

Article 2
Subdivision Rules and Regulations

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NOTE: Rule-making authority cited for formulation of regulations by the Territorial Planning Commission, 21 GCA §60405, §61103 and §62106.

§3201. Design and Layout of Subdivisions. The following design standards shall apply to all subdivisions, agriculture subdivisions, lot parcelling, decedents estates and parental subdivisions submitted to the Territorial Planning Commission or its legally authorized agent for approval under 21 GCA Chapter 62.

The Subdivider shall observe all design standards for land subdivision as hereinafter provided. These standards shall be considered minimum standards, and shall be varied from or waived only as provided in 18 GAR §3206.

§3202. Same: General. (a) Conformance with Master Plan. Any proposed subdivision shall conform, as far as practicable, to the proposals and intention of the Master Plan for the territory of Guam as formally adopted in whole or in part by the Territorial Planning Commission, unless substitute proposal may be shown to the satisfaction of the Commission or its agent, to better serve the general area of the subdivision and the island.

(b) **Protection of Natural Features.** Due regard shall be shown for all natural features such as trees, water courses, scenic points, historic locations and similar community assets, which, if preserved, will add attractiveness and value to the subdivision.

(c) **Reserve Strips.** Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Commission or its agent, such strips shall be in the public interest.

(d) **Further Subdivision.** In cases where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the logical further subdivision and economic extension of streets, utility easements, drainage ways and public areas into such parcels.

§3203. Same: Streets. (a) **Arrangement.** The proposed streets shall be considered in their relation to existing and planned streets, to topographic and geologic conditions and to public convenience and safety. They shall provide for:

- (1) Appropriate continuation of existing arterial and collector streets;
- (2) Extension of arterial and collector streets into adjoining land;
- (3) The discouragement of through traffic on residential streets;
- (4) The maximum attractiveness, livability and amenity of the subdivisions; and
- (5) Subdivisions of one hundred (100) or more lots will normally be required to have more than one (1) access to an existing collector or arterial street or to a proposed collector or arterial street which is to be built in conjunction with the proposed subdivision.

(b) **Street Jogs.** Street jogs in arterial and collector streets of less than five hundred (500) feet shall not be allowed. Street jogs in residential streets of less than two hundred (200) feet shall not be allowed.

(c) **Rights-of-Way Widths and Alignment.** Rights-of-way widths and alignment shall conform to the standards adopted by the Territorial Planning Commission within the "Road Classifications and Standards" as attached hereto; and made a part hereof. (See 18 GAR §3207.)

(d) **Intersections.** Rights-of-way centerline shall be laid out so as to intersect as nearly as possible at right angles. No right of way shall intersect any other right of way at less than seventy-five degrees (75_).

(e) **Cul-de-sac.** All cul-de-sac streets shall:

(1) Not exceed seven hundred (700) feet in length; and

(2) Not provide access to more than twenty-five (25) lots.

§3204. Same: Lots and Blocks. (a) **Block Lengths.** Unless specifically approved by the Territorial Planning Commission, block lengths shall not be less than two hundred (200) feet, nor more than two thousand (2,000) feet. Where blocks exceed one thousand (1,000) feet, crosswalk ways may be required.

(b) **Lot Design.** No lot shall have a length to width relationship that exceeds a three (3) to one (1) ration.

(c) **Panhandle Lots.** No panhandle lot shall exceed nine thousand five hundred (9,500) square feet in area except in "A" zones.

(d) **Lot Area.** Lot sizes shall meet all requirements of the Zoning Laws.

§3205. Same: Easements. Wherever possible, all easements shall be continuous from block to block, and their layout shall create as few irregularities as possible:

(a) **Water Courses.** Drainage conduits and channels when not located in a public street, road or alley, or within a public drainage easement, must be located in a recorded and dedicated public easement when on private property. Necessary dedication for construction on private property not owned by applicant must be recorded before the improvement will be approved for construction.

Where a minor improvement of a drainage channel falls on adjacent property (such as daylighting a ditch profile), written permission from the adjacent property owners for such construction, and a copy of the approval of the adjacent owners shall be submitted to the Director of Public Works prior to approval of the improvement plans.

