

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
126-37 (COR)	Roy A.B. Quinata William A. Parkinson Dwayne T.D. San Nicolas	AN ACT TO AMEND SECTION 61309, ARTICLE 3, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO ADDING TEMPORARY WORKFORCE HOUSING AS A PERMITTED USE FOR M1 LIGHT INDUSTRIAL ZONES.	5/26/23 8:00 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 126-37 (COR)

Introduced by:

Roy A. B. Quinata
William A. Parkinson
Dwayne T. D. San Nicolas

**AN ACT TO *AMEND* SECTION 61309, ARTICLE 3,
CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED
RELATIVE TO ADDING TEMPORARY WORKFORCE
HOUSING AS A PERMITTED USE FOR M1 LIGHT
INDUSTRIAL ZONES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. The military buildup on Guam has created an increased demand for workforce housing, which temporary housing development in M1 Light industrial zones could help address. With the increased influx of people to support the military buildup, there is a need for more efficient and effective ways to provide suitable living conditions for its workers. Temporary housing solutions could be implemented quickly and cost-effectively to address the workforce housing needs during the buildup.

Not only would this help to meet the demands of the military buildup, but it could also bring economic benefits to Guam's economy. As more people move to support the buildup, they will need places to live, shop and work; all of which can be provided through temporary housing solutions. This could bring additional business and investment opportunities to the area, as well as provide employment opportunities for both local and non-local workers. Temporary workforce housing

development in M1 Light industrial zones would therefore provide a much needed boost to the local economy while meeting the demands of the military buildup. Overall, allowing temporary workforce housing development in M1 Light industrial zones is an important step to ensure that the needs of the military buildup can be effectively met while also bringing economic benefits to Guam.

I Liheslatura finds that the government should do all that it can to remove bureaucratic barriers that inhibit or slow down the economic growth and responsible development of the island. This Act recognizes the indirect role of providing temporary workers housing will have at allowing more development for commercial and residential development in construction.

Section 2. §61309 of Article 3, Chapter 61, Title 21, Guam Code Annotated is hereby *amended* to read as follows:

§ 61309. M1 Light Industrial Zone.

(a) Use Permitted.

- (1) Any use permitted with or without condition in the commercial zone.
- (2) The manufacturing, compounding, processing or treating of such products as drugs, cosmetics, and food products (not including fish and meat products nor the rendering of fats and oils).
- (3) The manufacturing, compounding, assembling or treating of articles or merchandise from previously prepared materials.
- (4) Automobile repair shops including painting, body and fender work and rebuilding; truck and tractor repairing; and tire retreading.
- (5) Bottling and packaging plants.
- (6) Ceramic products manufacturing.
- (7) Laundries and cleaning and dyeing establishments.
- (8) Machine shops and sheet metal shops.
- (9) Warehouses and cold storage plants.

1 (10) Temporary Workforce Housing conforming to the following
2 requirements:

3 i. The term temporary workforce housing shall be consistent
4 with §26A101 (b) of Chapter 26A, Title 10, Guam Code
5 Annotated

6 ii. The project must be served by an adequate sanitary sewer
7 system.

8 iii. The project must have adequate fire flow indicated by a
9 minimum six (6) inch diameter water line or other minimum
10 water service conditions imposed by the Guam Waterworks
11 Authority.

12 iv. The project must comply with all health and safety
13 regulations of the government of Guam and the OSHA
14 regulations, as applicable.

15 v. Each approved project shall include a substantial perimeter
16 fence which shall be at least of “chain link” quality and a
17 minimum six (6) feet in height, and be subject to a complete
18 landscape plan.

19 vi. The project must include a development plan indicating
20 specific design parameters for sleeping, toilet and shower
21 facilities, laundry services, food services, security, medical
22 care, transportation services and recreation areas.

23 ~~(10)~~ (11) Lumber yards, building material salesyards, contractor’s
24 equipment storage yards, and the like.

25 ~~(11)~~ (12) Other uses which in the judgment of the Com missions, as
26 evidence by a resolution in writing, are similar to those listed herein.

27 ~~(12)~~ (13) Uses customarily accessory to any of the above listed uses,
28 and accessory buildings.

1 (b) Conditional Use.

