

**DEPARTMENT OF LAND MANAGEMENT  
ZONING CLEARANCE FORM**

*(To be attached to the Department of Labor Clearance Sheet)*

In accordance with Guam's Land Use Laws, more specifically, *The Zoning Law of Guam, the Temporary Workers Housing Facility (TWHF) (also know as barracks, labor camps or dormitories)* are not recognized by way of definitive and clear-cut statutes. The Territorial Land Use Commission through a November 27, 1990 resolution, stated that any developer who would like to provide a TWHF must process through a Conditional Use Permit. In addition, the Zoning Law (21 GCA, § 61 103(j) states, in part, that "...**a group of not more than five (5) persons who need not be related by blood or marriage (may live) together as a single housekeeping unit.**" and that a dwelling unit (§ 61 103(n)) is "**one or more rooms and a single kitchen in a dwelling, designed as a unit for occupancy by one family for living and sleeping purposes.**" All other uses relative to the above are TWHF.

Should any question(s) arise pertaining to the above, please contact the Department of Land Management, Division of Land Planning at 475-5255 or facsimile 477-0883.

Please answer and fill in all questions. (If not applicable please indicate N/A.)

**1 APPLICANT:**

- a. Name: \_\_\_\_\_
- b. Telephone Number: Work: \_\_\_\_\_ Home: \_\_\_\_\_

**2 OFFICE LOCATION: (Legal Parcel Designation)**

- a. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_
- b. Municipality (Village): \_\_\_\_\_

**3 H-2 EMPLOYEES:**

- a. Total Number of Authorized Beds: \_\_\_\_\_
- b. Total Number of Housed Employees: \_\_\_\_\_
- c. Total Number of Vacant Beds: \_\_\_\_\_
- d. Total Number Processing for Extension \_\_\_\_\_
- e. Total Number Importing: \_\_\_\_\_
- f. Total Number Arrived since last Clearance: \_\_\_\_\_
- g. Total Number Departed since last Clearance \_\_\_\_\_

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**4** If five (5) or less, where are they being housed (Provide location sketch and authorization):

a. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

b. Municipality (Village): \_\_\_\_\_

**5** If five (5) or more, where are they being housed (Provide location sketch and authorization):

a. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Municipality (Village): \_\_\_\_\_

b. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Municipality (Village): \_\_\_\_\_

c. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Municipality (Village): \_\_\_\_\_

d. Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Municipality (Village): \_\_\_\_\_

\*\*\*\* If house is more than one (1) dwelling unit, how many units are being utilized to house the employees (must provide ownership document or authorization document if dwelling units are leased or rented)?

**6** GLUC Approved:

(If **YES**, attach GLUC Notice of Action (NOA) YES

NO

I certify that the above information is true and correct.

\_\_\_\_\_  
Print Name of Company Officer or RME      Signature

\_\_\_\_\_  
Date

## Department of Land Management

*Government of Guam*

*P.O. Box 2950, Agaña Guam 96932*

*671-649-5263 \* 671-649-5383*

### **GUIDELINES FOR HOUSING FACILITIES FOR TEMPORARY WORKERS (HFTW)**

1. **HFTW** are to be allowed by Guam Land Use Commission (GLUC) in an “M-1” (Light Industrial) Zones for an indefinite period. However, the initial term will be for **two (2) years** and thereafter, must be renewed annually by the Applicant upon completion of an annual inspection by the Guam Chief Planner or his designated representative insuring continued compliance with GLUC conditions as well as the continued adherence to the applicable rules, regulations and laws, of the appropriate Permitting Agencies’ Occupational Safety and Health Administration (OSHA) Inspection.
2. a. **HFTW** are to be allowed as a Conditional Use in an “A” (Rural) or “C” (Commercial) Zone on a case-by-case basis based on the specific area and surrounding uses of the land with the following requirements/restrictions:
  - i. The yard setbacks will adhere to the minimum of 15’ front; 10’ rear and 8’ side (left or right), except in cases where the subject lot abuts residential uses in which case the setbacks will be doubled for front, rear and side yards;
  - ii. Maximum number of occupants in an “A” (Rural) or “C” (Commercial) Zone for all **new HFTW** shall not exceed 15 people. This restriction shall not apply to existing **HFTW** that have been approved by the GLUC prior to December 31, 1993;
  - iii. Minimum lot size for **HFTW** in an “A” (Rural) Zone shall be no less than 20,000 sq. ft.; the minimum lot size in “C” (Commercial) Zone for **HFTW** shall be no less than 10,000 sq. ft. In all cases, the lot perimeter shall be fenced to serve as a buffer between lots, and to provide a measure of safety and privacy for its occupants.
3. Within the “R-1” (Single Family Dwelling) and “R-2” (Multi-Family Dwelling) Zones, the following shall apply:
  - a. No existing or proposed **HFTW** will be allowed to exist within any “R-1” (Single Family Dwelling) Zone after adoption of these guidelines or beyond the December 31, 1993 deadline.
  - b. All proposed **HFTW** within an “R-2” (Multi-Family Dwelling) Zone will be on a case-by-case basis and will adhere to the following requirements/restrictions.

