

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 <i>ADD</i> A NEW §§ 61527 AND 61314 AND TO <i>AMEND</i> § 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	



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 15, 2026

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. 320-38 (COR)

Håfa adai Speaker Blas:

Transmitted herewith is the Committee Report on the Bill No. 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.

Committee votes are as follows:

- 3 TO DO PASS
- 0 TO NOT PASS
- 4 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',



V. Anthony Ada



COMMITTEE ON RULES

RECEIVED:

September 15, 2026 9:27 a.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. 320-38 (COR)

Introduced by 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.”**

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 14, 2026

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. 320-38 (COR)

Transmitted herewith is the Committee Report on the Bill No. 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.

This report includes the following:

- Copy of COR Referral of Bill No. 320-38 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimonies & Supporting Documents
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 320-38 (COR)
- 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

May 21, 2026

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

Attorney Darleen E.H. Phillips
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 320-38 (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. 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.”

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: August 25, 2026

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

Tue, Aug 18, 2026 at 10:09 AM

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

August 18, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: FIRST NOTICE of Public Hearing: August 25, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, August 25, 2026, at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **Bill No. 268-38 (COR)** – Chris Barnett, V. Anthony Ada, Sabina Flores Perez, Therese M. Terlaje, Telo T. Taitague - AN ACT TO ADD A NEW § 77134 TO ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO CREATING A BEACH AND COAST WARNING AND NOTIFICATION SYSTEM FOR HAZARDOUS CONDITIONS.
- **Bill No. 305-38 (COR)** – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña-Barnes - AN ACT TO ADD A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.
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Those interested in participating in the Public Hearing to provide testimony may contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov for further guidance.

Submission of Presentation Media: Digital material and presentations must be emailed to vicespeakertonyada@guamlegislature.gov no later than three (3) days before the public hearing to allow timely submission to the Guam Legislature's MIS Division.

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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@

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.

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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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4 attachments



2026-08-18 FIRST NOTICE.pdf

818K



Bill No. 268-38 (COR).pdf

875K



Bill No. 305-38 (COR).pdf

1560K



Bill No. 320-38 (COR).pdf

1820K



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

August 18, 2025

MEMORANDUM

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Guam Congress Building • 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 989-0855 • Email: vicespeakertonyada@guamlegislature.gov

FIRST NOTICE of Public Hearing: August 25, 2026

FIRST NOTICE of Public Hearing: August 25, 2026

PUBLIC HEARING

📅 Posted on: 08/18/2026 01:36 PM

📧 Posted by: Erin Grajek

📅 Public Hearing Date: 08/25/2026 08:30 AM

🏢 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

August 18, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: FIRST NOTICE of Public Hearing: August 25, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, August 25, 2026, at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

• **Bill No. 268-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20268-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20268-38%20(COR).pdf)) – Chris Barnett, V. Anthony Ada, Sabina Flores Perez, Therese M. Terlaje, Telo T. Taitague - AN ACT TO ADD A NEW § 77134 TO ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO CREATING A BEACH AND COAST WARNING AND NOTIFICATION SYSTEM FOR HAZARDOUS CONDITIONS.

• **Bill No. 305-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20305-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20305-38%20(COR).pdf)) – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña-Barnes - AN ACT TO ADD A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.

• **Bill No. 320-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20320-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20320-38%20(COR).pdf)) – 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.

Those interested in participating in the Public Hearing to provide testimony may contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov (<mailto:vicespeakertonyada@guamlegislature.gov>) for further guidance.

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GUAM LEGISLATURE
AUDIO VISUAL DEPARTMENT
PUBLIC ANNOUNCEMENT REQUEST FORM

Office Submitting Request: Office of Vice Speaker V. Anthony Ada

Date of Request: 08/17/2026

POINT OF CONTACT

Name: Erin M. Grajek

Contact #: 989-0855

Email: erin.grajek@guamlegislature.gov

PUBLIC HEARING DETAILS

Notice Type: ☒ Public Hearing ☐ Informational Briefing ☐ Roundtable Discussion

☐ Oversight Hearing ☐ Committee Meeting ☐ Other: _____

Notice Title / Bill(s) / Resolution(s) / Appointment: NOTICE OF PUBLIC HEARING: August 25, 2026 (FIRST NOTICE 08/18/26 - SECOND NOTICE 08/23/26) - Bill Nos. 268/305/320

Date of Event: 08/25/26

Start Time: 8:30 am

End Time: 12:00 pm (or until hearing is adjourned)

Location: Public Hearing Room, Guam Congress Building

MEDIA HANDLING

Recording Format: ☒ MP4 ☐ MP3 ☐ Other: _____

Delivery Method: ☒ Email ☐ USB Drive ☐ Cloud Link ☐ Other: _____

CERTIFIED BY AV:

Name: Zachary Quinata

Signature: _____

Posted on/Air Date: 08/18/26 to 08/25/26



Notice of Public Hearing

Tuesday, August 25, 2026 at 8:30 am

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct an Oversight Hearing on **Tuesday, August 25, 2026 at 8:30 am** in the Public Hearing Room in the Guam Congress Building.

