



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 12 1999

The Honorable Antonio R. Unpingco
Speaker
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 159 (COR), "AN ACT TO AMEND P.L. NO. 24-171, THE I TANO'-TA LAND USE PLAN, AND TO AMEND §§62108(b) AND 62108.1(b), AND ADD §62108.1(C), ALL TO ARTICLE 1, CHAPTER 62, DIVISION 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO FURTHER DEFINING AND CLARIFYING TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL)", which I have signed into law today as **Public Law No. 25-11**.

This legislation clarifies the situation that certain definitions which are contained in the old zoning law of Guam still apply in the new zoning law embodied in the I Tano'-ta Land Use Plan. For example, the definition of "Agricultural Subdivision" is specifically included now in the new zoning plan, and remains the same as it was in the old.

The legislation also amends the I Tano'-ta Land Use Plan for identification of zoning for Automobile Service Stations so that stations currently in use are indicated to be Intensity District 3S (Moderate Special).

Finally, a new definition of "automobile service station" is included which acknowledges the multi-purpose nature of many such stations now. Many automobile service stations also include fast food outlets, mini-market

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time: 10:50am

Date: 5.13.99

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 5-12-99

Time: 1450

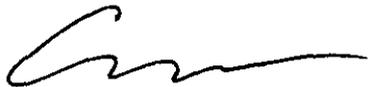
Rec'd by: [Signature]

Print Name: Chalene

00222

facilities, or car washing services. The lot size of automobile service stations, as well as the definition of what is the "gross area" used to compute the size, is adjusted accordingly.

Very truly yours,



Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
 original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

00223

MINA'BENTE SINGKO NA LHESLATURAN GUAHAN
1999 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 159 (COR), "AN ACT TO AMEND P.L. NO. 24-171, THE I TANO'-TA LAND USE PLAN, AND TO AMEND §§62108(b) AND 62108.1(b), AND ADD §62108.1(c), ALL TO ARTICLE 1, CHAPTER 62, DIVISION 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO FURTHER DEFINING AND CLARIFYING TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL)," was on the 28th day of April, 1999, duly and regularly passed.



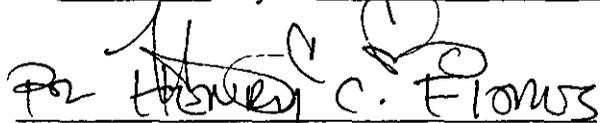
ANTONIO R. UNPINGCO
Speaker

Attested:



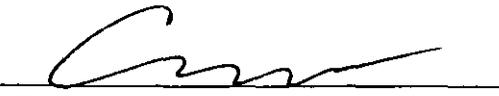
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 30th day of APRIL, 1999,
at 5:40 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 5-12-99

Public Law No. 25-11

**I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session**

Bill No.159 (COR)

As substituted by the
Committee on Land, Agriculture,
Military Affairs and the Arts and
as amended on the Floor.

Introduced by:

M. G. Camacho
F. B. Aguon, Jr.
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
Mark Forbes
L. F. Kasperbauer
A.C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II
A. R. Unpingco

**AN ACT TO AMEND P.L. NO. 24-171, THE *I TANO'-
TA LAND USE PLAN*, AND TO AMEND §§62108(b)
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OF THE GUAM CODE ANNOTATED, RELATIVE
TO FURTHER DEFINING AND CLARIFYING
TERMS WITHIN THE DEFINITION SECTION OF
THE ZONING CODE OF GUAM, AND TO MORE
SPECIFICALLY IDENTIFY THE ZONING**

**DESIGNATION FOR AUTOMOBILE SERVICE
STATION SITES AS INTENSITY DISTRICT 3S
(MODERATE SPECIAL).**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Intent.** *I Liheslaturan Guahan* finds that since
3 passage of the *I Tano'-ta Land Use Plan* into law in April of 1998, people have
4 begun to study the plan in more depth in order to determine how the
5 provisions of the law may impact their professional and personal livelihood. *I*
6 *Liheslaturan Guahan* recognizes that the document was intended to be a
7 dynamic document, or one that changes with the shifts in our Island's
8 economic, political and social environment. Additionally, it is recognized that
9 the plan was prepared over five (5) years ago, and that there needs to be
10 constant review and adjustments to the Plan in order to fit the wants and
11 desires of the people and businesses in our community. *I Liheslaturan Guahan*,
12 therefore, intends to continue to entertain and address any requests for
13 amendments to the Plan, in order to make this living document a better Plan
14 for the future of our Island and its people.

15 **Section 2. Amendment to Zoning Code Definitions.** "Exhibit 2" of
16 P.L. No. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER V.
17 CONSTRUCTION OF LANGUAGE AND DEFINITIONS," page 12, lines 3
18 through 12 are hereby *amended* to read as follows:

19 **"Automobile Service Station:** A building or structure
20 designed or used for the retail sale or supply of fuels (stored only

1 as prescribed by Guam's Environmental Protection Agency),
2 lubricants, consumer convenience commodities, quick serve foods
3 and drinks, air water, and other operating commodities for motor
4 vehicles or boats. The canopy, which is the covered open area
5 over gasoline pumps, is used primarily to protect consumers from
6 the elements, and therefore is *not* considered part of the primary
7 building and shall *not* be measured as coverage for purposes of
8 determining maximum lot coverage or gross floor area. *However,*
9 the canopy shall be used for measurement of setback
10 requirements. Automobile Service Stations may include the
11 following: customary space and facilities for the installation of
12 such commodities on or in such vehicles; space for facilities for the
13 storage, minor repair, or servicing of such vehicles, space for
14 manual or automatic car washing, and space for quick serve food
15 and drink facilities."

16 **Section 3. Amendment to Uses Permitted.** "Exhibit 2" of P.L. No. 24-
17 171 (THE ZONING CODE OF GUAM), "CHAPTER VII. PERMITTED USES
18 AND TABLES OF DIMENSIONAL AND DENSITY REQUIREMENTS,"
19 Section "J. INTENSITY DISTRICT 7: Hotel/Resort," Paragraph "2. Permitted
20 Uses," Subsection "C. Retail Trade Establishments," page 119, line 6, is
21 hereby *amended* to read as follows:

22 "Automobile Sales and Service Establishments / Automobile
23 Service Stations / Automobile Rental Facilities"

1 **Section 4. Amendment to Administration Section.** “Exhibit 2” of
2 P.L. No. 24-171 (THE ZONING CODE OF GUAM), “CHAPTER VIII.
3 ADMINISTRATION,” Section “C. DEVELOPMENT PERMIT,” Subsection
4 “5. Minor Permit Procedures,” Paragraph “c,” lines 12-13, page 147, conflicts
5 with line 21 of page 160, and is hereby *amended* to read as follows:

6 “... copy of the application to the owners of the adjacent
7 properties within one thousand feet (1,000’) of subject properties.”

