

1 **Article 4. Zoning Districts and Allowable Uses**

2 **Section 401 Establishment of Zoning Districts**

3 (a) The Island of Saipan is hereby divided into zoning districts necessary to achieve
4 compatibility of uses and character within each district, and to achieve the purposes of this
5 Law. The zoning districts are as follows:

- 6 (1) Agricultural (AG)
- 7 (2) Beach Road (BR)
- 8 (3) Garapan Core (GC)
- 9 (4) Garapan East (GE)
- 10 (5) Industrial (IN)
- 11 (6) Mixed Commercial (MC)
- 12 (7) Public Resource (PR)
- 13 (8) Rural (RU)
- 14 (9) Tourist Resort (TR)
- 15 (10) Village Commercial (VC)
- 16 (11) Village Residential (VR)

17 (b) Zoning districts are described in Article 5.
18

19 **Section 402 Official Saipan Zoning Map**

20 Zoning districts established by this Law are bounded and defined as shown on the current
21 Official Saipan Zoning Map. The attached Official Saipan Zoning Map is and shall be a part of
22 this Law and may be amended from time to time as provided in this Law.

23 **Section 403 Interpretation of District Boundaries**

24 The following rules shall be used to determine the precise location of any zoning district
25 boundary line shown on the Official Saipan Zoning Map:

- 26 (a) Boundaries shown as following, or approximately following, streets shall be construed as
27 following the centerlines of such streets.
- 28 (b) Boundary lines shown as following, or approximately following, platted lot lines, public
29 land surveys, or other property lines shall be construed as following such lines.
- 30 (c) Boundaries shown as separated from, and parallel or approximately parallel to roads,
31 beaches, or lot lines shall be construed to be parallel to such features and at such distances
32 from them as are shown on the Official Saipan Zoning Map.
- 33 (d) It is the intent in establishing the zoning district boundaries that no parcel smaller than
34 5,000 sm have split boundaries. If such a parcel is found to be mistakenly mapped in two
35 districts, the owner may determine into which of these districts s/he wishes the parcel to be
36 located. The owner may then follow the procedures in Section 1309 for amendments to the
37 zoning map. Split parcels larger than 5,000 sm shall also follow the requirements of
38 Section 1309.

39

Section 404 Allowable Uses in Zoning Districts

- (a) Table 1 determines whether a specific use is allowed in a zoning district. The zoning districts are indicated in the vertical columns and the uses are indicated in the horizontal rows.
 - (1) The letter “P” at the intersection of a column and row means the use is a permitted use and allowed by right in the zoning district subject to meeting all applicable requirements of this Law.
 - (2) The letter “C” at the intersection of a column and row means the use is a conditional use and is only allowed in the zoning district after receiving approval for a conditional use permit.
 - (3) The letter “T” at the intersection of a column and row means the use is a temporary use and is only allowed in the zoning district after receiving approval for a temporary use permit.
 - (4) If no symbol appears at the intersection of a column and row, the use is not allowed in the zoning district.
 - (5) If a number accompanies a letter, the use is allowed in that zone subject to different development limitations or conditions. The development condition with the corresponding number immediately follows the table.
- (b) A use that is not a permitted, conditional or temporary use in Table 1 is prohibited.
- (c) The use classifications in Table 1 are intended to classify uses on the basis of common functional characteristics and land use compatibility. If a use is not specifically listed in Table 1 the Administrator shall assign the use to a listed use category that exhibits the most similar functional characteristics and land use compatibility.
- (d) The definitions of uses in Article 1 and in this Article shall control.

Table 1. Table of Permitted, Conditional and Temporary Use

Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Agricultural Uses											
Agriculture, intensive	P	C ¹				C					
Aquaculture (Commercial)	P	C ¹ C ²			C ²						

Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Aquaculture (Small Scale)	P	P ¹	C	C	C						
Farms	P	P	P	P	P	P					
Cannabis Farm	C ⁵	C ⁵			C ⁵	C ⁵					
Forestry	P	C				P					
Greenhouse or nursery	P	P		P	P	P					
Residential Uses											
Single Family Dwelling	P ²	P	P	P	P	C	P ³	P ³	P ³	P ³	C ⁴
Planned Development up to 48 ft.		P ¹	P	P	P		C	C	P	P	
Planned Development over 48 ft.		C ¹		C	C		C	C	C	C	
Mixed Uses			C	P	P		P	P	P	P	
Mobile Home		P ¹	C	C	P						
Multifamily or apartment up to 48 ft.		P ¹	P	P	P		P	P	P	P	
Multifamily or apartment over 48 ft.		C ¹		C	C		P	P	C	C	
Residential accessory buildings	P	P	P	P	P		P	P	P	P	P
Accessory apartment		P	P	P	P						
Townhouse, duplex		P ¹	P	P	P		P	P	P	P	
Institutional residential		C ¹	C	C	C		C	C	C	C	
Protected care housing		C ¹			C						
Home-Based Business											
Home Business	P	P	P	P	P		P	P	P	P	
Cottage industry	P	C ¹		C	P	P					
Hotels, Restaurant, Adult											
Adult Business						C ⁵	C ⁵			C ⁵	

¹ This use is prohibited within a Rural District that is north of Tanko Drive/Rakka Drive/Chalan Matuis Drive (Map Sheets 5 & 7). This is due to sensitivity of the Marpi area as a sanctuary and its importance as a tourist attraction.

² Housing shall only be permitted that is accessory to an agricultural use.