The agenda is as follows:



- **Bill No. 268-38 (COR)** – Chris Barnett, V. Anthony Ada, Sabina Flores Perez, Therese M. Terlaje, Telo T. Taitague - AN ACT TO ADD A NEW § 77134 TO ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO CREATING A BEACH AND COAST WARNING AND NOTIFICATION SYSTEM FOR HAZARDOUS CONDITIONS.
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VICE SPEAKER V. ANTHONY ADA

COMMITTEE ON LAND, ENVIRONMENT, HOUSING, AGRICULTURE, PARKS, AND INFRASTRUCTURE



- **Bill No. 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.

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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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SECOND NOTICE of Public Hearing: August 25, 2026

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

Sun, Aug 23, 2026 at 8:00 AM

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

August 23, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media
From: Vice Speaker V. Anthony Ada
Re: SECOND NOTICE of Public Hearing: August 25, 2026

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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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4 attachments

 **2026-08-23 SECOND NOTICE.pdf** 818K

 **Bill No. 268-38 (COR).pdf** 875K

 **Bill No. 305-38 (COR).pdf** 1560K

 **Bill No. 320-38 (COR).pdf** 1820K



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

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- **Bill No. 305-38 (COR)** – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña-Barnes - AN ACT TO *ADD* A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.
- **Bill No. 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.

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

Submission of Presentation Media: Digital material and presentations must be emailed to vicespeakertonyada@guamlegislature.gov no later than three (3) days before the public hearing to allow timely submission to the Guam Legislature's MIS Division.

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Guam Congress Building • 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 989-0855 • Email: vicespeakertonyada@guamlegislature.gov

SECOND NOTICE of Public Hearing: August 25, 2026

SECOND NOTICE of Public Hearing: August 25, 2026

PUBLIC HEARING

 **Posted on:** 08/23/2026 08:15 AM

 **Posted by:** Erin Grajek

 **Public Hearing Date:** 08/25/2026 08:30 AM

 **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)

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FOR IMMEDIATE RELEASE

August 23, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Vice Speaker V. Anthony Ada

Re: SECOND NOTICE of Public Hearing: August 25, 2026

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure will conduct a public hearing on **Tuesday, August 25, 2026, at 8:30 am** in the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

• **Bill No. 268-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20268-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20268-38%20(COR).pdf)) – Chris Barnett, V. Anthony Ada, Sabina Flores Perez, Therese M. Terlaje, Telo T. Taitague - AN ACT TO ADD A NEW § 77134 TO ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO CREATING A BEACH AND COAST WARNING AND NOTIFICATION SYSTEM FOR HAZARDOUS CONDITIONS.

• **Bill No. 305-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20305-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20305-38%20(COR).pdf)) – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña-Barnes - AN ACT TO ADD A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.

• **Bill No. 320-38 (COR)**

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20320-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20320-38%20(COR).pdf)) – 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.

Those interested in participating in the Public Hearing to provide testimony may contact the Office of Vice Speaker V. Anthony Ada at (671) 989-0855 or via electronic mail at vicespeakertonyada@guamlegislature.gov (<mailto:vicespeakertonyada@guamlegislature.gov>) for further guidance.

Submission of Presentation Media: Digital material and presentations must be emailed to vicespeakertonyada@guamlegislature.gov no later than three (3) days before the public hearing to allow timely submission to the Guam Legislature's MIS Division.

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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.

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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, August 25, 2026 · 8:30 am

Agenda

- **Bill No. 268-38 (COR)** – Chris Barnett, V. Anthony Ada, Sabina Flores Perez, Therese M. Terlaje, Telo T. Taitague - AN ACT TO *ADD* A NEW § 77134 TO ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO CREATING A BEACH AND COAST WARNING AND NOTIFICATION SYSTEM FOR HAZARDOUS CONDITIONS.
- **Bill No. 305-38 (COR)** – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña-Barnes - AN ACT TO *ADD* A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.
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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.

Eduardo R. Ilao, P.E.

Testimony in Favor of Bill No. 320-38 (COR)

My name is Eduardo Ilao, and I am a long-time Guam resident, property owner, and businessman. **I am submitting this testimony in strong support of Bill No. 320-38(COR) because I have personally experienced the problem this bill seeks to correct.** I purchased a 10-unit apartment building located in a Commercial Zone. When I applied for bank financing, the bank identified a zoning issue and approved the loan only on the condition that I obtain Conditional Use approval from the Guam Land Use Commission. I hired a consultant and attempted to go through the process, but after encountering delays, uncertainty, and expense, I eventually became frustrated and gave up.

I have been a licensed contractor on Guam since 1987. Over the years, I have built homes, warehouses, and commercial buildings, and I have seen how land use approvals were handled in practice. **At least in the 1980s and 1990s, government agencies commonly approved building permits when the zoning classification was higher or more intensive than the intended use.** For example, a multi-family residential building could be permitted on commercially zoned land because the use was considered compatible with, and less intensive than, the broader commercial zoning designation.