8 **Section 5. Amendment to Public Hearings Chapter.** “Exhibit 2” of
9 P.L. No. 24-171 (THE ZONING CODE OF GUAM), “CHAPTER X. PUBLIC
10 HEARINGS,” Section “A. General Regulations on Public Hearings,” page
11 160, lines 6-10, is hereby *amended* to further clarify when public hearings are
12 required to read as follows:

13 “Public notice of any hearing as required by this Section to
14 be conducted by any Municipal Planning Council, the Department
15 of Land Management, or the Zoning Official for a Minor, Major, or
16 Super Major Permit Application, or for the Guam Planning
17 Council or the Guam Land Use Commission in the case of appeals
18 or amendments to the zoning designations shall be deemed to
19 have been given when the following actions have been
20 completed:”

21 **Section 6. Amendment to Off-Street Parking Requirements.** “Exhibit
22 2” of P.L. No. 24-171 (THE ZONING CODE OF GUAM), “CHAPTER XVI.
23 REGULATIONS,” Section “C. Off-Street Parking and Loading Standards,”

1 table "8. TABLE OF OFF-STREET PARKING REQUIREMENTS," page 215, is
2 hereby *amended* to read as follows:

3 **"Auto Service Station:** one (1) space per five hundred (500)
4 square feet of Gross Floor Area, plus sufficient space to accommodate
5 vehicles at pumps without interfering with other parking spaces"

6 **Section 7. Amendment to Sign Standards.** "Exhibit 2" of P.L. No. 24-
7 171 (THE ZONING CODE OF GUAM), "CHAPTER XVI. REGULATIONS,"
8 Section "D. Sign Standards," Subsection "17. Sign Dimensions," Paragraph
9 "d. Automobile Service Station Signs:," page 230, is hereby *amended* to read
10 as follows:

11 **"d. Automobile Service Station Ground Signs:** one (1) ground
12 sign shall be permitted with a maximum surface area limited to one
13 hundred fifty (150) square feet per side for a total of three hundred (300)
14 square feet of gross area, as defined under 'sign, gross area' of the
15 definition Section of this code. Maximum height limitations shall be
16 twenty-two feet (22'), measured from the ground to the highest point of
17 the sign. Additionally, a second ground sign shall be permitted with a
18 maximum surface area limited to thirty-two (32) square feet per side, for
19 a total of sixty-four (64) square feet of gross area. Maximum height
20 limitations for this sign shall be nine feet (9'), measured from the ground
21 to the highest point of the sign.

1 This Sub-section is *not* intended to restrict the use of other
2 sign types allowed under the provisions of this Section. The
3 standards and dimensions for those other signs shall be as stated
4 under their respective Sub-sections.”

5 **Section 8. Amendments to Zoning Maps.** *I Liheslaturan Guahan*

6 finds that the intent of the zoning designation “3S: Moderate Special” is “to
7 allow for certain automobile service functions, adjacent to specific villages.
8 Most of the permitted uses identified in District 3 are also allowed in this
9 District.” *I Liheslaturan Guahan* further finds that existing service stations and
10 proposed sites were *not* included in this “3S” designation, and in order to
11 continue the use of these existing stations in compliance with the zoning law
12 and to plan for future automobile service station locations, there is a need to
13 amend the zoning maps to include the following lots.

14 The zoning for the following lots, therefore, as identified under “Exhibit
15 3” of the I Tano’-ta Land Use Plan, Sections “(a) Guam 2015 Generalized
16 Land Use Plan Map, (b) Guam Five (5) Year Zoning Plan Map, and (c) Official
17 Zoning Maps of Guam”, are hereby amended to the following:

- | | | |
|----|--|-------------|
| 18 | 1. Lot No. 2427-3R5-NEW1, Mangilao | District 3S |
| 19 | 2. Lot Nos. 7011-1-9, 7011-1-3-R2, 7011-1-3-1G, | |
| 20 | 7011-1-3-2G, 7011-1-4-R1, 7011-1-4-1G, 7011-1-R10, | |
| 21 | <i>and</i> 7011-1-10 Yigo | District 3S |
| 22 | 3. Lot No. 1-2 B1 T100B, Dededo | District 3S |
| 23 | 4. Lot No. 75 B6 T232, Sinajana | District 3S |
| 24 | 5. Lot No. B1 T1442, Barrigada | District 3S |

- | | | |
|----|--|-------------|
| 1 | 6. Lot No. 10060-REM-R6-NEW, Dededo | District 3S |
| 2 | 7. Lot No. 1266-1, Lot No. 1494-2-4, Hagåtña | District 3S |
| 3 | 8. Lot No. 158-2-5-1-1, Yona | District 3S |
| 4 | 9. Lot. No. 5-2-2-1NEW-R1, Ipan | District 3S |
| 5 | 10. Lot No. 160-P1, Lot No. 160-P2, Agat | District 3S |
| 6 | 11. Lot No. 5370-2-3-New-R1, Mangilao | District 3S |
| 7 | 12. Lot No. 7023-1-2-2A-1, Yigo | District 3S |
| 8 | 13. Lot No. 3255-3-1, Chalan Pago | District 3S |
| 9 | 14. Lot No. 1124-1-4 NEW, Hagatna | District 3S |
| 10 | 15. Lot No. 1, Block 10, Barrigada | District 3S |
| 11 | 16. Lot No. 10060 REM-4-R1, Dededo | District 3S |

12 **Section 9. Addition to Zoning Code Definitions.** "Exhibit 2" of P.L.
13 No. 24-171 (THE ZONING CODE OF GUAM), the following definition is
14 *added* to Page 10 "CHAPTER V. CONSTRUCTION OF LANGUAGE AND
15 DEFINITIONS," after Agriculture or Agricultural Use, lines 1 through 5 *add*
16 the following to read:

17 **"Agricultural Subdivision:** Agricultural Subdivision shall mean
18 a subdivision having no lots, parcels or sites smaller than ten thousand
19 (10,000) square feet, *except* when located on top of the Northern Aquifer,
20 the minimum ten thousand (10,000) square foot lot must be connected to
21 a public or other EPA-approved sewer system, and in which all lots,
22 parcels or sites are used principally for agriculture, single family
23 resident sites or as an agriculture-home site combination; *except* that the
24 term Agricultural Subdivision shall include a subdivision resulting from

1 distribution by the court pursuant to §§64104(a) or (b) of this Chapter
2 with no lots, parcels or sites smaller than ten thousand (10,000) square
3 feet with sewer connection or other EPA-certified sewage disposal only
4 if located over the Northern Aquifer, and in which all lots, parcels or
5 sites are used principally for agriculture, single family sites or an
6 agricultural homestead combination."

7 **Section 10. Addition to Zoning Code Definitions.** "Exhibit 2" of
8 P.L. No. 24-171 (THE ZONING CODE OF GUAM), the following definition is
9 *added* to page 57, line 9 "CHAPTER V. CONSTRUCTION OF LANGUAGE
10 AND DEFINITIONS," after the word "Guam" add "This includes
11 Agricultural Subdivisions for residential purposes."

12 **Section 11. Amendment to Subdivision Law.** Section
13 62108(b) of Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
14 Annotated is hereby *amended* to read as follows:

15 "(b) Cause every lot to abut a roadway right-of-way having a
16 minimum width of forty feet (40'); *provided*, however, that in agricultural
17 subdivisions and in parental subdivisions, every lot shall abut a
18 roadway right-of-way having a minimum width of twenty feet (20')."

19 **Section 12. Amendment to Subdivision Law.** Section
20 62108.1(b) of Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
21 Annotated is hereby *amended* to read as follows:

22 "(b) In agricultural subdivisions with lots, parcels or sites less
23 than twenty thousand (20,000) square feet, when located over the
24 Northern Aquifer, all lots must meet the requirements set forth in

1 §3219(c) of Chapter 3 of Title 18 of the Administrative Rules and
2 Regulations of the government of Guam before final approval on
3 adequate lot sizes can be given.”

