

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
51-37 (COR)	Christopher M. Dueñas	AN ACT TO ADD A NEW SUBARTICLE 3 TO ARTICLE 1 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE CONSTRUCTION OF ACCESSORY DWELLING UNITS (ADU) IN RESIDENTIAL ZONES.	2/17/23 10:45 a.m.						

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

Bill No. 51-37 (COR)

Introduced by:

Christopher M. Dueñas 

**AN ACT TO ADD A NEW SUBARTICLE 3 TO ARTICLE 1 OF
CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED,
RELATIVE TO ALLOWING THE CONSTRUCTION OF
ACCESSORY DWELLING UNITS (ADU) IN RESIDENTIAL
ZONES.**

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

2 **Section 1. A new Subarticle 3 is added to Article 1, Chapter 61, Title 21,**
3 **Guam Code Annotated, to read as follows:**

4 **“SUBARTICLE 3**

5 **ACCESSORY DWELLING UNITS**

6 **§ 61140. Purpose.**

7 The purpose of this Subarticle is to allow homeowners to construct a
8 residential accessory dwelling unit on the same lot as a single-family home
9 located in residential (R1) zones, that allows adult relatives to enjoy
10 independent living separate from the occupants of the main home. It is
11 intended to be an affordable alternative to assisted living and other senior
12 home businesses that are not yet available on a scale to meet the demands of
13 Guam’s aging population.

14 **§ 61141. Accessory Dwelling Units.**

15 An Accessory Dwelling Unit (ADU) is a secondary small apartment-like
16 structure on the same lot as, detached or attached to, a primary single-family home.

17 **§ 61142. Accessory Dwelling Units: Design Limitations.**

1 An ADU shall:

2 (a) be a studio or one (1) bedroom unit with at least one (1)
3 full bathroom and a kitchen;

4 (b) share utilities with the main house, or utilities may be
5 billed separately, by separate meter; provided, that the ADU complies
6 with the standards set by the agencies responsible for utilities;

7 (c) be covered under the same homeowner’s insurance policy
8 as the main home or separately, at the option of the homeowner;

9 (d) not be sold separate and apart from the primary single-
10 family home;

11 (e) be subject to the setback requirements for the subject lot;
12 and

13 (f) comply with any wastewater or environmental impact
14 requirements in public laws, Guam Administrative Rules and
15 Regulations, Guam law, and federal law.

16 **§ 61143. Common or Separate Utilities Options.**

17 An ADU may, at the option of the homeowner, share electrical,
18 plumbing, and data networking and telecommunications assets with the main
19 home. Such sharing is subject to The Building Code of Chapter 67, Title 21,
20 Guam Code Annotated.

21 **§ 61144. Rental of Accessory Dwelling Unit.**

22 If the lot that the ADU is built on is zoned *residential* (R1), the
23 homeowner (lessor) shall obtain a variance or conditional use permit
24 from the Guam Land Use Commission prior to leasing the unit.”