³ See Sections 503, 504, 505 and 510 for residential restrictions.

⁴ Only caretaker housing allowed.

⁵ This use is prohibited within 300 ft. from a school, playground, daycare, church, adult gambling establishments, and ports of entry (airport and seaport). It shall not be allowed as a home business.

Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Bed and Breakfast		P	C	P	P		P	P	P	P	
Cannabis Lounge				C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	
Evening Entertainment				P	P	P	P	P	P	P	
Hotel/motel/guest house		C		C	P		C	C	C	C	
Condominium		C		C	P		C	C	C	C	
Adult gambling machine business					P ⁵		P ⁵	P ⁵	P ⁵	P ⁵	
Restaurant, drive-through				C	P	P		P	P	P	
Restaurant, general		C ¹	C	P	P	P	P	P	P	P	C ¹
Office Uses		P ¹	C	P	P	P	P	P	P	P	
Retail Sales and Services											
Art Studio		C ¹	C	P	P	P	P	P	P	C	
Auto rental office				C	P	P	P ⁴	P ⁴	C	P ⁴	
Auto rental office with storage, staging and service on site					P	P					
Automobile Sales & Service					P	P					
Automotive audio and electronic service				P	P	P					
Book store, magazines, newspapers, periodicals		P	P	P	P		P	P	P	P	
Building Material Sales					P	P					

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² Housing shall only be permitted that is accessory to an agricultural use.

³ See Sections 503, 504, 505 and 510 for residential restrictions.

⁴ Use is permitted without any rental vehicle storage, staging and service on site.

⁵ This use is prohibited within 300 ft. from a school, playground, daycare, church, adult gambling establishments, and ports of entry (airport and seaport). It shall not be allowed as a home business.

Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Catering service, social or Home		C ¹	C	P	P	P	P	P	P	P	
Clothing, jewelry, shoes, sporting goods				P	P		P	P	P	P	
Construction Equipment Sales or Rental					P	P					
Copy center, small print, and sign shops				C	P	P			P		
Cannabis Retail		C ⁵			C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	
Dive Shop				C	P		P	P	P	P	
Dry cleaning					P	P					
Dry cleaning outlet		P ¹		P	P	P					
Farm equipment sales or rental					P	P					
Canopy rental					P	P					
Flower and floral shop		P ¹	C	P	P		P	P	P	P	
Funeral Home				C	P	P					
Gas station, light repair		C ¹		C	P	P					
Gifts, toys, novelties, greeting cards				P	P		P	P	P	P	
Grocery/Convenience Store		P ¹		P	P		P	P	P	P	
Hardware, appliance, audio, computers & electronic sales				P	P	P	P	P			
Laundromats		P ¹		P	P	P					
Mom & Pop grocery store		P ¹	C	P	P	P					
Parking, commercial					P	P	C	P	C	P	

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Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Pawn shops					P	C					
Personal service			C	P	P		P	P	P	P	
Medical supplies			C	P	P			P	P		
Pharmaceutical store			C	P	P		P	P	P	P	
Repair of air conditioners, small electronic appliances				C	P	P		C	C	C	
Self-service storage				C	P	P					
Truck, van, trailer, honey wagon rental					P	P					
Vehicle repair, general					C	P					
Gun shops					C	P					
Public and Civic Uses											
Assembly hall		C	C	P	P		P	P	P	P	P
Cemetery		P		P	P						P
Church or place of worship		P	C	P	P		P	P	P	P	
Day care facility		P ¹	P	P	P		P	P	P	P	
Government service		P	C	P	P	P	P	P	P	P	
Hospital		P ¹		C	P						
Medical clinic		P ¹	C	P	P		P	P	P	P	
School, public		P	C	P	P			P	P	C	
School, private		P ¹	C	P	P	P		P	P	C	
Veterinary clinic or hospital		C ¹		P	P						
Recreational Uses											
Amusement, indoor		C ¹		P	P		P	P	P	P	
Amusement, outdoor		C			C		C	C	C	C	C
Amusement, outdoor intensive		C ¹								C	
Arena, auditorium stadium		C ¹			C		C	C	C	C	C
Golf course		C			P					P	

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Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Park, active		P	P	P	P		P	P	P	P	P
Park, passive		P	P	P	P				P	P	P
Zoo/aquarium		C									
Industrial Uses											
Airport						P					
Asphalt or concrete plant		C ¹				P					
Contractor's office and storage		C ¹		C	P	P			C		
Mining		C ¹				C					
Gas and fuel, wholesale		C ¹		C	C	P					
Heliport or helipad		C ¹			C	C					
Junkyard						P					
Manufacturing and processing		C ¹		C	C	P			C		
Microbrewery		C ¹		C	C	P	C	C	C	C	
Seaport						P					
Warehousing and general wholesaling				C	P	P			C		
Crematoriums		C ¹				P					
Utility Uses											
Communication tower, standard		C ¹			C	C					C
Communication tower, stealth		P	P	P	P	P	P	P	P	P	P
Energy facility, nonrenewable		C ¹				C					
Energy facility, renewable	C	C	C	C	P	P	C	C	C	C	C
Sanitary landfill		C				P					
Transfer station		C ¹		C	C	P					
Utility, minor	P	P	P	P	P	P	P	P	P	P	P