4 **Section 13. Addition to Subdivision Law.** Section 62108.1(c) is
5 hereby *added* to Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
6 Annotated to read as follows:

7 “(c) Agricultural subdivisions are permitted in Zoning District 2-
8 Low Intensity of the Zoning Code of Guam.”



MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

April 30, 1999

The Honorable Carl T.C. Gutierrez
I Maga'lahaen Guahan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Gutierrez:

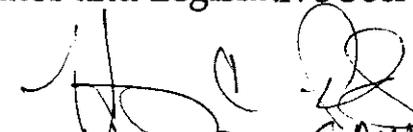
Transmitted herewith are Bill No. 151 (COR) and Substitute Bill Nos. 4 (LS), 83 (COR), 159 (COR) and 180 (COR) which were passed by *I Mina'Bente Singko Na Liheslaturan Guahan* on April 28, 1999.

Sincerely,


JOANNE M.S. BROWN
Senator and Legislative Secretary

Enclosure (5)

REC:


POR HENRY CAMACHO FLORES
TIME: 5:32 DATE: 4/30/99

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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Speaker

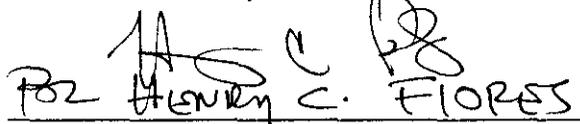
Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

.....

This Act was received by I Maga'lahaen Guahan this 30TH day of APRIL, 1999,
at 5:40 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

Bill No.159 (COR)

As substituted by the
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1 table "8. TABLE OF OFF-STREET PARKING REQUIREMENTS," page 215, is
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8 Section "D. Sign Standards," Subsection "17. Sign Dimensions," Paragraph
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13 hundred fifty (150) square feet per side for a total of three hundred (300)
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2 sign types allowed under the provisions of this Section. The
3 standards and dimensions for those other signs shall be as stated
4 under their respective Sub-sections.”

5 **Section 8. Amendments to Zoning Maps.** *I Liheslaturan Guahan*

6 finds that the intent of the zoning designation “3S: Moderate Special” is “to
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8 Most of the permitted uses identified in District 3 are also allowed in this
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11 continue the use of these existing stations in compliance with the zoning law
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13 amend the zoning maps to include the following lots.

14 The zoning for the following lots, therefore, as identified under “Exhibit
15 3” of the I Tano’-ta Land Use Plan, Sections “(a) Guam 2015 Generalized
16 Land Use Plan Map, (b) Guam Five (5) Year Zoning Plan Map, *and* (c) Official
17 Zoning Maps of Guam”, are hereby amended to the following:

- | | | |
|----|--|-------------|
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| 19 | 2. Lot Nos. 7011-1-9, 7011-1-3-R2, 7011-1-3-1G, | |
| 20 | 7011-1-3-2G, 7011-1-4-R1, 7011-1-4-1G, 7011-1-R10, | |
| 21 | <i>and</i> 7011-1-10 Yigo | District 3S |
| 22 | 3. Lot No. 1-2 B1 T100B, Dededo | District 3S |
| 23 | 4. Lot No. 75 B6 T232, Sinajana | District 3S |
| 24 | 5. Lot No. B1 T1442, Barrigada | District 3S |

- | | | |
|----|--|-------------|
| 1 | 6. Lot No. 10060-REM-R6-NEW, Dededo | District 3S |
| 2 | 7. Lot No. 1266-1, Lot No. 1494-2-4, Hagåtña | District 3S |
| 3 | 8. Lot No. 158-2-5-1-1, Yona | District 3S |
| 4 | 9. Lot. No. 5-2-2-1NEW-R1, Ipan | District 3S |
| 5 | 10. Lot No. 160-P1, Lot No. 160-P2, Agat | District 3S |
| 6 | 11. Lot No. 5370-2-3-New-R1, Mangilao | District 3S |
| 7 | 12. Lot No. 7023-1-2-2A-1, Yigo | District 3S |
| 8 | 13. Lot No. 3255-3-1, Chalan Pago | District 3S |
| 9 | 14. Lot No. 1124-1-4 NEW, Hagatna | District 3S |
| 10 | 15. Lot No. 1, Block 10, Barrigada | District 3S |
| 11 | 16. Lot No. 10060 REM-4-R1, Dededo | District 3S |

12 **Section 9. Addition to Zoning Code Definitions.** “Exhibit 2” of P.L.
13 No. 24-171 (THE ZONING CODE OF GUAM), the following definition is
14 *added* to Page 10 “CHAPTER V. CONSTRUCTION OF LANGUAGE AND
15 DEFINITIONS,” after Agriculture or Agricultural Use, lines 1 through 5 *add*
16 the following to read:

17 **“Agricultural Subdivision:** Agricultural Subdivision shall mean
18 a subdivision having no lots, parcels or sites smaller than ten thousand
19 (10,000) square feet, *except* when located on top of the Northern Aquifer,
20 the minimum ten thousand (10,000) square foot lot must be connected to
21 a public or other EPA-approved sewer system, and in which all lots,
22 parcels or sites are used principally for agriculture, single family
23 resident sites or as an agriculture-home site combination; *except* that the
24 term Agricultural Subdivision shall include a subdivision resulting from

1 distribution by the court pursuant to §§64104(a) or (b) of this Chapter
2 with no lots, parcels or sites smaller than ten thousand (10,000) square
3 feet with sewer connection or other EPA-certified sewage disposal only
4 if located over the Northern Aquifer, and in which all lots, parcels or
5 sites are used principally for agriculture, single family sites or an
6 agricultural homestead combination.”

7 **Section 10. Addition to Zoning Code Definitions.** “Exhibit 2” of
8 P.L. No. 24-171 (THE ZONING CODE OF GUAM), the following definition is
9 *added* to page 57, line 9 “CHAPTER V. CONSTRUCTION OF LANGUAGE
10 AND DEFINITIONS,” after the word “Guam” add “This includes
11 Agricultural Subdivisions for residential purposes.”

12 **Section 11. Amendment to Subdivision Law.** Section
13 62108(b) of Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
14 Annotated is hereby *amended* to read as follows:

15 “(b) Cause every lot to abut a roadway right-of-way having a
16 minimum width of forty feet (40’); *provided*, however, that in agricultural
17 subdivisions and in parental subdivisions, every lot shall abut a
18 roadway right-of-way having a minimum width of twenty feet (20’).”

19 **Section 12. Amendment to Subdivision Law.** Section
20 62108.1(b) of Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
21 Annotated is hereby *amended* to read as follows:

22 “(b) In agricultural subdivisions with lots, parcels or sites less
23 than twenty thousand (20,000) square feet, when located over the
24 Northern Aquifer, all lots must meet the requirements set forth in

1 §3219(c) of Chapter 3 of Title 18 of the Administrative Rules and
2 Regulations of the government of Guam before final approval on
3 adequate lot sizes can be given.”

4 **Section 13. Addition to Subdivision Law.** Section 62108.1(c) is
5 hereby *added* to Article 1, Chapter 62, Division 2 of Title 21 of the Guam Code
6 Annotated to read as follows:

7 “(c) Agricultural subdivisions are permitted in Zoning District 2-
8 Low Intensity of the Zoning Code of Guam.”

