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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management ITC Building, Tamuning, Guam DLM Conference Room, 3rd Floor ITC Bldg. Tamuning, Guam 96913



Thursday, March 13, 2025 1:36 p.m. to 1:58 p.m.

GUAM LAND USE COMMISSION MEETING

Department of Land Management, 3rd Floor ITC Building, Tamuning DLM Conference Room
Thursday, March 13, 2025 • 1:36 p.m. to 1:58 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Ms. Leilani R. Flores, Commissioner

Mr. Ronald C. Pangilinan, Commissioner

[Excused: Vice Chairman Nonito Blas, Jr.]

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Ms. Rossana S.M. Tiston, Deputy Director

Mr. N. Lee Miller, Jr., Legal Counsel

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

Mr. Kyle Meno, T. Network Coordinator

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION Attendance Sheet

Department of Land Management Conference Room 590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

| Thursday, March 13, 2025 Time of Meeting: GLUC: 1'34 pm GSPC: | X GLUC X Regular Special Quorum No-Quorum No-Quorum No-Quorum |
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| COMMISSION MEMBERS | SIGNATURE |
| Chairwoman Anita B. Enriquez | |
| Nonito Blas, Jr., Vice Chairman | |
| Commissioner Leilani R. Flores | 90 3/13/2025 |
| Commissioner Ronald C. Pangilinan | per pet 3/13/2025 |
| Commissioner (Vacant) | |
| STAFF | |
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| Rossana San Miguel Tiston, Deputy Director | Present (ded not sego in) (g |
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| Rossana San Miguel Tiston, Deputy Director | |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General | |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner | |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner Frank Taitano, Planner IV | Anul & Tartano |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner Frank Taitano, Planner IV Penmer Gulac, Planner IV | |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner Frank Taitano, Planner IV Penmer Gulac, Planner IV M. Grace Vergara, Planner IV | Anul & Tartano |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner Frank Taitano, Planner IV Penmer Gulac, Planner IV M. Grace Vergara, Planner IV Sonny Gogue, Planner III | Anul & Tartano |
| Rossana San Miguel Tiston, Deputy Director Lee Miller, Assistant Attorney General Celine L. Cruz, Chief Planner Frank Taitano, Planner IV Penmer Gulac, Planner IV M. Grace Vergara, Planner IV Sonny Gogue, Planner III Theresa Guevara, Planner II | Anul & Tartano |

ADJOURNMENT

GLUC: 1:58 par GSPC:

GLUC Form 19 - GLUC Commission Attendance Sheet

GUAM LAND USE COMMISION GUAM-HYBRID LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION

Speaker's Sign-In Record

Location: Department of Land Management Conference Room 590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

| GLUC | X Regular | Date: Thursday, Marc | h 13, 2025 | | |
|--|-----------------------|---|---------------|--|--|
| GHLUC | Special | Time: 1:36 pm | | | |
| Quorum | No Quorum | Adjournment: / 58 pm | n | | |
| (THIS RECORD WILL BE USED IN THE TRANSCRIPTION OF THE GLUC/GSPC MINUTES. PLEASE PROVIDE YOUR FULL NAME AND WHO YOU REPRESENT, I.E., ITEM ON AGENDA.) | | | | | |
| LEASE PRINT NAME CLEARL | APPLICATION | NAME AND/OR NUMBER | Telephone No. | | |
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GUAM LAND USE COMMISSION GUAM-HYBRID LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION

Public Attendance Record

Location: Department of Land Management Conference Room 590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

| | X | GLUC | X | Regular | Date: | Thursday, March 1 | 3, 2025 |
|-------------|------------|---------------|----------|-----------------|-----------------|-------------------|---------------|
| | | GHLUC | | Special | Time: | 1: 36 pm | |
| | | Quorum | | No Quorum | Adjournment: | 1:58pm | |
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GUAM LAND USE COMMISSION



Chairperson Anita B. Enriquez Vice Chairman Nonito V. Blas, Jr. Commissioner Leilani R. Flores Commissioner Ronald C. Pangilinan Commissioner (Vacant)

Joseph M. Borja, Executive Secretary N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA

Thursday, March 13, 2025 @1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – March 6th, 2025 & March 11th, 2025] Livestreamed on YouTube at Guam Department of Land Management Channel

| 1. | Notation of Attendance/Roll Call | [] Quorum | [] No Quorum | | |
|------|---|------------|---------------|--|--|
| II. | Approval of Minutes | | | | |
| | GLUC Regular Meeting Minutes of Thursday, February 27, 2025 | | | | |
| III. | Old or Unfinished Business [None] | | | | |
| IV. | New Business [None] | | | | |

V. Administrative & Miscellaneous Matters

Conditional Use Renewal

A. <u>Application No. 2020-03D</u>, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.

Case Planner: Frank Taitano

B. <u>Application No. 2020-44D</u>, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 672 workers, on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.