The purpose of the Guam Zoning Law is to protect the public health, safety, and general welfare while encouraging appropriate land use. I respect that purpose. Zoning rules are important, and they should not be ignored. **But the law should also be applied in a way that is fair, practical, and consistent with the reality of Guam's development history.** Many of these residential buildings were not hidden, unsafe, or built in bad faith. They were permitted, inspected, financed, occupied, and relied upon by families, lenders, builders, and property owners for decades.

Under the Guam Zoning Law, Conditional Use approval is appropriate when a proposed use requires closer review of matters such as site layout, access, parking, sewage disposal, building placement, compatibility with nearby uses, and the overall effect on public health, safety, and welfare. That review makes sense for new developments or major changes in use. It makes far less sense when applied retroactively to long-standing residential buildings that were already permitted, already occupied, and already accepted as part of the surrounding neighborhood. Requiring those owners to start over places a heavy burden on people who relied in good faith on prior government approvals and who are not seeking to expand or intensify the use of their property.

Bill No. 320-38(COR) offers a reasonable and narrowly tailored solution. By legalizing certain nonconforming dwellings constructed on commercial-zoned lots and by creating a Commercial-Mixed zone designation, **the bill recognizes what already exists on the ground while preserving the government's authority to regulate land use responsibly.** It does not reward unsafe construction. It does not eliminate reasonable standards.

Instead, it corrects an unintended hardship for owners of long-standing residential properties who may need to refinance, sell, transfer, repair, or improve their property but are blocked by a zoning technicality rooted in past government practice.

My own experience shows why this bill is necessary. The apartment building I purchased already existed, was already being used for housing, and was located in an area where residential and commercial uses had long coexisted. The problem did not arise because I was proposing a new project or changing the character of the neighborhood. It arose only because, during the loan process, the bank discovered that the earlier permitting history did not include a separate Conditional Use approval. **Without legislation, property owners like me must face consultant fees, public hearing requirements, delays, and uncertainty for buildings that have already served the community for many years.**

Guam needs more housing, not more obstacles for existing safe housing. Apartment units, duplexes, and family dwellings that have provided homes for years **should not remain in a legal gray area because past permitting practices are now being interpreted differently.** Clarifying their status will help families, seniors, small business owners, lenders, and future buyers. **It will support responsible investment, protect property values, and prevent useful housing from being treated as a violation simply because old paperwork does not fit neatly within today's zoning process.**

For these reasons, I respectfully urge the Committee and the Legislature to support and pass Bill No. 320-38(COR). This bill is fair, practical, and necessary. It upholds the purpose of Guam's zoning laws while also protecting property owners who relied on government approvals and long-standing practices in good faith. Most importantly, it brings clarity, stability, and fairness to families and property owners throughout Guam who should not be penalized for a problem they did not create.

Respectfully yours,



Eduardo "Ed" Ilao

A Guam Property Owner



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

Tuesday, August 25, 2026 · 8:30 am · Public Hearing Room, Guam Congress Building

Bill No. 320-38 (COR)

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.

V. Anthony Ada, Christopher M. Dueñas, Shelly V. Calvo, Jesse A. Lujan, Eulogio Shawn Gumataotao, William A. Parkinson

NAME	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFO
1. John Ilao		SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☐	
2.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



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. 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.

	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	 09/25/26	✓				
Senator Christopher M. Dueñas Vice Chairperson	EVOTE 09/14/26	✓				
Speaker Frank F. Blas, Jr. Member	EVOTE 09/14/26			✓		
Senator Sabrina Salas Matanane Member	EVOTE 09/14/26			✓		
Senator Shelly V. Calvo Member	EVOTE 09/15/26	✓				
Senator Vincent A.V. Borja Member	EVOTE 09/15/26			✓		
Senator Sabina F. Perez Member						
Senator Chris Barnett Member						
Senator Tina Muña Barnes Member						
Senator Joe S. San Agustin Member	EVOTE 09/14/26			✓		



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

URGENT REQUEST for Evote: Bill No. 320-38 (COR)

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

Mon, Sep 14, 2026 at 12:23 PM

To: Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, "Speaker Frank F. Blas Jr." <speakerblas@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>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

To Do Pass



Office of Senator Christopher M. Dueñas

Chairman, Committee on Finance and Government Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

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URGENT REQUEST for Evote: Bill No. 320-38 (COR)

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

Mon, Sep 14, 2026 at 1:43 PM

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>

To Report Out Only



Speaker, Frank F. Blas, Jr.

