

SIXTH GUAM LEGISLATURE
1962 (SECOND) Special Session

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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 410(2-S), "An Act to amend Title XVIII of the Government Code of Guam, relative to amending the zoning law of Guam", was on the 9th day of December, 1962, duly and regularly passed.

A. D. NON PAT
Speaker

ATTESTED:

V. B. BANBA
Legislative Secretary

This Act was received by the Governor this 14th day of December, 1962, at 3:37 o'clock P. M.

/s/ RUDOLPH G. SABLAN
RUDOLPH G. SABLAN

RUDOLPH G. SABLAN
Acting Secretary of Guam

APPROVED:

/s/ Manuel F. L. Guerrero

MANUEL F. L. GUERRERO
Acting Governor of Guam

DATED: Dec. 18, 1962

11:05 A.M.

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SIXTH GUAM LEGISLATURE
1962 (SECOND) Special Session

Bill No. 410(2-3)

Introduced by

Committee on Rules, by request
of the Governor in accordance
with Section 6(b) of the
Organic Act of Guam

AN ACT TO AMEND TITLE XVIII OF THE GOVERNMENT
CODE OF GUAM, RELATIVE TO AMENDING THE ZONING
LAW OF GUAM.

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

Section 1. Section 17050, Chapter 2, Title XVIII, Government
Code of Guam, is hereby repealed in its entirety and a new Section 17050
is hereby enacted to Chapter 2, Title XVIII, Government Code of Guam, to
read as follows:

"Section 17050. Zones. In order to carry out the
purposes and provisions of this Title, areas within the
Territory of Guam are hereby divided into eight zones,
known as:

- *A* Agriculture Zone
- *R1* One-Family Dwelling Zone
- *R2* Multiple Dwelling Zone
- *P* Automobile Parking Zone
- *C* Commercial Zone
- *M1* Limited Industrial Zone
- *M2* Industrial Zone
- *LC* Limited Commercial Zone

The aforesaid zone symbols and the boundaries of such zones
shall be shown upon a map or maps which shall be designated
as the "Zoning Map".

The "Zoning Map" shall be adopted by the Commission and
shall be effective upon its approval by the Committee on Rules
of the Legislature and by the Governor. The "Zoning Map" shall
be submitted to the Committee on Rules prior to its submission
to the Governor and such map shall be deemed approved by said
Committee unless within fifteen (15) days of its receipt thereof,

1 said Committee shall adopt a resolution disapproving the
2 same, in which case the map shall be returned to the Commission.
3 No such map shall be adopted by the Commission except after
4 public hearing, ten (10) days notice of time and place of
5 which shall be given in a newspaper of general circulation.
6 The "Zoning Map" may be divided into separate parts and
7 separately adopted and approved as the necessary planning and
8 study therefor is completed."

9 Section 2, Chapter 12, Title XVIII, Government Code of Guam,
10 is hereby repealed in its entirety and a new Chapter 12 is hereby enacted
11 to Title XVIII, Government Code of Guam, to read as follows:

12 "CHAPTER 12

13 Changes of Zones

14 Section 17600. Requirements for changes. The Commission
15 may, with the approval of the Governor, change the zones
16 established under this Title whenever it finds that the
17 public necessity, convenience and general welfare justify
18 such action.

19 Section 17601. Procedure. A proposed change may be
20 initiated by the Commission or by an application directed to
21 the Commission by any person owning or leasing real property
22 within the area covered by the zone.

23 Section 17602. Application--form and contents. An
24 application for a change of zone shall be filed with the
25 Commission upon a form and accompanied by such data and
26 information as the Commission may prescribe.

27 Section 17603. Hearing date--notice. Upon the filing
28 of an application for change of zone, the Commission shall
29 hold at least one hearing thereon, notice of time and place
30 of which shall be given by at least one publication in a news-
31 paper of general circulation, at least ten (10) days before
32 the day of said hearing.

33 Section 17604. Decision by Commission. The Commission
34 shall consider the proposed change of zone and may approve

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or disapprove the same, in whole or in part. The Commission shall make its findings and determination within forty (40) days from the date of the hearing thereon and shall forward notice of such decision to the applicant, if any. If the application is approved in whole or in part by the Commission, the same shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part.

Sec Section 17605. Approval of comprehensive community plan. Where property is located in 'A,' 'R1' or 'R2' zone, the Commission, subject to the approval of the Governor, shall have authority to approve the location and development of a comprehensively planned residential community wherein adequate provision is made for school and playground sites, and for municipal facilities, utilities and other services. A request for such approval shall be filed with the Commission and shall be accompanied by a site plan showing the location of the property and the nature and extent of the proposed development. The Commission, after public hearing, may approve the location and plan of development if it finds that such development will be in substantial conformance with the basic requirements of this Title as to density, yards and other open spaces and will not be detrimental to the immediate neighborhood and if the plan is in accordance with law. If approved, the development shall conform to the approved site plan and no change of zone shall be required, except on those portions of the property which are to be used for commercial or industrial purposes. Where this occurs, the Commission shall initiate a change of zone proceedings to classify such portions to the commercial or industrial zone in accordance with the provisions of this title.

Section 17606. Change of 'Zoning Map'. Any change of zones or approval of comprehensive community plan pursuant to this chapter shall be endorsed and delineated upon the 'Zoning Map' and shall constitute an amendment of said map."

1 Section 3. Chapter 13 and Chapter 14 of Title XVIII, Govern-
2 ment Code of Guam, are hereby renumbered Chapters 14 and 15, Title XVIII,
3 Government Code of Guam, respectively.

4 Section 4. A new Chapter 13 is hereby enacted to Title XVIII,
5 Government Code of Guam, to read as follows:

6 "CHAPTER 13

7 Recording--Submission to the Legislature

8 Section 17625. Recording. Upon the approval of any
9 "Zoning Map" or amendment thereto, a copy of same shall be
10 recorded in the Department of Land Management.

11 Section 17626. Inspection. Any "Zoning Map" or
12 amendment thereto recorded pursuant to this chapter shall be
13 open to public inspection during normal government business
14 hours.

15 Section 17627. Submission to the Legislature. The
16 "Zoning Map" or amendment thereto adopted by the Commission
17 and approved by the Governor shall be submitted to the next
18 portion of the next regular session of the Legislature con-
19 vening after the said approval. The "Zoning Map" or any amend-
20 ments thereto shall remain in effect unless amended or repealed
21 by statute.

22 Section 17628. Failure to submit. The "Zoning Map"
23 or any amendments thereto not submitted to the Legislature in
24 accordance with this chapter shall become automatically in-
25 operative and void at midnight of the last day of the session
26 to which it should have been submitted."

27 Section 5. This Act is an urgency measure.