

CHAPTER 4

SUBDIVISION AND DEVELOPMENT REVIEW COMMITTEE

§4101. Authority, Purpose and Duties.

§4102. Meetings.

§4103. Organization.

§4104. Application Procedure.

NOTE: Rule-making authority cited for formulation of regulations by the Subdivision and Development Review Committee, Executive Order 74-23, effective May 24, 1974.

§4101. Authority, Purpose and Duties. (a) Pursuant to the authority of Executive Order 74-23 of the 24th day of May 1974, set out herein are rules and regulations promulgated for the purpose of:

(1) Expediting the review of all subdivisions that require improvements, zone changes and major variances by the concerned public agencies;

(2) Advising petitioners of the procedures and requirements for subdivision, zone changes or variances;

(3) To assist all individual member agencies in establishing and adopting standards, rules and regulations for development projects; and

(4) To promote the desirable and proper development of land on Guam.

(b) The Committee shall advise the Territorial Planning Commission by integrated written review comments and suggestions, which shall constitute the official position statement of the SDRC. A dissenting opinion which incorporates all opposing views may be included but shall be stipulated as such. The intent to submit a dissenting opinion must be made by subject agency(s) at the appropriate SDRC meeting.

§4102. Meetings. (a) There shall be at least two (2) meetings a month. These shall be held on alternate Thursdays from the Territorial Planning Commission meetings unless such meeting falls on a legal holiday. In those instances the meeting shall be on the preceding Tuesday. Special meetings may be called by the Chairman, or upon written request by the majority of members. These special meetings shall require at least four (4) days' notice to all voting members.

(b) Four (4) voting members as defined in 18 GAR §4103(a)(1) shall constitute a quorum.

(c) The Committee reserves the right to conduct Executive Sessions at which attendance shall be limited to the recording secretary and those members specified in 18 GAR §§4103(a)(1) and 12302(a)(2).

(d) Review comments and recommendations evolved during the Executive Sessions must be determined on information presented during the public meeting.

§4103. Organization. (a) Membership Shall be Divided Into These Categories:

(1) Voting members are defined in Executive Order No. 74-23. Alternate voting members shall be permissible when designated in writing by the respective members' agency, director or head executive officer.

(2) Ex Officio Members shall be designated by majority vote of the SDRC. Such members shall be informed of meeting times, agendas and applicant information.

(3) An Administrative Officer shall be chosen by the Committee. He or she shall be an Ex Officio Member.

(b) Absence of Members:

(1) Voting members or their alternates who are absent shall have such absence reported to the appropriate Director and the Governor by the Chairman.

(2) Ex Officio Members who are absent without written notification to the Chairman more than three (3) meetings in one (1) calendar year shall not be sent information regarding meetings.

(c) Voting:

(1) Motions can be made by any voting member. A motion that is seconded by a voting member must be acted upon.

(2) Motions shall be passed by a majority vote of those voting members present.

(d) Officers and Supporting Staff:

(1) The Chairman shall call all meetings to order, oversee the application procedure and transmit all comments and recommendations to the Territorial

Planning Commission as described in 21 GCA §60401. Any Acting Territorial Planner shall automatically become Acting Chairman of this Committee.

(2) **Vice Chairman.** The Vice Chairman shall be elected by a majority of voting members. He shall serve as Chairman in absence of the Chairman.

(3) **Administrative Officer.** The Administrative Officer shall: implement the intent of Executive Order 74-23; retain project file by lot number and municipality; develop and revise as needed a planning information sheet which lists needed facts for review; develop and revise as needed the flow charts for processing; receive the completed applications from the Territorial Planner; review applications; may request meetings with the petitioner; distribute packets of applications to members at the SDRC meeting; and, prepare and write the final SDRC position statements.

(4) **Recording Secretary.** The Recording Secretary shall take minutes and maintain official records of all meetings under the supervision of the Chairman.

(e) **Attendance:**

(1) A Recording Secretary shall attend all meetings.

(2) Guests, staff personnel, agency representatives, or other persons may be invited by voting members. Such persons shall be given agenda, and any other necessary information by the Administrative Officer.

§4104. Application Procedure. (a) Acceptance of Application. Applications for subdivision approvals, zone changes and variances shall meet all the current requirements of the Territorial Planning Commission. Completed applications, with seven (7) additional copies, shall be submitted to the Territorial Planner in accordance with the Territorial Planning Commission requirements.

(b) After their acceptance by the Territorial Planner, applications shall be transmitted, together with an approved review form, to all voting members and Ex Officio Members at the next SDRC meeting by the Administrative Officer. All applications for any SDRC meeting must be received by the Administrative Officer two (2) days prior to the next SDRC meeting.

(c) Upon filing, the petitioner shall be notified when and where to appear before the Committee and shall be informed of the purpose of the Committee.

(d) The Committee shall hear all proposals within thirty (30) days after their filing with the Territorial Planner. Proposals other than those specified in Paragraph 1.a of Executive Order 74-23 may also be reviewed only at the request of the petitioner.

(e) **Member Comments on Applications.** Members shall prepare comments on their agency's area of concern for the meeting at which the application is discussed.

(f) The Administrative Officer shall transmit written recommendations to the Territorial Planning Commission on all applications no later than seven (7) days after the Committee reviews the proposal.