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

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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URGENT REQUEST for Evote: Bill No. 320-38 (COR)

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

Mon, Sep 14, 2026 at 12:47 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 Tina

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

<malafunkshun@guamlegislature.gov>

To Report Out Only

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

T: (671) 989-5445 F: (671) 969-6737 E: senatorjoessanagustin@gmail.com

Website: www.senatorjoessanagustin.com

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

URGENT REQUEST for Evote: Bill No. 320-38 (COR)

Office of Legislative Secretary Senator Sabrina Salas Matanane

Mon, Sep 14, 2026 at

<office.senatorbri@guamlegislature.gov>

12:17 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 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>, "Senator Joe S. San Agustin"

<senatorjoessanagustin@gmail.com>

To Report Out Only.

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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

✉ office.senatorbri@guamlegislature.gov

☎ 671-989-2572

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URGENT REQUEST for Evote: Bill No. 320-38 (COR)

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

Tue, Sep 15, 2026 at 7:01 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>, Senator Vince Borja<vince.borja@guamlegislature.gov>, Office Senator Perez <office.senatorperez@guamlegislature.gov>, Senator TinaMuna Barnes <senator.munabarnes@guamlegislature.gov>, Senator Darrel Christopher Barnett<malafunkshun@guamlegislature.gov>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Hafa adai,

To do Pass. Thank you

Respectfully,

Jacqueline Munoz

**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**

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682**E** officeofsenatorshellycalvo@guamlegislature.gov

[Quoted text hidden]

URGENT REQUEST for Evote: Bill No. 320-38 (COR)

Senator Vince Borja <vince.borja@guamlegislature.gov>

Tue, Sep 15, 2026 at 8:08 AM

Reply-To: Senator Vince Borja <vince.borja@guamlegislature.gov>To: vicespeakertonyada@guamlegislature.govCc: senator.duenas@guamlegislature.gov, speakerblas@guamlegislature.gov, office.senatorbri@guamlegislature.gov, officeofsenatorshellycalvo@guamlegislature.gov, office.senatorperez@guamlegislature.gov, senator.munabarnes@guamlegislature.gov, malafunkshun@guamlegislature.gov, senatorjoessanagustin@gmail.com, vicespeakertonyada@guamlegislature.gov

Håfa Adai,

To Report Out Only.

Please contact our office if you have any questions.

Si Yu'os Ma'åse',

**Caden Nathaniel Ong Poblete***Office of Senator Vincent A.V. Borja*

671-969-8423

caden.poblete@guamlegislature.gov

DNA Building Suite 502, Hagatna

[Quoted text hidden]



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. 320-38 (COR) was introduced on **May 13, 2026**, by **V. Anthony Ada** and was subsequently referred to the Committee on Rules to the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure on **May 21, 2026**.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure convened a public hearing on **August 25, 2026, at 8:30 am** 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 **August 18, 2026** (5-Day Notice), and again on **August 23, 2026** (48-Hour Notice).

Senators Present

Vice Speaker V. Anthony Ada, Chairman
Senator Eulogio Shawn Gumataotao
Senator Telo T. Taitague
Senator Joe S. San Agustin
Senator Therese M. Terlaje

Attendees

John Ilao

Written Testimony Provided by

Eduardo Ilao

II. SUMMARY OF TESTIMONY & DISCUSSION

The **public hearing** was Called-to-Order at **8:03 am**

Vice Speaker V. Anthony Ada, Chairman – Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure: Håfa adai and good morning. This public hearing conducted by the committee on land, environment, housing, agriculture, parks, and infrastructure is called order, and the time is 8:30 a.m. Today's date is Tuesday, August 25th, 2026. The first notice of this hearing was disseminated to all local media outlets on August 18, 2026, followed by a second notice on August 23rd, 2026. The notices were also posted on the Guam legislator's website and the Government of Guam public notices portal. This morning, the committee will hear testimony on the following bills. Bill number 268-38 COR, bill number 305-38 COR and bill number 320-38 COR. Uh before we begin, I'd like to go over general rules of conduct. Individuals testifying shall first be recognized by the chair before speaking and shall state their name for record keeping recordkeeping

purposes. Questions and testimonies shall be confined to the substance or nature of the agenda. Personal interference as to the character or motive of any senator or any individual testifying is not permitted. The chairperson of the committee may order the removal from the hearing of any member of Liheslaturan Guahan who fails to observe proper decorum pursuant to the 38 Guam legislature standing rules.

[See testimony proceedings on Bill No. 268-38 (COR) and Bill No. 305-38 (COR)]