In general drainage easements will have simply described boundaries (described in brief) and simple form and referenced to a well defined point or line:

(1) Easements for closed conduits shall meet the following requirements:

(A) Minimum width of fifteen (15) feet, with the pipe located at quarter point on north or west.

(B) On pipes of twenty-four (24) inches diameter and greater or trenches exceeding five (5) feet in depth the easement will have additional width to provide ample working space as required by the Director of Public Works.

(2) Rights-of-way for major Open Channels as defined in Public Works standards shall have sufficient width to contain the open channel with side slopes, and a fifteen (15) foot service road.

(b) **Utilities.** Utility easements shall generally follow lot lines and shall not be less than ten (10) feet in width.

(c) Access easements:

(1) All access easements shall be separate lots, reserved exclusively as public access and utility easements and recorded by separate document (Declaration of Easement) attached to the map.

(2) Any adjacent property that is land-locked must ordinarily be served by a dedicated street or easement.

§3206. Same: Variation. Strict compliance with the requirements of these Rules and Regulations may be waived only when, in the judgment of the Commission, such action is in the public interest and not inconsistent with the Subdivision Law. In waiving strict compliance, the Commission may require such alternative conditions as will serve substantially the same objective as the standards or regulations waived.

§3207. Road Classifications and Standards: Road Classifications. The streets and roads are classified on the basis of use and importance. In the classification of various routes, which have been established in order of relative

importance, both the present and future uses have been considered:

(a) Classes of Streets:

(1) **Class "A" Streets** - proposed street improvements for residential developments having a minimum size of less than ten thousand (10,000) square feet per lot shall be Class "A." The net square footage of said residential developments shall be considered to be that portion of the total square footage less the area of parcels required for street purposes. Class "A" streets shall have an asphalt concrete surface and an aggregate base with concrete curb and gutter. Sidewalks and side slopes as recommended by the Soils Engineer or an approved retaining wall within an expanded right-of-way line. Permanent slope easements may be used upon approval of the Director of Public Works.

(2) **Class "B" Streets** - proposed street improvements for all residential developments having a minimum size of more than ten thousand (10,000) square feet but less than twenty thousand (20,000) square feet per lot shall be Class "B" and shall have the same components as Class "A," except that sidewalks may be omitted. Permanent slope easements may be used upon approval of the Director of Public Works.

(3) **Class "C" Streets** - proposed street improvements for all residential developments having a minimum size of more than twenty thousand (20,000) square feet and less than forty thousand (40,000) square feet per lot shall be Class "C" and shall have the components as Class "A," except that curbs and gutters and sidewalks may be omitted.

(4) **Class "D" Streets** - proposed street improvements for all residential developments having a minimum size of more than one (1) acre (or forty thousand (40,000) square feet) per lot may be Class "D" and shall have the components of Class "A," except that curb and gutters, asphalt concrete surface course and sidewalks may be omitted. Class "D" streets shall only be allowed in agriculture zoned area.

NOTE: In Hillside Area - where cross slopes exceed ten percent (10%) of the rights-of-way widths, pavement width may be reduced on approval by the Director of Public Works.

(b) **Types of Streets.** All streets within the Territory will also be considered within the following street types:

(1) **Type of M.R. Street** - a minor residential street with a right of way width of forty-four (44) feet and a face to face of curb width of twenty-eight (28) feet; or

(2) **Type C.R. Street** - a major arterial street with a right-of-way width of sixty (60) feet and a face to face of curb of forty-four (44) feet; or

(3) **Type M.A. Street** - a major arterial street with a right-of-way width of eighty (80) feet and improvements as required by the Department of Public Works with the approval of the Territorial Planning Commission.

(4) **Alley** - a street depressed in the center, with a right of way and surface width of twenty (20) feet.

(c) **Traffic Demand.** The following standard of design for width of paved portion of streets based on traffic demand shall be used:

(1) A road serving less than one hundred (100) dwelling units, with its entire length devoted to residential uses, shall be considered a "minor residential" type street.

