

**TITLE 10: LOCAL LAWS**  
**DIVISION 3: THIRD SENATORIAL DISTRICT (SAIPAN, ETC.)**

**§ 3511. Saipan Zoning Law.**

The Saipan Zoning Law, consisting of pages 1-145 with attached map appendices, is enacted and codified by reference as if fully set forth.

**Source:** [SLL 8-7](#), § 3, modified; amended by [SLL 15-22](#), §§ 4-10; repealed and reenacted by [SLL 15-29](#), §§ 3 and 4, respectively; repealed and reenacted by [SLL 16-6](#), §§ 3 and 4 (3511), respectively; Zoning Map and § 404 of [SLL 16-6](#) amended by [SLL 17-2](#) §§ 2-4 (June 17, 2010); Section 1209 (Public Nuisances) of Saipan Zoning Law of 2008 amended by [SLL 17-10](#) § 2 (July 12, 2011); Zoning Map of 2008 and Appendix amended by [SLL 17-12](#) §§ 2-4 (July 27, 2011); Section 1311(h) Administrative Variance of the Saipan Zoning Law of 2008 repealed and reenacted by [SLL 17-12](#) § 5 (July 27, 2011); repealed and reenacted by [SLL 18-4](#) §§ 3,4 (July 15, 2013); amended by [SLL 18-5](#) §§ 4,5, and 6 (Oct. 25, 2013); Sheet 20 of 29 amended by [SLL 18-13](#) § 2 (Jan. 23, 2014); Sheet 24 of 29 amended by [SLL 18-15](#) § 2 (Apr. 4, 2014); Section 404, Table 1 amended by [SLL 18-20](#) § 2 (Aug. 29, 2014); Section 612(b) amended by [SLL 19-04](#) § 2 (Apr. 29, 2015); Sheet 17 of 29 amended by [SLL 19-21](#) § 2 (Aug. 5, 2016); Sheet 05 of 29 amended by [SLL 19-25](#) § 2 (Oct. 14, 2016); Sheets 03 and 05 of 29 amended by [SLL 20-05](#) § 2 (June 30, 2017); Sheet 20 of 29 amended by [SLL 20-06](#) § 2 (June 30, 2017); Sections 503–509 and 511 amended, and section 513 deleted by [SLL 20-08](#) § 2 (July 26, 2017).

**Commission Comment:** [Historical comments removed.]

[Saipan Local Law 18-4](#) (enacted July 15, 2013), contained, in addition to severability and savings clauses, the following:

Section 1. Short Title. This Act may be cited as the ***“Saipan Zoning Law of 2013.”***

Section 2. Findings and Purpose. The Saipan and Northern Islands Legislative Delegation (SNILD) finds that the Saipan Zoning Law of 2008 took effect on December 5, 2008. The Zoning Office is seeing improvements in different areas as follows:

- (a) Parking lots and road accesses are safer and more attractive;
- (b) New buildings with landscaping are more attractive and pedestrian friendly;
- (c) Signs are more durable and interesting;
- (d) Auto Shops or poker parlors are being kept out of villages;
- (e) Neighborhoods, commercial and industrial developments are being separated; and
- (f) Subdivisions are being designed with streets that are wide enough for cars to pass and with turnaround areas for emergency vehicles.

The SNILD further finds that despite the many improvements in zoning, the Zoning Board and Office, together with local businesses, zoning clients, and other agencies, have identified ways to improve the Saipan Zoning Law of 2008. The Zoning Office has submitted proposed amendments to the Saipan Zoning Law of 2008 in the form of the Saipan

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Zoning Law of 2013. These proposed amendments were developed in consultation with the public during eighteen (18) village meetings and public hearings, nine (9) public education sessions, and through press releases, newspaper announcements and comments received from members of the public. Some of the key amendments to the Saipan Zoning Law are as follows:

*Single Family Residences* will be allowed in most of the zoning districts. Light retail, such as small “*Mom and Pop*” grocery stores, bookstores, flower shops and daycares have been permitted in *Village Residential* districts or allowed as conditional uses. The Zoning Board believes that these changes more accurately reflect the nature of residential living on Saipan than the requirements of the Saipan Zoning Law of 2008 and encourage more walkable neighborhoods. Apartment buildings less than forty-eight (48) feet in height will be permitted in *Village Residential* areas, while apartment buildings over forty-eight (48) feet in height and professional offices will be allowed as conditional uses. Small aquaculture projects that meet certain requirements would also be permitted. In residential neighborhoods, fence heights have been raised to ten (10) feet to allow for greater security for residents, provided that the fence is made of appropriate materials that do not detract from the appearance of the neighborhood. Certain industrial uses, including manufacturing, warehousing, and junkyards, have been confined to *Industrial* and *Mixed Commercial* districts and removed as permitted uses in *Rural* areas. A new category of use “*Intensive Outdoor Amusement*,” which would include uses such as race tracks and carnivals previously included in category of *Outdoor Amusement* has been created as a conditional use in *Rural* areas. Proposed revisions to the law prohibit using containers as fencing but allow for use as permanent storage when properly screen from public view. Cargo containers may be transformed into residential structures provided that when a cargo container is to be used as a residence, it shall be architecturally altered to reduce its industrialized appearance by providing windows and doors, and other features such as open porch areas. Requirements for *Temporary Batch Plants* for concrete and asphalt necessary for construction projects are spelled out in detail. *Batch Plants* may not be within one hundred fifty (150) feet of a structure or use not associated with the construction project. If the temporary site is not within one hundred fifty (150) feet of a public use, the applicant may seek permission of all nearby persons with an interest in the surrounding properties to operate the *Temporary Batch Plant* within the setback area.

