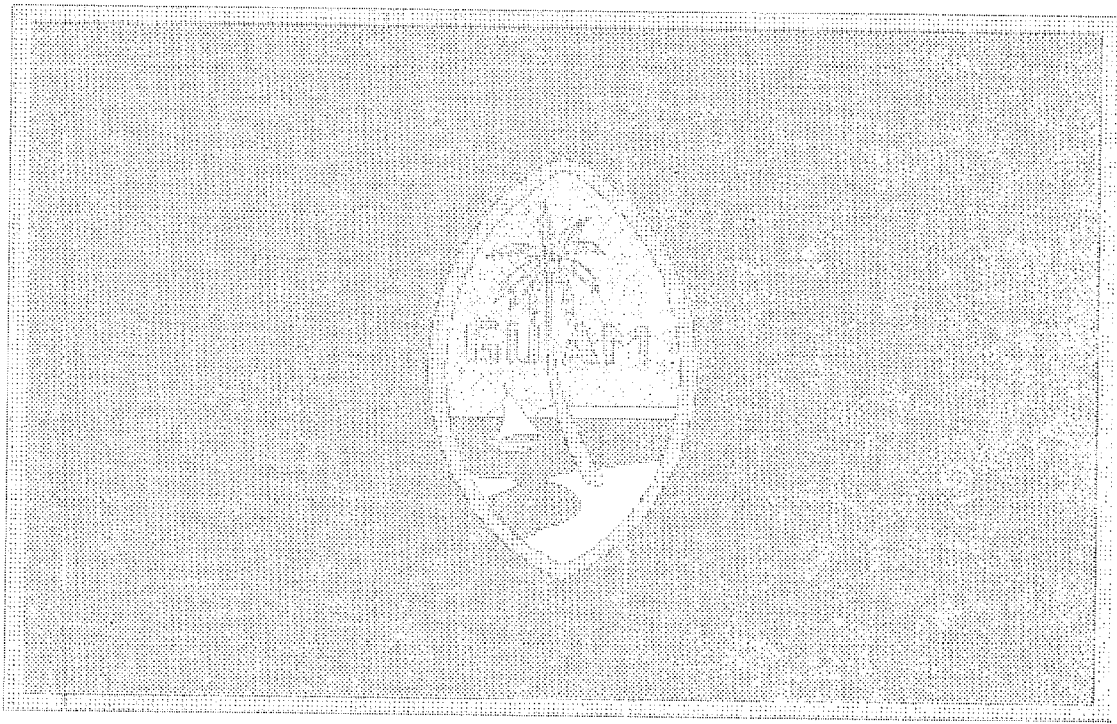


OVERVIEW AND ANALYSIS
OF
DEVELOPMENT AND TLUC DECISIONS
FROM 1987 - 1993

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INTRODUCTION

Prior to 1984, growth and development on Guam was at a slower pace than what we became accustomed to during the mid-'80s and early '90s. Limitations in the progress of the island's economy were attributed to high inflation rates, high interest rates, and high labor costs. However, by 1984, devaluation of the dollar against the yen, a decline in the prime interest rate, potential government spending on infrastructure improvements, and projected hotel/tourist related investments signified potential growth.

By mid-'84, Guam saw the beginning of an economic boom. Construction started on the Pacific Star Hotel, an \$8.7 million dollar contract was awarded to improve infrastructure along San Vitores Road in Tumon, Duty Free Shoppers, Inc. broke ground for its \$5 million retail store, and many other construction projects began taking shape.

For the next three years, tourism continued to grow, and continued to be Guam's largest private sector industry. Other factors contributing to the escalation in tourism included a rise in the value of Japanese yen against the dollar, expanded air services between Guam and Japan (Japan being the island's primary source of visitors), as well as an increased hotel inventory. The Dai-Ichi, Hilton, and Pacific Islands Club hotels all began major renovation and expansion projects totalling \$35.3 million in value.

While construction activities exceeded all expectations from 1984 to 1987, it became evident that tourism was beginning to reach its saturation point. Those in the industry began demanding additional hotel rooms to accommodate the rising numbers in visitor arrivals, and hotel developers were only more than willing to oblige. The Territorial Land Use Commission (TLUC), then known as the Territorial Planning Commission, began approving hotel and other tourist-related construction projects in an attempt to keep foreign investors

interested in developing on Guam. The Commission was reacting to public statements by political and tourism industry leaders, which raised fears that investors would go elsewhere if projects were not approved quickly. However, as the TLUC approved these projects during this boom period mode of development, no forethought was given by the approving bodies to the island's capability to sustain such development, although those concerns were being raised by the infrastructure agencies. Expectedly, Guam began to feel the burden placed on its limited resources, i.e., land, infrastructure, and labor.

From 1988 to 1990, tourism continued to contribute more to Guam's economy than any other private sector industry, and an enormous volume of foreign investments continued to finance the construction boom. While the majority of off-island investment came from Japan, markets began opening up in Taiwan, Hong Kong, and Korea. Visitor arrivals continued to rise; within this three year period 2,034,951 tourists vacationed on Guam. With hotel construction still at a peak in 1989, hotel construction permits exceeded \$104.5 million, and \$131.5 million in 1990. (There were 2,594 construction permits valued at \$374.3 million issued in 1989, and 2,626 permits valued at \$491.8 million issued in 1990.)

Then, for the first time since 1978, visitor arrivals decreased by five percent to 737,260 in 1991. Guam experienced a 79% hotel occupancy rate during the year, which was the lowest it has experienced in the previous ten years. Hotel permits decreased by 26% for a value of \$98.7 million. This was partly due to the Persian Gulf War which started in August of 1990, and partly as a reaction to a spate of disastrous storms (typhoons) which visited Guam over the next few years. Large scale or hotel-resort projects were being scaled down or put on indefinite hold, and new development projects were on the downswing. Reasons for this can be attributed to 1) the 1990 Tokyo Stock Market crash, 2) bankruptcy filings by companies with real estate holdings on Guam, and 3) tightening of capital by Japanese banks which were supposed to finance hotel, condominium, and golf resort projects on Guam.

While 1991 may have marked the end of the "hotel boom", construction projects were still

being driven primarily by the visitor industry. Condominium construction permits continued rising, and were valued at \$175.9 million in 1991 as compared to \$14.8 million in 1990. (This can be attributed to the approval of these condominium projects in prior years.) More and more, local residents began expressing their discontent for uncontrolled tourism-related development, the rising cost of living, the enormously high cost of rental units, and the lack of affordable housing. Developers attempted to address the shortage of housing on Guam through the condominium market. Unfortunately, due to a lack of adequate marketing studies, and a duplication of mistakes made by developers in other parts of the country, what resulted was the approval of an excess of condominium structures. This over abundance of condominiums eventually lead to vacant units sitting idle while the demand for affordable housing continued to escalate.

Supertyphoon Omar blasted its way through Guam on August 28, 1992, and cost the island over \$200 million in damages. It was estimated that businesses suffered over \$87 million in damages (hotel damages were estimated at \$25 million), while the government incurred over \$51 million in damages. After August, tourism declined due to the onslaught of additional typhoons (Brian, Elsie, Hunt and Gay), repeated power and water problems, Japan's economic recession, and competing tourist destinations with lower rates. Overall, construction permits issued for 1992 decreased 8% (2,338 in 1992, 2,535 in 1991), and decreased in value by 57% (\$852.9 million in 1991, \$362.6 million in 1992).

While the construction industry began experiencing a slowdown due to Guam's sluggish economy, it did not necessarily mean the end of construction or development all together. In fact, permitted development-related activities increased by 30% with an estimated value of more than \$431 million (3,244 permits were issued) in 1993. More importantly, development began addressing the needs of the island's residents. 925 single-family residential permits were issued worth \$89,060,889.37 (some of this residential construction was for typhoon or earthquake related repairs). There was only one hotel permit, valued at \$39,000,000.00, issued this year; no building permits were issued for condominium projects.

PURPOSE

The objective of this study is to look at the land-use request, approval and development history of Guam during an unprecedented boom period, and if possible to identify shortcomings, strengths, and weaknesses in the review and permitting approval process. A timeframe of six years from January 1, 1987, through December 31, 1993, will serve as the review period. Six primary types of residential development reviewed and acted upon by the **Territorial Land Use Commission (TLUC)** will be analyzed. These uses are: **apartments, condominiums, hotels, single family dwellings, subdivisions, and townhouses.**

The approval authority for most major or significant development projects on Guam rests with the Territorial Land Use Commission. All requests for zone variances, zone changes, conditional uses, development in hotel-resort zones, subdivisions and subdivision waivers, planned unit developments, and development within the territorial seashore reserve require TLUC approval. (When the Commission considers applications for development within the seashore reserve, it becomes the Territorial Seashore Protection Commission (TSPC) and is then required to apply the TSPC Rules and Regulations in its decision-making process.)

Zone variances and zone changes are probably the most critical approvals granted by the TLUC in terms of land-use on Guam. The reason being that variances and changes of zone allow developers to deviate from what is permissible or what has been anticipated in terms of development types and densities, as dictated by the Zoning Laws of Guam. These requests require the greatest degree of change to long range planning goals already established (new roads, water and sewer lines, etc.), and impact greatest on community expectations.

In granting variances, the TLUC is bound by certain requirements, and by law, cannot (read: should not) grant variances unless said requirements are met. These requirements include:

- [a] That the strict application of the provisions of the law would result in practical difficulties or unnecessary hardships inconsistent with the intent of the law;
- [b] That there are exceptional circumstances or conditions applicable to the property involved or to the intended use that do not apply to other properties in the same zone;
- [c] That the granting of variances will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located; and
- [d] That the granting of variances will not be contrary to the objectives of any part of the "Master Plan" adopted by the Commission or Legislature.

In changing zones, the Commission is required (per Attorney General's opinion) to demonstrate that [1] public necessity, [2] convenience, and [3] general welfare justify such actions.

In reviewing the information presented in this paper, villages will be better able to anticipate development of approved projects should investment funds once again become readily available. Government agencies will be able to utilize the information to develop funding requests, and to incorporate the "facts" of past approvals in the review of new requests, in order to anticipate cumulative impacts.

1987 TLUC ACTIVITIES

In 1987, apartment structures were the primary type of development requested with thirty-five projects proposed throughout the island. More than 100 units were proposed in each of the following villages: Barrigada, Mongmong/Toto/Maite, Tumon, Yigo, and Chalan Pago. The TLUC approved 1078 units. Requests for height variances, and conditional use approvals within other than "R-2" zones, were the primary reasons for TLUC approval needs. Fourteen of the thirty-five requests were for variances to the height limitation. Of the fourteen height variances approved, eleven were for variances of three stories, 30 feet or less; two were for three stories, over 30 feet; and one for ten stories, 102 feet. Based on DRC positions (inadequate infrastructure, exceeds density, does not meet PUD requirements), one height variance (three stories, 30 feet) was disapproved.

Including the one height variance request, eight applications were disapproved for a total of 79 units. The other seven project applications disapproved included requests for conditional uses and zone changes. One apartment structure consisted of twenty units, with the remaining seven proposals made up of ten units each or less. Some of the requests denied by TLUC were for projects that: exceeded density requirements; overdeveloped the property; constituted spot zoning; had limited parking, limited landscaping, inadequate infrastructure; or lacked justification.

Hotel projects were the second most proposed type of development in terms of total number of units (rather than overall number of projects) with a total of 1,156 rooms approved by the TLUC. Of those approved hotel rooms, 95% were proposed in Tamuning and Tumon. These approvals represented a more than 20% increase in hotel room inventory.

Out of the six hotel projects approved in 1987, two can be considered "major". First, the eleven-story, 405 room Palace Hotel received its conditional use approval from the TLUC,

and was proposed for Tamuning. The only condition to the hotel's approval was that the developer provide monthly progress reports to the TLUC in regard to sewer, water, parking, access, and drainage concerns in the area. (Earlier in May of 1987, the Palace Hotel Corporation received its zone change approval from "R-2" (multi-family dwellings) to "H" (hotel-resort); the corporation applied for the zone change after receiving recommendations from the GCMP to do so to avoid having to apply for variances, i.e. height, parking, etc.)

Second, the sixteen-story, 500 room Nikko Hotel was also approved under a conditional use permit within an "H" zone. The project needed a side yard setback variance from the required 210' to 53'. Based on DRC recommendations, the Nikko received approval with the following conditions: the limestone forest on site be preserved; public access to the beach be provided; the development/impact fee must be paid upon implementation by the government; connect to the Northern District Sewer Treatment Plant-Sewer Reversion Project upon completion; upgrade the roadway per Department of Public Works standards and conditions; and perform an archaeological survey prior to construction. Both the Palace (\$69.3 million) and the Nikko (\$90 million) hotels broke ground the following year.

There were eight applications for individual single-family residential development submitted to the TLUC for review and approval in 1987; with a total of 182 units proposed for construction. Under the single family category, a large number of new, home units were permitted without the need for TLUC approval. Only those single family units requesting variances, or developed as subdivisions or planned unit developments, are required to be reviewed by all DRC agencies and TLUC.

Of the 182 units approved, 172 units were part of a single PUD. This project consisted of a total of 469 units in Yona (both single family and townhouse units). The zone change request from "A" to "PUD" was originally disapproved by the TLUC due to concerns and objections raised by the public, the mayor of that village, and DRC members. These objections were based on inadequate water and sewer infrastructure facilities in the area; the fact that the soils

on the property were better suited for agricultural use; and the potential threat to endangered species living within the project site. Three TLUC meetings, or six weeks later, TLUC agreed to "reconsider" their decision and entertain the application a second time based on new evidence that was to be provided by the developer. The developer, however, merely contested the statements made by DRC representatives, i.e. Guam Environmental Protection Agency and Department of Agriculture), and offered to contribute \$400,000 to help upgrade infrastructure facilities in the area. Based on this "new evidence", the TLUC approved the zone change application.

The remaining ten units were approved for individuals planning to construct single family dwellings that did not meet all applicable zoning requirements. These home builders simply could not meet required setbacks or lot size, for example, and were required to obtain TLUC approval for their variances.

More specifically, four variance requests for substandard lots were approved (one with conditions), two subdivision improvement variances were approved for a reduction in lot width and a reduction in easement, and one variance request for a substandard lot was disapproved. The basis of TLUC's disapproval on the one substandard lot request reflected DRC's concerns regarding a lack of justification for a substandard lot within an agricultural subdivision - no hardship on the property; and the fact that the property was located within the northern aquifer recharge area (Guam's primary water source) which would necessitate the property owner connecting to a sewerline. Interestingly, the four substandard lot requests were approved without any conditions whatsoever, and no justification was required on the applicants' part. Additionally, three of the four approved requests were also within the aquifer recharge area.

