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NINTH GUAM LEGISLATURE
1968 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 558, "An Act to repeal Chapter 3 of Title 18 of the Government Code of Guam and to enact a new Chapter 3 relating to use regulations, and to amend Sections 17002, 17200, and 17201 of the Government Code of Guam, relative to yard and area regulations", was on the 9th day of July, 1968, duly and regularly passed.

W. D. L. Flores
W. D. L. FLORES
Vice-Speaker

ATTESTED:

F. T. Ramirez
F. T. RAMIREZ
Legislative Secretary

This Act was received by the Governor this 30th day
of July, 1968 at 4:39 o'clock P.M.

/s/ Denver Dickerson
Secretary of Guam

APPROVED:

/s/ Denver Dickerson

Acting Governor of Guam

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Agana, Guam 96910

DATED: Aug. 29, 1968
9:35 a.m.

Public Law 9-252

NINTH GUAM LEGISLATURE
1968 (SECOND) Regular Session

Bill No. 558

Introduced by _____
R. F. Taitano

AN ACT TO REPEAL CHAPTER 3 OF TITLE 18 OF
THE GOVERNMENT CODE OF GUAM AND TO ENACT
A NEW CHAPTER 3 RELATING TO USE REGULATIONS,
AND TO AMEND SECTIONS 1700?, 17200, AND 17201
OF THE GOVERNMENT CODE OF GUAM, RELATIVE TO
YARD AND AREA REGULATIONS.

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

2 Section 1. Chapter 3 of Title XVIII, Government Code of Guam, is hereby
3 repealed, and a new Chapter 3 is hereby enacted to read as follows:

4 "Chapter 3

5 Use Regulations

6 17100. Conformance of Uses to Zone Regulations

7 17101. Regulations Along District Boundaries

8 17102. Conditional Uses

9 17103. 'A' Rural Zone

10 17104. 'R1' Single Family Dwelling Zone

11 17105. 'R2' Multiple Dwelling Zone

12 17106. 'C' Commercial Zone

13 17107. 'P' Automobile Parking Zone

14 17108. 'M1' Light Industrial Zone

15 17109. 'M2' Heavy Industrial Zone

16 Section 17100. Conformance of uses to zone regulations. No building or
17 structure shall be altered, enlarged, moved or maintained, and no building or land shall
18 be used for any purpose, except for a use permitted in the zone in which such building
19 or land is located, as hereafter provided in this article.

20 Section 17101. Regulations along district boundaries. Where a commercial
21 or industrial use occurs in zones permitting such uses, but in areas
22 which are located adjacent to rural or residential zones, the yard requirement shall be
23 twice that required of such use or 20 feet, whichever is the greater.

1 Section 17102. Conditional Use. In addition to permitted uses in each of
2 the zones, specified uses will be permitted upon approval by the Commission of the site
3 plan, including, but not limited to, disposal or sewage, access, parking, structure
4 location and accompanying covenants that may include performance standards.

5 Section 17103. 'A' Rural Zone.

6 (a) Use Permitted

- 7 1. One-family dwellings and duplexes.
- 8 2. Farming and fisheries, including all types of activities and pursuits
9 customarily carried on in the field of agriculture and fisheries,
10 including the raising of crops and fruits, poultry and livestock,
11 grazing and dairying, tree and other vegetative production whether
12 for commercial or personal uses.
- 13 3. Uses customarily accessory to any of the above uses including home
14 occupations, and private automobile parking areas as well as accessory
15 buildings and structures such as private garages, warehouses, barns,
16 corrals, or other similar structures.

17 (b) Conditional Use

- 18 1. Parks, playgrounds and community centers.
- 19 2. Biological gardens.
- 20 3. Schools and churches.
- 21 4. Hospitals, sanitariums, and institutional uses.
- 22 5. Cemeteries.
- 23 6. Recreational use including golf courses, cockpits, marinas, beaches,
24 swimming pools and accessory residential and commercial use.
- 25 7. Extractive industry.
- 26 8. Utilities and public facilities.
- 27 9. Wholesale and retail stores, shops and businesses.
- 28 10. Automobile (service stations, including service shops.
- 29 11. Accessory uses and structures for the above.

30 Section 17104. 'R1' one-family dwelling zone.

31 (a) Use Permitted

- 32 1. One-family dwellings.

- 1 2. Gardening and the keeping of pets for noncommercial purposes.
- 2 3. Use customarily accessory to any of the above uses including home
- 3 occupations and private parking areas with accessory buildings
- 4 and structures.

