department of Land Management (DLM) within thirty (30) calendar days of
14 receipt. If BSP determines that a specific rezoning application requires additional
15 technical analysis or review time due to staffing limitations or the complexity of the
16 proposed development, BSP may request a conditional extension of no more than
17 thirty (30) additional calendar days. Such request shall be submitted in writing to
18 DLM and copied to the applicant, stating the justification for the extension. To
19 support the effective implementation of this Act and ensure timely processing of
20 applications under the streamlined zoning process, appropriations may be made to
21 BSP for the recruitment and hiring of qualified planning personnel or consultants, as
22 well as for the acquisition, maintenance, and enhancement of Geographic
23 Information System (GIS) resources and other technical infrastructure necessary to
24 support land use analysis and zoning reviews. All other zoning applications outside
25 this Act shall remain subject to BSP's standard review timelines.

26 (b) The Guam Land Use Commission (GLUC), composed of members
27 appointed by *I Maga'låhi/ I Maga'håga* (the Governor) and confirmed by *I*

1 Liheslaturan Guåhan, shall be the approving authority for zone designations under
2 this Act. The GLUC shall consider recommendations and ~~must comply with advisory~~
3 ~~input provided by the~~ Application Review Committee (ARC) ~~and GLUC final~~
4 ~~approval in its deliberations.~~ DLM shall serve as the implementing agency.

5 (1) Upon submission of a complete rezoning application under this Act,
6 DLM shall facilitate the review and forward the application, along with BSP's
7 ~~comments and~~ the Mayor's resolution, to GLUC for a preliminary zoning
8 determination. This zoning decision shall serve as a conditional zoning
9 approval, limited to rezoning purposes only.

10 (2) Final approval of the proposed development, including site plans,
11 permits, and use compliance, shall occur separately via the Application
12 Review Committee (ARC) and GLUC, in accordance with standard processes
13 and procedures.

14 (3) GLUC shall have the authority to designate zones specifically for:

15 (A) Single Family Dwellings (R-1).

16 (B) Multi Family Dwellings (R-2) targeting low to moderate-
17 income communities.

18 (C) Zoning Conversion to R2. Zones defined as A
19 [Agricultural], R1 [Single-Family Residential], C [Commercial], H
20 (Hotel), or Planned Unit Development may be converted to R2 [Multi-
21 Family Residential] zoning, provided the conversion complies with all
22 applicable regulations and standards set forth for R2 zones, including
23 but not limited to - density, building height, setback requirements, and
24 parking. Building height for R-2 conversions shall be subject to the
25 maximum height limitations provided in § 61401, Article 4, Chapter
26 61, Title 21, Guam Code Annotated. In areas outside the Hagåtña
27 Central Business District, building height shall not exceed thirty (30)

1 feet unless a variance is granted by the Guam Land Use Commission
2 (GLUC).

3 (4) Zoning Conversion to R1. Zones defined as A (Agricultural) may
4 be converted to R1 (Single-Family Residential) zoning, provided the
5 conversion complies with all applicable regulations and standards set forth for
6 R1 zones, including but not limited to - density, building height, setback
7 requirements, and parking.

8 **§ 612A04. Zoning Conversion. Compliance and Enforcement.**

9 (a) Any development undergoing zoning conversion under § 612A03(b)(3)
10 and § 612A03(b)(4) shall adhere to all current environmental regulations, building
11 codes, and urban planning guidelines.

12 (b) The Department of Land Management (DLM) shall oversee the
13 enforcement of zoning conversions to ensure compliance with all stipulated
14 conditions and standards.

15 (c) Violations of zoning conversion regulations may result in penalties,
16 including fines and revocation of conversion approvals.

17 (d) Applications for such zoning designations shall be expedited, and the
18 Department must approve or deny an application within thirty (30) days of
19 submission.