(2) A road delineated on the approved Master Plan of Highways as a primary access road shall be considered a "Major Arterial" type street.

(3) Any road not within the above two (2) descriptions shall be considered a "collector residential" type street.

§3208. Same: Road Standards. The following standards for the design of geometric and profiles shall govern the preparation of plans for road related improvements:

(a) **Minimum Grades and Cross Slope:**

(1) Minimum grade on new streets shall be 0.33% where curb and gutter are used, and 0.15%

where drains and side ditches are used; maximum grade shall be 10% unless approved by Director of Public Works.

(2) Minimum grade of gutter section constructed on existing streets shall be 0.33%.

(3) Minimum cross slope on new streets shall be 2.0%.

(4) Minimum cross slope on widening shall be 1.5%.

(5) When two (2) streets intersect neither street shall have a grade greater than 3.0% for major and 6.0% for minor, for a minimum distance of forty (40) feet measured from the curb line of the intersected street, except in unusually rough terrain with approval of Director of Public Works.

(6) The lengths of vertical curves at the intersections of two (2) street grades shall be in accord with AASHO Standards. However, in minor residential streets, vertical curves may be omitted where the algebraic difference in grades does not exceed 2.0%.

(b) **Street Patterns.** The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood. The following principles shall be observed:

(1) Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets with which they are to connect. The centerline of streets, if not in alignment, shall be offset at least two hundred (200) feet for minor residential streets and five hundred (500) feet for arterial and collector streets.

(2) Proposed streets shall be extended to the boundary lines of the land to be subdivided unless prevented by topography or other physical conditions, or unless, in the opinion of the Commission, such extension is not necessary for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

(3) Proposed street centerline shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. However, no right-of-way centerline shall intersect any other right-of-way centerline at less than seventy-five degrees (75_).

(c) Design Adjacent to Major Arterial Streets. Subdivision design adjacent to major arterial streets shall be as specified in the General Plan and as determined by the Commission. The following principles and standards shall be observed:

(1) Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and by minimizing the interference with traffic on such thoroughfares.

(2) The number of intersecting streets along major arterial streets shall be held to a minimum. Wherever practicable, such intersections shall be spaced not less than one thousand (1,000) feet on center.

(3) Frontage roads, if required, shall conform to the requirement of Department of Public Works and shall be separated from the major arterial streets by means of bulb-type intersections capable of stacking at least two (2) cars between the frontage.

(4) Where frontage roads are not required, residential lots adjacent to the major arterial street shall be required to be served by a minor residential street paralleling such major arterial street at least one hundred seventy-five (175) feet therefrom, or by a series of cul-de-sacs or loop streets extending towards such major arterial street from a collector street at least six hundred (600) feet therefrom. In such cases, a wall-fence of a design approved by the Commission shall be required at the rear of properties adjacent to the major arterial street.

(5) Where the rear of any lot borders any major arterial street, the subdivider may be required to execute and deliver to the government of Guam an instrument, deemed sufficient by the Attorney General, prohibiting the right of ingress

and egress from such major arterial street to such lot.

(d) **Curbs, Sidewalks and Pedestrian Ways.** The following principles and standards shall apply to the design and installation of curbs and sidewalks and pedestrian ways:

(1) Vertical curbs and gutters shall be required in all subdivisions.

(2) Sidewalks shall be required on both sides of the street in any subdivision, or portion thereof, having lots with an average area less than ten thousand (10,000) square feet.

(3) When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities or for unusually long blocks, the Commission may require pedestrian ways not less than ten (10) feet in width. Such pedestrian ways shall be provided with a concrete walk of suitable width.

(4) Cross Gutters Will Not be Allowed Crossing Type M.A. Streets. Cross gutters will be permitted to cross Type M.R. and C.R. streets only with the specific approval of the Director of Public Works.

(e) **Curve Data:**

(1) The curve data for all centerline curves, excluding knuckles, shall be computed and shown on the plans. Radii of curvature on centerline shall not normally be less than five hundred (500) feet for M.A. streets; one hundred seventy-five (175) feet for M.R. streets and three hundred (300) feet for C.R. streets, unless otherwise approved by the Director of Public Works.