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Uses	Agricultural	Rural	Village Residential	Village Commercial	Mixed Commercial	Industrial	Garapan Core	Garapan East	Beach Road	Tourist Resort	Public Resource
Water or wastewater plant	C	C			C	P					
Temporary Uses											
Special event	T	T		T	T	T	T	T	T	T	T
Roadside merchandise stand	T	T	T	T	T				T	T	T
Video or movie production	T	T		T	T	T	T	T	T	T	T
Temporary Batch Plant	T	T			T	T	T	T	T	T	T
Construction materials yard/ Construction staging areas	T	T		T	T	T	T	T	T	T	T

Section 405 Agricultural Uses

Agricultural uses include:

- (a) **Agriculture, Intensive.** These uses include: any agricultural uses such as feed lots, hog farms, cow pastures, and poultry operations where animals are tightly confined in buildings or outdoor pens or pastures with more than one animal unit per 1,000 sm. One animal unit is equal to: one horse; two cattle; four calves (under one year); 5 pigs; 7 goats; or 200 chickens or other poultry.
- (b) **Aquaculture.** Raising and collection of fish, shellfish, and algae for food. This use may include retail sale of produce raised at the site.
 - (1) Commercial Aquaculture – The areas most suitable for commercial aquaculture in Saipan are Obyan/Ladder Beach and the Lalau/Tururam area.
 - (2) Small Scale Aquaculture – Allowed as a backyard operation in residential areas subject to the following conditions:
 - (A) The operation shall be designed as a Recirculating Aquaculture System (RAS);
 - (B) No more than four (4), 5,000 gallon production tanks shall be used;
 - (C) Production tanks shall employ a filtration system that minimizes the discharge of effluent;
 - (D) Saltwater aquaculture shall be prohibited in “Groundwater Zone 1” as determined by regulation by the CNMI Division of Environmental Quality;
 - (E) The area covered by a retail sales stand shall not exceed 400 s.f.; and
 - (F) The area is located outside of the area designated as “Groundwater Zone 1” by the CNMI Division of Environmental Quality.
- (c) **Farms** (with and without farm residences) that include commercial orchards, raising of crops, livestock, cattle, horses, or poultry except Intensive Agriculture. This use may include retail sale of products from the farm site. Subsistence farming for personal use shall be excluded from this definition.
- (d) **Cannabis Farm:** means as defined in Section 103.
- (e) **Forestry.** Management, harvesting, and use of a forest or woodland area so that 80 % of the land is at all times in forest or woodland cover.
- (f) **Greenhouse or Nursery.** The cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. This use may include retail sale of plants grown on-site.

Section 406 Residential Uses

Residential uses include:

- (a) **Accessory Apartment.** A complete, independent living facility either inside of or added to an existing single-family dwelling, or in an accessory building.
- (b) **Duplex.** A structure on a single lot containing two dwelling units. No more than one structure on a single lot measuring at least 400 square meters is permitted.
- (c) **Institutional Residential.** These uses include convents, monasteries, school dormitories, nursing homes, barracks, employee housing, sheltered care facilities, group homes, and rooming houses.
- (d) **Mixed Use.** This is a development that has a mix of residential and nonresidential uses and that is not a planned development.
- (e) **Mobile Home.** A mobile home includes a dwelling structure that is transportable in one or more sections; a structure, such as a shipping container, that was transportable at one time; and a recreational vehicle used as a dwelling unit.
- (f) **Multifamily or Apartment.** A structure containing more than one dwelling unit, each with

1 toilet and cooking facilities, that is not a duplex or townhouse. More than one structure on
 2 a single lot is permitted.

- 3 (g) **Planned Development.** This is a residential development that is planned as a unit with
 4 common open space and:
 5 (1) has more than 5 dwelling units/ or rooms;
 6 (2) has multiple buildings (not including shelters, storage, or palapalas); and
 7 (3) has a mix of single family and multifamily dwelling units or a mix of residential
 8 and nonresidential development.
 9 (4) complies with requirements of section 605 (Multiple Buildings/ Large Lot
 10 developments.
 11 (h) **Protected Care Housing.** This is housing where the residents are assigned to the facility
 12 and are under the protective care of the CNMI government. It includes a jail, prison, or
 13 work release facility but does not include an emergency shelter.
 14 (i) **Residential Accessory Building.** This is a building or use that contributes to, and is
 15 secondary to, the comfort, convenience, and necessities of the residents of the principal
 16 residential building or use.
 17 (j) **Single-Family Dwelling.** The use of a single lot with minimum lot area of 400sm for one
 18 single-family detached dwelling unit with open yards on all sides, excluding a mobile
 19 home.
 20 (k) **Townhouse/ Condominium.** A structure located on a single lot with two or more dwelling
 21 units that have two or more floors and attached by a party wall to one or more other
 22 dwelling units, each on its own lot. For the avoidance of doubt, condominiums are
 23 considered townhouses for the purposes of this law.