There were several small to medium sized subdivision projects ranging from five units to seventy-one units, and one large subdivision consisting of 106 units, that were proposed in 1987. With a total of 306 units approved, developers proposed most of the subdivision units for Yigo, Yona, and Dededo. (A subdivision is simply defined as any parcel of land

subdivided into six or more lots. The subdivision of a lot that is part of an existing subdivision is termed "overparcelling". This is the case of the five unit/lot subdivision request mentioned above.)

Subdivision projects must comply with Guam's subdivision laws, rules and regulations in addition to the zoning laws. Part of the review process requires that subdivision developers submit tentative and final subdivision plans to insure orderly growth, adequate infrastructure, and proper traffic circulation.

The one subdivision project that was disapproved included a request to waive "full improvements" (i.e., concrete curbs, gutters, sidewalks) as required by law. This was not an uncommon request, nor was it a request that was normally denied by the TLUC, justified or not. In this case, however, when the applicant did not provide any justification for the waiver of improvements, and simply stated that "other developers in the area did not have to provide full improvements", the Commission decided to disapprove it.

There were six subdivision projects approved without any conditions; three of these fell under zone change requests which cannot be conditioned under current law (unless its a zone change to PUD), one was a final subdivision approval, and the last two were requests for subdivision variances.

While there were only four projects involving townhouse units, a form of multi-family residential units; three out of the four were approved with a total of 553 units. A tentative subdivision approval request was approved for 240 units, with no conditions. 297 townhouse units were approved as part of a PUD (mentioned earlier), and finally sixteen units were approved under a variance application for a mix of townhouse and apartment units. Most of these units were planned for Tamuning and Yona as part of major subdivisions. The one townhouse project that was disapproved by the TLUC consisted of 244 units, and was proposed for Yigo. It was rejected under a zone change request from "A" (rural) to "R-2"

(multi-family dwellings) primarily due to inconsistencies with the scales and drawings on the conceptual plan. TLUC recommended that the applicant re-submit his proposal under a PUD request. The applicant did this, and in 1988 received approval for 176 units and commercial buildings.

It is appropriate at this time to follow the discussions on single family dwellings, subdivisions, and townhouses, with a brief discussion on "Planned Unit Developments" (PUDs). A PUD enables the unified or integrated development of a substantial land area with a combination of uses and structures that are deemed compatible to one another. A PUD could be comprised of a combination of any or all of the following uses: hotels, condominiums, townhouses, single family dwellings or commercial buildings. When compiling the information on the various uses of each proposed PUD, each use and its corresponding number of units is reflected under the appropriate use category for the purposes of this analysis. For example, under a proposed PUD of 300 hotel rooms, 200 single family dwellings, and 100 townhouses, the units will be tallied under the appropriate category. Note that single family dwelling units and townhouse units are not categorized as subdivision units. The main reason for this is the need to indicate each separate use proposed under a PUD, versus a solitary use - single family units - which are normally associated with subdivisions.

The TLUC saw very little activity in terms of condominium requests compared to apartment or hotel requests. A total of eighty-four units (two projects) were planned for Tamuning, and twenty-six units (also two projects) were planned for Tumon. One height variance was approved for three-stories, 30 feet. Typically, in 1987 and prior years, condominium proposals were small scale (less than ten stories, less than 100 units), as opposed to "typical" requests to follow in other years.

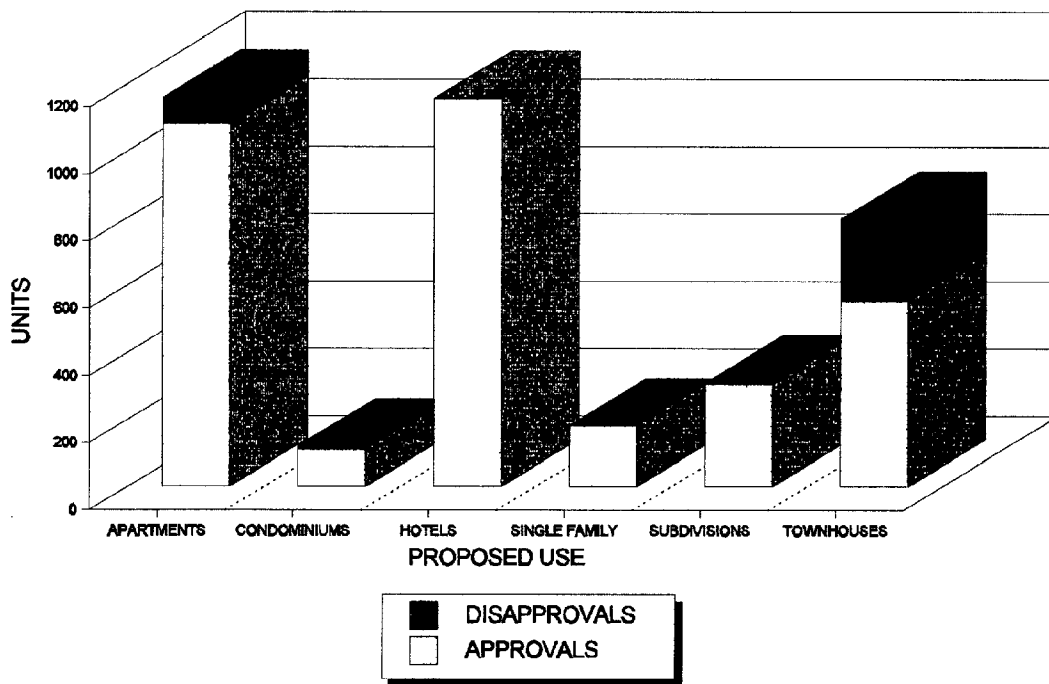
TLUC disapproved one condominium project with requests for a height and setback variances, as well as a conditional use. The applicant had previously obtained approval from TLUC in 1980 for a twelve unit, four-story condominium (height variance for one floor). Apparently,

the applicant never built, and decided to request for an additional three floors (same number of units) seven years later. But in doing so, the project now required a setback variance due to the building height-setback ratio requirements under the Hotel-Resort Interim Rules and Regulations ("when a yard abuts a shoreline, building setbacks are increased by 35 feet for one story, and 75 feet for two stories, etc.) The Commission considered the size of the lot too small for a seven story structure and therefore, disapproved the request.

TLUC's average disapproval rate for all six categories of development in 1987 was 16% (0% for hotels).

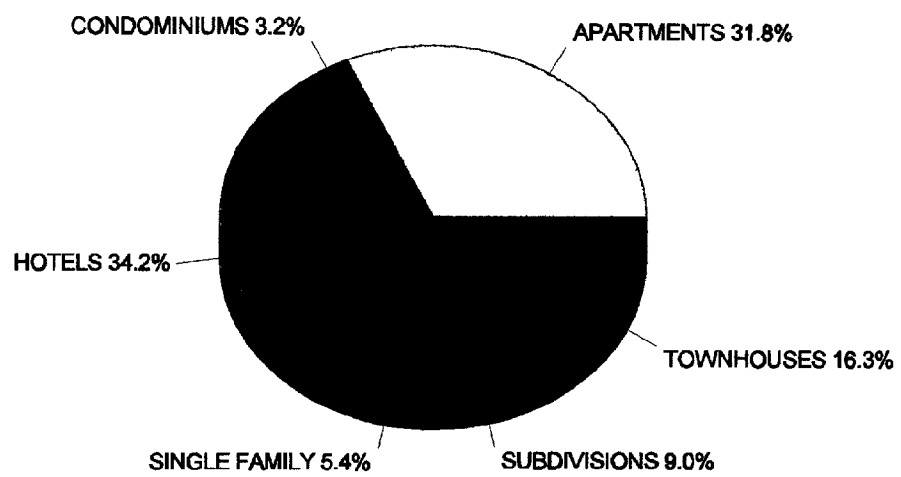
TLUC - 1987

APPROVALS VS. DISAPPROVALS



1987

PERCENTAGES OF APPROVALS BY USE



1988 TLUC ACTIVITIES

For 1988, the total number of hotel projects doubled from 1987, and the number of rooms increased by almost 50%. All together, the TLUC approved twelve projects (nine new hotels and three major hotel expansions), totaling 2329 hotel rooms. Half of those projects were approved for Tumon alone with 1058 rooms (i.e., Reef Hotel, Guam Plaza, Hotel Leo Palace, and other unnamed hotel projects). One major hotel (Goodwind Development Corp./Micronesia Mall Hotel, 450 rooms) was approved for Dededo, and another for Tamuning (Onward Agana Beach Hotel, 300 rooms).

Conditional uses and zone variances were the most common request to the TLUC, with density, height, and setback being the most common variance. Goodwind Development Corporation, for example, applied for a conditional use permit to revise its existing master plan in order to construct a 450-room hotel rather than apartments and condominiums as originally proposed. In addition to the conditional use, this applicant had also requested a height variance to construct the hotel fifteen stories over the six stories that were allowed by law in a "commercial zone" for a total of twenty-one floors, 220 feet in height (there are no other structures in this area over three stories). DRC objected to the requests for two main reasons: 1) the applicant required a setback variance as a result of the proposed height of 21 floors, and had not applied for such (required setback increased to 315' on all sides); and 2) the applicant had not justified the granting of the height variance as required under the Zoning Law. Based on the proposed layout, the TLUC approved both the conditional use and height variance as requested by the applicant, and stated it was "good planning". No setback variance was required of the applicant by the TLUC.

The Manenggon Hills development site is comprised of more than 1300 acres in Yona, a village with a total population of approximately 5,300. It received approval for 200 hotel rooms, 2150 condominium units, 850 executive dwellings - townhouses and single family

units (units reflected in 1990 TLUC PUD amendment approval 1990 table), 2½ golf courses and golf clubhouse (3rd largest in the world), an equestrian trail and horse stables, two baseball fields, an artificial lake, tennis club, water park and numerous swimming pools including an Olympic sized pool, and a 2000-seating capacity convention center. Additionally, a "central village" was proposed for the Manenggon development, and was to consist of shopping areas, restaurants, a chapel, medical center, theater, bowling alley, and a small (on-site) train and depot. During the course of construction of phase I, Manenggon moved ten million cubic yards of earth. Manenggon Hills led the way for several other large scale developments.

1988 saw the beginning of planned "resort" development. Although not the first of its kind ever to be proposed on Guam, the "Manenggon Hills Leo Palace Resort" zone change application (from "A" to "PUD") was submitted to the Development Review Committee on September 15, 1988. Despite the fact that the DRC member agencies had grave concerns pertaining to the potential impacts due to the magnitude of the proposed project (i.e., inadequate infrastructure or a lack thereof, impacts on endangered species within the area, possible effects of the project on the Ylig and Manenggon Rivers, the protection of historic or archaeological sites, access to and from the proposed development, and the lack of both an Environmental Impact Assessment and an Agricultural Impact Statement), six weeks later, TLUC approved the zone change request.

1988 also appeared to be the beginning of another "phase" of development: large scale condominiums. While there were twenty-three apartment projects compared to seventeen condominium projects submitted for approval, TLUC approved 760 condominium units (an increase of 591% from 1987) and only 455 apartment units (a decrease of 58% from 1987). Most of this condominium development was proposed for the villages Tamuning and Tumon, with one project consisting of more than 100 units in Dededo. Conditional uses and zone variances were mostly requested of the TLUC, with density and height being the most frequently requested types of variances for condominium development this year.

This was a period of time when it was not uncommon for developers (of both condominiums and hotels) to request variances for height, density, or setbacks, that were anywhere from 50% to 100% or more, in excess of what was permissible by law. The arguments for approval were not based on requirements of law, but a viewpoint of development based upon investor needs, previous approvals (without cost/benefit analysis), unsupported statements as to investment/return needs or realities, and community capabilities and support as "proven" by lack of outcry against. In other words, policy regarding community evolution was being developed as a result of actions rather than before the action occurred, by a commission rather than those elected to develop policy.

This was also a time when the two primary agencies responsible for water and sewer infrastructure tried to impress upon the TLUC, the importance of staying within the limits of the Tumon/Tamuning areas' existing sewer capacity. It eventually reached the point where both agencies recommended against approving density variances until such time that the "Sewer Reversal Project" was completed (1989). This project was intended to alleviate some of the pressures on the sewer system which at the time was working beyond its intended capacity. The agencies also felt a need for, and recommended that a study be conducted to determine the total sewage collector requirements for Tumon. This study would take into consideration not only existing development and TLUC approved hotel/condominium projects, but the development potential of all vacant properties within the Tumon area.

But even with the seriousness of the infrastructure situation at hand, TLUC continued to approve development projects. Standard conditions imposed by the Commission, if any, consisted of the following: that developers pay their "fair share" of development impact fee for water and sewer infrastructure improvements upon implementation by the Government of Guam; that landscaping be reviewed and approved by the Chief Planner (Department of Land Management) prior to the issuance of occupancy permits; that sign regulations be adhered to; and in some instances, that proposed developments (condominiums or hotels) not exceed the requirements for density by more than 50%. In regard to high-rise structures and height

variances, the Commission always felt it better to approve high-rises than have two or three story buildings "sprawled out" from lot line to lot line, and not have any open space. The result of the "TLUC request to limit density increases to 50%", was a de-facto increase of permitted density without a legally adopted change to the law.

In 1988 there were eleven single family dwelling project applications, for a total of 18 units. Six of those projects (total of 13 dwellings), with requests for zone variances (substandard lot sizes and lot widths) or subdivision waiver variances were disapproved. Only five single family dwelling units were approved.

Subdivision development dropped from twelve to eight approved projects (a decrease of 32%) totaling only 152 units. Two projects received tentative subdivision approvals, one proposed for Mongmong (12 units), and the other for Toto (32 units). The largest subdivision project approved this year consisted of 94 units and was planned for the village of Yona. This project, however, was in its final review stage, as it received "final subdivision approval" from the TLUC.

There were four townhouse projects submitted to the TLUC in 1988, the same number of projects as 1987. Although all four applications were approved, two with conditions, proposed townhouse development fell slightly with only 444 units being approved. One conditional use, one tentative subdivision approval, and two zone changes were granted. The majority of these units were proposed for Dededo and Yigo.