We're going to go ahead now and move on to bill number 320-38 COR. Bill number 320-38 COR introduced by myself, Senator Duenas, Senator Calvo, Senator Lujan, Senator Gumataotao, and Senator Parkinson is an act to add a new subsection 61527 and 61314 and to amend section 62101A all of chapter 61, title 21, Guam code annotated, relative to the legalization of certain non-conforming dwellings constructed on commercial zone lots and to create a new zone designation commercial mix zone that allows for the construction of both commercial and residential buildings in and facilities in the same lot designation. I introduced this bill with my co-sponsors. And this bill was introduced for two reasons. First, it is intended to prevent force relocation of residents with existing residential dwellings on commercial zone lots. And second, provide opportunities to save existing wildlands from overdevelopment. Force relocation happens in several ways, and this is to include denial of occupancy permit when a landlord seeks to enter into a new lease or renew a lease where DPW inspections are required. And second is denial of commercial occupancy and sanitation permits for commercial buildings that have residential units included and DPW Department of Public Health and Social Services and Guam Environmental Protection Agency citations and penalties for residential units that don't meet the commercial permitting requirements of the commercial portion of a building. and in other words, forcing residential units that have fire suppression systems, emergency exit signage, commercial refrigeration and things of that nature. This bill create also creates a new zoning designation for mixed-use development of commercial and residential develop for future development projects. Mixed residential and commercial build buildings, often called live, work, play developments or mixed-use zonings, have seen massive success across the United States. These projects are revitalizing downtowns, reducing traffic, and driving multi-billion-dollar real estate investments in both major metros and booming tech hubs. We can create all sorts of affordable housing programs. But when demand continually outpaces supplies, prices will continually go up for both renters and home buyers. I look forward to the testimonies this morning. And we have one, Mr. John Ilao, who will be providing testimony this morning on bill number 320-38. You're recognized, sir.

John Ilao: Good morning, uh, Vice Speaker Ada and fellow senators. Uh, my name is, uh, John Ilao for the record. Um, I'm here to read testimony on behalf of my father, uh, Ilao, who is currently traveling. [Presented written testimony provided by Eduardo Ilao.]

Chairman Ada: Thank you, Mr. Ilao for reading uh your dad's testimony this morning. Appreciate it. I'll go ahead and open up the panel to my colleagues if they have any questions or comments. I'll start up with Senator S. Augustin.

Senator Joe S. San Agustin: Thank you, Mr. Chairman. I don't know whenever I hear Mr. Ilao speaking, I just listen. Ed normally, your dad normally doesn't speak unless he believes he needs to. So, with that testimony, I appreciate it and thank you. Thank him for his testimony. Thank you, Mr. Chairman.

Chairman Ada: Thank you, Senator Sonagine. Senator Gumataotao, you have any questions or comments?

Senator Eulogio Shawn Gumataotao: Uh, no questions for uh Mr. Ilao, but um I do have questions on the policy. So, what I'll do is I won't belabor it here, Mr. Chair. I'll go ahead and put them in writing, and I'll send it back to the committee. Uh it's uh specifically for DLM to give us some details on especially uh some of the applications. Um and I'll send it back to the committee.

Chairman Ada: Yeah. Okay. They were invited this morning by the way to

Senator Gumataotao: Oh, no. I know. I understand. Thank you, Mr. Chair.

Chairman Ada: Thank you. Senator Tahi, you have any questions for the panel?

Senator Therese M. Terlaje: Thank you. And I appreciate your testimony and the and the dilemma

that uh brought this to our attention. Um I guess my only concern, and I will also want to work with the committee is that the language of this bill says any multifamily building and it's pretty much it could be non-conforming in every way and it would be approved by this bill. So, but I do agree that if you know we can kind of narrow down that standard of which buildings are going to be approved by this bill, uh that that we can try to do that, right? Uh in your case, I think you said there was a prior approval and the bank is now pointing out that that prior approval did not include like a public hearing or certain things. And if that's the case, so prior approvals to me, maybe they should be okay. It's just those that had no approval at all or prior approval and then they did something totally different with the building. I don't want to kind of blanketly approve those if we if we can avoid that by doing this. But I do appreciate uh so maybe if you have anything that you could provide to show you know what that the bank is actually citing then that we could uh that could be maybe our example how to narrow it down.

Mr. Ilao: Sure. I think my dad's probably definitely watching. So, if he if he could provide any u, you know notice that the bank gave him um you know I think for him it's just everybody's busy you know and for him to make a huge investment and to have to go through that process as a businessman um you know and everybody here is busy. It's just a lot to take in, right? Um, you know, we want to provide safe housing to our tenants. Um, but to go through this hurdle and trying to invest in, you know, in in multifamily um, housing is just it takes a lot. But yeah

Chairman Ada: thank you. Any other questions?

Senator Terlaje: I'm just also, this is an also probably for the GLUC. If they could um, be available, that would be helpful. I also want to ask it because they always testify that there is no backlog and I want to find out you know again in this case if you would share what is what is causing that delay.

Chairman Ada: So yeah, we'll get that.

Senator Terlaje: Thank you.

Chairman Ada: Thank you, Senator Terlaje. Senator uh thank you uh Mr. Ilao for your testimony this morning if you can get that information and submit it to the committee so that we'll be able to disseminate that information to our members.

Mr. Ilao: Absolutely vice speaker. I'll definitely let my dad know. Thank you.