Case Planner: Frank Taitano

VI. Adjournment

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES Thursday, March 13, 2025 • 1:36 p.m. to 1:58 p.m. Department of Land Management Conference Room 3rd Floor, ITC Bldg., Tamuning, Guam 96913

As Advertised in the Guam Daily Post on March 6th, 2025 & March 11th, 2025 Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notion of Attendance/Roll Call

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, March 13, 2025, at 1:36 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Leilani Flores, Commissioner Ronald Pangilinan, Executive Secretary Joseph Borja, Deputy Director Rossana Tiston, Legal Counsel, Lee Miller, Jr., Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno and Recording Secretary Cristina Gutierrez.

Chairperson Enriquez noted a quorum, and announced that today's meeting was being live-streamed on YouTube at the Guam Department of Land Management channel.

II. Approval of Minutes

<u>Chairperson Enriquez</u> before the members today is the approval of the Minutes from the last GLUC meeting held on Thursday, February 27, 2025. The draft was emailed to the members in advance, and they have been reviewed. There were no comments, edits, or omissions noted from the Commissioners, Chairperson Enriquez asked for a motion for action.

Commissioner Flores motioned to approve the Minutes of Thursday, February 27, 2025.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> accepted the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. There were no edits, omissions, or discussion, Madam Chair put the motion to a vote with all members in favor of approval. The motion carried with a vote of 3 ayes and 0 nays. [The Minutes of Thursday, March 27, 2025 were approved]

- III. Old or Unfinished Business [None]
- IV. New Business [None]
- V. Administrative and Miscellaneous Matters

Conditional Use - Renewal

A. <u>Application No. 2020-03D</u>, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.

Case Planner: Frank Taitano

<u>Chairperson Enriquez</u> welcomed the applicant's representative to the table, asked that they state their name for the record, and to proceed with their presentation.

<u>Jesse Garcia</u> representing Black Construction Corporation. Mr. Garcia extended his appreciation to the Commission for allowing Black Construction to present its annual request to renew its Temporary Workforce Housing Facility. Mr. Garcia commented that they have met all the conditions of their approval as stated in their application submittal, and was prepared to answer questions from the Commission.

Chairperson Enriquez turned the floor to the members for questions for the applicant.

Commissioner Flores no questions.

Commissioner Pangilinan no questions.

<u>Chairperson Enriquez</u> Madam Chair had no questions for Mr. Garcia; and, turned the floor over to Chief Planner Cruz for the staff report.

<u>Celine Cruz, Chief Planner</u> reads the summarized Commission Brief dated March 5, 2025. Chief Planner Cruz presented to the Commission that Black Construction Corporation is seeking approval from the Commission to renew its Conditional Use Permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF), in Tamuning.

Chief Planner Cruz stated that the submission confirms that the approved elements of the TWHF are fully functional. Additionally, the applicant has included a copy of DPHSS Workers Dormitory sanitary permits, Certificate of Occupancy for Buildings 3 and 4, and photographic documentation of the facility.

A site visit was conducted by the Case Planner on March 4, 2025, and found that the facility's exterior was well-maintained and clean, with recreational elements in place.

Planning asserts that the applicant's ongoing coordination with the permitting agencies demonstrates compliance with the conditions imposed and has consistently worked with the appropriate government entities to adhere to agency requirements and implement best management practices; therefore, Planning recommends a favorable Commission review of this request with conditions. [For full content/context of the report, refer to the attachment]

[Attachment A – Commission Brief dated March 5, 2025]

<u>Chairperson Enriquez</u> turned the floor over to the Commissioners for questions.

Commissioner Flores no questions.

Commissioner Pangilinan no questions.

Chairperson Enriquez had no questions for staff and opened the floor for public comment.