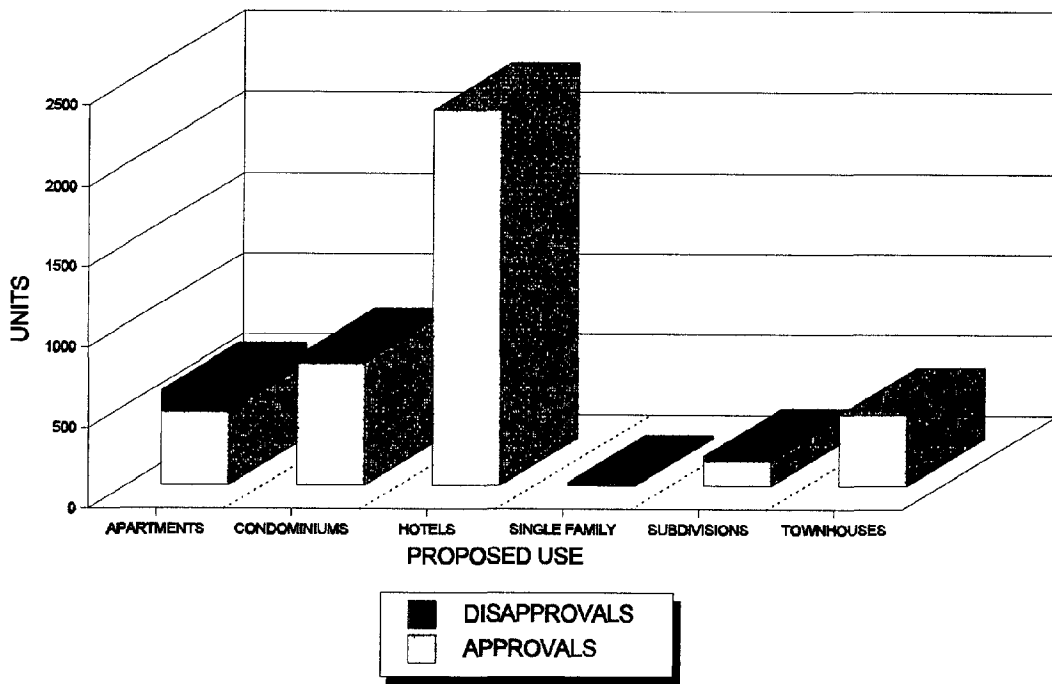
With twenty-two apartment projects proposed, and seventeen of those projects approved, a need was still being demonstrated for this type of residential accommodation. The main reason for this being that a growing majority of the local population could not afford to purchase homes at the going market rate, which ranged anywhere from \$225,000 to \$400,000. There were seven conditional use permits, eleven zone variances (mostly for height), and three zone changes approved by the TLUC for apartment structures. The 485 approved units were

planned throughout the island, from Yigo, to Yona, to Agat. The three villages with the most approved units included Tumon, Dededo, and Barrigada.

TLUC's average disapproval rate for 1988 increased slightly to 20%; while there were no hotel or townhouse projects disapproved, almost half or 46% of the single family units were denied.

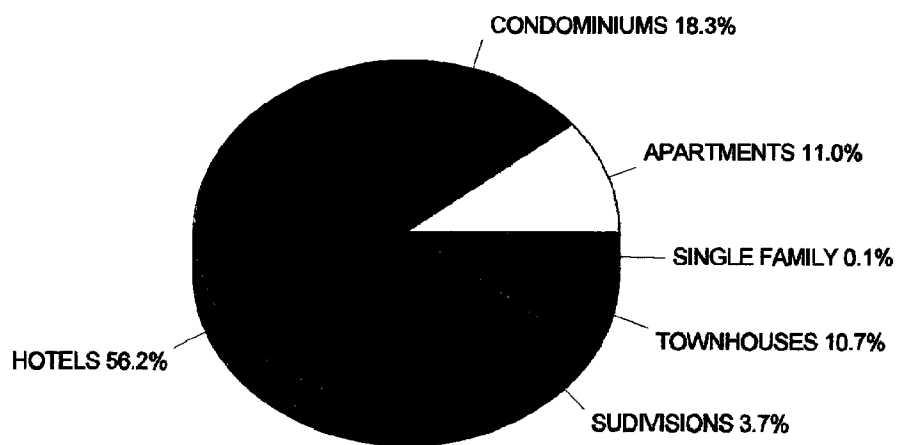
TLUC - 1988

APPROVALS VS. DISAPPROVALS



1988

PERCENTAGES OF APPROVALS BY USE



1989 TLUC ACTIVITIES

Up from twenty-two projects in 1988, thirty-seven apartment projects went through the TLUC process in 1989. The total number of apartment units approved increased from 485 in 1988 to 731 in 1989, an increase of 246 units or 34%. Six apartment projects consisting of 215 units, or 16% of the apartment projects entertained by the TLUC were disapproved.

Of the seventeen variance applications submitted for apartment projects, the most requested were variances to the height law -- thirteen in all. A contributing factor for the significant number of height variances was due to the language of the zoning law; the law stated that the maximum height allowable in any zone was two stories, not to exceed 30 feet (except commercial zones within the New Agana lot and block system and hotel zones). Many apartment complex developers proposing to construct three story apartment complexes within the 30 foot height limit were required to obtain variances for the third floor. This type of request was often considered a formality, and rarely met with any opposition. (Because this had been an issue for many years, Bill No. 298 was signed into Public Law 21-14 in April of 1991; this law basically amended the current height regulations to allow for structures in "A", "R-1", "R-2", "C", "M-1", and "M-2" zones to be built a height of three stories, 30 feet.)

The need for TLUC approvals for condominium development proposals intensified in 1989. The total number of approved condominium units spiraled to 4,200 units, 3,440 units or 452.63% more than in 1988. Of the eighteen condominium project applications acted on by the TLUC, only one, (a twenty-six unit project) was disapproved. While the majority of approved units (2,222) were planned for the village of Ordot, 2,168 units were approved under one project. The villages of Tamuning, Mangilao, Tumon, and Inarajan were also locations where a good number of condominiums were proposed, each with 200 or more units.

Again, while there were other TLUC requests such as conditional uses and zone changes,

height variances were the most requested type of change or deviation from the zoning requirements. For the variance requests submitted for condominium projects located in Tumon, a different set of height regulations applied - the "Hotel-Resort Zone Interim Rules and Regulations". For multi-family uses, i.e., condominiums, on lots between 10,880 sq. feet and 29,999 sq. feet in size, the maximum building height allowed is three stories (no limit in total number of feet). For properties 29,999 sq. feet and over, the maximum building height was determined by adding total lot width with total lot length, and then dividing by 10. As available properties in Tumon became more and more scarce, they also became smaller. That is why, in many cases, variances were required of many projects.

Hotel development requests also increased dramatically; the total number of approved hotel rooms increased 192.7% (from 2,329 rooms in 1988 to 4,488 rooms in 1989). Of the sixteen hotel projects proposed, only one (a twenty-five-room hotel), was disapproved by the Commission. Among the projects approved, eight projects or 2,235 rooms (50% of the rooms approved) were slated for Tumon. Most of the variances requested (i.e., height, density, and setback) for the hotel projects in Tumon were the result of insufficient acreage for such projects. The overdevelopment of properties in Tumon was directly related to the escalated property values in this area, which accordingly, was linked to increased foreign investments and development speculations. At one point in time, Tumon properties were advertised for sale as high as \$2500 per square meter, and developers tried to maximize their investments.

There were three approved "hotel-resort" developments and one "residential-industrial park", which consisted of a variation of hotel rooms, condominiums, townhouses, subdivision units, and golf courses. These projects were planned for Inarajan (Dandan Estates and Country Club), Mangilao (Marbo Cave Resort), Tamuning (Matsuzato Guam Resort) and Ordot (United Light Industrial Park and Pacific Garden). Developers of large scale, tourism related projects, began moving into areas other than Tumon, the traditional tourist-hotel destination on Guam, as Tumon reached its saturation point.

Generally being the first of its kind to be proposed on Guam, the residential-industrial park merits a brief discussion. On 67.3 acres, the Hong Kong-based developers proposed to construct 2,168 units of low (6 stories) to highrise (28 stories) condominium units, a 100-room, five story hotel, commercial facilities, clubhouse facilities, workers' housing (five stories, 56 units), and eighteen 20,000 sq. foot industrial park lots (total of nine acres). Recreational amenities such as tennis courts, swimming pools, a lake/reservoir, and parks were also proposed. The following are some of the goods that were proposed to be manufactured or assembled on site: garments/clothing, furniture, leather goods, Chinese arts and crafts, watches and clocks, toys, luggage, lacquer and porcelain ware, electronic goods, sporting goods.

The project site was comprised of approximately 18% savanna (12 acres), 54% ravine forest habitat (36 acres), 25% wetlands (17 acres), and 3% disturbed ground (less than two acres). Needless to say, there were many critical concerns involved with this project. Among those crucial issues was the need for water and sewer infrastructure upgrades in the area; the mitigation of all 17 acres of wetlands that were proposed to be filled or altered; the protection of significant historical artifacts or sites; traffic impacts; the projected increase in population resulting from the development; the impacts on existing public facilities and services; and the potential overdevelopment of the property.

Due to the lack of an adequate EIA, agricultural impact statement, wetland mitigation plan, erosion control plan, and environmental protection plan, DRC member agencies had recommended that the application be tabled or deferred back to the DRC until such time that sufficient information was provided which adequately addressed the concerns raised by the DRC. Regardless of these issues, the TLUC approved the zone change only two months after the DRC had reviewed the application. While there were conditions to the approval, it was TLUC practice to approve projects without supporting documents. It is noteworthy that this project raised numerous questions by concerned residents that ultimately would be impacted by the development of the project. It must also be noted that issues, such as the wetlands issue,

were not approved away, but would later be dealt with through other review and approval avenues.

As a point of interest, the TLUC approved two large scale projects in the early to mid-'70s, however, due to an unstable financial situation at the time, these projects were never developed. One of these projects was "Marbo Cave Resort" and the other "Lonfit New Town", planned for the village of Asan (discussed in 1991 TLUC Activities). Both have subsequently been "revived" and as a result of the investment boom of the early '80s. Because the properties for each of the projects were designated as "planned unit developments" (which requires a mixture of uses to qualify), the developers were required to apply for amendments to the previously approved master plans with the TLUC. Otherwise, both projects could have conceivably proceeded upon obtaining building permits.

In 1973, the original developers of Marbo Cave Resort were granted approval to develop 311 acres of land into a vacation resort/residential community. Developers had proposed to construct 1,720 units of various residential dwellings (i.e., single family detached units and townhouses); 1,710 hotel rooms; shopping, restaurant, recreational and entertainment facilities; two school/park sites; and a scenic lookout (on GovGuam property). In 1989, the new developers applied for an amendment to Marbo Cave's master plan, and proposed instead to develop a ten story 1,000-room hotel, a three story 200-room hotel, 434 condominium units, restaurant and shopping facilities, an 18-hole golf course, and the scenic overlook on GovGuam property. This being an amendment to an existing PUD, not much opposition was raised by DRC agencies. TLUC approved the changes with the condition that the developer improve access to the scenic overlook, develop the overlook facilities to include parking, and maintain the facility.

There were twenty-one single-family projects submitted to the TLUC in 1989, eight more than the previous year. Of those submitted, TLUC disapproved 38% or eight of the projects.

Although there were many projects proposed throughout the island, thirty-eight or 62% of the

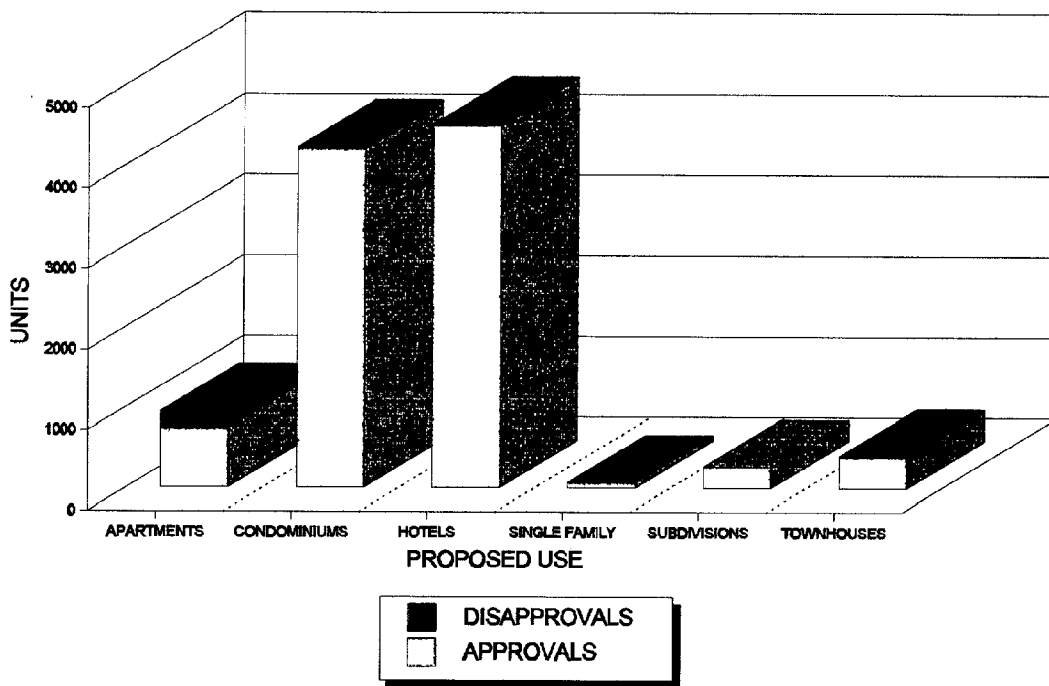
units approved were planned for Dededo. TLUC approved a total of sixty-one units, and disapproved eight units. There were more applications for variances than any other TLUC permit or approval. On the one hand, five substandard lot variances, three setback variances, and one height variance were approved. On the other, five substandard lot variances, one lot width variance, and one density variance were disapproved. The reasoning behind any decision is difficult to ascertain, as TLUC approvals tend to be justified in broad generalities.

TLUC approved five subdivision projects totalling 261 units. The largest subdivision approved this year consisted of 118 units (Forest Villa), and was planned for Mangilao. The TLUC approved the applicant's request for a zone change from "A" to "R-1", and the DRC agencies generally had no objections as the applicant was proposing to install full improvements as well as recreational facilities. The remaining four projects were each less than 100 units, and were proposed for Dededo, Yigo, and Chalan Pago.

The average TLUC disapproval rate for 1989 was 10.04%.

