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
320-38 (COR)	V. Anthony Ada Christopher M. Dueñas Shelly V. Calvo Jesse A. Lujan Eulogio Shawn Gumataotao William A. Parkinson	AN ACT TO *ADD* A NEW §§ 61527 AND 61314 AND TO *AMEND* § 62101(a) ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE LEGALIZATION OF CERTAIN NONCONFORMING DWELLINGS CONSTRUCTED ON COMMERCIAL ZONED LOTS AND TO CREATE A NEW ZONE DESIGNATION COMMERCIAL-MIXED (CM) ZONE THAT ALLOWS FOR THE CONSTRUCTION OF BOTH COMMERCIAL AND RESIDENTIAL BUILDINGS AND FACILITIES IN THE SAME LOT DESIGNATION.	5/13/26 2:57 p.m.	5/21/26	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 5/21/26 5/27/26	8/25/26 8:30 a.m.	9/15/26	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES
9/28/26	AN ACT TO *ADD* NEW §§ 61527 AND 61314 AND TO *AMEND* § 62101(a) ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE LEGALIZATION OF CERTAIN NONCONFORMING DWELLINGS CONSTRUCTED ON COMMERCIAL ZONED LOTS AND TO CREATE A NEW ZONE DESIGNATION COMMERCIAL-MIXED (CM) ZONE THAT ALLOWS FOR THE CONSTRUCTION OF BOTH COMMERCIAL AND RESIDENTIAL BUILDINGS AND FACILITIES IN THE SAME LOT DESIGNATION.	10/16/26	10/19/26	10/30/26	38-151	10/30/26	Received: 10/30/26 Mess and Comm. Doc. No. 38GL-26-3129

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speakerblas@guamlegislature.org

38GL-26-3129

OFFICE OF THE SPEAKER
FRANK F. BLAS JR.
OCT 30 2026
Time: 4:30pm
Received:

October 30, 2026

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 320-38 (COR), "AN ACT TO *ADD* NEW §§ 61527 AND 61314 AND TO *AMEND* § 62101(a) ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE LEGALIZATION OF CERTAIN NONCONFORMING DWELLINGS CONSTRUCTED ON COMMERCIAL ZONED LOTS AND TO CREATE A NEW ZONE DESIGNATION COMMERCIAL-MIXED (CM) ZONE THAT ALLOWS FOR THE CONSTRUCTION OF BOTH COMMERCIAL AND RESIDENTIAL BUILDINGS AND FACILITIES IN THE SAME LOT DESIGNATION."

Håfa Adai Mr. Speaker,

Bill No. 320-38 (COR), the "Family Dwelling Legalization Act of 2026," amends Guam's zoning laws to establish a new Commercial-Mixed (CM) Zone designation and provides a pathway to legalize certain residential dwellings located on commercially zoned properties.

Outdated zoning regulations have created unnecessary obstacles for families living in homes built on commercially zoned properties. This legislation addresses those obstacles by allowing qualifying single-family homes, duplexes, and multi-family dwellings to comply with zoning requirements without having to obtain a variance from the Guam Land Use Commission (GLUC).

By establishing the new CM zoning designation and recognizing qualifying residential structures built before the applicable cutoff dates, this legislation provides greater certainty and stability for homeowners. It helps protect families from displacement, reduces obstacles to selling or refinancing their homes, and preserves existing housing on our island.

Our zoning laws should recognize the realities of how families live while providing reasonable safeguards for our communities. This legislation takes an important step toward balancing those needs and giving homeowners a clearer path to compliance.