Public Comment [None noted]

<u>Chairperson Enriquez</u> noting no public comment, closed the public comment period. There was no further discussion from the Commissioners for Application No. 2020-03D, Madam Chair was ready to entertain a motion for action.

<u>Commissioner Flores</u> made a motion to approve Application No. 2020-03D based on the recommendation stated in the Commission Brief dated March 5, 2025.

<u>Chairperson Enriquez</u> acknowledged and accepted the motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> motion is seconded by Commissioner Pangilinan. Noting no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval.

[Motion was passed unanimously with a vote of 3 ayes and 0 nays]

Next item on the agenda -

Conditional Use - Renewal

B. <u>Application No. 2020-44D</u>, the Applicant, Black Construction Corporation; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 672 workers, on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

<u>Chairperson Enriquez</u> welcomed the applicant's representative to the meeting, asked that they state their name for the record, and proceed with their presentation.

<u>Jesse Garcia</u> Mr. Garcia is representing Black Construction Corporation. Mr. Garcia extended his appreciation to the Commission for allowing Black Construction to present its annual request to renew its Temporary Workforce Housing Facility under Application No. 2020-44D. Mr. Garcia commented that they have met all the conditions of their approval as stated in their application submittal, and was prepared to answer questions from the Commission.

<u>Chairperson Enriquez</u> thanked Mr. Garcia for his presentation and turned the floor over to the members for questions.

Commissioner Pangilinan no comment.

Commissioner Flores no questions.

Chairperson Enriquez turned the floor over to the Chief Planner for the staff report.

<u>Celine Cruz, Chief Planner</u> reads the summarized Commission brief dated March 5, 2025. This is a request for a renewal of Application No. 2020-44D. The applicant is requesting the renewal of a conditional use permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF).

The applicant is submitting its annual renewal request and has confirmed that one of the two planned buildings has been constructed and is currently occupied. Furthermore, the approved elements of the TWHF are fully functional. The applicant has provided supporting documentation including copies of Workers' Dormitory and Sanitary permits, Certificate of Occupancy, and photographic evidence of the complex.

Chief Planner Cruz reported that the Case Planner conducted a site visit and based on external observations, has found that the facility's exterior is well-maintained and clean, with recreational amenities still in place. Ms. Cruz added that the applicant's ongoing coordination with permitting agencies demonstrates continued compliance with the imposed conditions; and, has worked consistently with the appropriate government entities to meet agency requirements and implement best management practices. [For full content/context, refer to the attached report]

[Attachment B - Commission Brief dated March 5, 2025]

In light of the above, the Planning staff recommends a favorable Commission review of the request subject to conditions.

<u>Chairperson Enriquez</u> thanked Chief Planner Cruz and turned the floor to the members for questions.

Commissioner Pangilinan no questions.

Commissioner Flores no questions.

<u>Chairperson Enriquez</u> noted none, Madam Chair opened the floor for public comment for Application No. 2020-44D.

Public Comment

Joseph Borja, Executive Secretary noted that the applications before the Commission today are for the continued operation of their TWHFs, and the total number of beds for both applications is 1,422 combined. Given that there are approximately 6,000 temporary workers on the island, it appears that these two facilities house about one-quarter of the total number of temporary workers. Mr. Borja asked Mr. Garica if both facilities were at capacity.

<u>Jesse Garcia</u> responded that BCC is one of the largest contractors who bring H2B workers to Guam; and, as military projects start up and are completed, the demand for importation of workers fluctuates.

Chairperson Enriquez inquired if BCC's facilities are ever shared with other contractors.

<u>Jesse Garcia</u> replied that they have not been approached by the other companies, and they prefer to reserve the facilities for their use at this time.

<u>Frank Taitano, Case Planner</u> reported that BCC has a third TWHF that houses about 400 workers and is referred to as Black 1. This facility was approved at the time when it was not subjected to the provisions of Law and only an annual renewal through the approval of the Chief

Planner. Mr. Taitano further added that BCC is accommodating a huge percentage of the total number of H2B workers in Guam.

<u>Joseph Borja</u> remarked that he has received comments from various contractors who have said they do not have enough rooms to accommodate their workers and have asked to expedite their applications for TWHF. Mr. Borja informed the Commissioners that housing of temporary workers is allowed in apartment dwellings as long as they do not occupy more than fifty-one percent of the available units. Additionally, Mr. Borja reported there may be some hotels that are housing temporary workers as well without having to obtain approval from the Commission.