6

I MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

1999 (FIRST) Regular Session

Date: 4/28/99

VOTING SHEET

5 Bill No. 159 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
AGUON, Frank B., Jr.	✓				
BLAZ, Anthony C.	✓				
BERMUDES, Eulogio C.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.			<i>recused</i> ✓		
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C. 1	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.					EA ✓

TOTAL

13

1

1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

April 26, 1999
(DATE)

FILE

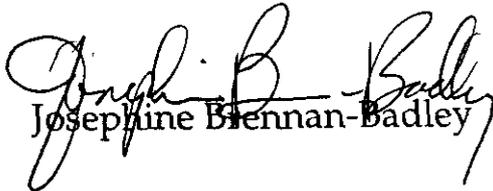
Memorandum

To: Senator MARCEL G. CAMACHO
From: Clerk of the Legislature
Subject: Report on Bill No. 159 (COR)

COPY

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 159 (COR), for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.


Josephine Biennan-Badley

Attachment

ACKNOWLEDGEMENT RECEIPT

Received By: [Signature]

Time: _____

Date: 4-26-99



The Office of

Senator Marcel G. Camacho

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
Twenty-Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Aspinall Avenue, Hagåtña, Guam 96910
Suite 108A • Ada Plaza Center
Phones (671) **479 8261 / 62 / 63 / 64**
Facsimile (671) **472 8223**

April 20, 1999

The Honorable Antonio Unpingco, Speaker
I Mina' Bente Singko na Liheslaturan Guahan
155 Hesler St.
Hagåtña, Guam 96910

Via: Committee on Rules

Dear Mr. Speaker:

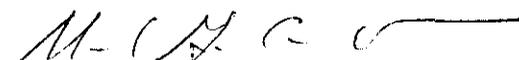
The Committee on Land, Agriculture, Military Affairs and the Arts, to which was referred the following: *Bill No. 159, as Sustituted by the Committee on Land, Agriculture, Military Affairs and the Arts, "AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL)."* wishes to report back to the Legislature its recommendation **TO DO PASS.**

Committee Voting Record:

To do pass: 7
Not to pass:
Abstain:

A copy of the Committee Report is attached for your consideration.

Sincerely yours,


MARCEL G. CAMACHO
Chairman



The Office of

Senator Marcel G. Camacho

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
Twenty-Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Aspinall Avenue, Hagåtña, Guam 96910
Suite 108A • Ada Plaza Center
Phones (671) **479 8261 / 62 / 63 / 64**
Facsimile (671) **472 8223**

April 6, 1999

MEMORANDUM

**TO: Members,
Committee on Land, Agriculture, Military Affairs and the Arts**

FR: Chairman

RE: BILL NO. 159 (SEE ATTACHED)

Transmitted herewith for your consideration is the Committee on Land, Agriculture, Military Affairs, and the Arts' Report of **BILL NO. 159 (SEE ATTACHED FOR DETAILS)**.

Should you have any questions please contact me or my Chief-of-Staff, Alfred Duenas.

Sincerely,

MARCEL G. CAMACHO
Chairman

Attachments

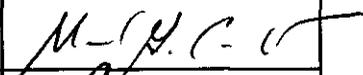
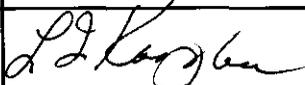
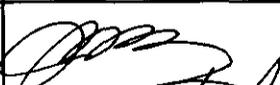
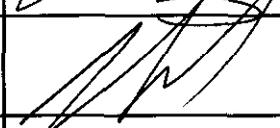
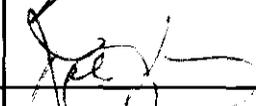
**COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS
and the ARTS**

**I Mina'Benta Singko Na Liheslaturan Guåhan
Twenty-Fifth Guam Legisture**

VOTING SHEET

April 22, 1999

RE: BILL NO. 159, *As Substituted by the Committee on Land, Agriculture, Military Affairs and the Arts, "AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL)."*

COMMITTEE MEMBERS:	TO DO PASS	NOT TO PASS	ABSTAIN	TO PLACE IN INACTIVE FILE	SIGNATURE
Sen. Marcel G. Camacho Chairman	✓				
Speaker Antonio "Tony" R. Unpingco, ex. officio	a				
Senator Lawrence F. Kaperbauer, Vice-Speaker	X				
Senator Joanne M.S. Brown	✓				
Senator Eduardo B. Calvo	✓				
Senator Kaleo S. Moylan	✓				
Senator Simon A. Sanchez, II	✓				
Senator Frank B. Aguon, Jr.					

Committee on Land, Agriculture, Military Affairs and the Arts
Senator
Marcel G. Camacho, Chairperson

PUBLIC HEARING
April 5, 1999

COMMITTEE REPORT

The Committee on Land, Agriculture, Military Affairs & the Arts Public Hearing on April 5, 1999, at the Legislative Public Hearing Room was called to order by the Chairman at 9:15 a.m.

Senators present: Sen. Marcel Camacho and Sen. Joanne M.S. Brown

Confirmation Hearing: Mrs. Bernadita S. Quitugua, Acting Member, Guam Museum Board of Trustees -- Did Not Show

Sen. Camacho opted to give Mrs. Quitugua a little more time and went to the second item on the agenda:

Bill No. 159 (COR): "AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL)."

Sen. Camacho read the Bill in it's entirety noting the changes that were being made to the existing P.L. 24-171, and the reasoning behind the changes.

Sen. Camacho then invited anyone wanting to testify or ask questions to do so, no one came forward, he then asked Sen. Brown for her comments.

Sen. Brown asked about the Lot Nos. listed in the Bill, are they existing Gas Stations?

Sen. Camacho: Yes, all but #6, which is a lot near NCTAMS that the community got together and had designated for the purpose of building a gas station.

Sen. Brown: Why are we reducing the notification terms for adjacent landowners from 1,000 ft. to 500 ft?

Sen. Camacho: The intent of this change is so that only adjoining landowners have be notified instead of all property owners within 1,000 feet.

Sen. Brown: I think we need to address the problem of the constant complaints concerning construction going on in communities and no one being aware of it until it's too late to stop it or doing anything about it. These projects need to be beneficial to the community. Public notices of Hearings by the Planning Council, DLM or the Zoning Official need to be standardized so that people know what to look for when there is a meeting taking place and maybe the advertisement needs to be expanded to include a small area map with the notice so that residents of that area will be well informed.

Sen. Camacho: I will discuss these ideas with Land Management to be more informative and standardized when publishing these notices.

Sen. Camacho: Just to summarize; the I Tano'ta Land Use Plan is not a perfect document and more and more people are reviewing the document, now that the implementation date of 5/1/99 is approaching, and making improvements to it. This legislature intends to continually look at this Law and entertain requests to amend it as needed. This Law needs to be a dynamic document and should not stifle the amount of development but rather balance the amount of future development with the infrastructure to accommodate it and to better insure the quality of life for people who make Guam their home.

Bill No. 159 has been officially heard.

Sen. Camacho then went back to Item I on the agenda and asked if Mrs. Quitugua was here yet or anyone to testify for her.

No Reply.

Sen. Brown commented that the nominee should be present at confirmation hearings just so we can be informed as to their intent when they serve on a given Board. Will you reschedule this hearing for another day?

Sen. Camacho: Yes. It will be set for a later date.

Sen. Camacho officially adjourned the Public Hearing at 9:35 a.m.