//

For these reasons, I am signing Bill No. 320-38 (COR) into law as **Public Law No. 38-151.**

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 320-38 (COR) nka P.L. 38-151
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

38GL-26-3129
Messages and Communications
RECEIVED
COMMITTEE ON RULES
October 31, 2026
1:29 p.m.
Marie Crisostomo

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 320-38 (COR), "AN ACT TO *ADD* NEW §§ 61527 AND 61314 AND TO *AMEND* § 62101(a) ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE LEGALIZATION OF CERTAIN NONCONFORMING DWELLINGS CONSTRUCTED ON COMMERCIAL ZONED LOTS AND TO CREATE A NEW ZONE DESIGNATION COMMERCIAL-MIXED (CM) ZONE THAT ALLOWS FOR THE CONSTRUCTION OF BOTH COMMERCIAL AND RESIDENTIAL BUILDINGS AND FACILITIES IN THE SAME LOT DESIGNATION,"** was on the 16th day of October 2026, duly and regularly passed.

Frank F. Blas, Jr.
Speaker

Attested:

Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 19th day of October, 2026, at 4:53 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/30/2026

Public Law No. 38-151

2026-26657
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Elaine Tyalle
Date: 10/19/26 Time: 4:53pm

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 320-38 (COR)

Introduced by: V. Anthony Ada
Christopher M. Dueñas
Shelly V. Calvo
Jesse A. Lujan
Eulogio Shawn Gumataotao
William A. Parkinson
Chris Barnett
Frank F. Blas, Jr.
Vincent A.V. Borja
Tina Rose Muña-Barnes
Sabrina Salas Matanane
Joe S. San Agustin
Telo T. Taitague
Therese M. Terlaje

AN ACT TO *ADD* NEW §§ 61527 AND 61314 AND TO *AMEND* § 62101(a) ALL OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE LEGALIZATION OF CERTAIN NONCONFORMING DWELLINGS CONSTRUCTED ON COMMERCIAL ZONED LOTS AND TO CREATE A NEW ZONE DESIGNATION COMMERCIAL-MIXED (CM) ZONE THAT ALLOWS FOR THE CONSTRUCTION OF BOTH COMMERCIAL AND RESIDENTIAL BUILDINGS AND FACILITIES IN THE SAME LOT DESIGNATION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Title. This Act shall be known and may be cited as the "*Family Dwelling Legalization Act of 2026.*"

Section 2. Findings and Purpose. *I Liheslaturan Guåhan* finds that dwellings, including multi-family, duplexes, and single-family residential buildings

constructed on commercially zoned lots prior to December 31, 2000, contribute to needed housing supply and community stability. A number of Guam's multifamily apartment buildings were legally permitted to be built on lots designated as Commercial Zone, despite the fact that a Conditional Use permit was not applied for and granted by the Guam Land Use Commission (GLUC). Single family and duplex residential buildings, while legally permitted in a Commercial Zone, may not always meet setback or other requirements. Guam's financial institutions are now mandating that all buildings to be financed meet the requirements of law. This creates problems for Guam's landowners and their families (especially our *manåmko'*) who need to sell or refinance their property, and it creates issues for buyers who are ready to enter into transactions.

I Liheslaturan Guåhan further finds that the current GLUC process with public hearings and planning council mandates for zoning variance applications create unnecessary delays with time-sensitive transactions, especially considering the residential nature of these buildings. These delays are particularly burdensome where deadlines, financing timelines, or escrow closing conditions require certainty.

I Liheslaturan Guåhan further finds that recognizing these residential nonconforming buildings, many of which have been occupied for decades, will have the effect of expanding housing stock on our island. Given the rapid and substantial increase in construction costs over the last five years, leaving most of our residents unable to build new houses, this will have the effect of increasing the supply of housing stock and provide relief to our *manåmko'* and their families.

I Liheslaturan Guåhan further finds that creating a commercial-mixed zone designation that allows both commercial and residential structures on the same lot without burdening the landowner to get a zone variance will help ease housing shortages, reduce the need for new infrastructure and preserve or delay the development of raw land such as forest lands.