<u>Chairperson Enriquez</u> there was no further public comment, Madam Chair closed the public comment segment and was ready to entertain a motion for action.

<u>Commissioner Flores</u> made a motion to approve Application No. 2020-44D based on the recommendation stated in the March 5, 2025 Commission Brief.

Chairperson Enriquez motion has been made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> accepted the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. There was no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval. [Motion passed unanimously with a vote of 3 ayes and 0 nays]

<u>Jesse Garcia</u> on behalf of BCC, Mr. Garcia extended his appreciation to the Commission and the Department of Land Management for their continued support.

<u>Chairperson Enriquez</u> thanked Mr. Garcia for being present today and extended best wishes to BCC. Madam Chair turned the floor over to Executive Secretary Borja for additional business or announcements for the Commission.

<u>Joseph Borja, Executive Secretary</u> reported that the department is currently working with Mr. Matt Santos from BSP for the presentation of the permitting process, and hopes to present this to the Commission shortly.

<u>Chairperson Enriquez</u> recognized that there are some expiring terms for the members; and, before the March 27th meeting of the GLUC, one or more of the members' terms will be expiring.

It was clarified by staff that Chairperson Enriquez, Vice Chairman Blas, and Commissioner Pangilinan will expire on March 21, 2025, and Commissioner Flores' term expires on April 30, 2025.

Chairperson Enriquez said that until the confirmation from the Legislature of the fifth member, there will be no quorum for the next meeting. She added that she had spoken with Vice Speaker Tony Ada who is the Oversight Chairperson for Land Use, and he recommended that applications be placed on the agenda as soon as possible.

<u>Joseph Boria</u> stated that a confirmation hearing was held for nominee Gerald Yingling but was unsure what the status was and that he should know something by the end of the day.

<u>Chairperson Enriquez</u> mentioned that there is another nominee from the Governor's Office, and the application packet is with the Legislature; but, does not recall if the nominee has gone through the confirmation process.

Joseph Borja replied not that he was aware of.

<u>Chairperson Enriquez</u> commented that if this was the case and based on the timing of sessions, the new nominee's hearing would probably not be entertained until May.

<u>Joseph Borja</u> replied that he hopes to have information on what is on the agenda for the Commission probably no later than Friday afternoon.

<u>Chairperson Enriquez</u> because there are expiring terms of Commissioners that are present today, Madam Chair remarked that means that there will be no quorum until after the confirmation of the nominees are placed on the agenda in May.

<u>Joseph Boria</u> replied that Attorney Miller would be looking into the ninety days plus three legislative days.

N. Lee Miller, Legal Counsel stated that the current members may remain as voting members of the Commission until either a replacement is confirmed or ninety days, plus three legislative days expires. He assumed that the Commission would probably be good until the first of June.

<u>Chairperson Enriquez</u> thanked Attorney Miller for the explanation and added it was good to know the process.

<u>Joseph Borja</u> asked Chief Planner Cruz how many applications were pending within the remaining ninety days for the Commission.

<u>Celine Cruz, Chief Planner</u> responded that four applications are tentatively scheduled for the next agenda; two are renewals of Conditional Use permits, one new Conditional Use permit for a new workforce housing, and one HPR that are being tracked for the next meeting. Ms. Cruz added that a couple of public hearings have been held and currently waiting on MPC resolutions; there are about six to eight applications between now and June.

Ms. Cruz informed the Commission that the next meeting is tentatively scheduled for March 27th, and a call out for quorum will be sent out shortly.

<u>Chairperson Enriquez</u> Madam Chair confirmed that she is available for March 27th. There being no further business for discussion, Madam Chair was ready to entertain a motion for adjournment.

VI. Adjournment

Commissioner Flores motioned to adjourn today's meeting.

Commissioner Pangilinan seconds the motion.

<u>Chairperson Enriquez</u> accepted the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. Madam Chair put the motion to a vote with all in favor of adjournment. [Motion carried: 3 ayes and 0 nays]

The regular meeting of the Guam Land Use Commission for Thursday, March 13, 2025 adjourned at 1:58 p.m.