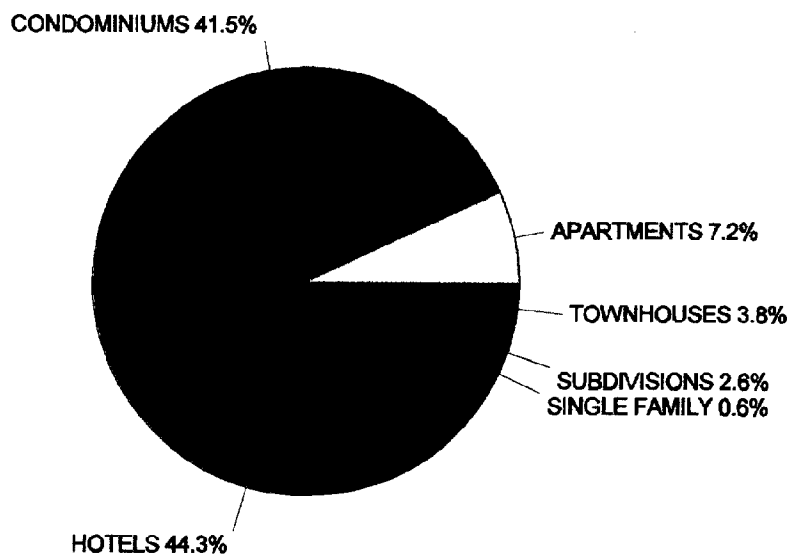
TLUC - 1989

APPROVALS VS. DISAPPROVALS



1989

PERCENTAGES OF APPROVALS BY USE



1990 TLUC ACTIVITIES

With the exception of condominium development, 1990 saw an overall decline in planned projects. This was partly due to changes in the government review processes for development. The two key changes that occurred were the passage of Executive Orders 90-09 and 90-10. These executive orders were promulgated primarily in response to serious concerns both the government and the general public had with the island's unprecedented development activity that had been occurring during prior years.

It became increasingly apparent that along with all the potential development which had been approved for construction by the TLUC, there would also be potential adverse impacts on the environment and the island community as a whole. Executive Order 90-09 was implemented to ensure that the TLUC as well as the DRC (Development Review Committee) exercised extreme care in the conduct of their activities, and that all laws and regulations governing land and water use were followed to the letter. Fundamentally, Executive Order 90-09 was effectuated to strengthen the review process, and close any gaps that previously hampered the review agencies' abilities to conduct thorough evaluations. E.O. 90-09 guaranteed the agencies a minimum of ninety days (or more if necessary) to review and submit application position statements; there were cases when the DRC had a mere two weeks to submit written comments or concerns. Additionally, DRC member agencies were now mandated to determine unanimously, those applications which would be scheduled for TLUC meetings, and when. This was to ensure that developers complied with the requirements of the agencies that were necessary for proper reviews (EIAs, storm drainage or infrastructure plans, archaeological studies, etc.).

Executive Order 90-10 was promulgated to address environment related concerns associated with development impacts. Essentially, 90-10 required that an Environmental Impact Assessment (EIA) be submitted to the Guam Environmental Protection Agency (GEPA) prior

to the TLUC taking action on any zone change or variance application. Prior to Executive Orders 90-09 and 90-10 being signed on May 25, 1990, TLUC would grant approval for major projects in relatively short periods of time, without the benefit of valid environmental assessments. Had the TLUC required the developers of the Manenggon Hills Resort to provide an environmental impact assessment acceptable to the reviewing agencies prior to granting its initial zone change approval, tens-of-millions of dollars in "after-the-fact" studies and fines could have been saved by the developer. Manenggon paid a hefty price - \$1.3 million (the largest fine in U.S. history) - for unauthorized filling of wetlands, and it was estimated that more than \$100 million in redesign and other costs were incurred by the developer as a result of actions which may have been avoided.

The adjustments that had to be made by the DRC and TLUC, together with the requirement for an EIA had expectedly slowed down the review process. This was critical at a time when the public perceived development to be at an uncontrollable level, while developers perceived the approval process as too slow, complex and expensive. Proposed developments throughout the island began to bring about opposition and concern from local residents. One prime example was the billion dollar "Taotao Resort" project. This 982 acre resort was to consist of four hotel structures, 4200 condominium units, three golf courses, shopping areas, and many other facilities. It was being planned for the village of Malojloj, Inarajan, primarily a rural village. Due to the lack of infrastructure and concerns for potential adverse impacts to the surrounding community and environment, residents spoke out strongly against the project. After one public hearing and many objections, Taotao Resort went no further. (Another factor that may be contributed to the failure of this project was a possible past connection between the developer and the Yakuza. The FBI was requested to investigate any possible criminal records.)

As alluded to earlier, planned condominium development projects continued to increase in 1990. Rising by 22%, there were 3485 condominium units approved by the TLUC. Included in these applications were requests for six zone changes, six zone variances, two conditional

uses, one wetland permit and one tentative subdivision approval. The zone change requests involved three changes from either "A" or "R-1" to "R-2" and one from "A" to "H"; and two amendments to PUD properties. No condominium project applications were disapproved.

It was around this time that the government agencies, as members of the DRC, began requesting developers of projects involving hotel and condominium uses to produce marketing studies as part of the review process. While the overall economic conditions on Guam were still considered very healthy, concerns and questions were raised as to whether the local community's needs were being met with all the on-going construction of condominium (and hotel) projects. Condominium projects on Guam were primarily visitor (tourist) oriented, and although developers made attempts at targeting at least 20% of the local market in many cases, the average to upper-level income households could not afford to invest in many of the units being offered. Additionally, condominiums were not the traditional choice of first time home buyers as were single family dwellings.

There were only five hotel projects approved by the TLUC in 1990 as compared to fifteen projects in 1989, this was a 67% decrease in project submittals. (The primary factor contributing to this decline in hotel submittals can be directly attributed to the transition that had to be made by both developers and government agencies from the old review process to the new process under E.O.s 90-09 and 90-10.) The total number of approved rooms came to 1,855 (only 41% of what was approved the prior year); no hotel projects were disapproved.

There were three zone change applications approved for hotel projects, however, two of these applications were not for new projects. These two zone change requests were to amend previously approved planned unit developments. The first amendment was to an existing eighteen hole golf course and country club in Dededo (Hatsuho International Country Club) which included approximately fifty hotel rooms. The requested amendment was to allow the construction of an additional fifteen hotel rooms, twelve townhouses, and another nine holes of golf. The second approved PUD amendment was for the Manenggon Hills Resort. This

application, which also included applications for a wetland permit, and tentative subdivision approval, was submitted after the initial wetland issues concerning the development were resolved.

The third zone change request (from "A" to "H") was for a new hotel/condominium development. Planned for an area in Harmon, immediately adjacent to Tumon on one side and Puntan Dos Amantes (Two Lover's Point) on the other, "Faifai Beach Resort" was proposed to have 1,100 hotel rooms (23 stories), approximately 59% of the total number of rooms approved in 1990, as well as 400 condominium units (21 stories). Because Puntan Dos Amantes is a historically symbolic site as well as one of the most economically important landmarks on Guam, there were great concerns with the impacts to the site as a result of the proposed Faifai Resort. Agencies noted the general lack of information provided by the applicant regarding critical issues involving archaeological resources, habitats, wildlife, and the physical characteristics of the property (i.e. pristine limestone forests). The need to review an adequate environmental impact assessment and/or statement prior to the approval of the zone change was also emphasized. Yet, once again, the TLUC granted its approval with the standard attitude that "environmental studies can always come later". Because this application was submitted to the TLUC prior to the implementation Executive Orders 90-09 and 90-10, it cleared the DRC/TLUC process within two months.

There were only twelve apartment projects requiring TLUC action in 1990 compared to the thirty-seven projects submitted in 1989. Accordingly, the total number of approved units declined 74% for a total of only 190 units (731 units were approved in 1989). Four of the twelve apartment projects (33%) submitted this year were disapproved. Included in those requests that received approval were three conditional use permits, one zone change from "R-1" to "R-2", and variance requests for height (6), parking (2) and density (1). Four of the height requests were for apartment structures three stories, 30 feet (variance for third floor). The last two height requests were for structures more than 50% over required height limits. Both parking variances were granted to reduce the size of parking stalls, the standard size

being 9 feet by 20 feet. The one approved density variance permitted 19% more than the total number of allowable units. About 83% of the approved apartment units were planned for the villages of Tamuning and Tumon.

Of the four applications denied by TLUC, requests included two zone changes from "R-1" to "R-2", and one zone variance each for height (26.3% over allowable height), density (53.8% over allowable density), and use (multi-family use in a single family zone). A total of 232 units were disapproved, 18% more than were approved.

There were nine applications submitted under the "single family dwelling" category in 1990. All seven applications were approved, five with conditions. Approved requests included one conditional use permit, two subdivision variances (one deletion and one reduction of easement), and four variances (three for substandard lots and one setback request). Of the 68 approved single family units, 61 units were part of two separate planned unit developments (PUDs): Manenggon Hills (50 units) and Riverside Pago Estates (11 units). The reason these units were categorized as single family units and not subdivision units is that PUDs are normally reviewed for the mixture or variety of uses, and are not considered a single use development such as "subdivisions". This is not to say, however, that approved PUDs are not required to go through the tentative subdivision approval process. The main difference between subdivision projects (primarily made up of single family units) and PUDs, is that a PUD developer must first obtain that particular designation under an approved detailed master plan (such plan must illustrate a compatible mixture of uses and a 70% open space/30% development ratio).

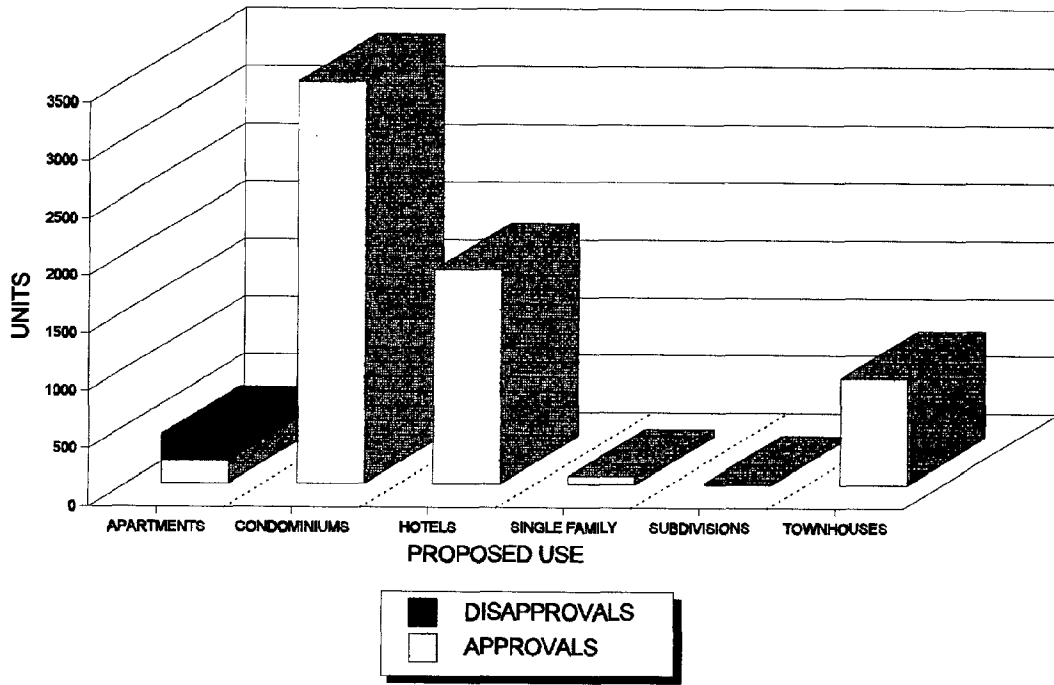
There was only one subdivision project submitted to and approved by the TLUC under a tentative subdivision application. A total of seven units were proposed for the village of Mongmong.

There were a significant amount of townhouses approved in 1990 compared to the previous

year primarily because of the Manenggon Hills Resort in which 800 such units were proposed. All in all, there were four projects that TLUC approved, two with conditions. The requests included three zone changes (one new PUD and two amended PUDs), and one tentative subdivision approval. Each townhouse proposal was part of a multi-use development.

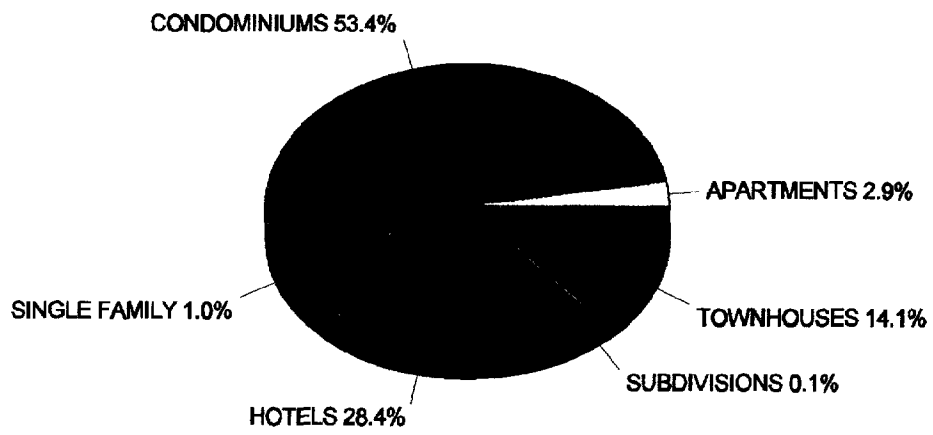
TLUC - 1990

APPROVALS VS. DISAPPROVALS



1990

PERCENTAGES OF APPROVALS BY USE



1991 TLUC ACTIVITIES

Although there was a marginal decline of three percent in the total number of approved condominium units (3,369) from 1990 to 1991, condominiums were still the most proposed type of development submitted to the TLUC for approval. Approved applications included two zone variances (two requests each for density and height), five zone changes (three new PUDs, one amended PUD, and one "R-2" zone), and one seashore clearance permit.

The largest condominium project was approved by the Commission under a zone change from "R-1"/"R-2" to PUD. Planned for the area known as Fadian, Mangilao, this project involved three 23 story towers totalling 1,436 units, a shopping center, restaurants, and recreational facilities (tennis courts, swimming pools). One of the main concerns with the project was the need or "public necessity" for the proposed condominiums. The applicant had not been able to provide supporting data or demonstrate that the people of Guam - local residents - needed or could afford the proposed units. Not only would this development drastically alter the character of the area which is primarily undeveloped, but would result in escalated land values, thus causing a further impediment to affordable housing for Guam residents.