Written testimony was received from:

Mr. Jim Hammond, Shell Guam
Mr. Mike Fleming, Exxon-Guam

The Committee recommends TO DO PASS Bill No. 159, *As Substituted by the Committee on Land, Agriculture, Military Affairs and the Arts.*

**I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session**

Bill No.159 (COR)

*As Substituted by the
Committee on Land, Agriculture, Military Affairs & the Arts*

Introduced by:

M. G. Camacho

**AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND
USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS
WITHIN THE DEFINITION SECTION OF THE ZONING
CODE OF GUAM, AND TO MORE SPECIFICALLY
IDENTIFY THE ZONING DESIGNATION FOR
AUTOMOBILE SERVICE STATION SITES AS INTENSITY
DISTRICT 3S (MODERATE SPECIAL).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. The legislature finds that since passage of
the I Tano'-ta Land Use Plan into law in April of 1998, people have begun to
study the plan in more depth in order to determine how the provisions of the law
may impact their professional and personal livelihood. The legislature recognizes
that the document was intended to be a dynamic document, or one that changes
with the shifts in our islands economic, political, and social environment.
Additionally, it is recognized that the plan was prepared over five years ago, and

1 that there needs to be constant review and adjustments to the plan in order to fit
2 the wants and desires of the people and businesses in our community. The
3 legislature, therefore, intends to continue to entertain and address any requests
4 for amendments to the plan, in order to make this living document a better plan
5 for the future of our island and its people.

6 **Section 2. Amendment to Zoning Code Definitions.** “Exhibit 2” of
7 P.L. 24-171 (THE ZONING CODE OF GUAM), “CHAPTER V.
8 CONSTRUCTION OF LANGUAGE AND DEFINITIONS”, page 12, lines 3
9 through 12 are hereby amended as follows:

10 **“Automobile Service Station:** A building or structure designed or
11 used for the retail sale or supply of fuels (stored only as prescribed
12 by ~~[existing legal regulations]~~ Guam’s Environmental Protection
13 Agency), lubricants, consumer convenience commodities, quick
14 serve foods and drinks, air water, and other operating commodities
15 for motor vehicles or boats. ~~[The cross section areas of service~~
16 ~~station canopy supports where they meet the ground shall be~~
17 ~~measured as coverage for purposes of determining maximum lot~~
18 ~~coverage, and also shall be used for measurement of setback~~
19 ~~requirements]~~ The canopy, which is the covered open area over

1 gasoline pumps, is used primarily to protect consumers from the
2 elements, and therefore is not considered part of the primary
3 building and shall not be measured as coverage for purposes of
4 determining maximum lot coverage or gross floor area.

5 However, the canopy shall be used for measurement of setback
6 requirements. Automobile Service Stations may include the
7 following: customary space and facilities for the installation of such
8 commodities on or in such vehicles; space for facilities for the
9 storage, minor repair, or servicing of such vehicles, space for
10 manual or automatic car washing, and space for quick serve food
11 and drink facilities.”

12 **Section 3. Amendment to Uses Permitted.** “Exhibit 2” of P.L. 24-171
13 (THE ZONING CODE OF GUAM), “[~~CHAPTER VIII~~] *CHAPTER VII.*
14 *PERMITTED USES AND TABLES OF DIMENSIONAL AND DENSITY*
15 *REQUIREMENTS*”, section “J. INTENSITY DISTRICT 7: Hotel/Resort”,
16 paragraph “2. Permitted Uses”, subsection “C. Retail Trade Establishments”,
17 page 119, line 6, is hereby amended as follows:

18 Automobile Sales and Service Establishments / Automobile Service
19 Stations / Automobile Rental Facilities”

1 **Section 4. Amendment to Administration Section.** “Exhibit 2” of P.L.
2 24-171 (THE ZONING CODE OF GUAM), “CHAPTER VIII.
3 ADMINISTRATION”, section “C. DEVELOPMENT PERMIT”, subsection
4 “5. Minor Permit Procedures”, paragraph “c”, lines 12-13, page 147, conflicts
5 with line 21 of page 160, and is hereby amended to read as follows:

6 “...copy of the application to the owners of the adjacent properties
7 within one thousand (1,000) feet of subject properties.”

8 **Section 5. Amendment to Public Hearings Chapter.** “Exhibit 2” of
9 P.L. 24-171 (THE ZONING CODE OF GUAM), “CHAPTER X. PUBLIC
10 HEARINGS”, section “A. General Regulations on Public Hearings”, page
11 160, lines 6-10, is hereby amended to further clarify when public hearings are
12 required as follows:

13 “Public notice of any hearing as required by this Section to be
14 conducted by any Municipal Planning Council, the Department of
15 Land Management, or the Zoning Official for a Minor, Major, or
16 Super Major Permit Application, or for the [~~Territorial~~] Guam
17 Planning Council or the [~~Territorial~~] Guam Land Use Commission
18 in the case of appeals or amendments to the zoning designations

1 shall be deemed to have been given when the following actions have
2 been completed:"

3 **Section 6. Amendment to Off-Street Parking Requirements.** "Exhibit
4 2" of P.L. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER XVI.
5 REGULATIONS", section "C. Off-Street Parking and Loading Standards",
6 table "8. TABLE OF OFF-STREET PARKING REQUIREMENTS", page
7 215, is hereby amended as follows:

8 "Auto Service Station 1 space per [~~200~~] 500 square feet of Gross
9 Floor Area, plus sufficient space to accommodate vehicles at pumps
10 without interfering with other parking spaces"

11 **Section 7. Amendment to Sign Standards.** "Exhibit 2" of P.L. 24-171
12 (THE ZONING CODE OF GUAM), "CHAPTER XVI. REGULATIONS",
13 section "D. Sign Standards", subsection "17. Sign Dimensions", paragraph
14 "d. Automobile Service Station Signs:", page 230, is hereby amended as
15 follows:

16 "d. Automobile Service Station Ground Signs: One (1) ground sign
17 shall be permitted with a maximum surface area limited to one
18 hundred fifty (150) square feet per side for a total of three hundred
19 (300) square feet of gross area (as defined under "sign, gross

1 **area” of the definition section of this code). Maximum height**
2 **limitations shall be twenty-two (22) feet, measured from the ground**
3 **to the highest point of the sign. Additionally, a second ground sign**
4 **shall be permitted with a maximum surface area limited to thirty-two**
5 **(32) square feet per side, for a total of sixty-four (64) square feet of**
6 **gross area. Maximum height limitations for this sign shall be nine**
7 **(9) feet, measured from the ground to the highest point of the sign.**

8 **This sub-section is not intended to restrict the use of other**
9 **sign types allowed under the provisions of this section. The**
10 **standards and dimensions for those other signs shall be as stated**
11 **under their respective sub-sections.”**

12 **Section 8. Amendments to Zoning Maps.** The legislature finds that the
13 intent of the zoning designation “3S: Moderate Special” is “to allow for certain
14 automobile service functions, adjacent to specific villages. Most of the
15 permitted uses identified in District 3 are also allowed in this District.” The
16 legislature further finds that existing service stations and proposed sites were not
17 included in this “3S” designation, and in order to continue the use of these
18 existing stations in compliance with the zoning law and to plan for future

1 automobile service station locations, there is a need to amend the zoning maps to
2 include the following lots.