5 (b) Conditional Use

- 6 1. Duplexes.
- 7 2. Schools and churches.
- 8 3. Parks, playgrounds and community centers.
- 9 4. Health service office, outpatient with laboratory.
- 10 5. Utilities and public facilities.

11 Section 17105. 'R2' multi-family.

12 (a) Use Permitted

- 13 1. One-family dwellings.
- 14 2. Duplexes.
- 15 3. Multi-family dwellings.
- 16 4. Hotels, private groups, and institutions.
- 17 5. Accessory uses and structures for the above.

18 (b) Conditional Uses

- 19 1. Any conditional use permitted in the 'R1' zone.
- 20 2. Health clinics.
- 21 3. Utilities and public facilities.
- 22 4. Accessory uses and structures for the above.

23 Section 17106. 'C' commercial zone.

24 (a) Use Permitted

- 25 1. One-family dwellings.
- 26 2. Duplexes.
- 27 3. Wholesale and retail stores, shops and businesses.
- 28 4. Amusement enterprises.
- 29 5. Automobile service station, including minor repairs.
- 30 6. Bakeries.

- 1 7. Mortuaries.
- 2 8. Offices, business or professional, and banks.
- 3 9. Personal service shops, including barber shops, beauty parlors,
- 4 laundromats, and the like.
- 5 10. Repair shops and service shops, including shoe repair shops, plumbing
- 6 shops, dressmaking shops, and the like, but not including automobile
- 7 repair shops for major work.
- 8 11. Restaurants and cafes.
- 9 12. Studios.
- 10 13. Other uses which in the judgment of the Commission, as evidenced
- 11 by resolution in writing, are similar to those listed herein.
- 12 14. Uses customarily accessory to any of the above listed uses, in-
- 13 cluding only those accessory to manufacturing, storage, compounding,
- 14 or processing activities which are necessary for the ordinary con-
- 15 duct of said listed uses and which are an integral part thereof.
- 16 15. Accessory structures for the above.

17 (b) Conditional Use

- 18 1. Hospital and clinics.
- 19 2. Public utility and other public buildings.
- 20 3. Shopping center.
- 21 4. Recreation, including cockpits, marinas, amusement centers, drive-
- 22 in theaters.
- 23 5. Multi-family.
- 24 6. Hotels, motels, tourist accommodations.
- 25 7. Air, bus, taxi, auto rental terminals.
- 26 8. Auto sales and car wash.
- 27 9. Parking garages and lots.
- 28 10. Service vehicle storage.
- 29 11. Laundries and cleaning and dyeing establishments.
- 30 12. Schools and churches.
- 31 13. Parks, playgrounds, community centers.
- 32 14. Utilities and public facilities.

1 15. Accessory uses and structures for the above.

2 Section 17107. 'P' automobile parking zone

3 (a) Use Permitted

- 4 1. Public or commercial parking area and garages.
- 5 2. Public access to adjoining parking areas.
- 6 3. Loading and unloading of automobiles or trucks, but not to use
- 7 portions of required parking space.
- 8 4. Service vehicle storage after commercial hours.
- 9 5. Utilities and Public Facilities.
- 10 6. Accessory uses and structures for the above.

11 Section 17108. 'M1' light industrial zone.

12 (a) Use Permitted

- 13 1. Any use permitted with or without condition in the commercial
- 14 zone.
- 15 2. The manufacturing, compounding, processing or treating of such
- 16 products as drugs, cosmetics, and food products (not including
- 17 fish and meat products nor the rendering of fats and oils).
- 18 3. The manufacturing, compounding, assembling or treating of articles
- 19 or merchandise from previously prepared materials.
- 20 4. Automobile repair shops including painting, body and fender work
- 21 and rebuilding; truck and tractor repairing; and tire retreading.
- 22 5. Bottling and packaging plants.
- 23 6. Ceramic products manufacturing.
- 24 7. Laundries and cleaning and dyeing establishments.
- 25 8. Machine shops and sheet metal shops.
- 26 9. Warehouses and cold storage plants.
- 27 10. Lumber yards, building material salesyards, contractor's equipment
- 28 storage yards, and the like.
- 29 11. Other uses which in the judgment of the Commissions, as evidenced
- 30 by a resolution in writing, are similar to those listed herein.
- 31 12. Uses customarily accessory to any of the above listed uses, and
- 32 accessory buildings.