24 **Section 407 Home Based Business Uses**

25 Home based business uses include:

- 26 (a) **Home Business.** This refers to a business that:
 27 (1) Is conducted within a dwelling by members of the immediate family that reside
 28 in the dwelling
 29 (2) Has no more than one outside employee;
 30 (3) The primary use of the home shall be as a residence;
 31 (4) Involves no alteration of the exterior of the structure except play equipment or
 32 fencing;
 33 (5) Has no effect on the general character of the neighborhood;
 34 (6) Offers no specialized service to groups of more than 5 persons except a home
 35 day care may serve up to 6 children; and
 36 (7) Offers no goods bought for the express purpose of resale.
 37

38 Typical home business uses are music or dance lessons, hair care, day care, art studio,
 39 professional office, and making baked goods, but not outdoor shows. Where there are no
 40 external changes to the home and no sales or customers at the home, no zoning approval
 41 shall be required. A home in a village residential neighborhood shall not be used as a
 42 commercial warehouse or solely for storage.
 43

- 44 (b) **Cottage Industry.** This refers to an office, commercial, industrial or intensive use that: is
 45 conducted on a lot with a residential dwelling unit; employs up to six in addition to family
 46 members; involves no outdoor storage; involves no more than one vehicle that may be a
 47 light truck. Typical uses are agriculture, light automotive repair, septic system service, well

1 service, carpentry, upholstery, woodworking, and other similar uses.

2 **Section 408 Hotels, Restaurants, Adult Uses**

3 (b) **Adult Business** means as defined in Section 103.

4 (c) **Adult Viewing Booth** means as defined in Section 103.

5 (d) **Bed and Breakfast.** A transient lodging establishment in a single-family dwelling or up to
6 10 detached guesthouses, primarily engaged in providing overnight or otherwise temporary
7 lodging for the general public and serves breakfast at no extra charge to these guests.

8 (e) **Cannabis Lounge** means as defined in Section 103.

9 (f) **Evening Entertainment.** A bar or nightclub except an Adult Business. An establishment
10 primarily engaged in the sale of alcoholic beverages in a ready-to-consume state. Bars and
11 nightclubs may include live bands, other music, and dancing as well as games of skill such
12 as pool or darts for use by the patrons of the establishment.

13 (g) **Adult Gambling Machine Business.** means as defined in Article 1.

14 (h) **Hotel/ Motel.** An establishment providing guest rooms for lodging, typically on a less than
15 weekly basis, with no or minimal kitchen facilities in the guest units. Guest units may be
16 reached either from a common entrance or directly from the outside of the building.
17 Accessory uses may include, but are not limited to, utility uses, restaurants, retail sales and
18 service, offices, public and civic uses, and recreational uses. For the avoidance of doubt,
19 guest houses not meeting the definition of Bed & Breakfast in subsection (c) are
20 considered “Hotel/ Motel” uses under this law.

21 (i) **Restaurant, Drive-Through.** An establishment where the principal business is the sale of
22 food and beverages to the customer in a ready-to-consume state and where the design or
23 principal method of operation is that of a fast-food or drive-through restaurant.

24 (j) **Restaurant, General.** An establishment where the principal business is the sale of food
25 and beverages in a ready-to-consume state or to cook on the premises. This use includes
26 restaurants, cafeterias, delicatessens, retail bakeries, snack bars, coffee shops, donut shops,
27 and ice cream parlors. This use may include the consumption of alcoholic beverages as a
28 secondary use, but excludes a drive-through restaurant.

29 **Section 409 Office Uses**

30 Office uses include executive, management, administrative, financial, document handling,
31 insurance, real estate sales or rental, or other professional services, and dispatching offices.
32 Offices may include incidental retail sales.

33 **Section 410 Retail Sales and Service Use**

34 Retail sales and service uses include:

35 (a) **Catering Service, Commercial, Social or Home.** A business, other than a home business,
36 that provides food and incidental service for an event, social affair or private dwelling.
37 This use also includes small-scale preparation of food for transport and sale at other
38 locations, such as retail stores or food stalls.

39 (b) **Funeral Home.** An establishment engaged in preparing the human deceased for burial, and
40 arranging and managing funerals. Funeral homes may include crematories.

41 (c) **Mom and Pop Grocery Store.** A business that is independently owned and operated in a
42 single location. Rather than being part of a national chain, the mom and pop store offers a
43 shopping alternative to consumers who wish to deal with businesses established by
44 members of the community. Mom and Pop stores are also characterized by having few
45 employees, doing a relatively small amount of business, and not being predominant in their
46 “area of operation.” A Mom and Pop grocery store shall not contain more than 900 square