It is therefore the intent of *I Liheslaturan Guåhan* to clarify, confirm, and grandfather multifamily apartment buildings built on commercially zoned land, such that no variance or conditional use permit shall be required for the continued use, financing, sale, or transfer of such properties, while preserving the application and enforcement of other applicable laws and regulations, and to allow variances in setbacks, parking requirements and other nonconformances for multi-family, duplexes and single family buildings built on commercially zoned lots that would otherwise be deemed nonconforming. The purpose of this Act is to confirm the legality of such buildings as conforming uses and structures without further applications to the GLUC; to eliminate unnecessary discretionary approvals; to clarify that no additional variances or approvals are required for continued use, sale, or transfer; and to remove parking, setback and other nonconformances consistent with this legalization.

It is further the intent of *I Liheslaturan Guåhan* to create a new Commercial-mixed zone designation so that, going forward, landowners will not be burdened by the rigors of having to seek a zone change or variance to build residential buildings on commercial zoned lots.

Section 3. A new § 61527 is *added* to Subarticle 3, Article 5, of Chapter 61, Title 21, Guam Code Annotated, to read as follows:

"**§ 61527. Legalization of Certain Multi-Family Buildings Built on Commercial Lots and Legalization of setbacks and parking for Multi-Family and other residential Dwellings.**

(a) Definitions. For purposes of this Section:

(1) "Commercial lot" means any lot that, as of the date of construction of the subject building or at a later time such that the subject lot is currently zoned commercial, was zoned or designated for commercial use under this Zoning Law.

(2) "Multi-family building" means a building containing three (3) or more separate dwelling units within a single structure, whether attached or stacked, designed for residential occupancy, and includes any accessory buildings built on the same lot.

(b) Legalization of Multi-family Buildings to Conform Use and Structure; and Legalization of Duplexes and Single-Family Dwellings to Conform Structure.

(1) Any multi-family building located on a commercial lot that was constructed on or before December 31, 2025, is hereby declared a lawful and conforming use and a lawful and conforming structure for all purposes under this Zoning Law, irrespective of any prior inconsistency with use, density, intensity, dimensional (including but not limited to setbacks), design, or other provisions applicable to the underlying commercial zone or multi-family requirements.

(2) Any duplex or single family building located on a commercial lot that was constructed on or before December 31, 2000, is hereby declared a lawful and conforming structure for all purposes under this Zoning Law, irrespective of any prior inconsistency with use, density, intensity, dimensional (including but not limited to setbacks), design, or other provisions that would have been applicable under the "A", "R1" or "R2" zoning designations.

(3) The lawful and conforming status conferred by this Section shall attach to the land and improvements and shall run with the land.

(c) No GLUC or Discretionary Approval Required.

(1) Notwithstanding any provision of law to the contrary, no approval, permit, variance, conditional use authorization, zone change,

special exception, site plan approval, or other discretionary action by the Guam Land Use Commission (GLUC) or any other land use or zoning authority shall be required to establish, continue, maintain, occupy, lease, sell, convey, finance, refinance, or otherwise transfer any multi-family building, duplex or single family dwelling and associated residential use legalized under subsection (b), Legalization of Multi-family Buildings; Conforming Status; and Legalization of Duplexes and Single Family Dwellings.

(2) Any pending GLUC or other discretionary proceeding relating solely to the legality of the multi-family residential use or the multi-family, duplex or single-family structure on a commercial lot constructed on or before December 31, 2025, shall be deemed satisfied and rendered moot by operation of this Section, and no further action shall be required to confirm conformity.

(d) Parking and Setbacks on Commercially zoned lots Deemed Satisfied for Multi-family, duplexes, and single-family dwellings; No Additional Requirements.

(1) Parking, loading, and bicycle parking requirements otherwise applicable under this Zoning Law shall not apply to multi-family buildings and associated uses legalized under subsection (b), Legalization of Multi-family Buildings; Conforming Status; and Legalization of Duplexes and Single-Family Dwellings, and any existing parking supply shall be deemed sufficient for all zoning and land use purposes.