20 (e) A Land Use Restriction Agreement (LURA) executed pursuant to this Act
21 shall require the property to remain restricted for affordable housing for a period of
22 ten (10) years from the date of certificate of occupancy. The agreement shall be
23 recorded with the Department of Land Management (DLM) and shall include
24 provisions for monitoring, enforcement, and penalties for early termination or non-
25 compliance.

1 (f) Developments located over the Northern Guam Lens Aquifer (NGLA) or
2 within designated water resource protection areas shall be required to connect to an
3 existing municipal sewer system, if accessible.

4 (1) Where municipal sewer infrastructure is not available, ~~the developer shall:~~

5 (A) Only single-family detached dwellings shall be permitted to install
6 advanced nitrogen-reducing on-site wastewater disposal systems, ~~provided~~
7 such systems are approved by the Guam Environmental Protection Agency
8 (GEPA), are located outside the primary groundwater recharge area, and
9 meet all applicable siting, setback, and performance standards; and

10 (B) Multi-family housing projects, apartment buildings, and
11 subdivisions shall be prohibited from using nitrogen-reducing on-site
12 wastewater disposal systems within the NGLA or designated groundwater
13 protection zones. These developments shall be required to connect to a public
14 sewer system or otherwise demonstrate compliance with all GEPA
15 requirements for wastewater infrastructure in sensitive recharge areas.

16 (2) The Department of Land Management (DLM), in coordination with
17 GEPA, shall promulgate rules and enforcement schedules to ensure ongoing
18 maintenance and compliance of said systems, including mandatory biennial
19 inspections. Funding mechanisms may be identified by DLM for enforcement
20 personnel to fulfill this mandate.”

21 (3) All provisions of this subsection shall be subject to the land use
22 management policy set forth in § 5101(c)(1)(B) of Chapter 5 GARR, the Guam
23 Environmental Protection Agency Water Quality Standards, which states that high-
24 density residential development - defined as more than one (1) dwelling per one-half
25 (½) acre should not occur within the Groundwater Protection Zone unless adequate
26 public sewer service is available.”

27 **§ 612A05. Application Requirements.**

1 (a) All proposed developments under this Act must comply with relevant
2 permitting requirements administered by the Application Review Committee (ARC)
3 and the Guam Land Use Commission (GLUC) prior to issuance of final development
4 approvals.

5 (b) Developers must obtain a resolution from the Mayor of the impacted
6 municipality confirming that community engagement has occurred. The Mayor shall
7 convene a single Municipal Planning Council (MPC) meeting, held on the same day
8 as the Department of Land Management’s municipal public hearing, for the purposes
9 of soliciting community input and adopting a resolution of support.

10 (c) The Mayor’s resolution, reflecting MPC participation, shall be transmitted
11 to DLM and appended to the application file. The Mayor and MPC may submit
12 additional comments to the GLUC during final ARC and GLUC review proceedings.
13 This process shall not preclude additional community engagement during the
14 subsequent GLUC approval stages.”

15 **§ 612A06. Reporting and Oversight.**

16 (a) The Department shall report annually to the Legislature on the number of
17 applications received, approved, and the status of developments under this Act.

18 (b) This report shall include an assessment of the effectiveness of the
19 streamlined process in addressing the housing shortage.”

20 **§ 612A07. Streamlined Public Hearing and Mayor’s Planning /council**
21 **(MPC) Review Process for Affordable Housing Projects.**

22 (a) The Mayor of the impacted municipality shall convene a single MPC
23 public hearing held concurrently with or immediately following the Department of
24 Land Management’s (DLM) municipal public hearing for the rezoning application.
25 This joint public hearing shall fulfill the statutory public notice and community input
26 requirements set forth in § 61106 of Title 21 GCA.