Columbus Development Corporation requested an amendment to its PUD (previously approved in 1978) in the village of Asan. "Lonfit Newtown" was proposed to consist of 1,275 condominium units (second largest condominium project proposed this year); 200 hotel rooms; 800 single family units; 3,971 townhouse units (the largest and the only townhouse development proposed this year); and an 18-hole golf course. The original PUD consisted of 791 acres of land, and was amended to 960 acres. The most visible difference between the approved PUD and the amended PUD is the golf course.

Concerns that were raised included the need for adequate water sources, the depletion of existing water sources, protection of historical artifacts, erosion impacts to the Lonfit and Pago

Rivers, as well as Pago Bay and the reefs beyond the bay, and potential negative social or economic impacts to the residents of Guam. The developers maintained that the Lonfit project will be developed to provide housing for the residents of Guam, and not to satisfy the demand for resort housing from off-island investors. Per 1990 figures, single family homes were to range from \$180,000 to \$275,000, and condominiums were to range from \$120,000 to \$250,000. Overall density was decreased by 30% from the original PUD. With the exception of the Guam Environmental Protection Agency, which did not accept the EIA at the time, the DRC agencies generally did not have strong objections to the request, however, conditions to address the above mentioned concerns were recommended to the Commission. The TLUC approved the application with conditions pertaining to required progress reports, subdivision plans, parking, and conditions imposed by the DRC agencies.

Of the nine applications submitted under the condominium category, only two applications for zone variances (one parking, one setback, and two height requests) which included 160 units (planned for Agana Heights and Dededo) were denied.

There were seven hotel proposals submitted to TLUC, two more than in 1990. All seven projects were approved, totalling 1,211 rooms; this however, was a 35% drop in the overall number of approved rooms.

The largest hotel structure consisted of 380 rooms (12 floors), and was approved under a PUD which included 314 condominium units (5 - 9 floors) and other hotel-resort amenities. Proposed for the village of Agat, on a lot approximately 35 acres, the "Taelayac Hagat Resort" (Nomura Agat Resort) was the largest hotel project proposed for the Agat area since the 70-room "Inn On the Bay" hotel was approved and constructed.

Similarly, a second hotel-resort project was proposed and approved for an 11.21 acre Agat site in 1991. "Agat Hilltop Gardens" is to consist of 224 hotel rooms and 196 condominium units (structures ranging from 5 - 25 floors), and other amenities such as restaurants, shops, a bank,

tennis courts and a swimming pool.

"Employment opportunities, infrastructure improvements, public access to amenities (shops, restaurants, etc.), and the need to increase the hotel room inventory" were given as reasons or justification for the approval of the zone changes for both projects. The majority of the DRC agencies did not oppose these projects, however, numerous conditions were recommended to address specific concerns.

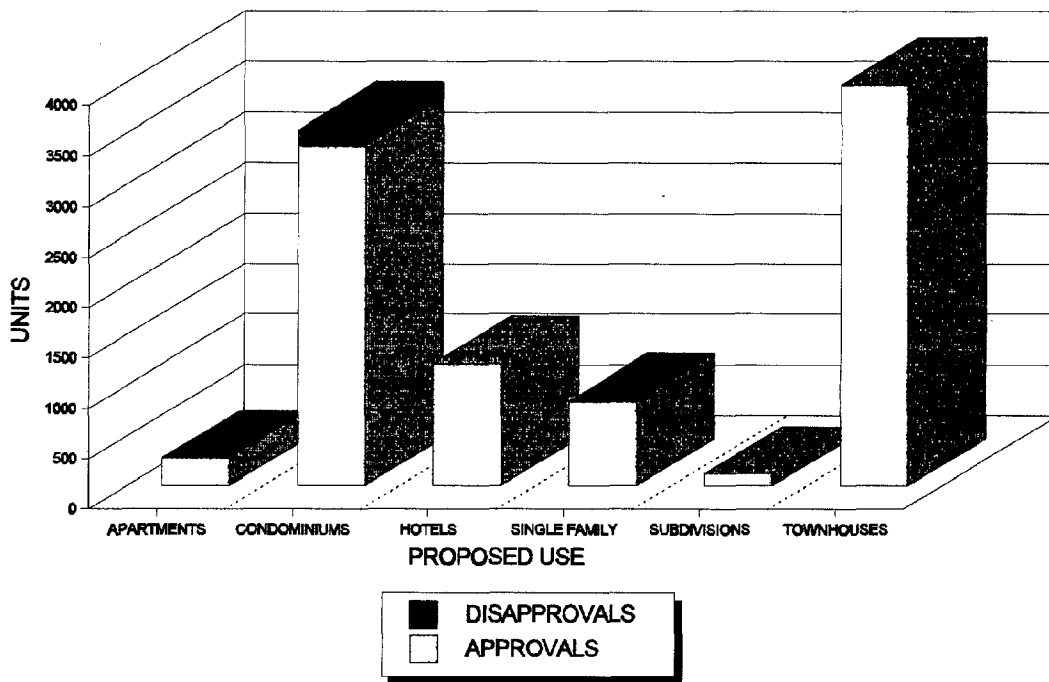
While there was a sharp increase of 842 single family units approved in 1991, this is easily explained by the 800 single family units approved under the Lonfit Newtown PUD which was discussed earlier. Twenty-one of the remaining forty-two units were proposed by individuals wanting to develop their single family lots. The last twenty-one units were proposed by the developers of a previously approved 18-hole golf course in Talofofu. There were four zone changes from "A" to "R-1" and one PUD amendment, zone variances for two substandard lots and a reduction in lot width, a conditional use, and a waiver of improvements request approved by the Commission. There was only one proposal for a single family unit disapproved under a substandard lot request.

There were only two subdivision projects reviewed by the TLUC this year; both projects were approved. The first was a 108 unit subdivision planned for Dededo, the second a 10 unit subdivision planned for Ordof. Requests were submitted for a tentative subdivision approval and a zone change to "R-1"; neither project drew any opposition for the reviewing agencies.

The total number of apartment units increased slightly by 30.4%, or 83 units. Overall, there were seven projects submitted to the TLUC (five less than 1990); of the seven, two applications were disapproved (only five units). Of those units approved, 50 were proposed for Dededo, 127 for Tumon, and 96 for Yigo.

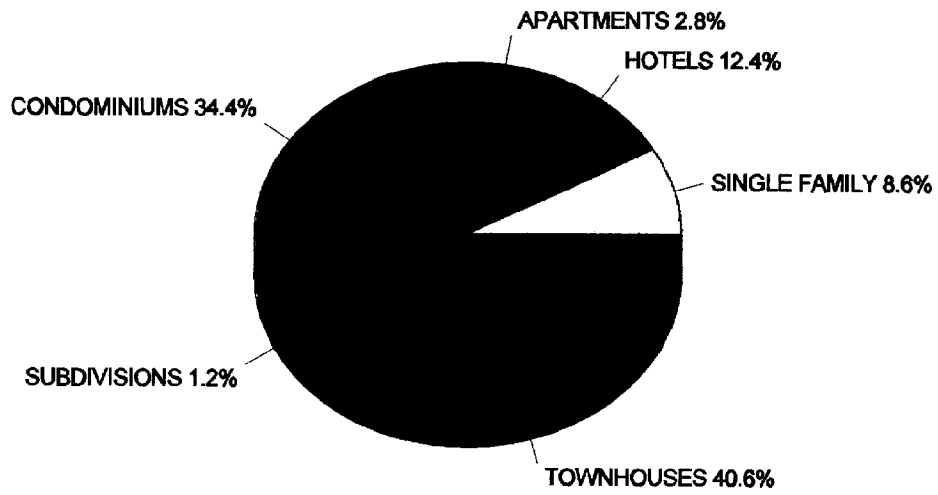
TLUC - 1991

APPROVALS VS. DISAPPROVALS



1991

PERCENTAGES OF APPROVALS BY USE



1992 TLUC ACTIVITIES

1992 saw a major slow down in TLUC activity related to the six categories or uses in this study. An important factor that must be pointed out is the date in which an application is reviewed or entertained by the Development Review Committee and the date that same application is acted upon by the TLUC. From 1987 to 1989, applications for development (both large and small projects) would clear the entire DRC/TLUC review and action process within the same year (usually in two to three months). However, the changes in the review processes (Executive Orders 90-09 and 90-10), resulted in an end to the relatively quick review process that developers had adapted to. Changes in the overall economy, both on-island and abroad also had some impact on the number of development proposals submitted each year. And finally, the applicants themselves were requesting that their applications be put in abeyance, primarily as a result of the Japanese recession and the beginning of understanding that the inventory of approvals exceeded realistic needs.

Of the twelve requests entertained by the Commission in 1992, one request was reviewed by the DRC in 1990, nine in 1991, and two in 1992. The average review period for these twelve applications took approximately eight months. Only one request out of the twelve was disapproved by the TLUC; this was for a 28 unit apartment complex. The Commission had disapproved a prior zone change request for the same use (apartments) on the same lot. Both applications were disapproved based on inadequate justification.

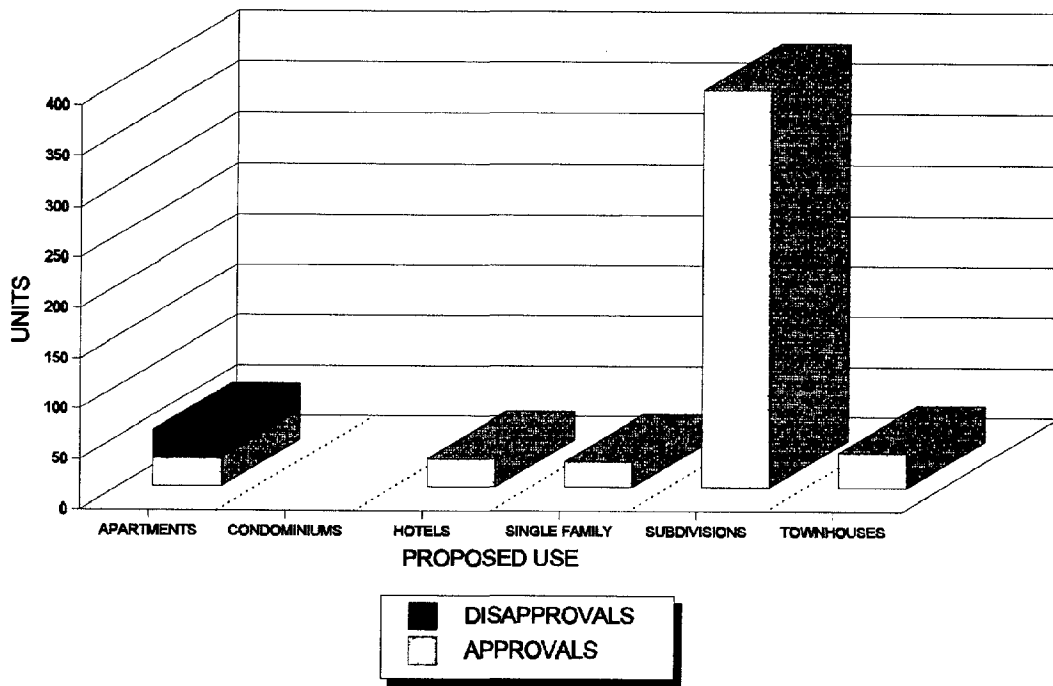
Approved projects included two apartment structures totalling 28 units; one 28-room hotel; three requests for single family dwellings totalling 25 units; one townhouse development consisting of 35 units; and four subdivision projects totalling 393 units.

This appeared to be a good year for subdivision development, which also indicates that developers were beginning to pay attention to the needs of the residents of Guam. Looking at

the numerous condominiums and hotels that have been approved, many of which have yet to be constructed, was seen as a welcome change that the requests were primarily for housing projects that were not geared toward tourist usage or targeted at affluent off-island investors.

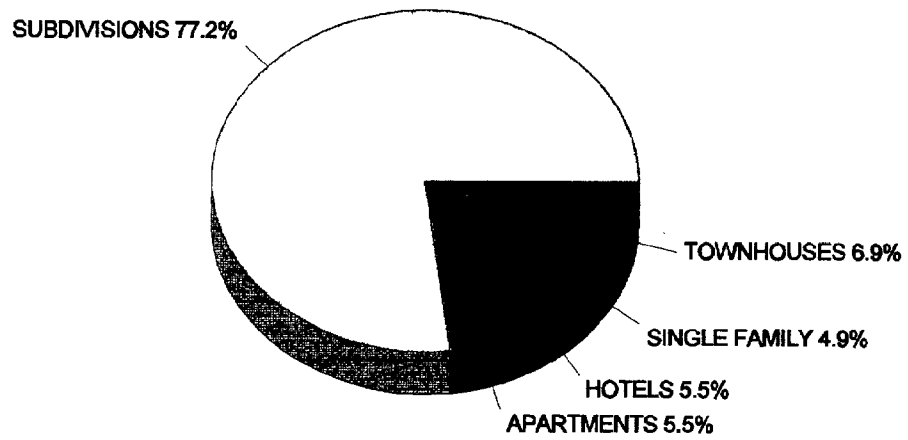
TLUC - 1992

APPROVALS VS. DISAPPROVALS



1992

PERCENTAGES OF APPROVALS BY USE



1993 TLUC ACTIVITIES

In 1993, there was a modest increase in TLUC activity in terms of overall units approved. Approved apartment units increased by 86.3%, condominiums 100%, hotel rooms 97%, and townhouses 78.6%, as compared to 1992 figures. Albeit, single family dwelling and subdivision units decreased by 56% and 79.8%, respectively. TLUC approvals apparently shifted back towards condominiums and hotels.

Nonetheless, it's important to note once again, that many of the project requests approved this period were initiated prior to 1993. TLUC approved a total of four conditional use requests, six zone variances, six zone changes, one subdivision variance, and four tentative subdivision approvals. There were only five new project applications that were both submitted in 1993 and approved in 1993.

Although it may appear that development in general has started to look up, weakened economic conditions in Japan continued to affect the hotel/tourism industry, which in turn affected the construction industry. With Japanese investments down, and their inability to finance projects, the Japanese placed several major projects on hold indefinitely. This included projects already begun, for which activity has been halted altogether, and projects which have been redesigned for phased development.