(2) The radius for right-of-way lines in cul-de-sacs shall be a minimum of forty-five (45) feet unless otherwise specified by the Director of Public Works. A curve of thirty-seven (37) feet radius shall connect the tangent and the radius curve. The radius of face of curb shall be a minimum of thirty-seven (37) feet.

(f) **Roadbed Design.** The roadbed will be designed in accordance with and on the basis of the

standards adopted by the Department of Public Works.

(g) **Driveway Design.** All driveways hereafter constructed shall comply with the following conditions:

(1) In all commercial and industrial zoning districts, the driveway openings shall be not less than twelve (12) feet in width or more than thirty-six (36) feet in width.

(2) In residential districts, the driveway openings shall be not less than twelve (12) feet in width nor more than twenty (20) feet in width, provided, however, a driveway serving two (2) or more parcels may be twenty-nine (29) feet in width. For the special case of a four (4) unit residential building, the driveway opening may be twenty-seven (27) feet in width.

(3) Driveways serving a single parcel of property or serving any of the several adjacent parcels under single ownership shall be separated by at least twenty-five (25) feet of full vertical curb.

(4) Driveways serving separate but adjoining parcels under different ownership shall be separated by at least ten (10) feet of full vertical curb in residential districts.

(5) Driveways serving corner lots shall be so located that:

(A) a driveway on either street shall be twenty-five (25) feet from the projected curb line of the intersecting street; and,

(B) no part of the driveway shall be located closer than five (5) feet of a curb return.

(6) Driveway shall form an angle of thirty degrees (30_) or less with a line perpendicular to or radial to street alignment for a distance of eighteen (18) feet behind property line measured along the shortest side of said driveway.

(7) Any two (2) driveways in a commercial development must be separated by ten (10) feet of vertical curb.

(8) Concrete driveways shall not be allowed within the right-of-way lines when entering Class C streets. Driveways entering Class B or C streets shall meet the property lines at such a grade so as to permit conversion to Class A street without regrading beyond the property line.

(9) Where a portion of front yard area is used or intended to be used for the purposes of vehicular movement, storage or parking safety curb of portland cement concrete six (6) inches wide, fourteen (14) inches deep and extending six (6) inches above the surface of ground, shall be formed along and inside of the property line to full extent excepting driveway openings. Such curb may be omitted if the sidewalk area is blocked off from such area by a thirty (30) inch minimum height fence. Construction of driveways shall also conform to the requirements of standard drawings.

§3209. Same: Typical Sections. Attached, and made a part hereof, are drawings showing the typical sections to be used in subdivision improvements.

NOTE: The drawings referred to in §3209, above, were not included within these Rules and Regulations at the time of the original publication. However, they are available from the Territorial Planning Commission.

§3210. Agricultural Subdivisions. The following definition, design standards and procedure requirements shall apply to all agriculture subdivisions submitted to the Territorial Planning Commission, or its legally authorized agent for approval under 21 GCA Chapter 62.

§3211. Same: General. (a) **Waivers.** The Subdividers shall observe all definitions, design standards and procedure requirements for agriculture subdivision as hereinafter provided - these provisions shall be varied from or waived only as provided in 21 GCA Chapter 75.

(b) **Zone.** Agriculture subdivisions are only allowed in rural "A" zoned areas.

(c) **Other Requirements.** In addition to this Chapter, the following regulations, laws and standards apply to all Agriculture Subdivisions:

(1) All applicable laws contained in 21 GCA Chapter 62.

(2) 18 GAR §3201-§3206. of these Rules and Regulations.

(3) Chapter 2 of these Rules and Regulations, excepting all improvement requirements. (18 GAR §3207-§3209)

§3212. Same: Specific Requirements. (a) **Map Requirements.** The specific rules and regulations concerning the following are contained in 18 GAR §3213-§3216.

(1) Preliminary Sketch Plan.

(2) Final Map.