Approved by

Date approved

Anita B. Enriquez, Chairperson Guam Land Use Commission

Transcribed by:

M. Cristina Gutiercez, Recording Secretary

Planning Division, DLM

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> Mailing Address: P.O. Box 2950 Hagátña, GU 96932

Website http://dlm.guam.gov

E-mail Address: dlmdir@land.guam.gov

Telephone: 671-649-LAND (5263)

Facsimile: 671-649-5383



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



JOSEPH M BORJA DIRECTOR

ROSSANA SAN MIGUEL TISTON DEPUTY DIRECTOR

LOURDES A LEON GUERRERO MAGA HAGA • GOVERNOR

JOSHUA F. FENORIO SIGUNDO MAGA'LÁHH LIEUTENANT GOVERNOR

March 5, 2025

Memorandum

To:

Chairperson, Guam Land Use Commission

From:

Guam Chief Planner

Subject:

Commission Brief - Request for Renewal of Application No. 2020-03D

- 1. PURPOSE: The Applicant, Black Construction Corporation, is requesting an annual renewal of a Conditional Use Permit to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF) to house up to 750 workers, on Lot 5103-2R-1, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
- 2. LEGAL AUTHORITY: Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use), Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers) and Public Law 36-2.

3. DISCUSSION and APPLICATION SUMMARY:

As conditionally approved by the Commission on March 14, 2024, and detailed in the approved Site Plan, the Temporary Workforce Housing Facility (TWHF) will consist of nine (9) buildings upon final development. This includes three (3) single-story buildings, five (5) two-story buildings, and one (1) three-story building, designed to accommodate sleeping quarters, kitchen and dining areas, toilet and shower facilities, and laundry services.

The facility will also include security measures, fire and medical emergency response capabilities, recreational amenities, transportation services, an on-site stormwater retention system, landscaping, a six-foot (6') high perimeter fence, and an in-house set of Rules and Regulations. These regulations will address security

Continuation of Commission Brief Re: Application No. 2020-03D

Date: March 5, 2025

Page 2 of 2

and safety protocols, personnel access and exit procedures, and a personal and social code of conduct.

Pursuant to Section 61309(c)(4)(B)(i), which states, "Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months and thereafter shall be renewed annually...", the applicant hereby submits its annual renewal request. The submission confirms that the approved elements of the TWHF—including housing facilities, security measures, emergency response capabilities, recreational and transportation services, stormwater management, landscaping, perimeter fencing, and operational regulations—are fully functional. Additionally, the applicant has included a copy of the DPH&SS Workers Dormitory and Sanitary Permits, a Certificate of Occupancy for Buildings 3 and 4 (identified as Buildings "A" and "A1" on the attached Site Plan), and photographic documentation of the facility.

On March 4, 2025, the case planner conducted a site visit of the approved TWHF. Based on observations made from outside the perimeter fence, planning staff found that the facility's exterior is well-maintained and clean, with recreational elements such as the basketball court and bicycle amenities still in place.

We assert that the applicant's ongoing coordination with permitting agencies demonstrates compliance with the conditions imposed. The applicant has consistently worked with the appropriate government entities to adhere to agency requirements and implement best management practices.