Approved for a second time in 1993, the 27 story, 446-room Guam AB (Asahi Beer) Hotel proposed for Tumon, was previously granted approval in 1992 for its height, setback, density, conditional use, and seashore clearance requests. However, due to a court action that was filed against the TLUC based on "insufficient public notice", the Superior Court of Guam ordered the TLUC to vacate its original approval. Additionally, another civil action was heard in court involving an easement situated between the hotel property and a neighboring property. The dispute was whether or not this easement was a public or private easement; the easement

was determined to be a public ingress/egress, and the Court decision was in favor of the hotel developer. Because TLUC's original approval had been vacated, the Commission simply re-heard the hotel application and approved it once again.

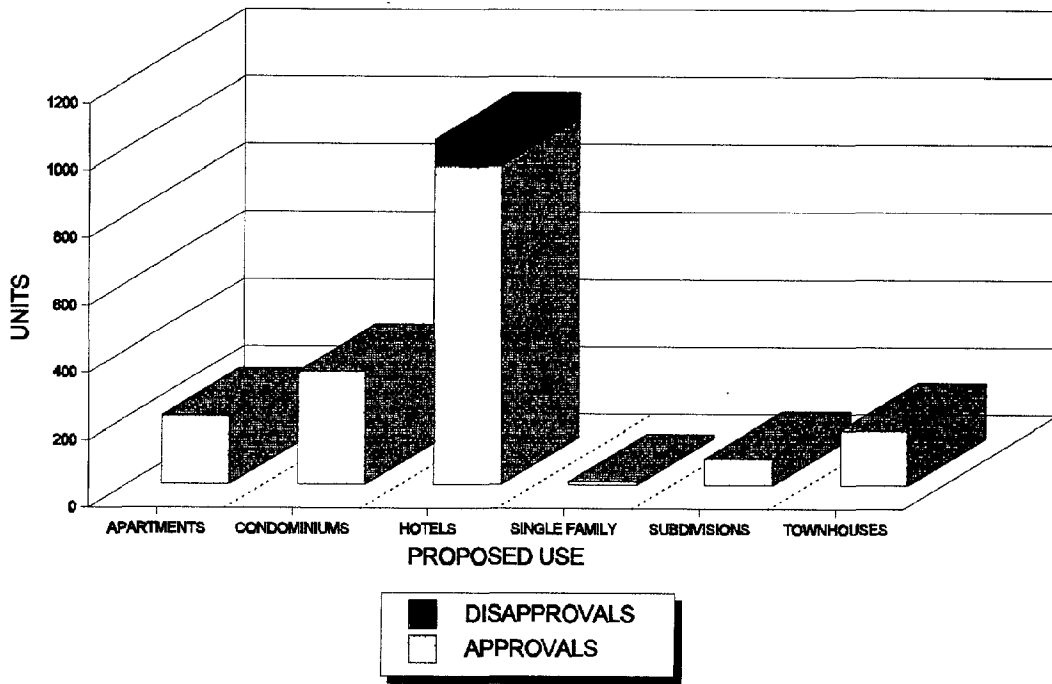
The largest condominium project proposed and approved this year consisted of 252 units, but also included ten single family dwellings. This project was approved under a zone change from "A" and "R-2" to PUD, and is slated for the village of Asan. Representatives from Yoko Investment Co., Ltd. had met with staff of the Bureau of Planning to discuss the justification for the proposed project named "Okso' Taguac". The end result was an understanding that at least ten condominium units would be sold at the cost of \$150,000 as opposed to the market price of \$350,000. This agreement was supported by the developer's desire to demonstrate its willingness to contribute to affordable housing on Guam. The Bureau felt that the developer's commitment to the housing situation on island satisfied the requirements for the granting of a zone change, and therefore, recommended approval based on such. Despite the developer being responsive to the idea of providing a few affordable condominium units, the TLUC in approving the project, failed to condition the zone change request to hold the developer accountable for these units. There were only two other condominium project applications approved during this period; a 27 unit project planned for Dededo and a 56 units project proposed for Tamuning.

Under the apartment, townhouse, subdivision, and single family use categories, there were a total of ten project applications approved by TLUC. Cumulatively, approved units totalled 458. The approved units were planned for the following areas: 204 apartment units - Barrigada, and Tumon; 11 single family units - Asan, and Yona; 79 subdivision units - Barrigada, and Yigo; 164 townhouse units - Barrigada, Chalan Pago, and Dededo. Under these four use categories, the TLUC approved one conditional use, one height variance, zone changes to "R-2" and PUD, one subdivision variance, and four tentative subdivision approvals.

Of all the applications acted on by the Commission in 1993, only one was disapproved: a zone change request from "A" to "C", with a proposal to construct a 78-room, "businessman's" hotel in the village of Barrigada. This application had been previously approved by the TLUC, however, the zoning designation that was approved was "LC" or "limited commercial". Basically what this meant was that the developer entered into a contractual agreement with the Department of Land Management to limit its commercial uses on the project site. The Attorney General's office rendered an opinion on this matter which stated two things: 1) that Guam's Zoning Law did not authorize the use of contract zoning, and 2) that the TLUC could not arbitrarily take it upon itself to approve a zone that was not requested by the applicant. Thus, the Attorney General's position on the matter invalidated the TLUC's original approval. During the meeting in which the zone change application was being acted on, the project was unable to garner enough votes for approval. The zone change from "A" to "C" was disapproved by a 4 to 1 vote.

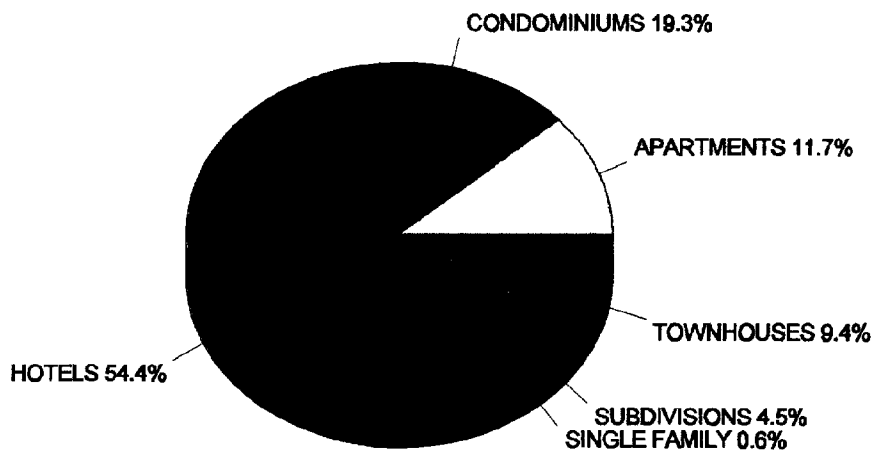
TLUC - 1993

APPROVALS VS. DISAPPROVALS



1993

PERCENTAGES OF APPROVALS BY USE



ANALYSIS OF ACTIONS

The numbers of approvals vs. disapprovals during the period reviewed for this report, would seem to indicate a predication for approval based on little or no supporting documentation for such action. That may well be the case, but several factors must first be understood before responses to TLUC decision-making can be offered.

◆ History of Development

First, it is important to understand the thirty year history of economic development on Guam. Prior to 1962, the Department of Defense maintained a Security Restriction on Guam. All travel to and from the island, even by native residents, had to be approved by the U.S. Navy. No outside investment was allowed to enter Guam, unless it directly benefited the Navy. (If such investment did or did not benefit the people of Guam was of no consequence in the decision-making). As a result, the people of Guam were made dependent wards of a military machine which viewed them as impediments to national defense. Guam's civilian economy was stagnant, and tourism was non-existent.

In 1962 the Presidentially appointed Governor of Guam, Wm. Daniels, (the brother of then Texas Governor Daniels and close political friend of Vice-President Lyndon Johnson), was temporarily detained upon entering Guam. As a result of Governor Daniel's associations, President Kennedy lifted the Security Restriction, and the potential for development of a civilian economy followed.

The first tourist hotel, the Guam Hilton, opened in 1969, and that year marked the beginning of Guam's development economy. While a land-use master plan had been adopted in 1966, it did not foresee the kinds of success or pressures Guam would deal with over the next two decades. Those first hotels, (the Hilton was followed quickly by the Continental and Tokyu

Hotels), did conform to the master plan. These were low rise hotels (six stories and less), with no more than a few hundred rooms. It took considerable time to begin selling Guam as a destination, and the low intensities called for in the 1966 master plan were easy to abide by.

In the mid 1970s, just as Guam thought a boom period was about to begin, a world wide recession began, which resulted in tremendous losses to investors and speculators on Guam. Further development slowed to a crawl, and the 1966 master plan could still be accommodated.

1984 is generally seen as the beginning of the Boom years, with the approval of the Pacific Star Hotel. The deluge of development applications, however, began in 1987.

◆ Interpretation

Prior to the boom years, which began in earnest in the 1980s, the standard of living on Guam was generally low, taken from a national perspective. New cars were rare, homes were expensive, and therefore small, and Guam's youth left the island to find work in the United States.

When investors, primarily from Japan, offered development, the restrictions of the 1966 master plan were forgotten. The United States was in recession again, and unemployment there was high. On Guam, however, the quality of life was improving at a rapid pace. Unemployment sank beneath the 2% mark; the government now had money for new roads, better water, power, telephone, sewers; new home construction began, with the size and quality of those homes improving exponentially with the economy; and more importantly, Guam's children began to return to the island as opportunities increased.

Because the value of the Japanese Yen was so extraordinarily inflated when invested outside of Japan, the impacts of its infusion into small island economies was tremendous. Investors did

not negotiate land prices, but instead paid whatever was asked. Partially, this can be attributed to the fact that land was badly undervalued because of the lack of economic activities in the past. As land values rose, the desire to increase densities of developments to gain a greater per square meter profit drove the increase in variance requests. As variance requests were approved and greater density of uses allowed, the value of land rose. This cycle was good for speculators and owners of properties being sought, but resulted in a greater inability for first time home buyers to afford home lots.

Developers were getting what they wanted, but for the first time in its history, Guam was benefitting from outsider actions. TLUC was not about to "kill the goose", which was how the body politic began to view strict compliance to the zoning law. The review agencies exerted little influence when compared to areas with normal and long term economic histories, but they exerted enormous influence when viewed against the backdrop of Guam's history.

Guam's environmental guardians have been able to temper the impacts of rapid and large-scale development through extraordinary effort. The worst environmental degradation on Guam is not a result of TLUC decision-making, or private sector development, but lack of control over military actions. The lack of respect shown the environment has placed Guam at the top of "superfund" listings. Waste oils were disposed through wells over Guam's sole source aquifer system. World War II ordinance was buried throughout the island. 50 gallon drums of toxic and hazardous wastes were bulldozed over cliffines onto private properties, or hidden in forested areas and forgotten.

While the numbers of approvals, and the ways in which they were approved during the review period, cannot be justified, the impacts of those approvals cannot yet be categorized as environmentally harmful. More than 20,000 hotel rooms which were approved during this period, remain on the drawing board. Most of the condominium units and super-scale development approved in this period remain on the drawing board. The frenzy which accompanied the 1980s boom period for hotel and tourism related development has come to an

end. Forces over which Guam had no control, the deliberate actions by the U.S. to devalue the dollar against the Japanese Yen in the early 1980s (in order to address the imbalance of trade), created the opportunities for Guam's boom. Forces over which Guam had no control, the recession in Japan, brought that boom to an end.

Viewed against this backdrop, the decision-making by TLUC was a reaction to opportunities offered. Holistic decision-making was not yet an understood need. The community did, however, begin to see that need, which found voice in Executive Orders 90-09 and 90-10, as well as in the pursuit of an updated land-use master plan.

The agencies certainly learned lessons in dealing with development during this period. The slow down, which began in 1991 shows signs of disappearing, but the next development era is taking different form. Shopping center and commercial complex development is being introduced to Guam in large scale ways. The process for approvals will change with adoption of I Tano'-Ta, and Guam's environmental agencies are better equipped to anticipate areas of concern.

In 1970, the world's largest McDonalds restaurant opened on Guam. In 1992 the world's third largest golf clubhouse opened on Guam. In 1995, the world's largest K-Mart will open on Guam. This 212 square mile island, isolated in the Western Pacific, has become the target for yet more development.

TLUC decision making between 1987 and 1993 was a response to opportunity. Guam did not lead development, development led Guam. Any understanding of TLUC decisions, and DRC capabilities must begin with that foundation of knowledge.

◆ **Anticipations**

The Government of Guam and the people of Guam have talked openly and seriously over the past two or three years, of the boom experience and its impacts. Corrections to the system in order to give controls back to the island (as opposed to outside developers), will be made. TLUC decision-making will change, in great part because the public perceives the lack of control they had during this period.

While pressures were put on Guam's ability to service a rapidly growing community, very little in terms of measurable, environmental degradation occurred. It is understood that much of that was simply serendipitous. If all the approved proposals had been built, it is likely that the impacts would have been magnitudes greater.

The lessons of this period are reflected in the goals of I Tano'-Ta. Communities are willing, and to great extent ready, to take a more active role in determining the scale and direction of development. As a protector of the holistic community, TLUC did not display much ability to make decisions based on inclusion of environmental considerations. That failure was tempered by safety stops built into the system in the permitting process.

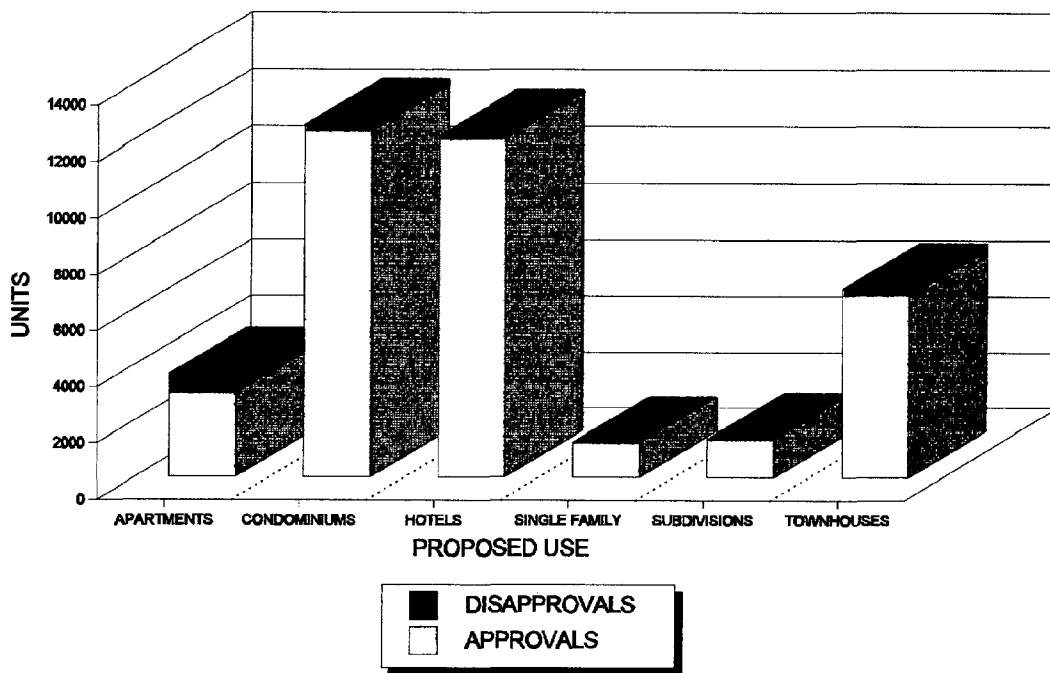
◆ **Summary**

To sum up the TLUC's activities during this six year period, the TLUC entertained 355 requests, for a total of 37,566 units (all uses combined). On the average, the Commission approved 86% of the requests (applications) or 95% of all the units submitted for their review (within the parameters of this study). Of all the requests submitted, single family dwellings and apartments had the highest disapproval rates of 25% and 23%, respectively, while hotels had the lowest at 4%. Of all the units proposed, apartments had the highest disapproval rate of 19%, while hotels had the lowest at 1%.