- 1 feet of floor space.
- 2 (d) **Medical Supplies.** Items necessary for the treatment of an illness or injury. These
3 include non-durable disposable health care materials ordered or prescribed by a physician,
4 which is primarily used to serve a medical purpose.
- 5 (e) **Parking, Commercial.** This use includes buildings or other structures and paved areas that
6 provide temporary parking for motor vehicles for profit, where some or all of the spaces
7 are not accessory to another principal use.
- 8 (f) **Personal Service.** An establishment primarily engaged in the provision of frequently or
9 recurrently needed services of a personal nature; or the provision of informational,
10 instructional, personal improvement or similar services, which may involve the limited
11 accessory sale of retail products. Typical uses include:
- 12 (1) Barber, beauty shops
 - 13 (2) Art, dance, music schools
 - 14 (3) Health/fitness centers/spas that are not adult businesses
 - 15 (4) Driving schools
 - 16 (5) Licensed therapeutic massage studios
 - 17 (6) Internet Cafes
- 18 (g) **Other Retail Sales.** Typical uses include:
- 19 (1) Automobile sales with or without repair service
 - 20 (2) Dry cleaning, Laundromats
 - 21 (3) Auto rental including service for rental vehicles that would be allowed under
22 "gas station, light repair".
 - 23 (4) Copy centers, small print and sign shops
 - 24 (5) Pawn shops
 - 25 (6) Sale of lumber, construction, or building materials
 - 26 (7) Construction equipment sales, rental
 - 27 (8) Moving truck, van and trailer sales, rental
 - 28 (9) Farm equipment and machinery sales, rental
 - 29 (10) Repair of air conditioners, small electronics and appliances.
 - 30 (11) Clothing, jewelry, shoes, sporting goods
 - 31 (12) Hardware, appliances, computers, audio and electronic equipment
 - 32 (13) Grocery or convenience items
 - 33 (14) Books, magazines, newspapers, periodicals
 - 34 (15) Gifts, toys, novelties, greeting cards
 - 35 (16) Flowers and floral arrangements
 - 36 (17) Pharmaceuticals
 - 37 (18) Sale and installation of automobile audio and electronic equipment
 - 38 (19) Dive shop
 - 39 (20) Auto rental office without garage services for rental vehicles.
 - 40 (21) Cannabis retail
- 41 (h) **Self-Service Storage.** An enclosed storage facility of a commercial nature containing
42 independent, fully enclosed bays that are leased to persons exclusively for storage of their
43 household goods or personal property.
- 44 (i) **Gas Station, Light Repair**
- 45 (1) An establishment primarily engaged in the retail sale of gasoline or other motor
46 fuels that may include the sale of convenience retail items, and/or
 - 47 (2) An establishment engaged in maintenance operations such as: changing
48 oil/filter or other fluid, vehicle inspection, light engine tune-up or repair;
49 steering or suspension repair; tire service; brake service; air conditioning
50 service; electrical repair; or "trim" work (for example: the changing of lights,
51 lens, door handles, window regulators and glass) that also meets the following

- 1 requirements:
- 2 (A) The lot size is at least 1,000 sm;
- 3 (B) All work is completed in fully enclosed bays;
- 4 (C) No body repairs, painting, rust proofing or undercoating;
- 5 (D) No storage of vehicles that not being actively repaired;
- 6 (E) All vehicles have current registration with the Department of Motor
- 7 Vehicles; and
- 8 (F) No overnight storage of more than 8 vehicles.
- 9 (3) Gas Stations and Automotive Light Repair operations shall be screened from
- 10 adjoining properties zoned Village Residential or Rural. Screening shall consist of
- 11 appropriate vegetation or fencing.
- 12 (4) Light Carwashing – minor carwash activities which include handwashing.

13

14 (j) **Vehicle Repair, General.** An establishment engaged in the repair and maintenance of

15 motor vehicles or other heavy equipment or machinery, including automobiles, boats,

16 motorcycles and trucks, paint and body work. Typical uses include automobile repair

17 garages, vehicle inspection centers, paint and body shops, automobile tune-up stations,

18 automotive glass shops, quick lubes, automotive car washing and detailing, and muffler

19 shops. This use does not include overnight storage of a vehicle that is not being actively

20 repaired or that is not currently registered with the Department of Motor Vehicles. General

21 Vehicle Repair businesses shall be screened from adjoining properties zoned as Village

22 Residential, Village Commercial, Rural, or Mixed Commercial. . Screening shall consist

23 of appropriate vegetation or fencing.

24

25 **Section 411 Public and Civic Uses**

26 Public and civic uses include:

- 27 (a) **Assembly Hall.** The principal use of a site or facility owned and/or operated for social,
- 28 educational, or recreational purposes. Typical uses include but are not limited to nonprofit
- 29 fraternal organizations and union halls and for-profit facilities for weddings, receptions,
- 30 private parties, conventions, educational/informational workshops, and classes.
- 31 (b) **Cemetery.** Land used or intended to be used for nonprofit or commercial burial, whether
- 32 human or animal, including a mausoleum, or columbarium.
- 33 (c) **Church or Place of Worship.** A site and its buildings used primarily for religious worship
- 34 and related religious services by a tax-exempt religious group. Churches may include staff
- 35 housing and cemeteries belonging to and operated by the church. Churches shall not
- 36 include day care facilities, pre-schools, schools or homeless shelters, unless they are
- 37 approved as a separate use.
- 38 (d) **Day Care Facility.** An establishment that provides non–medical daytime care or
- 39 services for three or more persons on a daily or regular basis for less than 24 hours
- 40 a day, but not overnight. Day care facility includes a child care facility and a day
- 41 care facility for adults but not a day care that is a home business.
- 42 (e) **Government Service.** A buildings or facility owned or operated by a government entity
- 43 that provide a service for the public, excluding utility and recreational service. Typical uses
- 44 include administrative offices of government agencies, post offices, public libraries, and
- 45 police and fire stations.
- 46 (f) **Hospital.** A facility that maintains and operates organized facilities for medical or surgical
- 47 diagnosis or procedures; care, including emergency overnight and outpatient care; and
- 48 treatment of human illness which meets the minimum standards of hospital certification
- 49 regulations promulgated pursuant to title XVIII of the Social Security Act, United States

- 1 Code, title 42, section 1861, et seq. A helipad shall be considered an accessory use for a
- 2 hospital.
- 3 (g) **Medical Clinic.** A small private or public health facility that is devoted to the care of
- 4 persons residing at the facility for periods less than 24 hours. Medical clinics typically
- 5 occur in more of a community setting than larger hospitals, which treat persons who reside
- 6 at the facility for periods longer than 24 hours. Medical clinic usually contain offices for
- 7 medical professionals.
- 8 (h) **School, Private.** A private for-profit or nonprofit institution of learning that conducts
- 9 regular classes and courses of study required for accreditation by the CNMI as an
- 10 elementary, secondary, or post-secondary school or that offers regularly scheduled
- 11 vocational instruction in technical, commercial, or trade skills.
- 12 (i) **School, Public.** A public institution of learning that conducts regular classes and courses of
- 13 study.
- 14 (j) **Veterinary Clinic or Hospital.** An establishment primarily engaged in providing medical
- 15 care and treatment for animals.