Chairman Ada: Thank you. If there are no further questions or comments, this concludes today's public hearing on bill number 268-38, bill number 305-38, and bill number 320-38. Uh, the committee will continue to accept statements on today's hearing within 7 days from today, which may be mailed to my office on the second floor of the Guam Congress building at 163 Chalan Santo Papa in Hagåtña. You may also send your statements to us at vicespeakertonyada@guamlegislature.gov. Thank you for your participation in this morning's public hearing. And now this hearing is adjourned. The time is now 9:04 a.m. Thank you.

The public hearing was adjourned at **9:04 am.**

III. FINDINGS & RECOMMENDATIONS

The Committee finds that housing availability and affordability continue to be significant concerns for Guam residents. The Committee further finds that numerous residential structures currently exist on commercially zoned properties, creating regulatory challenges for homeowners seeking permits, financing, utility connections, property improvements, and legal recognition of their residences.

The Committee finds that existing zoning regulations may not adequately reflect contemporary land-use patterns, particularly in areas where residential and commercial activities have coexisted for many years. The absence of a mixed-use zoning classification limits opportunities for efficient land use and redevelopment.

The Committee further finds that creating a Commercial-Mixed (CM) zoning designation would

provide greater flexibility for property owners, encourage compatible mixed-use development, and support smart-growth principles while maintaining appropriate regulatory oversight.

The Committee also finds that legalizing certain nonconforming dwellings, under clearly prescribed conditions, would reduce uncertainty for affected residents while preserving the government's ability to enforce applicable health, safety, building, and environmental regulations.

The Committee further finds that during the public hearing; testimony generally focused on the following issues:

- Many families have occupied residential structures on commercially zoned lots for extended periods and should be afforded a legal pathway to bring such properties into compliance.
- The proposed legislation recognizes the realities of Guam's existing development patterns.
- Establishment of a Commercial-Mixed zoning category would increase housing opportunities while encouraging economic activity.
- The bill could reduce administrative burdens associated with variances and other case-by-case zoning exceptions.

After reviewing the bill and testimony received, the Committee finds that Bill No. 320-38 (COR) addresses a legitimate land-use issue affecting property owners residing on commercially zoned parcels.

The Committee recognizes that a mixed-use development approach reflects modern planning practices utilized in many jurisdictions to encourage efficient land utilization, reduce urban sprawl, and support economic development. The proposed Commercial-Mixed zoning classification offers an opportunity to align Guam's zoning framework with existing development conditions while creating additional housing options.

The Committee also agrees that legalization of nonconforming dwellings should not exempt structures from compliance with applicable life-safety, building, environmental, sanitation, and utility requirements. The Committee therefore supports implementation measures that ensure public safety remains paramount and that nothing in the provisions of the bill permit the building owners to waive any such safety requirements in existing laws.

The Committee further finds that provisions added by Section 3 of the bill apply exclusively to buildings constructed before December 25, 2025.

After careful consideration of the testimony received and the issues raised during the public hearing, the Committee finds that Bill No. 320-38 (COR) advances important public policy objectives relating to housing flexibility, regulatory clarity, and modernized land-use planning.

The Committee further finds that the mixed-use zoning of commercial and residential properties, authorized by Sections 2 and 3 of the bills, on the same lot is consistent with jurisdictions that are seeking to make more residential housing units available on Guam without the need to develop forested areas that lack roads and infrastructure.

The Committee further finds that mixed residential and commercial buildings thrive in several U.S. cities and master-planned urban districts, famously revitalizing neighborhoods in Hudson Yards – New York City, The Wharf – Washington, D.C., and Santana Row – San Jose, California by combining walkable retail, offices, and housing.

The Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure hereby reports out Bill No. 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,” with the recommendation **TO REPORT OUT ONLY.**

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 

**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.**

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

1 residential buildings, while legally permitted in a Commercial Zone, may not always
2 meet setback or other requirements. Guam's financial institutions are now
3 mandating that all buildings to be financed meet the requirements of law. This
4 creates problems for Guam's landowners and their families (especially our
5 manamko') who need to sell or refinance their property, and it creates issues for
6 buyers who are ready to enter into transactions.

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

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

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

23 It is therefore the intent of *I Liheslaturan Guåhan* to clarify, confirm, and
24 grandfather multifamily apartment buildings built on commercially zoned land, such
25 that no variance or conditional use permit shall be required for the continued use,
26 financing, sale, or transfer of such properties, while preserving the application and
27 enforcement of other applicable laws and regulations, and to allow variances in

1 setbacks, parking requirements and other nonconformances for multi-family,
2 duplexes and single family buildings built on commercially zoned lots that would
3 otherwise be deemed nonconforming. The purpose of this Act is to confirm the
4 legality of such buildings as conforming uses and structures without further
5 applications to the GLUC; to eliminate unnecessary discretionary approvals; to
6 clarify that no additional variances or approvals are required for continued use, sale,
7 or transfer; and to remove parking, setback and other nonconformances consistent
8 with this legalization.