(2) Front, side, rear, yard, buffer, height plane, and any other setback or yard requirements otherwise applicable under this Zoning Law shall not apply to multi-family buildings and associated uses

legalized under subsection (b), duplexes, and single-family dwellings, and any existing building placement, encroachments, yards, or separations as constructed are deemed compliant for all zoning and land use purposes.

(3) No additional parking, setback, yard, or related dimensional approvals, variances, waivers, or nonconforming determinations shall be required to lawfully continue, occupy, lease, sell, convey, finance, mortgage, refinance, or transfer such buildings, dwellings, or dwelling units as described in this Section.

(e) Continued Use; Alterations; Replacement.

(1) The multi-family residential use and structure legalized under subsection (b), Legalization of Multi-family Buildings; Conforming Status; and Legalization of Duplexes and Single-Family Dwellings, as well as for duplexes and single-family dwellings may be continued indefinitely without further approvals or variances.

(2) Ordinary repairs, maintenance, interior renovations, and alterations that do not increase building height, building footprint, or dwelling unit count may be performed as of right, subject only to ministerial permits otherwise required for similarly situated conforming buildings.

(3) Voluntary alterations that would increase building height, building footprint, or dwelling unit count shall be processed under the standards applicable to conforming multi-family, duplex or single family uses in the most analogous multi-family or otherwise applicable zoning district as of the date of application; provided, however, that the conforming status of the existing building and use shall not be

diminished or conditioned upon securing discretionary approvals for such alterations.

(4) In the event of damage or destruction, the building may be repaired or rebuilt to the same floor area, height, footprint, and number of dwelling units as existed immediately prior to such damage or destruction as of right and without discretionary approvals and may be reoccupied upon issuance of ministerial life-safety clearances customarily required for conforming structures.

(f) Subdivision; Condominium; Transfer.

(1) The legalization and conforming status conferred by this Section applies to each dwelling unit within a multi-family building and to any form of ownership, including fee simple, condominium, cooperative, tenancy in common, or other lawful common interest structure.

(2) No additional zoning approvals, variances, certificates of legal nonconformity, or determinations shall be required as a condition of map approval, recordation, sale, lease, financing, refinancing, changing or restructuring of building ownership interests, or transfer of the building or any interest therein.

(g) Conflicts; Construction. This Section controls in the event of any conflict with any other provision of this Zoning Law, any overlay district, specific plan, design guideline, or similar regulation to the extent such other provision would prohibit, restrict, or condition the legalization or conforming status provided herein.

(h) Administrative Implementation.

(1) Within ninety (90) days of the effective date of this Act, the Department of Land Management shall issue administrative

guidance and update any zoning maps, records, or systems to reflect the conforming status of buildings covered by this Section.

(2) Upon request of an owner or lender, the Department of Land Management shall issue a ministerial letter of zoning compliance confirming the building's conforming status under this Section within fifteen (15) business days."

Section 4. § 61201(a) of Chapter 61, Title 21, Guam Code Annotated, is *amended* to read as follows:

"(a) In order to carry out the purposes and provisions of this Chapter, areas within Guam are hereby divided into eight zones, known as:

(1) A Agricultural Zone.
(2) R1 One-Family Dwelling Zone.
(3) R2 Multiple Dwelling Zone.
(4) P Automobile Parking Zone.
(5) C Commercial Zone.
(6) M1 Light Industrial Zone.
(7) M2 Industrial Zone.
(8) LC Limited Commercial Zone.
(9) CM Commercial-Mixed Zone"

Section 5. A new § 61314 is *added* to Chapter 61, Title 21, Guam Code Annotated, to read as follows:

"**§ 61314. "CM" Commercial-Mixed Zone.**

(a) Use Permitted

(1) The uses permitted by § 61306(a) of this Chapter; and
(2) The uses permitted by § 61307(a) of this Chapter.

(b) Conditional Use Permitted

(1) The conditional uses permitted by § 61306(b) of this Chapter; and

(2) The conditional uses permitted by § 61307(b) of this Chapter."