(b) **Roadway Requirements.** Whenever a lot or parcel is not served by a public street, a graded street shall be established within the public access easement. Such street shall be constructed in such a manner so as to be readily transversed by ordinary vehicles. This usability shall be demonstrated by the Subdivider.

§3213. Data and Map Requirements. The following data and map requirements shall apply to all materials submitted to the Territorial Planning Commission or its legally authorized agent, for approval under 21 GCA Chapter 62.

The applicant shall observe all requirements for map or data submissions as hereinafter provided. These standards shall be considered minimum standards, and shall be varied from or waived only as provided in 18 GAR §3217-3221.

§3214. Same: Preliminary Sketch Plan. All persons applying for any subdivision or lot parcelling approval shall first submit a sketch plan to the Planning Division, Department of Land Management:

(a) **General.** Such sketch plan shall indicate the location of the existing and proposed subdivision, lots, blocks, streets, topography (U.S.G.S. if no other suitable topography), easements and other relevant information.

(b) **Owner's Name.** The name of the proposed subdivision owner and subdivision planner shall be indicated.

(c) **Interview.** Person (or agent) applying for subdivision approval shall accompany the submission

of the sketch plan in order to discuss the proposed subdivision with the Planner-in-Charge of subdivision review. At this time, applicable requirements will be discussed and explained to applicant and Planner-in-Charge will make his recommendations and identify issues.

(d) **Scale.** Sketch plan shall be submitted on one (1) or more sheets having dimensions of twenty-four (24) inches by thirty-six (36) inches. The scale shall be one (1) inch = four hundred (400) feet or larger, as may be applicable.

§3215. Same: Tentative Subdivision Map. All persons applying for the approval of a regular subdivision shall submit six (6) copies of a tentative map to the Planner-in-Charge of subdivision approval. Such map shall include the following information:

(a) **Vicinity Sketches.** Vicinity sketch shall show the streets and tract lines of all the existing subdivisions within approximately one-half (1/2) mile of the boundary of the proposed tract together with the names and/or numbers of all tracts between the proposed tracts and the nearest existing highways or thoroughfares.

(b) **Elevations.** Proposed design elevation of every street intersection and along all streets and show finished grades and elevations on:

(1) Pads (not required for Agricultural Subdivisions);

(2) Along streets at every linear two hundred (200) feet intervals;

(3) At all street intersections; and

(4) Percent grades along all street with elevations at each B.C. and E.C. shall also be shown.

(c) **Horizontal Curves.** All horizontal curves must be labeled with the length of curve and radius.

(d) Zoning and Land Use:

(1) Existing zoning, also zoning of adjacent property, must be shown.

(2) Show approximate location of all existing structures within one hundred (100) feet of the boundary and land use, for adjacent property.

(e) **Letter of Intent to Subdivide.** Two (2) copies of statements of intent on form supplied by Planning Division shall be submitted. This form shall include the proposed source of water supply and sewage disposal method. (Not required for Agricultural Subdivisions.)

(f) **Storm Drainage Information.** The approximate boundaries of areas subject to inundation or storm water overflows, the location, width and direction of flow of all water courses to an existing water course.

(g) **Landscaping:**

(1) All trees in excess of six (6) inches diameter measured at two (2) feet above the existing ground, must be shown and saved wherever possible.

(2) A statement of the type and location of proposed street trees.

(3) A statement as to the intention of the Subdivider in regard to slope planting and erosion control.

(h) **Restrictions.** An outline of any conditions, restrictive reservations or covenants existing or proposed.

§3216. Same: Final Subdivision Map. All persons submitting final subdivision maps shall abide by the following requirements:

(a) **Map Form:**

(1) If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

(2) **Sheet Numbers.** The particular number of the sheet and the total number of sheets comprising the map shall be stated on each sheet, and its relation to each adjoining sheet shall be clearly shown.

(3) **Border.** The exterior boundary of the land included within the subdivision shall be indicated

by a blue- colored border. The map shall show the definite location of the subdivision and particularly its relation to surrounding surveys.

(b) **Required Information and Accompanying Data.** Areas Subject to Inundation. The boundaries of any areas within the subdivision which are subject to usual inundation by water must be shown.