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

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

15 **“§ 61527. Legalization of Certain Multi-Family Buildings Built on**
16 **Commercial Lots and Legalization of setbacks and parking for Multi-Family**
17 **and other residential Dwellings.**

18 **(a) Definitions. For purposes of this Section:**

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

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

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

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

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

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

20 **(c) No GLUC or Discretionary Approval Required.**

21 (1) Notwithstanding any provision of law to the contrary, no
22 approval, permit, variance, conditional use authorization, zone change,
23 special exception, site plan approval, or other discretionary action by
24 the Guam Land Use Commission (GLUC) or any other land use or
25 zoning authority shall be required to establish, continue, maintain,
26 occupy, lease, sell, convey, finance, refinance, or otherwise transfer any
27 multi-family building, duplex or single family dwelling and associated

1 residential use legalized under subsection (b), Legalization of Multi-
2 family Buildings; Conforming Status; and Legalization of Duplexes
3 and Single Family Dwellings.

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

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

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

20 (2) Front, side, rear, yard, buffer, height plane, and any other
21 setback or yard requirements otherwise applicable under this Zoning
22 Law shall not apply to multi-family buildings and associated uses
23 legalized under subsection (b), duplexes, and single-family dwellings,
24 and any existing building placement, encroachments, yards, or
25 separations as constructed are deemed compliant for all zoning and land
26 use purposes.

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

6 **(e) Continued Use; Alterations; Replacement.**

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

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

17 (3) Voluntary alterations that would increase building height,
18 building footprint, or dwelling unit count shall be processed under the
19 standards applicable to conforming multi-family, duplex or single
20 family uses in the most analogous multi-family or otherwise applicable
21 zoning district as of the date of application; provided, however, that the
22 conforming status of the existing building and use shall not be
23 diminished or conditioned upon securing discretionary approvals for
24 such alterations.

25 (4) In the event of damage or destruction, the building may be
26 repaired or rebuilt to the same floor area, height, footprint, and number
27 of dwelling units as existed immediately prior to such damage or

1 destruction as of right and without discretionary approvals and may be
2 reoccupied upon issuance of ministerial life-safety clearances
3 customarily required for conforming structures.

4 **(f) Subdivision; Condominium; Transfer.**

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

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

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

20 **(h) Administrative Implementation.**

21 (1) Within ninety (90) days of the effective date of this Act, the
22 Department of Land Management shall issue administrative guidance
23 and update any zoning maps, records, or systems to reflect the
24 conforming status of buildings covered by this Section.

25 (2) Upon request of an owner or lender, the Department of Land
26 Management shall issue a ministerial letter of zoning compliance

1 confirming the building’s conforming status under this Section within
2 fifteen (15) business days.”

3
4 **Section 4.** A § 61201(a) of Chapter 61; Title 21, Guam Code Annotated is
5 *amended* to read as follows:

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

- 8 (1) A Agricultural Zone.
9 (2) R1 One-Family Dwelling Zone.
10 (3) R2 Multiple Dwelling Zone.
11 (4) P Automobile Parking Zone.
12 (5) C Commercial Zone.
13 (6) M1 Light Industrial Zone.
14 (7) M2 Industrial Zone.
15 (8) LC Limited Commercial Zone.
16 (9) CM Commercial-Mixed Zone”

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

19 **“§ 61314. “CM” Commercial-Mixed Zone.**

20 (a) Use Permitted

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

23 (b) Conditional Use Permitted

- 24 (1) The conditional uses permitted by § 61306(b) of this Chapter
25 and
26 (2) The conditional uses permitted by § 61307(b) of this
27 Chapter.”



COMMITTEE ON RULES

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

May 27, 2026

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. 320-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 320-38 (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 copy the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 320-38 (COR)

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.

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:	\$963,078
Department's Other Fund appropriation(s) to date: Land Survey Revolving Fund	\$2,848,009
Total Department/Agency Appropriation(s) to date:	\$3,811,087

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2025 Unreserved Fund Balance	\$0	\$0	\$0
FY 2026 Adopted Revenues	\$0	\$0	\$0
FY 2026 Appro. (P.L. 38-60)	\$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 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	1/	1/	1/	1/

- | | | | |
|---|-------------------------|----------------------------|---------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | | // Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | /X/ N/A | // Yes | // No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | /X/ N/A | // Yes
// Yes
// Yes | /X/ No
// No
/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?
// Requested agency comments not received by due date: | If no, indicate reason: | /X/ Yes
// Other | // No |

Analyst: <u>Michelle Pineda</u> Michelle Pineda, BMA I	Date: <u>6/26/20</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>MAY 27 2026</u>
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Notes:
 // See Additional Comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 320-38 (COR)

The proposed legislation seeks 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.

Per legislative findings, a number of Guam's multifamily dwellings were permitted to be built on Commercial Zoned lots, despite the absence of a Conditional Use permit granted by the Guam Land Use Commission (GLUC). Given the rapid increase in construction costs, recognizing these long-occupied residential, nonconforming buildings through a zone designation that allows for both commercial and residential structures will help ease housing shortages and reduce the need for new infrastructure. Bill No. 320-38, otherwise known as the "Family Dwelling Legalization Act of 2026," seeks to legalize existing multifamily, duplex, and single-family buildings on commercial lots by designating them as conforming structures under a new Commercial-Mixed Zone, provided they meet specific construction date thresholds. Additionally, such structures shall not require further applications to the GLUC for continued use, financing, sale, or transfer.