16

17 **Section 412 Recreational Uses**

18 Recreational uses include:

- 19 (a) **Amusement, Indoor.** An establishment offering entertainment or games of skill to the
- 20 general public for a fee or charge where the activity takes place indoors. Typical uses
- 21 include bowling alleys, indoor sports arenas, movie theaters, cockfighting, video arcades,
- 22 pool halls, shooting arcades, indoor swimming pools and racquet clubs but not Adult
- 23 Businesses.
- 24 (b) **Amusement, Outdoor.** An establishment offering entertainment or games of skill to the
- 25 general public for a fee or charge wherein any portion of the activity takes place in the
- 26 open, excluding golf courses and public parks. Typical uses include archery ranges, athletic
- 27 fields, batting cages, cultural shows, golf driving ranges, swimming pools, tennis courts,
- 28 and music arenas.
- 29 (c) **Amusement, Outdoor Intensive.** An establishment that offers more “intense” outdoor
- 30 activities than those listed in the Amusement, Outdoor category. Typical uses include
- 31 rental of all terrain vehicles or motorcycles, miniature golf courses, water slides, racing
- 32 facilities, carnivals, amusement parks, shooting ranges.
- 33 (d) **Arena, Auditorium, or Stadium.** An open, partially enclosed or fully enclosed facility
- 34 primarily used or intended for commercial spectator sports or entertainment. Typical uses
- 35 include convention or exhibition halls, sports arenas, and amphitheaters.
- 36 (e) **Golf Course.** A facility providing a private or public golf recreation area designed for
- 37 executive or regulation play along with a golf support facility. Golf course does not include
- 38 a miniature golf facility.
- 39 (f) **Park, Active.** A park that provides opportunities for active recreational activities to the
- 40 general public. Typical uses include ball fields, boat launching ramps, recreational marinas,
- 41 jogging trails, exercise areas, or playgrounds.
- 42 (g) **Park, Passive.** A public or private outdoor recreational use relying on a natural or man-
- 43 made resource base that is developed with a low intensity of impact on the land. Typical
- 44 uses include beaches, trail systems, botanical gardens, museums, interpretive centers,
- 45 cultural centers, wildlife management and demonstration areas for historical, cultural,
- 46 scientific, educational or other purposes that relates to the natural qualities of the area, and
- 47 support facilities for such activities. Support facilities may include pavilions and
- 48 caretakers’ quarters.
- 49 (h) **Zoo/Aquarium.** A public park or large enclosure where live terrestrial or aquatic animals

1 are kept for display to the public.

2 **Section 413 Industrial Uses**

3 Industrial uses include:

- 4 (a) **Airport.** Any public or privately owned or operated ground facility designed to
- 5 accommodate landing and take-off operations of general aircraft including helicopters.
- 6 (b) **Asphalt or Concrete Plant.** An establishment engaged in the manufacture, mixing or
- 7 batching of asphalt, asphaltic cement, cement or concrete products.
- 8 (c) **Contractor’s Office and Storage Yard.** A permanent office and accessory storage facility
- 9 used by building trade and service contractors on land other than construction sites.
- 10 (d) **Mining.** This use includes extracting or obtaining coral, minerals, sand, gravel, rock,
- 11 aggregate, clay, or similar materials from an excavation in the earth for financial gain,
- 12 including selling extracted materials or using them for the benefit of a construction
- 13 business. This includes uses customarily incidental, appropriate, and subordinate to mining
- 14 and located on the same site, such as: stockpiling, sorting; screening; washing; crushing;
- 15 batching; recycling of concrete; asphalt, and related construction materials; maintenance
- 16 facilities, and contractors’ service and storage yards; and concrete products manufacturing
- 17 that make use of the products produced from the subject mining site. The following uses or
- 18 activities are not considered to be mining.
 - 19 (1) Excavation for a swimming pool.
 - 20 (2) Maintenance dredging or reconstruction of an existing channel or intake and
 - 21 discharge structure.
 - 22 (3) Small lily ponds, goldfish ponds, reflecting ponds, and other small ornamental
 - 23 water features with a maximum depth of 6 ft and lined with impervious
 - 24 material.
 - 25 (4) Excavation for the placement of a septic tank and leaching field.
 - 26 (5) Extraction and removal of material from a construction site.
 - 27 (6) Restoration of land to its prior condition following a flood, landslide or natural
 - 28 disaster.
- 29 (e) **Gas and Fuel, Wholesale.** The use of land for bulk storage and wholesale distribution of
- 30 2,500 or more gallons of flammable liquid, or 2,000 or more gallons (water capacity) of
- 31 flammable gas. This use excludes below-ground storage that is clearly accessory to the
- 32 principal use on the site.
- 33 (f) **Helipad or Helipad.** An area used for landing or take-off of helicopters, including all of
- 34 the area or buildings that are appropriate to accomplish these functions, including
- 35 refueling.
- 36 (g) **Junkyard.** This use includes commercial storage (except in a fully-enclosed building with
- 37 an impervious floor) of: a vehicle, equipment or machinery that is not actively being
- 38 repaired (including an automobile, motorcycle, boat, truck, or tractor); part of a vehicle; or
- 39 scrap metal not being prepared for recycling.
- 40 (h) **Manufacturing and Processing.**
- 41 Manufacturing and processing include uses described in this Section.
 - 42 (1) An establishment engaged in the manufacture, predominantly from previously
 - 43 prepared materials, of finished products or parts, including: processing,
 - 44 fabrication, assembly, treatment, and packaging of such products; and incidental
 - 45 storage, sales and distribution of such products. Typical uses include:

- 1 (A) Garment manufacture
 2 (B) Food processing and beverage bottling
 3 (C) Large-scale baking
 4 (D) Woodworking and cabinetmaking
 5 (E) Machining, sheet metal work, welding
 6 (F) Dry cleaning and laundry services for customers who drop-off and pick-up at a different location
 7
 8 (G) Electronics assembly
 9 (H) Pharmaceuticals
 10 (I) Printing and publishing
 11 (2) A facility designed and used for receiving, separating, storing, converting, baling or processing non-hazardous recyclable materials that are not intended for disposal. The use may include construction debris recycling or other intensive recycling processes such as chipping and mulching.
 12
 13 (i) **Microbrewery.** A facility for the production and packaging of malt beverages of low alcoholic content for retail or wholesale distribution and with a capacity of not more than 6,000,000 12-ounce bottles per year. The development may include other uses such as a general restaurant or evening entertainment as otherwise permitted in the zoning district.
 14
 15 (j) **Seaport.** Marine terminals and cargo handling facilities, including bulk fuel storage at the port area, ferry terminals, commercial moorage facilities, and commercial passenger terminals.
 16
 17 (k) **Warehousing and General Wholesaling.**
 18 (1) An establishment primarily engaged in the storage of materials, equipment, or products within a building for manufacturing use or for distribution to wholesalers or retailers, as well as activities involving significant movement and storage of products or equipment. Typical uses include
 19 (A) Motor freight transportation
 20 (B) Moving and storage facilities
 21 (C) Cold storage
 22 (D) Warehousing or dead storage facilities
 23 (2) An establishment primarily engaged in the display, storage, distribution and sale of goods to other firms for resale, but excluding gas and fuel.
 24 (3) This use does not include self-service storage facilities, office-warehouse combinations or wholesaling outlets whose appearance resembles a retail or office use.
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36 Section 414 Utility Uses

37 Utility uses include:

- 38 (a) **Communication Tower, Standard.** AM/FM radio, television, microwave, digital or cellular telephone transmission or reception towers, and accessory equipment and buildings, that are not designed to be stealth towers. The height requirement for each Zoning District shall be applied.
 39
 40 (b) **Communication Tower, Stealth.** Commercial transmission and reception towers and accessory equipment and buildings designed to appear like trees, flag poles, or similar uses, or those that are designed to be an integral part of another permitted structure such as an existing building, water tower, church steeple. These towers shall not be situated on building rooftops unless screened from public view using decorative materials approved by the Administrator. The distance between each towers shall be a minimum of 250ft. The total height of the tower from ground level shall not exceed 40ft or the height requirement for the zoning district, whichever is less.
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- 1 (c) **Energy Facility, Nonrenewable.** The use of land for generation of power for commercial
2 purposes from a nonrenewable energy resource. This shall not include on-site power
3 generation for a specific business which shall be classified as an accessory use and meet
4 any requirements related to the principal use.
- 5 (d) **Energy Facility, Renewable.** The use of land for generation of power for commercial
6 purposes from a renewable energy resource. This use shall not include a small wind
7 energy system which shall be treated as an accessory use and meet any requirements
8 related to the principal use.
- 9 (e) **Sanitary Landfill.** A disposal facility employing an engineered method of disposing of
10 solid waste on land in a manner that minimizes environmental hazards.
- 11 (f) **Transfer station.** A publicly owned or franchised facility designed and used for collecting
12 and temporarily storing organic or recyclable material and/or household solid, non-
13 hazardous waste.
- 14 (g) **Utility, Minor.** Elements of utility distribution, collection, or transmission networks that
15 are required by their nature to be relatively dispersed throughout the service area. Typical
16 uses include: substations; transformers, water towers and tanks; and sewage lift stations.
- 17 (h) **Water or Wastewater Plant.** Central treatment system for drinking water or wastewater.