3 The zoning for the following lots, therefore, as identified under “Exhibit
4 3” of the I Tano’-ta Land Use Plan, sections “(a) Guam 2015 Generalized Land
5 Use Plan Map, (b) Guam Five (5) Year Zoning Plan Map, and (c) Official
6 Zoning Maps of Guam”, are hereby amended to the following:

- | | | |
|----|--|--------------------|
| 7 | 1. Lot No. 2427-3R5-NEW1, Mangilao | District 3S |
| 8 | 2. Lot Nos. 7011-1-9, 7011-1-3-R2, 7011-1-3-1G, | |
| 9 | 7011-1-3-2G, 7011-1-4-R1, 7011-1-4-1G, 7011-1-R10, | |
| 10 | and 7011-1-10 Yigo | District 3S |
| 11 | 3. Lot No. 1-2 B1 T100B, Dededo | District 3S |
| 12 | 4. Lot No. 75 B6 T232, Sinajana | District 3S |
| 13 | 5. Lot No. B1 T1442, Barrigada | District 3S |
| 14 | 6. Lot No. 10060-REM-R6-NEW, Dededo | District 3S |
| 15 | 7. Lot No. 1266-1, Lot No. 1494-2-4, Hagåtña | District 3S |
| 16 | 8. Lot No. 158-2-5-1-1, Yona | District 3S |
| 17 | 9. Lot. No. 5-2-2-1NEW-R1, Ipan | District 3S |
| 18 | 10. Lot No. 160-P1, Lot No. 160-P2, Agat | District 3S |
| 19 | <u>11. Lot No. 5370-2-3-New-R1, Mangilao</u> | <u>District 3S</u> |

1 principally for agriculture, single family sites or an agricultural homestead
2 combination.

3 **Section 10. Addition to Zoning Code Definitions.** “Exhibit 2” of P.L.
4 24-171 (THE ZONING CODE OF GUAM), the following definition is added to
5 Page 57, line 9 “CHAPTER V. CONSTRUCTION OF LANGUAGE AND
6 DEFINITIONS”, after the word “Guam”. Add “This includes Agricultural
7 Subdivisions for residential purposes.”

8 **Section 11. Amendment to Subdivision Law.** Title 21, Chapter 62
9 §62108 (b) Guam Code Annotated is amended to read: (b) Cause every lot to abut
10 a roadway right-of-way having a minimum width of forty (40) feet; *provided*,
11 however, that in agricultural [~~zones~~] subdivision and in parental subdivision, every
12 lot shall abut a roadway right-of-way having a minimum with of twenty (20) feet.

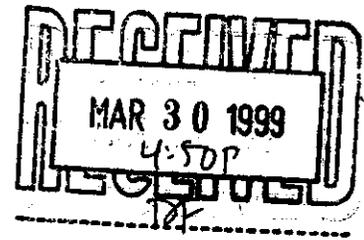
13 **Section 12. Amendment to Subdivision Law.** Title 21, Chapter 62
14 §62108.1 (b) Guam Code Annotated is amended to read: (b) In [~~agriculturally~~
15 ~~zoned areas and~~] agricultural subdivisions with lots, parcels or sites less than
16 twenty thousand (20,000) square feet, when located over the Northern Aquifer, all
17 lots must meet the requirements set forth in [~~§12214.2 (c), of Chapter B Title 13]~~
18 § 3219 (c), of Chapter 3 Title 18, of the Administrative Rules and Regulations of
19 the government of Guam before final approval on adequate lot sizes can be given

1 **Section 13. Addition to Subdivision Law.** A new subsection (c) is added
2 to §62108.1 to read: (c) Agricultural subdivisions are permitted in Zoning
3 District 2-Low Intensity of the Zoning Code of Guam.



MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asunton Fidirat

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurat*



MAR 30 1999

MEMORANDUM

TO: Chairman
Committee on Land, Agriculture, Military Affairs and Arts

FROM: Chairman 
Committee on Rules, Government Reform, Reorganization
and Federal Affairs

SUBJECT: Principal Referral – Bill No. 159

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

Bill No. 159(CAR)

Introduced by:

M. G. Camacho

F. B. Aquino, Jr.

RECEIVED
1999 MAR 22 PM 2 12

AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL).

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Intent. The legislature finds that since passage
3 of the I Tano'-ta Land Use Plan into law in April of 1998, people have
4 begun to study the plan in more depth in order to determine how the
5 provisions of the law may impact their professional and personal
6 livelihood. The legislature recognizes that the document was intended to
7 be a dynamic document, or one that changes with the shifts in our islands
8 economic, political, and social environment. Additionally, it is recognized
9 that the plan was prepared over five years ago, and that there needs to be

1 constant review and adjustments to the plan in order to fit the wants and
2 desires of the people and businesses in our community. The legislature,
3 therefore, intends to continue to entertain and address any requests for
4 amendments to the plan, in order to make this living document a better
5 plan for the future of our island and its people.

6 **Section 2. Amendment to Zoning Code Definitions.** "Exhibit 2" of
7 P.L. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER V.
8 CONSTRUCTION OF LANGUAGE AND DEFINITIONS", page 12, lines 3
9 through 12 are hereby amended as follows:

10 **"Automobile Service Station:** A building or structure
11 designed or used for the retail sale or supply of fuels (stored
12 only as prescribed by ~~[existing legal regulations]~~ Guam's
13 Environmental Protection Agency), lubricants, consumer
14 convenience commodities, quick serve foods and drinks, air
15 water, and other operating commodities for motor vehicles or
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19 ~~and also shall be used for measurement of setback~~

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2 over gasoline pumps, is used primarily to protect consumers
3 from the elements, and therefore is not considered part of the
4 primary building and shall not be measured as coverage for
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13 **Section 3. Amendment to Uses Permitted.** “Exhibit 2” of P.L. 24-171 (THE
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7 conflicts with line 21 of page 160, and is hereby amended to read as
8 follows:

9 "...copy of the application to the owners of the adjoining
10 properties within [~~one thousand (1,000)~~] five hundred (500)
11 feet of subject properties."

12 **Section 5. Amendment to Public Hearings Chapter.** "Exhibit 2" of
13 P.L. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER X. PUBLIC
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15 160, lines 6-10, is hereby amended to further clarify when public hearings
16 are required as follows:

17 "Public notice of any hearing as required by this Section to be
18 conducted by any Municipal Planning Council, the Department
19 of Land Management, or the Zoning Official for a Minor,

1 Major, or Super Major Permit Application, or for the
2 [Territorial] Guam Planning Council or the [Territorial] Guam
3 Land Use Commission in the case of appeals or amendments
4 to the zoning designations shall be deemed to have been given
5 when the following actions have been completed:"

6 **Section 6. Amendment to Off-Street Parking Requirements.**

7 "Exhibit 2" of P.L. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER
8 XVI. REGULATIONS", section "C. Off-Street Parking and Loading
9 Standards", table "8. TABLE OF OFF-STREET PARKING
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11 "Auto Service Station 1 space per [200] 2,000 square feet of
12 Gross Floor Area, plus sufficient space to accommodate vehicles at
13 pumps without interfering with other parking spaces"

14 **Section 7. Amendment to Sign Standards.** "Exhibit 2" of P.L. 24-171
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16 section "D. Sign Standards", subsection "17. Sign Dimensions",
17 paragraph "d. Automobile Service Station Signs:", page 230, is hereby
18 amended as follows:

19 "d. Automobile Service Station Ground Signs: One (1) ground sign

1 shall be permitted with a maximum surface area limited to one
2 hundred fifty (150) square feet per side for a total of three
3 hundred (300) square feet of gross area (as defined under
4 "sign, gross area" of the definition section of this code).

5 Maximum height limitations shall be twenty-two (22) feet,
6 measured from the ground to the highest point of the sign.

7 Additionally, a second ground sign shall be permitted with a
8 maximum surface area limited to thirty-two (32) square feet per
9 side, for a total of sixty-four (64) square feet of gross area.