**GUIDELINES FOR HOUSING FACILITIES  
FOR TEMPORARY WORKERS (HFTW)**

3. Continued:

- i. Minimum lot size for **HFTW** within an “R-2” (Multi-Family Dwelling) Zone shall be 10,000 sq. ft., however the **maximum** number of workers permitted to occupy said facility shall not exceed 10 workers per lot, regardless of lot size;
  - ii. The setback as listed in **2a. i.** shall also apply in the “R-2” (Multi-Family Dwelling) zone for **HFTW**.
  - c. Any **HFTW** currently located within an “R-2” (Multi-Family Dwelling) Zone that has received GLUC approval prior to December 31, 1993 but is not in compliance with these guidelines shall have one year from the date of approval of said guidelines to come into compliance.
4. On-site construction allowed for **HFTW** up to the completion of on-site project, and only that project regardless of zone.
  5. All **HFTW** must receive Permitting Agencies’ approval and be in compliance with the Application Review Committee (ARC) requirements.
  6. All **HFTW** must comply with all Government of Guam and Federal Rules, Regulations and Laws.
  7. Before being inspected by the Department of Land Management, the **HFTW** shall be cleared by the ARC Member Agencies concerned.
  8. All **HFTW** shall pass inspection by the Chief Planner or his Designee prior to receiving final approval to insure compliance with GLUC conditions.

With the exception of **HFTW** in an “R-1” (Single Family Dwelling) zone all existing **HFTW** that have received GLUC approval prior to December 31, 1993, shall be grandfathered and allow to continue to operate.

**All HFTW**, both existing and proposed, shall be **landscaped** regardless of the type of fencing surrounding the lot perimeter. If fencing is comprised of the chain-link type, then a landscaping screen must be provided in addition to the grounds of the facility being landscaped. All landscaping schemes shall be submitted and approved by the Guam Chief Planner prior to issuance of occupancy and within six (6) months from the date of approval of these guidelines for existing facilities.

**GUAM LAND USE COMMISSION**  
**Department of Land Management**

**RESOLUTION 2009 - 01**

*Establishing a Policy for the Approval of  
Workforce Housing Facilities for Temporary Workers*

WHEREAS, the Department of Defense of the United States Government has indicated its intentions to significantly expand military activity on Guam and pursue a construction program which is anticipated to create a need for an extraordinary number of foreign construction and support workers; and

WHEREAS, these workers will require new housing facilities and related infrastructure; and

WHEREAS, in 1993 the Guam Land Use Commission ("GLUC") has previously implemented guidelines for the development of workforce housing, including barracks-type facilities, on Guam; and

WHEREAS, the GLUC recognizes that the planned military build-up establishes the need to further define the manner and conditions under which such workforce facilities can be approved; and

WHEREAS, Title 21 of the Guam Code Annotated, Chapter 61 Zoning law, Article 3, creates appropriate zones and 21 GCA §61309(a)(11) allows "Other uses which in the judgment of the Commission, as evidenced by a resolution in writing, are similar to those listed herein [for the M1 Zone]";

NOW, THEREFORE BE IT RESOLVED that, for purposes of establishing a clear policy for the approval of temporary workforce housing, the GLUC hereby adopts the following Policy:

1. The term "Temporary Workforce Housing" shall include any structure, either existing or proposed, intended to be occupied for the residential housing of six (6) or more employees within a single residential unit, apartment, house or barrack.

2. The GLUC shall liberally interpret the term "Temporary Workforce Housing" in order to ensure the protection of the public's interests, safety and welfare.
3. Temporary Workforce Housing is hereby established as an approved conditional use under the M1 Light Industrial Zone pursuant to 21 GCA §61309 and the GLUC shall not approve any workforce housing development in any zoning area other than an M1 Zone.
4. Applications for the development of Temporary Workforce Housing shall come before the GLUC as a "Conditional Use" subject to the review process of the Agency Review Committee and shall be subject to specific conditions of approval as established by the GLUC.
5. In addition to other conditions imposed by the GLUC, all Temporary Workforce Housing conditional approvals shall include the following minimum conditions:
  - A. Unless specifically limited, approvals shall be for an initial term of TWENTY-FOUR (24) Months and, thereafter shall be renewed annually. Renewals shall be on forms issued by the Chief Planner and subject to inspection by the Chief Planner and a public hearing before the GLUC.
  - B. The project must be served by an adequate sanitary sewer system.
  - C. The project must have adequate fire flow indicated by a minimum six inch diameter water line or other minimum water service conditions imposed by the Guam Waterworks Authority.
  - D. The Project must comply with all health and safety regulations of the Government of Guam and the U.S. OSHA regulations, as applicable.
  - E. Each approved project shall include a substantial perimeter fence which shall be at least of "chain link" quality and a minimum six feet in height and be subject to a complete landscape plan.
  - F. The Project must include a development plan indicating specific design parameters for sleeping, toilet and shower facilities, laundry services, food services, security, medical care, transportation services and recreation areas.
6. This Resolution was passed by a majority of the Members of the Guam Land Use Commission at its regular meeting held on the 26<sup>th</sup> day of March, 2009.

  
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JAY D. LATHER, Chairperson