TLUC APPROVAL/DISAPPROVAL RATES FOR 1987 - 1993						
	APTS	CONDOS	HOTELS	SNG FMLY	SUBDVS	TWNHSES
TOTAL REQUESTS	118	64	54	64	33	22
TOTAL UNITS	3653	12,499	12,116	1217	1354	6727
REQUESTS APPROVED	77%	91%	96%	75%	88%	91%
REQUESTS DISAPPROVED	23%	9%	4%	25%	12%	9%
UNITS APPROVED	81%	98%	99%	98%	97%	96%
UNITS DISAPPROVED	19%	2%	1%	2%	3%	4%

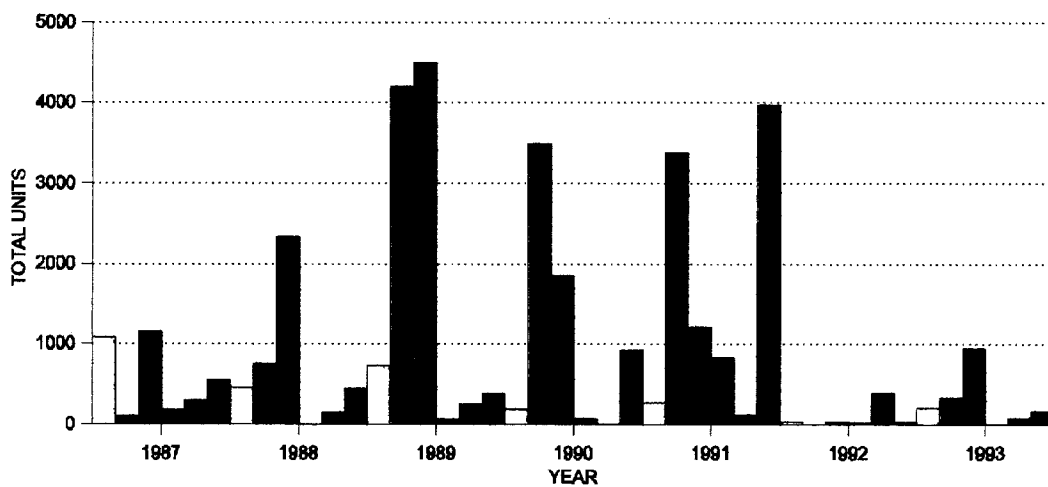
TLUC ACTIONS

1987 - 1993



APPROVED UNITS

1987 - 1993



ZONE CHANGES

From 1987 to 1993, the Territorial Land Use Commission approved 66 zone changes, impacting over 100 lots, relative to the six primary uses (apartments, condominiums, hotels, single family dwellings, subdivisions, and townhouses) being considered in this analysis. (A total of 98 zone changes were approved for this time period inclusive of all uses.)

In comparison, the 19th, 21st, and 22nd Guam Legislatures (from 1989 to June, 1994) passed 21 rezoning laws impacting 884 lots. (Information on the specific uses for the affected lots were usually not provided in the laws.)

Reasons given for the popularity in legislative rezonings include perceptions of:

- 1) lengthy TLUC process;
- 2) costs involved with the TLUC process (contracting of consultants);
- 3) requirements under the TLUC process;
- 4) bureaucracy involved with the TLUC process; and
- 5) guaranteed approval through the legislature.

Under current the zoning laws, zone changes permitted through the TLUC process cannot be conditioned except in the case of a PUD. Therefore, to foster proper planning, the uses or developments for which zone changes are required, should be compatible with existing communities. To ensure compatibility of uses would also provide for the stability and predictability of growing communities, a right to which every community is entitled. Furthermore, in approving zone changes, there should be a demonstration of "community" benefits, and should not be based on what the developer has to gain.

While it may be true that the TLUC process is far from perfect, this process does have its merits. Not only does the TLUC process afford DRC agencies the opportunity to review and

analyze projects, but this process requires that all landowners within a 500 foot radius of proposed project sites be notified of upcoming public hearings.

Legislative rezonings on the other hand, do not promote proper planning, do not ensure community needs are going to be met, and do not provide for adequate public input.

Legislative rezonings merely respond to individualistic impulses, promote escalating land values through speculation, burden the public with added infrastructure costs, and defy any and all planning efforts undertaken by the government.

APPROVALS/TYPES OF USES BY VILLAGE, FROM 1987 - 1993

The following is an attempt to illustrate what patterns, if any, exist in the TLUC process in regard to the six types of uses in this study, and the villages in which they are approved.

Note: Only those villages in which 200 or more units were approved for each use are listed below. For the complete inventory of approved and disapproved uses, see Tables 1 and 2 following this section.

- Apartments: Barrigada, Chalan Pago, Dededo, Harmon, Mongmong/Toto/Maite (MTM), Tamuning, Tumon, Yigo

- Condominiums: Agat, Asan, Dededo, Harmon, Inarajan, Mangilao, Ordot, Tamuning, Tumon, Yona

- Hotels: Agana, Agat, Asan, Dededo, Harmon, Inarajan, Mangilao, Tamuning, Tumon, Yona

- Single Family: Asan, Yona

- Subdivisions: Dededo, Yigo

- Townhouses: Asan, Dededo, Tamuning, Yigo, Yona

Over the six year period (1987 - 1993), hotels and condominiums were the most approved type of use, with five percent more condominiums than hotel rooms overall. While Tumon is considered Guam's primary tourist area (commonly known as "hotel-row"), and both Tumon and Tamuning are known for having more than their share of condominium units, developers have shifted from northern Guam to other areas of the island due to the saturation of these two

villages. (According to the 1990 Census conducted by the U.S. Census Bureau, the Tumon-Tamuning areas have a combined area of six square miles and a population density of 2,779 people per square mile.)

Mega-resorts have been approved for areas in both central and southern Guam such as Mangilao, Ordot, Asan, and Yona. Aimed at the more affluent off-island investors, as well as local residents, these resorts vary from project to project and may include "executive" type single family dwellings or townhouses in addition to the usual hotel or condominium accommodations. Golf courses, which require massive land areas, play vital roles in a few of the planned resorts. Thus, the areas planned for these resorts in the aforementioned villages are characteristically rural or undeveloped.

Note: The figures used in this study were extracted from TLUC applications and compiled in a database. From this database, tables (Appendix A) were developed to illustrate the following: proposed uses, number of units approved and disapproved, and types of requests submitted for TLUC approval. Under each use category, i.e., apartments, hotel, condominiums, etc., the first figure listed generally represents the number of proposals for each use. It should be noted, however, that in some a few cases, this figure may be slightly greater than the actual number of project applications submitted for each use.

The reason for this is that there are two basic types of development applications (aside from the types of uses): "single use developments" (only one use proposed) and "multi-use developments" (two or more uses proposed). For the purposes of this analysis, each use proposed under a multi-use development package is recorded or tallied. Essentially, each use under a multi-use development is viewed as a separate proposal. Likewise, this system is used to record TLUC requests. For example, if a multi-use development proposal of hotel rooms, condominium units, and townhouses requires a conditional use, zone variance, and seashore clearance, each TLUC requirement is registered under each use.

APPROVED USES BY VILLAGE, 1987 - 1993

	APARTMENTS		CONDOMINIUMS		HOTELS		SINGLE FAMILY		SUBDIVISIONS		TOWNHOUSES	
	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS
AGANA	1	15	0	0	1	440	0	0	0	0	0	0
AGANA HEIGHTS	0	0	0	0	0	0	0	0	0	0	0	0
AGAT	3	72	2	510	4	692	1	4	2	15	0	0
ASAN	0	0	3	1575	1	200	2	810	0	0	1	3971
BARRIGADA	8	459	1	98	1	98	6	14	5	142	3	72
CHALAN PAGO	4	218	1	92	0	0	3	16	1	5	3	160
DEDEDO	7	226	3	214	3	515	12	58	5	284	5	384
HARMON	4	255	1	400	5	1655	1	1	0	0	1	60
INARAJAN	0	0	1	200	1	200	2	2	0	0	1	122
MONGMONG/TOTO/MAITE	10	349	1	28	0	0	1	10	3	51	0	0
MANGILAO	0	0	3	2088	2	1228	4	6	1	118	0	0
MERIZO	3	43	0	0	0	0	1	1	1	7	0	0
ORDOT	1	6	4	2252	1	100	0	0	1	10	0	0
PITI	1	6	1	48	0	0	2	2	0	0	0	0
SANTA RITA	0	0	0	0	0	0	1	1	0	0	0	0
SINAJANA	2	96	1	46	0	0	1	2	1	6	0	0
TALOFOFO	0	0	0	0	1	40	2	22	0	0	0	0
TAMUNING	19	311	18	1877	7	1261	1	1	0	0	3	416
TUMON	20	585	16	681	23	5157	2	2	0	0	0	0
YIGO	8	318	0	0	0	0	3	3	8	604	2	211
YONA	0	0	1	2150	2	459	5	244	1	94	2	1097
UMATAC	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	91	2959	57	12259	52	12013	50	1197	29	1316	21	6473

-TABLE 1-

DISAPPROVED USES BY VILLAGE, 1987 - 1993

	APARTMENTS		CONDOMINIUMS		HOTELS		SINGLE FAMILY		SUBDIVISIONS		TOWNHOUSES	
	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS	REQUESTS	UNITS
AGANA	0	0	0	0	0	0	0	0	0	0	0	0
AGANA HEIGHTS	1	4	1	130	0	0	0	0	0	0	0	0
AGAT	1	4	0	0	0	0	0	0	0	0	0	0
ASAN	0	0	0	0	0	0	0	0	0	0	0	0
BARRIGADA	5	61	0	0	1	78	2	4	1	11	0	0
CHALAN PAGO	1	156	0	0	0	0	0	0	1	5	0	0
DEDEDO	3	34	1	30	0	0	6	6	1	5	1	10
HARMON	1	2	0	0	0	0	0	0	0	0	0	0
INARAJAN	0	0	0	0	0	0	1	1	0	0	0	0
MONGMONG/TOTO/MAITE	1	54	0	0	0	0	1	1	0	0	0	0
MANGILAO	3	127	0	0	0	0	2	5	1	17	0	0
MERIZO	0	0	0	0	0	0	0	0	0	0	0	0
ORDOT	0	0	0	0	0	0	0	0	0	0	0	0
PITI	1	6	0	0	0	0	0	0	0	0	0	0
SANTA RITA	0	0	0	0	0	0	0	0	0	0	0	0
SINAJANA	0	0	0	0	0	0	0	0	0	0	0	0
TALOFOFO	0	0	0	0	0	0	1	1	0	0	0	0
TAMUNING	3	30	0	0	1	25	1	2	0	0	0	0
TUMON	4	126	4	80	0	0	0	0	0	0	0	0
YIGO	1	32	0	0	0	0	2	3	0	0	0	244
YONA	2	58	0	0	0	0	0	0	0	0	0	0
UMATAC	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	27	694	6	240	2	103	16	23	4	38	2	254

-TABLE 2-

BUILDING PERMITS, 1987 - 1988

Due to the extensive research time required for the collection of appropriate building permit data, information for two years, 1987 and 1988, was extracted from a database compiled by the Department of Public Works. The following information is provided:

1987 TLUC Actions:

- TLUC approved 61 development applications.
- Of the 61 projects, 45 (74%) received building permits; building permit records were not found (in 1987-1993 records) for the remaining 16 (26%) projects.
- The average time span from TLUC approval to building permit issuance for projects approved by the TLUC in 1987 was 17 months (time frame ranged from 1 month to 6 years). 14 projects were permitted within 1-6 months, 7 projects within 7-12 months, 7 projects within 13-18 months, and 17 projects within 19 months or longer.
- The table below illustrates the total number of units permitted by Departments of Public Works versus the total number of units approved in 1987 by TLUC.

ISSUED:	APTS	CONDOS	HOTELS	SNG FMLY	SUBDVS	TWNHSES
BLDPMTS	575	308	1154	8	289	240
TLUC	1078	110	1156	182	306	553

- Permitted projects with deviations from TLUC approvals:
 - Same number of units: 31
 - Less units: 6
 - More units: 3
 - Number of units not provided to TLUC & permitted: 3 (343 units)
 - Complete change in use: 2

1988 TLUC Actions:

- TLUC approved 57 development applications.
- Of the 57 projects, 35 (61%) received building permits, building permit records were not found (in 1987-1993 records) for the remaining 22 (39%) projects.
- The average time span from TLUC approval to building permit issuance for projects approved by the TLUC in 1988 was 15½ months (time frame ranged from 1 month to 4½ years). 10 projects were permitted within 1-6 months, 10 projects within 7-12 months, 3 projects within 13-18 months, and 12 projects within 19 months or longer.
- The table below illustrates the total number of units permitted by Department of Public Works versus the total number of units approved in 1988 by TLUC.

ISSUED:	APTS	CONDOS	HOTELS	SNG FMLY	SUBDVS	TWNHSES
BLDPMTS	208	587	1252	2	139	208
TLUC	455	760	2329	5	152	444

- Permitted projects with deviations from TLUC approvals:
 - Same number of units: 27
 - Less units: 6
 - More units: 2
 - Complete change in use: 4
- ▶ For the 38 projects that did not receive building permits, there could be a number of reasons for this, including no real intention on the applicant's part to actually build (speculation).