According to the attached fiscal comments received from the Department of Land Management (DLM) (*see attached*), the department estimates a first-year fiscal impact of \$135,000 to \$235,000, with ongoing annual costs of \$70,000 to \$110,000 to sustain the required activities outlined in the bill. These costs are attributed to the following: 1.) Additional personnel or overtime to issue mandatory zoning compliance letters, conduct parcel and archival research to verify construction dates, and respond to public inquiries; 2.) Necessary updates to zoning maps and GIS record systems to reflect legalized CM zones; and 3.) Administrative guidance to the public through the drafting of SOPs, updating templates, training staff, and conducting public outreach within ninety (90) days of enactment. Lastly, the department anticipates a reduction in GLUC application fees and a subsequent reduction in cost recovery for research, public notices, and hearings. DLM has indicated that without additional appropriations to cover these costs, they risk processing delays and noncompliance with the bill's mandates.



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
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May 20, 2026

Memorandum

To: Lester L. Carlson, Jr., Director
Bureau of Budget & Management Research

From: Joseph M. Borja, Director
Department of Land Management

SUBJECT: **Potential Fiscal Impact: RE: Bill No. 320-38 (COR)**

In response to the Bureau of Budget and Management Research's request for an assessment of the potential fiscal impacts associated with **Bill No. 320-38 (COR)**, the Department of Land Management respectfully submits the attached Fiscal Note for your review.

The proposed legislation, the *"Family Dwelling Legalization Act of 2026,"* assigns new statutory responsibilities to the Department, including the legalization and recognition of certain residential structures on commercially zoned lots, the administration of a new **Commercial-Mixed (CM)** zoning designation, the issuance of zoning compliance letters within mandated timelines, and required updates to zoning maps, records, and internal systems. These functions will materially increase operational workload across our Planning, Records, and Survey divisions.

Based on our analysis, the Department estimates a **first-year fiscal impact of \$135,000 to \$235,000**, with **ongoing annual costs of \$70,000 to \$110,000** to sustain the required activities. These costs reflect staffing needs, system modifications, administrative implementation, and anticipated reductions in GLUC-related fee revenue.

We appreciate BBMR's coordination in evaluating the budgetary implications of pending legislation and remain available to provide any additional information or clarification your office may require.

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Potential Fiscal Impact: RE: Bill No. 283-38 (COR)

Thank you for your attention to this matter.

Respectfully,


JOSEPH M. BORJA
cc: Planning Division

1. Summary of Operational Impacts

Bill No. 320-38 (COR) imposes two major obligations on DLM:

- **Legalization and recognition of residential structures on commercial lots built before specified dates.**
- **Creation and administration of a new Commercial-Mixed (CM) zoning designation.**

These duties significantly increase DLM's workload without additional funding.

2. Fiscal Impacts

A. Staffing and Workload

1. Mandatory zoning compliance letters (15-day deadline)

The bill requires DLM to issue zoning compliance letters within 15 business days.

"DLM shall issue a ministerial letter... within fifteen (15) business days."

Impact:

- **High volume of requests from lenders, sellers, and property owners.**
- **Each request requires parcel research and verification of construction dates.**
- **Estimated 1-5 hours per request.**
- **Need for 1 additional Planner/Technician or overtime funding.**

B. GIS and Records System Updates

The bill requires DLM to update zoning maps and internal systems to reflect legalized structures and the new CM zone.

"Update any zoning maps, records, or systems..."

Impact:

- **Creation of CM zone layers.**
- **Flagging of legalized structures.**
- **Updates to public-facing systems.**

- **GIS and database modifications.**

C. Increased Customer Service Demand

Legalization will generate increased walk-ins, phone calls, and research requests.

Impact:

- **Higher demand on front-line staff.**
- **Increased parcel research and public inquiries.**

D. Archival Research Requirements

Legalization is based on construction date, requiring DLM to verify structures built decades ago.

"Constructed on or before December 31..."

E. Administrative Guidance and Implementation

The bill requires DLM to issue administrative guidance within 90 days.

"DLM shall issue administrative guidance within ninety (90) days..."

Impact:

- **Drafting SOPs, updating templates, staff training, and public outreach.**

F. Loss of GLUC Fee Revenue

The bill eliminates the need for variances and conditional use permits for affected properties.

"No approval, permit, variance... shall be required..."

Impact:

- **Reduction in GLUC application fees.**
- **Reduced cost recovery for research of public notices and hearings.**

3. Key Considerations

- **The bill creates mandatory duties without appropriations.**
- **DLM will require additional staffing to meet statutory deadlines.**
- **GIS and records modernization costs are unavoidable.**
- **Without funding, DLM risks processing delays and noncompliance.**