1 **(b) Following the hearing, the Mayor shall issue a resolution confirming the**
2 **MPC’s recommendation and certifying that community engagement has occurred.**
3 **This resolution shall be submitted to DLM no later than seven (7) calendar days after**
4 **the hearing.**

5 **(c) The resolution shall address zoning designation only. The Mayor and MPC**
6 **shall retain the right to submit additional feedback during subsequent ARC and**
7 **GLUC proceedings regarding the final development application.**

8 **(d) The provisions of this section shall apply exclusively to zoning conversion**
9 **or conditional use applications submitted under this Act for affordable or mixed-**
10 **income housing developments serving households earning between 50% and 150%**
11 **of Guam’s AMI.**

12 **(e) The Department of Land Management shall adopt procedural guidelines**
13 **within forty-five (45) calendar days of enactment of this Act to ensure compliance**
14 **with the expedited zoning process, and shall ensure that all zoning determinations**
15 **are issued within ninety (90) calendar days of receipt of a complete application.”**

16 **Section 3. Severability.** If any provision of this Act or its application to any
17 person or circumstance is found to be invalid or inorganic, such invalidity shall not
18 affect other provisions or applications of this Act which can be given effect without
19 the invalid provisions or application, and to this end the provisions of this Act are
20 severable.

21 **Section 4. Effective Date.** This Act shall be effective upon enactment.



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

July 15, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 164-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 164-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research

Fiscal Note of Bill No. 164-38 (COR)

AN ACT TO ADD A NEW ARTICLE 2A TO CHAPTER 61 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE ZONING LAW FOR AFFORDABLE HOUSING.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Land Management

Dept./Agency Head: Joseph M. Borja, Director

Department's General Fund (GF) appropriation(s) to date:

\$504,888

Department's Other Fund appropriation(s) to date: Land Survey Revolving Fund

\$3,306,129

Total Department/Agency Appropriation(s) to date:

\$3,811,087

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2024 Unreserved Fund Balance	\$0	\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? /X/ Yes / / No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? /X/ Yes // No
If no, indicate reason: / / Other

Analyst: MPR Date: 7/14/25 Director: Lester L. Carlson, Jr., Director Date: JUL 14 2025
Michelle Pineda, BMA I

Notes:

^ See Additional Comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH

COMMENTS ON BILL NO. 164-38 (COR)

Bill No. 164-38 intends to add a new Article 2A to Chapter 61 of Title 21, Guam Code Annotated, relative to streamlining the Zoning Law for affordable housing. Per legislative findings, there exists a critical need to increase the supply of affordable housing units, particularly for low-to-moderate-income households. Furthermore, *I Liheslaturan* recognizes that dormant lands may represent untapped opportunities for targeted development.

The proposed legislation seeks to implement the Affordable Housing Streamline Zoning Act of 2025, which sets the parameters for the appropriate conversion of existing zones, subject to clear environmental, infrastructure, and planning standards, while ensuring proper community engagement and agency oversight. The subject Bill seeks to designate zoning authority to the Guam Land Use Commission (GLUC), with planning guidance by the Bureau of Statistics and Plans (BSP), and administrative processing and implementation by the Department of Land Management (DLM). The Bill also intends to implement a mayor-led approach with Municipal Planning Council public hearings to solicit community input and adopt a resolution of support.

According to the Department of Land Management's comments, there are several direct and indirect fiscal impacts due to the Bill's mandates for expedited processes, increased enforcement responsibilities, interagency coordination, and monitoring of long-term compliance. Should the Bill be enacted, DLM emphasizes the need for more planning personnel to perform processing and enforcement duties, such as reviewing rezoning applications, responding to non-compliance, conducting compliance inspections, and auditing Land Use Restriction Agreements (LURA). The department also emphasizes that they will need to develop administrative systems for ongoing inspection costs, compliance tracking, enforcement, and reporting. Although DLM notes that these additional obligations may require a dedicated funding source to ensure successful implementation, they also acknowledge that the Bill does not identify a funding source and leaves that requirement to the department. As per DLM, an upward adjustment of existing fees, along with a fee equity review, will be required relative to other applications to fund this proposed mandate. The Bureau has attached the comments from DLM on the proposed legislation for your information and reference.