2 (1) Other industrial uses not objectionable, obnoxious or offensive by
3 reason of odor, dust, smoke, noise, gas fumes, cinders, vibration, flashing
4 lights, or water-carried waste.

5 (2) Utilities and public facilities.

6 (3) Accessory uses and buildings for the above.

7 ~~(c) Policy For Workforce Housing Facilities For Temporary Workers. The~~
8 ~~policy for the development of temporary workforce housing shall be as~~
9 ~~follows:~~

10 ~~(1) The term temporary workforce housing shall be consistent with §~~
11 ~~26A101 (b) of Chapter 26A, Title 10, Guam Code Annotated.~~

12 ~~(2) The Guam Land Use Commission (GLUC) shall liberally interpret~~
13 ~~the term temporary workforce housing in order to ensure the protection of~~
14 ~~the public's interests, safety and welfare.~~

15 ~~(3) Temporary workforce housing is hereby established as an~~
16 ~~approved conditional use under the M1 Light Industrial Zone pursuant to §~~
17 ~~61309, and the GLUC shall not approve any workforce housing~~
18 ~~development in any zoning area other than an M1 Zone.~~

19 ~~(4) (A) Applications for the development of temporary workforce~~
20 ~~housing shall come before the GLUC as a "Conditional Use" subject to the~~
21 ~~review process of the Agency Review Committee, and shall be subject to~~
22 ~~specific conditions of approval as established by the GLUC.~~

23 ~~(B) In addition to other conditions imposed by the GLUC, all~~
24 ~~temporary workforce housing conditions for approvals shall include~~
25 ~~the following minimum conditions:~~

26 ~~(i) Unless specifically limited, approvals shall be for an~~
27 ~~initial term of twenty four (24) months, and thereafter shall be~~
28 ~~renewed annually. Renewals shall be on forms issued by the~~

1 Chief Planner, and subject to inspection by the Chief Planner
2 and a public hearing before the GLUC.

3 (ii) The project must be served by an adequate sanitary
4 sewer system.

5 (iii) The project must have adequate fire flow indicated
6 by a minimum six (6) inch diameter water line or other
7 minimum water service conditions imposed by the Guam
8 Waterworks Authority.

9 (iv) The project must comply with all health and safety
10 regulations of the government of Guam and the OSHA
11 regulations, as applicable.

12 (v) Each approved project shall include a substantial
13 perimeter fence which shall be at least of "chain link" quality
14 and a minimum six (6) feet in height, and be subject to a
15 complete landscape plan.

16 (vi) The project must include a development plan
17 indicating specific design parameters for sleeping, toilet and
18 shower facilities, laundry services, food services, security,
19 medical care, transportation services and recreation areas.

20 (C) Notwithstanding any other provision of law, applications
21 that are pending for a Conditional Use Permit for the development of
22 temporary workforce housing submitted to GLUC prior to February
23 11, 2021, that have been delayed due to the prohibition on public
24 hearings or public congregating pursuant to executive order or
25 pandemic condition of readiness (PCOR), shall not require GLUC
26 approval of the temporary workforce housing Conditional Use and
27 shall be required to meet only the requirements of Subsections
28 (c)(4)(B)(i) through (iv) of this Section, as well as all conditions

1 ~~imposed by the Department of Land Management at the preliminary~~
2 ~~application interview stage, including:~~

3 ~~(i) location of the temporary workforce housing facility~~
4 ~~in an M1 zone;~~

5 ~~(ii) written notice posted on a 4'x 8' sign on the property~~
6 ~~for a minimum of two (2) weeks, and notice in a Guam~~
7 ~~newspaper on two (2) separate days of the proposed project~~
8 ~~including details on the physical size and the number workers~~
9 ~~who will be housed in the temporary workforce housing~~
10 ~~facility; and~~

11 ~~(iii) a resolution in support of the project from the~~
12 ~~municipal planning council of the village where the proposed~~
13 ~~project will be located.~~

14 ~~Upon compliance with conditions for approval and certification~~
15 ~~by the Department of Land Management, the applicant may apply~~
16 ~~directly to the Department of Public Works for a building permit and~~
17 ~~to the Department of Public Health and Social Services for a sanitary~~
18 ~~permit and a workers dormitory permit.~~

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

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