10 Maximum height limitations for this sign shall be nine (9) feet,
11 measured from the ground to the highest point of the sign.

12 This sub-section is not intended to restrict the use of
13 other sign types allowed under the provisions of this section.

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16 **Section 8. Amendments to Zoning Maps.** The legislature finds that
17 the intent of the zoning designation "3S: Moderate Special" is "to allow
18 for certain automobile service functions, adjacent to specific villages. Most
19 of the permitted uses identified in District 3 are also allowed in this

1 District." The legislature further finds that existing service stations and
2 proposed sites were not included in this "3S" designation, and in order to
3 continue the use of these existing stations in compliance with the zoning
4 law and to plan for future automobile service station locations, there is a
5 need to amend the zoning maps to include the following lots.

6 The zoning for the following lots, therefore, as identified under
7 "Exhibit 3" of the I Tano'-ta Land Use Plan, sections "(a) Guam 2015
8 Generalized Land Use Plan Map, (b) Guam Five (5) Year Zoning Plan
9 Map, and (c) Official Zoning Maps of Guam", are hereby amended to the
10 following:

- | | | |
|----|--|-------------|
| 11 | 1. Lot No. 2427-3R5-NEW1, Mangilao | District 3S |
| 12 | 2. Lot Nos. 7011-1-9, 7011-1-3-R2, 7011-1-3-1G, | |
| 13 | 7011-1-3-2G, 7011-1-4-R1, 7011-1-4-1G, 7011-1-R10, | |
| 14 | and 7011-1-10 Yigo | District 3S |
| 15 | 3. Lot No. 1-2 B1 T100B, Dededo | District 3S |
| 16 | 4. Lot No. 75 B6 T232, Sinajana | District 3S |
| 17 | 5. Lot No. B1 T1442, Barrigada | District 3S |
| 18 | 6. Lot No. 10060-REM-R6-NEW, Dededo | District 3S |
| 19 | 7. Lot No. 1266-1, Lot No. 1494-2-4, Hagåtña | District 3S |

- | | | |
|---|--|-------------|
| 1 | 8. Lot No. 158-2-5-1-1, Yona | District 3S |
| 2 | 9. Lot. No. 5-2-2-1NEW-R1, Ipan | District 3S |
| 3 | 10. Lot No. 160-P1, Lot No. 160-P2, Agat | District 3S |

FACSIMILE



CONFIDENTIAL URGENT ROUTINE PLEASE REPLY
 Total Pages Including Cover Sheet 2

Shell Guam, Inc.
 Shell Co. (Pacific Islands), Ltd.

Suite 100
 643 Chalan San Antonio
 Tamuning, Guam 96811

Corporate:
 Telephone (671) 647-0000
 Facsimile (671) 648-4353
Operations/Engineering:
 Telephone (671) 565-2300
 Facsimile (671) 565-3909
Dispatch:
 Telephone (671) 477-2546
 Facsimile (671) 477-3389

Shell Marianas
 Caller Box PPP-1009
 Box 10000
 Saipan, MP 96950

Telephone (670) 323-0647
 Facsimile (670) 322-0764

Document 3

Date: Tuesday, 06 April 1999

From: Jim Hammond-Shell

To: Senator Marcel G. Camacho Fax: 472-8223, 472-
cc: Ken Smuin-GM, Fred Otte-MVE, 1584
Jeff Miller-MME, Steve Zamsky

SUBJECT: Public Hearing Bill 159 and Shell sites

Dear Senator Camacho,

Thank you for holding the hearing on Bill 159. This was informative and beneficial to us. Pursuant to our discussion after the hearing, we are sending you a list of our Shell service station sites, their current zoning, and future Y-Tanota zoning status, and have identified two sites that we think should come under the 3S Moderate Special permitted designation allowed under Bill 159.

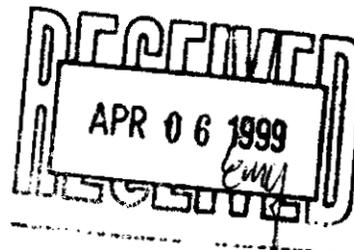
My understanding was that sites in Y-Tanota zones 4, 5 and 8 would not require a change to 3S. Please correct me if this is not the case.

Lot	Current Zone	Y-Tanota Zone
Shell Mangilao 5370-2-3-New-R1	C	5
Shell Barrigada 1143-R1	C	4
Shell Yigo 7023-1-2-2A-1	C	3
Shell Tamuning 2145-100-B	C	4
Shell Tumon 5138-2-3-New	R1	4
Shell Harmon 5150-R2	M1	8
Shell Chalan Pago 3255-3-1	C	3

Please enter the lot numbers/sites for Shell Yigo and Chalan Pago into Bill 159 to be designated "permitted" instead of "grandfathered".

Sincerely,

 Jim Hammond for Shell Guam



Important
 This facsimile is intended for the named addressee only. It may contain confidential or privileged information. If you are not the addressee you must not copy, distribute or use this information. Please contact the sender promptly and return this facsimile to the above address. Postal costs will be refunded.

FACSIMILE



CONFIDENTIAL
 URGENT
 ROUTINE
 PLEASE REPLY
 Total Pages Including Cover Sheet 1

Shell Guam, Inc.
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Suite 100
643 Chalan San Antonio
Tamuning, Guam 96911

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 Facsimile (671) 565-3909
Dispatch:
 Telephone (671) 477-2546
 Facsimile (671) 477-3389

Shell Mariana
 Caller Box PPP-1009
 Box 10000
 Saipan, MP 96950

Telephone (670) 322-0647
 Facsimile (670) 322-0764

Document#

Date: Wednesday, 07 April 1999

From: Jim Hammond-Shell

To: Senator Marcel G. Camacho Fax: 472-8223, 472-
 Steve Zamsky, Chris Felix, GM, 1584, 646-6604
 MVE, MIG

SUBJECT: Additional 3S site

Dear Senator Camacho,

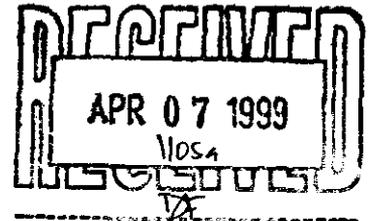
Upon further review of our Shell Service Station sites, and their future Y-Tanota zoning with Chris felix this morning, we see that we should request that Shell Mangilao Lot 5370-2-3-New-R1, which will be in zone 5, should be added to our list of sites to be changed to 3S under Bill 159.

Yesterday, in my fax to you we requested that Shell Yigo and Shell Chalan Pago be changed from 3 to 3S.

Please confirm that these 3 sites will be added to Bill 159.

Sincerely,

Jim Hammond for Shell Guam.



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267 South Marine Drive
UIU Building, Suite 3A
Tamuning, Guam 96911
Phone: 1-671-649-5620, ext 105
Fax: 1-671-649-5615

**Esso Eastern, Inc.
Guam Branch
(EXXON-GUAM)**

Fax

To: Cristy Arroyo, office of Sen Camacho **From:** Mike Fleming
Fax: 472-8223 **Date:** April 20, 1999
Phone: **Pages:** 2
Re: Bill 159 **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

•Comments: Dear Cristy,

Attached please find the lots we would like to add to the list on Bill 159. I have numbered them as if they were to be added to the original list, but you can number as you see fit. If you see anything in error, please contact me or Mark Sablan. The lot numbers appear to be correct, but I am not completely familiar districting in the bill. I assume that all should be shown as "District 3S" as shown on the attached sheet. Thanks for your help.