18 **Section 415 Temporary Uses**

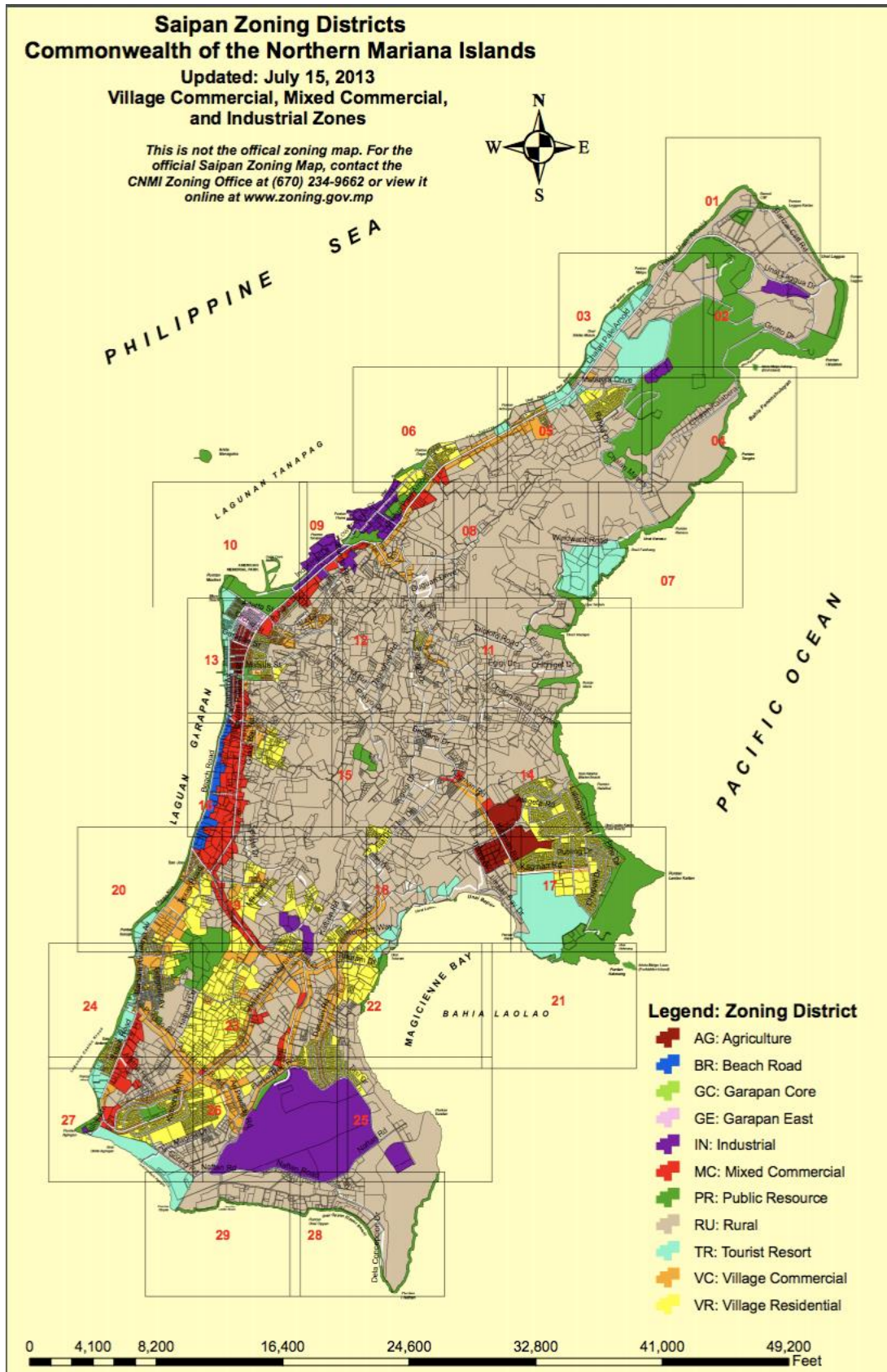
- 19 (a) **Temporary use** means a use:
20 (1) Established for a fixed period of time;
21 (2) With the intent to discontinue such use upon the expiration of such time and;
22 (3) That does not involve the construction or alteration of a permanent structure.
- 23 (b) **A temporary use does not include:**
24 (1) A garage or rummage sale not exceeding 14 days (2 weeks) per event
25 (2) A contractor’s office, equipment storage shed, or portable lavatory on the site of
26 a permitted active construction project
27 (3) A special event for a period not exceeding 28 days (4 weeks)
- 28 (c) **Temporary uses include:**
29 (1) **Special Event** for a period exceeding 28 days (4 weeks). This event may
30 include, but is not limited to, outdoor concert, auction, fiesta, carnival, outdoor
31 religious meeting, rodeo, special entertainment at a commercial property, and
32 bake sale. Included is a profit or nonprofit group that travels around with the
33 event to different communities, and a commercial operation that provide
34 additional outdoor entertainment for their patrons.
35 (2) **Roadside Merchandise Stand.** A temporary structure or vehicle used for the
36 sale of locally grown produce, locally caught fish, souvenirs, beverages, snacks,
37 or locally made handicrafts.
38 (3) **Video or Movie Production.** This is a temporary structure or vehicle used in
39 the production of either commercial video or motion picture films.
40 (4) **Construction Materials Yard/ Staging areas.** This is an area for the
41 temporary off-site storage of construction materials for a permitted
42 development or public facility.
43 (5) **Temporary Batch Plant.** This is a batch plant for asphalt or concrete for a
44 public or private construction project. A temporary batch plant shall only be
45 permitted to operate for 45 days. An applicant may seek an extension of the 45
46 day time limit from the Zoning Administrator for good cause shown.

47
48 The Zoning Administrator shall:

- 1 (i) minimize noise nuisance by limiting the hours of operation, as
- 2 appropriate;
- 3 (ii) Locate the plant as far from residential areas as is feasible;
- 4 (iii) limit the height of any structure to the minimum height necessary
- 5 for effective operation;
- 6 (iv) limit ground visibility of stored equipment and materials; and
- 7 (v) minimize dust and debris at the site.

SAIPAN ZONING DISTRICTS:

- 1) Agricultural
- 2) Rural
- 3) Village Residential
- 4) Village Commercial
- 5) Mixed Commercial
- 6) Industrial
- 7) Garapan Core
- 8) Garapan East
- 9) Beach Road
- 10) Tourist Resort
- 11) Public Resource



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