4. RECOMMENDATION:

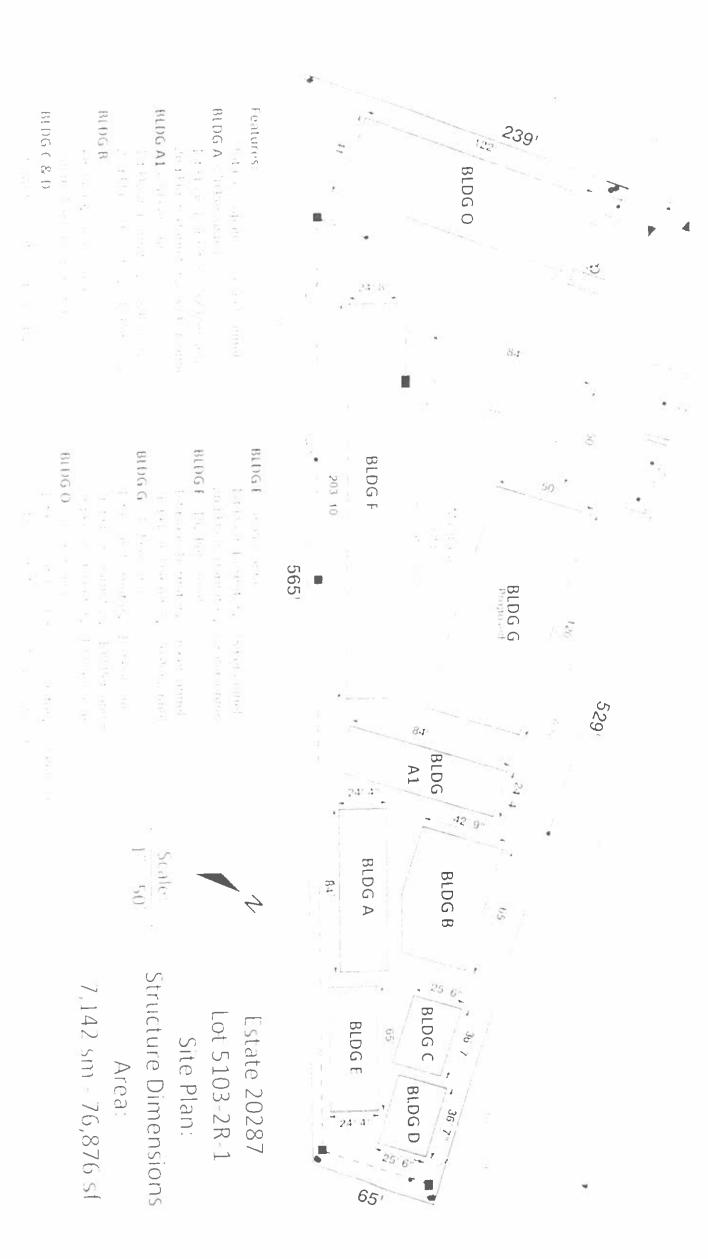
In light of the above, we recommend a favorable review by the Commission, subject to the following condition:

1. The applicant shall continue to comply with Section 2 of Public Law 36-2, as specified in the Department of Land Management's approval letter dated March 31, 2021.

Celine L. Cruz

Attachments: Request Package Approved Site Plan

Case Planner: Frank Taitano



ATTACHMENT B

DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management) GUBETNAMENTON GUÅHAN (Government of Guam)



LOURDES A LEON GUERRERO MAGA HÁGA + GOVERNOR

JOSHUA F FENORIO SIGUNDO MAGA LAHI - LIEUTENANT GOVERNOR JOSEPH M. BORJA DIRECTOR

ROSSANA SAN MIGUEL TISTON DEPUTY DIRECTOR

March 5, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Renewal of Application No. 2020-44D

 PURPOSE: The Applicant, Black Construction Corporation is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of a Temporary Workforce Housing Facility (TWHF), to house up to a maximum of 672 workers on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.

2. LEGAL AUTHORITY: Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use), Section (c) (Policy for Workforce Housing Facilities for Temporary Workers) and Public Law 36-2.

3. DISCUSSION and APPLICATION SUMMARY:

DISCUSSION AND APPLICATION SUMMARY

As conditionally approved by the Commission on March 14, 2024, and detailed in the approved Site Plan, the Temporary Workforce Housing Facility (TWHF) is planned to consist of two (2) three-story buildings. Each building is designed to accommodate sleeping quarters, kitchen and dining areas, toilet and shower facilities, and laundry services. Additionally, the facility includes security measures, fire and medical emergency response capabilities, recreational facilities, transportation services, an on-site stormwater retention system, landscaping, a sixfoot (6') high perimeter fence, and an in-house set of rules and regulations. These regulations address security and safety protocols, personnel access and exit procedures, and personal and social codes of conduct.

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Website http://dlm.guam.gov

E-mail Address: dlmdir@land.guam.gov

Telephone: 671-649-LAND (5263)

Facsimile: 671-649-5383



Continuation of Commission Brief Re: Application No. 2020-44D

Date: March 5, 2025

Page 2 of 2

Pursuant to Section 61309(c)(4)(B)(i), which states: "Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months and thereafter shall be renewed annually," the applicant is submitting its annual renewal request. The request confirms that one of the two planned buildings (Building B) has been constructed and is currently occupied. Furthermore, the approved elements of the TWHF—such as housing accommodations, security measures, emergency response capabilities, recreational facilities, transportation services, stormwater management, landscaping, perimeter fencing, and operational regulations—are fully functional.