1 (b) Conditional Use

- 2 1. Other industrial uses not objectionable, ^{lo}obnoxious or offensive by
3 reason of odor, dust, smoke, noise, gas fumes, cinders, vibration,
4 flashing lights, or water carried waste.
5 2. Utilities and public facilities.
6 3. Accessory uses and buildings for the above.

7 Section 17109. 'M2' heavy industrial zone.

8 (a) Use Permitted

- 9 1. Any uses permitted in the 'M1' zone, excepting residential use.
10 2. Junk Yards. Under the special provisions set forth in Chapter 10
11 of this Title.
12 3. Any other uses not specifically prohibited by law, including those
13 which are or may be objectionable, obnoxious, or offensive by reason
14 of odor, dust, smoke, noise, gas fumes, cinders, vibration, or water
15 carried waste.
16 4. Uses customarily accessory to any of the uses herein permitted,
17 and accessory buildings and structures.

18 (b) Conditional Use

- 19 1. All residential uses.
20 2. Accessory uses and structures for the above."

21 Section 2. The definition of "Lot Line, Front" found in Section 17002 of
22 the Government Code of Guam is hereby amended to read:

23 "Lot Line, Front. The line separating the lot from the street.
24 For the purposes of yard requirements, a corner lot has two front
25 yards and no rear yard. Within a panhandle lot, the front lot line
26 begins at the interior end of the panhandle."

27 Section 3. Section 17200 of the Government Code of Guam is hereby amended
28 to read:

29 "Section 17200. Minimum yards and lot areas established. No
30 building or structure shall be erected or maintained, nor shall any
31 existing building or structure be altered, enlarged, moved or main-
32 tained, on any lot, unless a front yard, a rear yard, and two side

yards are provided and maintained on such lot. The depth of such front and rear yards and the width of such side yards shall not be less than the depth and width specified in the following 'Yards and Lot Area' table. Further, no lot width or lot area, nor any lot area per dwelling shall be less than that specified in said table. A commercial building to occupy the whole width of a lot must be of four-hour fire-resistive construction. If party walls are to be erected, the written consent of the owners of adjacent lots must be obtained as a prerequisite for the issuance of a building permit to start construction. If the building to be erected is not of fireproof construction, side yards of 8 feet wide must be provided. In the Rural (A) Zone all structures shall have front and rear yards of 25 feet and side yards of 15 feet; the width of each lot shall be 120 feet with an area of not less than 40,000 square feet. The lot area per dwelling unit in the Rural Zone (A) shall be not less than 10,000 square feet.

YARD AND LOT AREA

Use	Front Yard Depth	Rear Yard Depth	Side Yard Depth	Lot Width	Lot Area	Lot Area per Dwelling Unit
Single Family	15.ft.	10 ft.	8 ft.	50 ft.	5,000 sq. ft.	5,000 sq. ft.
Multi-Family	15 ft.	10 ft.	8 ft.	50 ft.	5,000 sq. ft.	1,250 sq. ft.
Commercial	. . .	20 ft.	. . .	20 ft.	2,000 sq. ft.	400 sq. ft.
Light Indus.	. . .	20 ft.	8 ft.	50 ft.	5,000 sq. ft.	1,250 sq. ft.
Heavy Indus.	25 ft.	25 ft.	15 ft.	120 ft.	40,000 sq. ft.

Unless facilities are otherwise provided for loading, the rear yard must be not less than twenty (20) feet in depth."

Section 4. Section 17201 of the Government Code of Guam is hereby amended to read:

"Section 17201. General yard and area requirements. (a) No required yard or other open space provided about any building or structure for the purpose of complying with the provisions of this Title, shall be considered as providing a yard or open space for any other building or structure.

1 (b) No lot or parcel of land under separate ownership at the time this law
2 became effective shall be separated in ownership or reduced in size below the minimum lot
3 width or lot area set forth in the 'Yards and Lot Area' table.

4 (c) Where a lot in the 'R1' zone has an area of 10,000 square feet or more,
5 a one family dwelling may be erected and maintained on each 5,000 square feet thereof, if
6 front, side and rear yards of the depth and width specified in the 'Yards and Lot Area'
7 table are provided and maintained for each such dwelling.

8 (d) Every building hereafter created on a lot which abuts a primary or second-
9 ary highway as shown on a highway plan adopted by the Commission or Legislature, shall
10 provide and maintain a front yard having a depth of not less than that required to conform
11 to the line of such highway."

12 Section 5. This Act is an urgency measure.