(c) **Certificates and Acknowledgments. Surveyors's.** A certificate by the surveyor responsible for the survey and final map is required. His certificate shall give the date of the survey and state that the survey was made by him or under his direction, and that the survey is true and complete as shown. The certificate shall also state that all the monuments are of the character and occupy the positions indicated, or that the improvement bond includes the cost of monumentation.

(d) Recording:

(1) Copy of final approved Subdivision Map or other maps described in Chapter 5, shall be recorded by Department of Land Management prior to returning approved tracing to surveyor.

(2) Cost of recording shall be borne by owner or applicant.

(3) A separate document (Deed) must be recorded describing the offer and acceptance of all parcels to be dedicated to the Government.

§3217. Other Maps Requiring Recording: General. (a) **Signatures.** All the maps described in 18 GAR §3218 as follows, require the signature of the Territorial Planner (or the Territorial Planning Commission) except: Land Registration Surveys, Remnant Parcel Surveys and Retracement Surveys.

(b) **Combination Maps.** These surveys are checked by the Planner-in-Charge of subdivision for the data indicated. The applicant must apply for approval of these surveys separately. Combination maps are only permitted for "consolidation and parcelling" or "retracement and subdivision."

(c) **No Combination With Registration.** No maps involving registration may be combined with other types of maps.

§3218. Same: Definitions. (a) *Consolidation Survey* shall mean the voiding and combining of lots, parcels or portions thereof, in order to create new lots.

(b) *Decedents Estate* shall mean the division of land (owned by the decedent) by court order.

(c) *Land Registration Survey* shall mean a survey and investigation of presently unregistered land in order to establish a legal title to land.

(d) *Parental Subdivision* shall mean the division of land by the applicant among his living children or their descendants.

(e) *Real Estate Requirements Survey* shall mean a survey prepared in anticipation of government acquisition of land to establish description and ownership.

(f) *Remnant Parcel Survey* shall mean a survey describing the unsurveyed remainder lot or parcel of a larger completely subdivided tract.

(g) *Retracement* a survey based on existing documents to reestablish monuments or to redraw property map.

§3219. Same: Design and Access Requirements. (a) **Public Access Easement.** A forty-four (44) feet wide public access and utility easement shall be recorded by separate document (Declaration of Access) to serve any lot or parcel not served by a public street.

(b) **Graded Street.** Whenever a lot or parcel is not served by a public street, a graded street shall be established within the public access easement. Such graded street shall be constructed in such a manner so as to be readily traversed by ordinary vehicles. This usability shall be demonstrated by the Subdivider.

(c) **Lot Size.** In accord with zoning ordinance, however, where public sewer is not available, a minimum of ten thousand (10,000) square foot lot shall be required unless specifically approved by the Administrator of Environmental Protection Agency. A larger lot may be required if determined by the Administrator of the Environmental Protection Agency.

§3220. Same: Map and Data Requirements. (a) **Retracement Map:**

(1) See Final Map Requirements, 18 GAR §3216(a) and (c) are applicable.

(2) **References:** source documents used as basis for survey shall be clearly indicated on the map.

(3) **Signatures:** Territorial Surveyor, Land Surveyor, Owner and Lessee, if any. (Note: Territorial Planner Signature not required.)

(4) Basic Lot Data - indicate the following:

- (A) Basic lot number.
- (B) Certificate of title number, if any.
- (C) Date of land registration.
- (D) Owner's name and agent, if any.

(5) Required data for adjacent properties:

- (A) Lot numbers.
- (B) All utility and access easements.
- (C) All dedicated rights-of-way.
- (D) Most recent document numbers for all of the above.

(b) Real Estate Requirements Data:

(1) See Final Map Requirements, 18 GAR §3216(a) and (c) are applicable.

(2) Topographic map (U.S.G.S. 1" = 400').

(3) Basic Lot Data - indicate following:

- (A) Basic lot number.
- (B) Date of land registration.
- (C) Certificate of title number.
- (D) Requesting agency's name and purpose.

(4) Signatures: Territorial Planning Commission (Executive Secretary), Territorial Surveyor, Registered Land Surveyor and Requesting Agency.