Regards

Mike Fleming

11. Lot No. 1124-1-4 new, Hagatna District 3S
12. Lot No. 33-1-1-1, Lot No. 33-1-2-, Agat District 3S
13. Lot No. 1380-2REM, Lot No. 1380-1, Lot No. 1381, Hagatna District 3S
14. Lot No. 1068-1-1R-2, Lot No. 1068-1-1R-3, Barrigada District 3S
15. Lot No. 1, Tract No. 1427, Lot No. 5221-2-1, Barrigada District 3S
16. Lot No. 1, Block 10, Barrigada District 3S
17. Lot No. 2, Lot No. 3A, Cabras Island District 3S
18. Lot No. 1-1, Block No. 1, Tract 91, Dededo District 3S
19. Lot No. 5148-1, Dededo District 3S
20. Lot No. 10060 REM-4-R1, Dededo District 3S
21. Lot No. 3216-1-5-1-1, Sinajana District 3S
22. Lot No. 2141-13, 2141-R13, Dededo (Tamuning) District 3S



The Office of

Senator Marcel G. Camacho

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
Twenty-Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Aspinall Avenue, Hagåtña, Guam 96910
Suite 108A • Ada Plaza Center
Phones (671) **479 8261 / 62 / 63 / 64**
Facsimile (671) **472 8223**

Monday, April 5, 1999

9:00 am

AGENDA

- I. **Welcome Remarks**
- II. **Confirmation Hearing**
- III. **Bill No. 159 (COR)**
- IV. **Closing Remarks**

Bill No. 159



TESTIMONY SIGN-IN SHEET
COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS and the ARTS

TESTIMONY RELATIVE TO THE PUBLIC HEARING: April 5, 1999

NAME	AGENCY / BUSINESS / SELF / ORGANIZATION	TOPIC	WRITTEN TESTIMONY	ORAL TESTIMONY	REMARKS
1 <i>Jim Hammond</i>	<i>Shell</i>				<i>Listening.</i>
2					
3					
4					
5					
6					
7					
8					
9					
10					

TY Beanie Babies / Hotwheels
 lots of new Beanie Babies \$2500
 637-2222 / 637-2222

USED TOOLS & EQUIPMENT
 637-2222 / 637-2222

MAINTENANCE & REPAIR
 637-2222 / 637-2222

2nd HAND TOYS
 2nd Hand Toys, Books, Games
 637-2222 / 637-2222

Moving Sale Washing Machine
 2nd Hand Bar \$275. Many other
 items under \$100 734-4863

Moving Sale Tools & Equipment
 lots of tools on hand also misc
 items all below \$2500 477-7334

AKC German Shopped paper
 mens and 1 adult female
 739-5514

AKC MALTESE FEMALE GNOS
 OLD \$1000 CALL AFTER 6PM
 477-8510

AKC Howler paper Shags and
 priced to sell call now
 @ 472-4842

BEAUTIFUL SHIH TZU
 \$600 ea 2 more boys old White
 & Silver 653-8139/721-3210

Dalmatian Puppies 2 males \$300 ea
 (1) Female 12/22/98 \$200
 Dog Training Buddy Adult
 P. Box 10047 Phone: 1-800-777-
 PURE BREED HOWLER

NOTICE OF COMPLETION
 NOTICE IS HEREBY GIVEN that
 Myself, [Name], of the County of
 as OWNER of the PROPERTY
 located at [Address] who
 address is P.O. Box 11223,
 [Address], Guam 96931, caused
 (improvement, reconstruction, rebuilding)
 to be effected on the said
 property the contract for doing
 which was heretofore made with
 [Contractor Name], Modern painting and
 [Contractor Name], Carp. construction on the
 15th day of July 1998, that the
 work on said PROPERTY was
 actually completed on the 26th
 day of January 1999, that the
 nature of the title to the PROPERTY
 of the said [Name] is as follows: (See
 simple leasehold interest) for term
 of years, and that the property
 referred to and wherein this is
 situated is described as follows:
 LOT NO. 1, Block No. 1
 Tract No. 133
 MUNICIPALITY OF Dededo

41 Pacific Daily News, Wednesday, March 31, 1999



Senator

Marcel G. Camacho

Chairman, Committee on Land,
 Agriculture, Military Affairs and the Arts
 155 Hesler St. • Hagåtña, GU 96910 • Phone: 479-8261 • Fax: 472-8223

PUBLIC HEARING

Monday, April 5, 1999 at 9:00 a.m.

Confirmation Hearing • Bernadita S. Quitugua,
 appointment as Member, Guam Museum Board of
 Trustees

Bill No. 159 (COR) - An act to amend PL 24-171,
 the I Tano-Ta Land Use Plan, to further define and
 clarify terms within the definition section of the
 zoning code of Guam, and to more specifically
 identify the zoning designation for automobile
 service station sites as intensity District 3S (medium
 special).

**The public is invited and
 encouraged to attend.**

Defendant
CIVIL CASE NO.
 CV0048-98

**NOTICE OF EXECUTION
 SALE OF REAL PROPERTY
 TO DEFENDANT AND TO
 ALL INTERESTED PERSON**

PLEASE TAKE NOTICE that
 I, the Marshal of the
 Superior Court of Guam,
 will, pursuant to the Writ of
 Execution issued by the
 Superior Court of Guam in
 the above entitled case, the
 Notice of Levy on Real
 Property dated December
 16, 1998, I will, on
 Wednesday, the 21st day of
 APR, 1999, at 10:00 A.M.,
 at the office of the Mayor of
 the Municipality of Merizo,
 of the territory of Guam,
 sell at public auction, to the
 highest bidder for cash, all
 of the right, title and interest
 of the Defendant in and to
 the following described real
 property as is necessary to
 satisfy the judgment taken
 against Defendants.
 The property to be sold is
 described as:
 Lot No. 417, Merizo, Guam.
 Dated: 3/10/99
 Superior Court of Guam
 /s/ Joseph M. Cruz
 Deputy Marshal

MAR 22 1999

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

Bill No. 159 (COR)

Introduced by:

M. G. Camacho 

AN ACT TO AMEND P.L. 24-171, THE I TANO'-TA LAND USE PLAN, TO FURTHER DEFINE AND CLARIFY TERMS WITHIN THE DEFINITION SECTION OF THE ZONING CODE OF GUAM, AND TO MORE SPECIFICALLY IDENTIFY THE ZONING DESIGNATION FOR AUTOMOBILE SERVICE STATION SITES AS INTENSITY DISTRICT 3S (MODERATE SPECIAL).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. The legislature finds that since passage of the I Tano'-ta Land Use Plan into law in April of 1998, people have begun to study the plan in more depth in order to determine how the provisions of the law may impact their professional and personal livelihood. The legislature recognizes that the document was intended to be a dynamic document, or one that changes with the shifts in our islands economic, political, and social environment. Additionally, it is recognized that the plan was prepared over five years ago, and that there needs to be

1 constant review and adjustments to the plan in order to fit the wants and
2 desires of the people and businesses in our community. The legislature,
3 therefore, intends to continue to entertain and address any requests for
4 amendments to the plan, in order to make this living document a better
5 plan for the future of our island and its people.

6 **Section 2. Amendment to Zoning Code Definitions.** "Exhibit 2" of
7 P.L. 24-171 (THE ZONING CODE OF GUAM), "CHAPTER V.
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