APPENDIX A

1987 TLUC APPROVALS							
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES	
NO. OF DEV. PROJECTS	35	5	6	8	10	4	
APPROVALS	8	3	2	6	5	2	
APPROVALS W/CONDITIONS	19	1	4	1	4	1	
NO. OF UNITS APPROVED	1078	110	1156	182	306	553	
APPROVED REQUESTS FOR:							
APARTMENTS	16	0	3	0	0	0	TOWNHOUSES
CONDITIONAL USES	18	2	4	4	1	1	
ZONE VARIANCES	5	1	1	1	2	1	
SEASHORE CLEARANCES	0	0	0	0	0	0	
SWIMS	0	1	0	2	4	0	
WETLAND PERMITS	0	0	0	0	0	0	
TNT./FNL. SUBDV. APPRV.	0	0	0	0	2	1	
TYPES OF VARIANCES APPROVED:							
DENSITY-1, HEIGHT-14, PARKING-1, SETBACK-2	19	4	6	5	8	1	HEIGHT-1
NO. OF PROJECTS W/BUILDING PERMITS:							
	19	4	6	5	8	1	

1987 TLUC DISAPPROVALS

	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	35	5	6	8	10	4
DISAPPROVALS (#/%)	8/23%	1/20%	0	1/13%	1/10%	1/25%
NO. OF UNITS DISAPPROVED	79	12	0	1	5	244
NO. OF REQUESTS FOR:	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
CONDITIONAL USES	2	1	0	0	0	0
ZONE VARIANCES	4	1	0	1	0	0
ZONE CHANGES	2	0	0	0	0	1
SEASHORE PERMITS	0	0	0	0	0	0
SWIVS	0	0	0	0	1	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	0	0
REMARKS:	VARIANCES: HEIGHT-1, SETBACK- 2, USE-1	VARIANCES: HEIGHT-1, SETBACK- 1		VARIANCE: SUBSTANDARD LOT		

1988 TLUC APPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	23	17	12	11	8	4
APPROVALS	4	5	3	3	3	2
APPROVALS W/CONDS	13	10	9	2	2	2
NO. OF UNITS APPROVED	455	760	2329	5	152	444
APPROVED REQUESTS FOR:						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
CONDITIONAL USES	7	8	10	1	0	1
ZONE VARIANCES	11	12	10	3	0	0
ZONE CHANGES	2	1	1	0	1	2
SEASHORE CLEARANCES	0	0	0	0	0	0
SWWS	0	0	0	3	2	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	3	1
TYPES OF VARIANCES APPROVED:						
	DENSITY -1, HEIGHT-9, SETBACK-1, EXTENSION OF ZONE-2	DENSITY-7, HEIGHT-11, PARKING-2, SETBACK-2	DENSITY-6, HEIGHT-6, PARKING-2, SETBACK-7, LOT SIZE-1	USE-1, SUBSTANDARD LOT-1, LOT WIDTH-1		
NO. OF PROJECTS W/BUILDING PERMITS:	8	12	7	2	4	2

1988 TLUC DISAPPROVALS

	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	22	17	12	11	8	4
DISAPPROVALS (#/%)	6/27%	2/12%	0	6/55%	3/38%	0
NO. OF UNITS DISAPPROVED	135	42	0	13	33	0
NO. OF REQUESTS FOR:						
CONDITIONAL USES	2	0	0	1	0	0
ZONE VARIANCES	3	1	0	5	0	0
ZONE CHANGES	2	1	0	0	1	0
SEASHORE PERMITS	0	0	0	0	0	0
SWIVS	0	0	0	3	2	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDY. APPRV.	0	0	0	0	2	0
REMARKS:						
	VARIANCES: DENSITY-1, HEIGHT-1, USE-1	VARIANCE: DENSITY-1		VARIANCES: SUBSTANDARD LOT-4, LOT WIDTH-2		

1989 TLUC APPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	37	19	16	21	5	5
APPROVALS	10	1	8	5	2	0
APPROVALS W/CONDS	21	17	7	8	3	5
NO. OF UNITS APPROVED	731	4200	4488	61	261	386
APPROVED REQUESTS FOR:						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
CONDITIONAL USES	17	7	9	1	0	1
ZONE VARIANCES	17	13	10	9	1	2
ZONE CHANGES	8	5	4	2	1	2
SEASHORE CLEARANCES	0	0	1*	0	0	0
SWIVS	0	0	1	1	2	0
WETLAND PERMITS	0	0	0	1	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	1	3	1
TYPES OF VARIANCES APPROVED:						
	DENSITY-3, HEIGHT-13, PARKING-1, SETBACK-5, USE-1, DELETION OF EASEMENT-1	DENSITY-3, HEIGHT-12, PARKING-2, SETBACK-4	DENSITY-7, HEIGHT-9, SETBACK-9, PARKING-2, LOT SIZE-1, USE-1 (*PROPOSED DREDGING)	HEIGHT-1, SETBACK-3, SUBSTANDARD LOT-5	SETBACK-1	HEIGHT-2

1989 TLUC DISAPPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	37	17	16	21	6	5
DISAPPROVALS (#/%)	6/16%	1/6%	1/6%	8/38%	0	1/20%
NO. OF UNITS DISAPPROVED	215	26	25	8	0	10
NO. OF REQUESTS FOR:						
CONDITIONAL USES	0	1	1	1	0	0
ZONE VARIANCES	4	1	1	6	0	0
ZONE CHANGES	3	0	0	0	0	1
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	0	1	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	0	0
REMARKS:						
	VARIANCES: DENSITY-1, USE-3	VARIANCE: DENSITY-1	VARIANCE: SETBACK-1	VARIANCES: SUBSTANDARD LOT-5, LOT WIDTH-1, DENSITY-1		

1990 TLUC APPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	12	11	5	9	1	4
APPROVALS	1	5	0	4	0	2
APPROVALS W/CONDS	7	6	5	5	1	2
NO. OF UNITS APPROVED	190	3485	1855	68	7	920
APPROVED REQUESTS FOR:						
APARTMENTS	3	2	2	1	0	0
CONDITIONAL USES	6	6	1	4	0	0
ZONE VARIANCES	1	6	3	1	0	3
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	1	4	0	0
WETLAND PERMITS	0	1	1	1	0	1
TNT./FNL. SUBDY. APPRV.	0	1	1	2	1	2
TYPES OF VARIANCES APPROVED:						
DENSITY-1, HEIGHT-6, PARKING-2		HEIGHT-5, SETBACK-2, PARKING-1	HEIGHT-1, SETBACK-1	SETBACK-1, SUBSTANDARD LOTS-3		

1990 NO. OF REQUESTS & NO. OF UNITS APPROVED BY VILLAGE									
VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES			
AGANA									
AGANA HEIGHTS									
AGAT									
ASAN		1	48						
BARRIGADA		1	98	1					
CHALAN PAGO		1	92	2		76			
DEDEDO			1	1		12			
HARMON	1	1	1100						
INARAJAN									
MONGMONG/TOTO/MAITE	1				1	7			
MANGILAO		1	218	1					
MERIZO	1								
ORDOT		1	30						
PITI									
SANTA RITA				1					
SINAJANA									
TALOFOFO									
TAMUNING	3	2	553	1		32			
TUMON	2	2	96	1					
YIGO				1					
YONA		1	2150	1		800			
UMATAC									

1990 TLUC DISAPPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	12	11	5	9	1	1
DISAPPROVALS (#/%)	4/33%	0	0	0	0	0
NO. OF UNITS DISAPPROVED	232	0	0	0	0	0
NO. OF REQUESTS FOR:						
CONDITIONAL USES	0	0	0	0	0	0
ZONE VARIANCES	2	0	0	0	0	0
ZONE CHANGES	2	0	0	0	0	0
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	0	0	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDY. APPRV.	0	0	0	0	0	0
REMARKS:						
	VARIANCES: DENSITY-1, HEIGHT-1, USE-1					

1991 NO. OF REQUESTS & NO. OF UNITS APPROVED BY VILLAGE									
VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES			
AGANA									
AGANA HEIGHTS									
AGAT		2	2	604					
ASAN		1	1	200		1			
BARRIGADA				800		3971			
CHALAN PAGO				2					
DEDEDO	2			1					
HARMON	50	46		4					
INARAJAN			1	12	1	108			
MONGMONG/TOTO/MAITE									
MANGLAO									
MERIZO		1		104					
ORDOT									
PITI				1					
SANTA RITA		1		3					
SINAJANA									
TALOFOFO									
TAMUNING					1	10			
TUMON	2	54							
YIGO	1		2						
YONA	96		263						
UMATAC									

1991 TLUC DISAPPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	7	9	7	10	2	1
DISAPPROVALS (#/%)	2/29%	2/25%	0	1/10%	0	0
NO. OF UNITS DISAPPROVED	5	160	0	1	0	0
NO. OF REQUESTS FOR:						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
CONDITIONAL USES	0	0	0	0	0	0
ZONE VARIANCES	2	2	0	1	0	0
ZONE CHANGES	0	0	0	0	0	0
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	0	0	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.						
REMARKS:						
	VARIANCES: HEIGHT-1, USE-1	VARIANCES: HEIGHT-2, PARKING-1, SETBACK-1		VARIANCE: SUBSTANDARD LOT-1		

1991 NO. OF REQUESTS & NO. OF UNITS DISAPPROVED BY VILLAGE									
VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES			
AGANA									
AGANA HTS.		1							
AGAT		130							
ASAN									
BARRIGADA									
CHALAN PAGO									
DEDEDO		1		1					
HARMON	1								
INARAJAN	2								
MONGMONG/TOTO/MAITE									
MANGILAO	1								
MERIZO	3								
ORDOT									
PITI									
SANTA RITA									
SINAJANA									
TALOFOFO									
TAMUNING									
TUMON									
YIGO									
YONA									
UMATAAC									

1992 TLUC APPROVALS							
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES	
NO. OF DEV. PROJECTS	3	0	1	3	4	1	
APPROVALS	0	0	0	0	0	1	
APPROVALS W/CONDS	2	0	1	3	4	0	
NO. OF UNITS APPROVED	28	0	28	25	393	35	
APPROVED REQUESTS FOR:							
APARTMENTS	2	0	1	1	0	0	
CONDITIONAL USES	1	0	0	2	0	0	
ZONE VARIANCES	0	0	0	1	2	1	
SEASHORE CLEARANCES	0	0	0	0	0	0	
SWIVS	0	0	0	1	0	0	
WETLAND PERMITS	0	0	0	0	0	0	
TNT./FNL. SUBDV. APPRV.	0	0	0	0	2	0	
TYPES OF VARIANCES APPROVED:							
	HEIGHT-1, SETBACK-1			SUBSTANDARD LOT-1, SETBACK-1			

1992 NO. OF REQUESTS & NO. OF UNITS APPROVED BY VILLAGE						
VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
AGANA						
AGANA HEIGHTS						
AGAT				1	4	
ASAN						
BARRIGADA					1	39
CHALAN PAGO						
DEDEDO				1	1	65
HARMON						
INARAJAN						
MONGMONG/TOTO/MAITE	1	16				
MANGLAO			1			28
MERIZO						
ORDOT						
PITI						
SANTA RITA						
SINAJANA						
TALOFOFO						
TAMUNING						
TUMON						
YIGO	1	12			2	289
YONA				1		1
UMATAAC						35

1992 TLUC DISAPPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	3	0	1	3	4	1
DISAPPROVALS (#/%)	1/33%	0	0	0	0	0
NO. OF UNITS DISAPPROVED	28	0	0	0	0	0
NO. OF REQUESTS FOR:						
CONDITIONAL USES	0	0	0	0	0	0
ZONE VARIANCES	0	0	0	0	0	0
ZONE CHANGES	1	0	0	0	0	0
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	0	0	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	0	0
REMARKS:						

1993 TLUC APPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	2	3	7	2	3	3
APPROVALS	0	2	1	1	0	2
APPROVALS W/CONDS	2	1	5	1	3	1
NO. OF UNITS APPROVED	204	335	946	11	79	164
APPROVED REQUESTS FOR:						
CONDITIONAL USES	1	0	3	0	0	0
ZONE VARIANCES	1	2	3	0	0	0
ZONE CHANGES	1	1	1	1	0	2
SEASHORE CLEARANCES	0	0	1	0	0	0
SWTVS	0	0	0	1	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	3	1
TYPES OF VARIANCES APPROVED:						
	HEIGHT-1	HEIGHT-2	DENSITY-3, HEIGHT-2, SETBACK-3			

NO. OF REQUESTS & NO. OF UNITS APPROVED BY VILLAGE

VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
AGANA						
AGANA HEIGHTS						
AGAT			1			
ASAN		1		1		
BARRIGADA	1				2	1
CHALAN PAGO						1
DEDEDO		1				1
HARMON						
INARAJAN						
MONGMONG/TOTO/MAITE						
MANGILAO						
MERIZO						
ORDOT						
PITI						
SANTA RITA						
SINAJANA						
TALOFOFO						
TAMUNING		1	1			
TUMON	1		3			
YIGO					1	
YONA			1	1		
UMATAC						

1993 TLUC DISAPPROVALS						
	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
NO. OF DEV. PROJECTS	2	3	7	2	3	3
DISAPPROVALS (#/%)	0	0	1/14%	0	0	0
NO. OF UNITS DISAPPROVED	0	0	78	0	0	0
f						
NO. OF REQUESTS FOR:	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
CONDITIONAL USES	0	0	0	0	0	0
ZONE VARIANCES	0	0	0	0	0	0
ZONE CHANGES	0	0	1	0	0	0
SEASHORE CLEARANCES	0	0	0	0	0	0
SWIVS	0	0	0	0	0	0
WETLAND PERMITS	0	0	0	0	0	0
TNT./FNL. SUBDV. APPRV.	0	0	0	0	0	0
f						
REMARKS:						

1993

NO. OF REQUESTS & NO. OF UNITS DISAPPROVED BY VILLAGE

VILLAGE	APARTMENTS	CONDOMINIUMS	HOTELS	SINGLE FAMILY	SUBDIVISIONS	TOWNHOUSES
AGANA						
AGANA HTS.						
AGAT						
ASAN						
BARRIGADA			1			
CHALAN PAGO			78			
DEDEDO						
HARMON						
INARAJAN						
MONGMONG/TOTO/MAITE						
MANGILAO						
MERIZO						
ORDOT						
PITI						
SANTA RITA						
SINAJANA						
TALOFOFO						
TAMUNING						
TUMON						
YIGO						
YONA						
UMATAC						

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