(5) Required data for adjacent properties:

- (A) Lot numbers.
- (B) All utility and access easements.
- (C) All dedicated rights-of-way.
- (D) Most recent document numbers for all of the above.

(c) Consolidation Survey:

(1) See Final Map Requirements, 18 GAR §3216(a) and (c) are applicable.

(2) Supporting information and document numbers.

(3) Basic Lot Data - clearly indicate the following:

(A) Basic lot numbers.

(B) Certificate of title numbers.

(C) Date of land registration.

(D) Owner's name.

(E) **Signatures:** Territorial Planner, Territorial Surveyor, Registered Land Surveyor, Owner and all Lessees.

(4) Required data for adjacent properties:

(A) Lot numbers.

(B) All utility and access easements.

(C) All dedicated rights-of-way.

(D) Most recent document numbers for all of the above.

(d) Remnant Parcel Survey:

(1) See Final Map Requirements, 18 GAR §3216(a) and (c) are applicable.

(2) **Reference:** source documents used as basis for survey shall be clearly indicated.

(3) Basic Lot Data - indicate the following:

(A) Basic lot number.

(B) Certificate of title number.

(C) Date of land registration.

(D) Owner's name.

(E) Signatures: Territorial Surveyor, Registered Land Surveyor, Owner and Lessee, if any. (Note: Territorial Planner signature not required.)

(4) Required data for adjacent properties:

(A) Lot numbers.

(B) All utility and access easements.

(C) All dedicated rights-of-way.

(D) Most recent document numbers for all of the above.

(e) Land Registration Map Data:

(1) See Final Map Requirements, 18 GAR §3216(a) and (c) are applicable.

(2) Basic Lot Data - indicate the following:

(A) Basic lot number.

(B) Claimant's name.

(3) **Signatures:** Territorial Surveyor, Registered Surveyor and Claimant.

(4) Required data for adjacent properties:

(A) Lot numbers.

(B) All utility and access easements.

(C) All dedicated rights-of-way.

(D) Most recent document numbers for all of the above.

§3221. Same: Special Requirements for Parental Estates and Land Registration Surveys. (a) **Parental Estates.** All applicants for parental divisions of property shall be required to submit the following:

(1) A certified copy of a deed for the basic lot indicating ownership by the applicant in fee simple for at least five (5) years prior to the application.

(2) A notarized statement by the applicant listing all his living children or their descendants.

(3) A map, drawn in accordance with all applicable provisions of the Government Code of Guam, indicating a number of lots not to exceed the number of living children and their descendants listed in the notarized statement above.

(4) Deeds for each lot shown on the above map; such lots shall be deeded in fee simple and each deed must contain alienation clauses to the effect that the children or descendants shall not sell, lease or otherwise alienate said lots for a period of at least five (5) years.

(5) Upon final approval by the Territorial Planner, all such deeds and maps must be filed for record within five (5) days of said approval. If deeds and maps are not filed within this period the Territorial Planner's approval shall become null and void.

(b) **Land Registration.** Any survey for land registration shall include the entire contiguous interest of the claimant where such estate or claim is less than five (5) hectares. If an estate or claim is more than five (5) hectares, then the minimum allowable survey is five (5) hectares.

(c) **Recording.** All maps discussed in this Chapter shall be recorded by Land Management prior to being returned to the surveyor. The current fee for recording shall be charged for this service.

§3222. Improvement Plans. The following standards shall apply to all improvement plans submitted to the Territorial Planning Commission, or its legally authorized agent, for approval under 21 GCA Chapter 62.

The Subdivider shall observe all the requirements for improvement plans as hereinafter provided. These standards shall be considered minimum standards, and shall be varied from or waived only as provided in 18 GAR §3206 of these Rules and Regulations.

§3223. Same: General. (a) **Time Limit.** Within the legal time limit, the Subdivider may cause the engineered improvement plans of the subdivision or any part thereof to be prepared by a registered professional engineer in accordance with the tentative plan as approved. All streets and other improvements, which in the opinion of the Commission are necessary for the development of any part of the subdivision, will be required.