The applicant has also provided supporting documentation, including copies of the Department of Public Health and Social Services (DPHSS) Workers Dormitory and Sanitary Permits, a Certificate of Occupancy for Building B, and photographic evidence of the complex.

On March 4, 2025, the case planner conducted a site visit to the TWHF. Based on external observations from outside the perimeter fence, planning staff found that the facility's exterior is well-maintained and clean, with recreational amenities such as the basketball court and bicycle storage still in place.

Based on the submitted documentation and site observations, the request package is complete and properly formatted for Commission review and action.

RECOMMENDATION

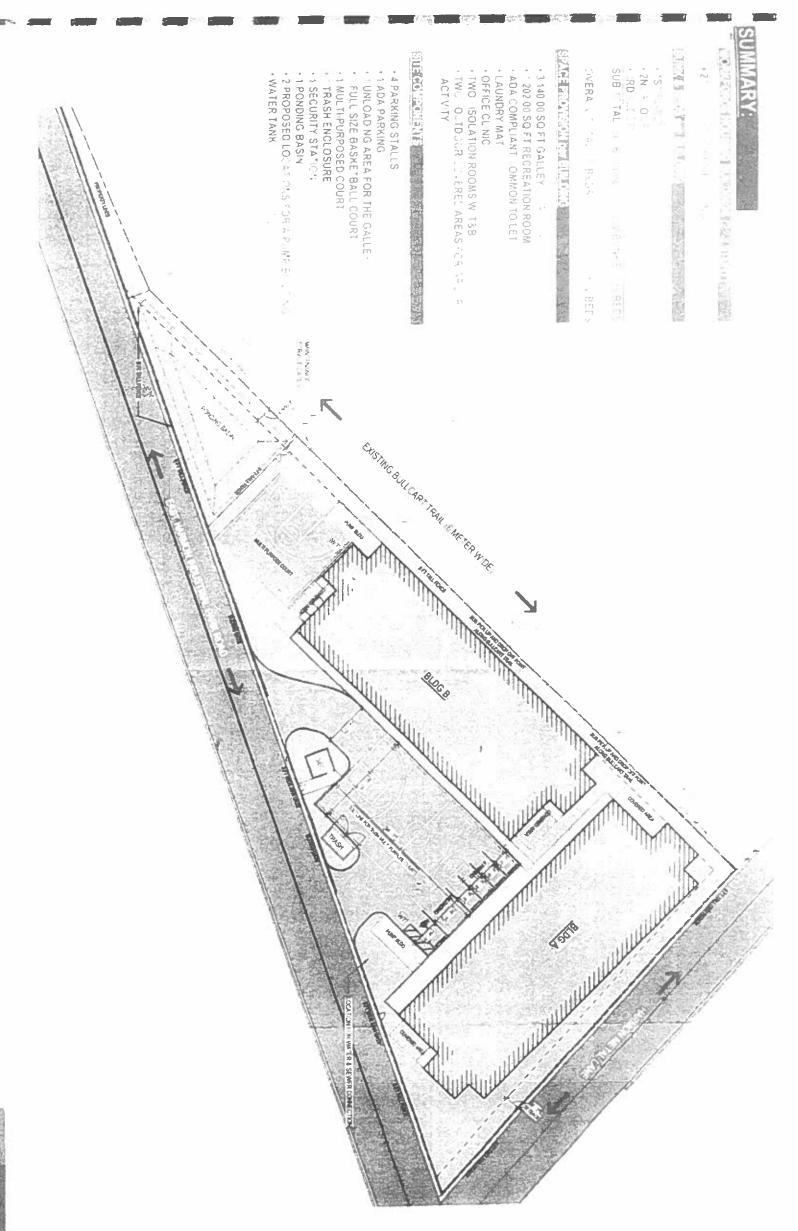
The applicant's ongoing coordination with permitting agencies demonstrates continued compliance with the imposed conditions. The applicant has consistently worked with the appropriate government entities to meet agency requirements and implement best management practices.

In light of this, we recommend a favorable Commission review of the request, subject to the following condition:

1. The applicant shall continue to comply with Section 2 of Public Law 36-2, as specified in the Department of Land Management's approval letter dated March 30, 2021.

Attachments: Request Package Approved Site Plan

Case Planner: Frank Taitano



NEW BARRACKS STEEL AN BARRACKS !