(b) **Form.** The improvement plans shall conform to the following provisions:

(1) They shall be legibly drawn, printed or reproduced by process guaranteeing a permanent record on white paper and shall incorporate all the design, calculations and engineering reports as required for comprehensive design.

(2) **Size and Scale.** The size of each drawing sheet shall be as provided in the standard engineering specifications of Public Works. The scales of maps shall be as demanded by good engineering practice.

Engineering calculations and reports shall be made out on 8½ x 11 sheets and submitted bound in folders.

(3) Title sheet shall show the name of the engineer designing the improvements, tract numbers, name of the subdivision, title of improvements shown thereupon and the particular sheet number and the total number of sheets comprising the improvement plans.

(c) **Certificates and Acknowledgments.** The following certificates and acknowledgments shall appear on all the sheets of the improvement plans:

(1) Engineer's Certificate - name of the registered civil engineer submitting the plans.

(2) Recommendation for approval by the subdivision control section of the Department of Public Works.

(3) Approval by the Director of Public Works.

(d) **Required Information.** The improvement plans shall show the engineered details of the improvements required by the Commission and shall be in accordance with the approved tentative plans. These plans shall include:

(1) Layout of subdivision including but not limited to the dimensions of the exterior boundary of the subdivision, blocks, lots, curves, rights-of-ways and all other easements granted on the final map.

(2) **Grading Plan and Soil Report.** With the submission of a soil report and grading plan sufficient in detail to meet the requirements of the Department of Public Works, the Subdivider shall be exempt from the requirements of Chapter 70 of the Uniform Building Code.

(3) Street construction plans shall include, but not be limited to: street grading, road sections, location of curbs, gutters and sidewalks and all construction required in connection with the control of traffic.

(4) Sewer Plans - shall include, but not be limited to: sizes, profiles, locations and details of sewer mains; sewer laterals, manholes and clean outs and any other structure or plant required from collection to disposal of sewage.

(5) Water plans shall include, but not be limited to: sizes, profiles, locations and details of water mains, water laterals, blowout valves, fire hydrants or any other reservoir structures required for the distribution of water.

(6) Storm Drain Plan shall include, but not be limited to: sizes, profiles, locations and details of storm pipes, catch basins, surface drains or any other structure required from collection to disposal of storm runoff.

(7) Electrical and Telephone Plans - shall include, but not be limited to: sizes, profiles, locations and details of underground cables, conduits, hand holes, transformers, poles or any other connected structures.

(e) **Accompanying Data.** The following additional data, agreements, fee and reports shall be submitted with improvement plans:

(1) **Soils Report.** The Subdivider shall furnish a soils report prepared by a registered civil engineer skilled in geology and soils engineering. The report shall be sufficient in detail to enumerate the investigatory soils engineering procedures, analyses, conclusions and recommendations of the soils engineer to provide a safe, stable improvement at all times during construction and after final completion. Underground drainage shall be specifically included in the report analysis as well as earthquake considerations.

(2) **Calculation Sheets.** The Subdivider shall furnish sheets showing all the engineering calculations to arrive at the design of road sections, sewer facilities, storm drain, electrical installations and water supply installation.

(3) **Improvement Agreement and Bond.** Whenever a bond is required, the Subdivider shall file an agreement for the improvement of the subdivision by him as set forth in this Subsection and as may be further required by the Director of Public Works. The Subdivider shall secure the performance thereof by a good and sufficient surety bond, or a cash deposit, which bond or cash deposit shall be an amount equal to one hundred fifteen percent (115%) of the cost of the improvements as estimated by the Director of Public Works.

(f) **Filing.** The Subdivider shall file eight (8) blue-line copies of the final plans with the Director of the Department of Public Works.

(g) **As-Built Plans.** Complete "as-built" plans shall be filed with the Director of Public Works upon completion of subdivision improvements. Such "as-built" plans shall be ink on linen or polyester base film. Upon receipt and acceptance of such plans, the Director of Public Works shall release the performance bond.

NOTE: As published in the 1975 edition.