Accordingly, the purpose of this legislation is to adopt the proposed amendments to the Saipan Zoning Law of 2008 by enacting this Saipan Zoning Law of 2013, which is incorporated and codified herein by reference, and by repealing [Saipan Local Laws 16-6, 17-2, 17-10](#) and [17-12](#).

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[Saipan Local Law 18-5](#) (enacted on Oct. 25, 2013) amended Articles 4, 6, and 12 of [SLL 18-4](#). It also contained severability and savings clause, and the following Short Title, Findings, and Purposes sections:

Section 1. Short Title. This Act shall be known as the “Saipan Adult Gambling Machine Business Zoning Law of 2013.”

Section 2. Findings. The Legislature finds that:

(a) Adult gambling machine businesses pose a risk to neighborhoods and their residents because such businesses are a target for robberies and other crimes;

(b) Gambling addiction is a problem that can cause severe financial and social problems for families on Saipan. The location of gambling machines in residential districts and near residential conveniences can increase the temptation to gamble and increase the likelihood that a person will gamble and develop an addiction;

(c) Adult gambling machine businesses in residential districts, or in districts adjacent to schools, churches, or public recreational areas, or within close proximity to such uses, may expose minors to such businesses and the activities associated with such businesses. This exposure may adversely affect minors due to their immaturity; and

(d) Special regulation of gambling businesses uses is necessary to ensure that such uses do not become permanent incompatible land uses and further, will not contribute to the blight or downgrading districts in which they are permitted, thereby adversely affecting property values and deterring or interfering with the development and operation of other businesses within the area.

Section 3. Purposes. In order to provide our people with a healthy and safe social and business environment:

(a) It is the purpose of Saipan Adult Gambling Machine Business Zoning Law of 2013 (hereinafter “Law”) to regulate adult gambling machine businesses to promote the health, safety, morals, and general welfare of the citizens of the Commonwealth, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of adult businesses and, in particular, to separate adult businesses from family-oriented uses.

(b) It is the purpose of this Law to improve the quality of life of Commonwealth citizens and to provide for the socially and commercially acceptable location of adult gambling machine businesses.

(c) Based on the foregoing, the Legislature finds and declares that this Law is necessary and is a proper use of the legislative authority granted by Article II of the Commonwealth Constitution.

[Saipan Local Law 18-13](#) (enacted Jan. 23, 2014) contains specific amendments to the Official Zoning Map of [SLL 18-04](#) (Saipan Zoning Law of 2013), dated July 15, 2013. As with earlier versions of Saipan zoning laws, the Commission opted not to codify the specific amendments. Please refer directly to [SLL 18-13](#) for amendments.

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[Saipan Local Law 18-15](#) (enacted Apr. 4, 2014) contains specific amendments to the Official Zoning Map of [SLL 18-04](#) (Saipan Zoning Law of 2013), dated July 15, 2013. As with earlier versions of Saipan zoning laws, the Commission opted not to codify the specific amendments. Please refer directly to [SLL 18-15](#) for amendments.

[Saipan Local Law 18-20](#) (enacted Aug. 29, 2014) contained the following specific amendment to Section 404, Table 1 of the Saipan Zoning Law of 2013:

The use, “Funeral Homes” is to have a “c” for conditional use in the column for “Village Commercial.”

[Saipan Local Law 19-04](#) (enacted Apr. 29, 2015) amended Article 6, Section 612(b) of the Saipan Zoning Law of 2013. It also contained severability and savings clause, and the following Findings and Purposes section:

Section 1. Findings and Purpose. The Legislature finds that [Saipan Local Law 18-05](#) provided protection of family activities from the social ills of poker parlors by regulating the location of adult gambling machines. Poker parlors in the CNMI are almost always small, dimly lit rooms filled with foul smell rampant with criminal activities. [Public Law 18-56](#) established the gaming industry on Saipan mandating the exclusive gaming licensee to invest not less than \$2 billion in a 2,000 room integrated resort comprised of world class hotels, restaurants, shops and other amenities, to include a casino. The legislature also finds that casinos are not poker parlors in that they will be a part of a world class resort of the highest standard filled with family activities.

It is the purpose of this law to continue to protect family activities and residential neighborhoods from the ill effects of adult gambling machines and poker parlors. It is also the purpose of this law to exempt the exclusive gaming licensee from the prohibition of [SLL 18-05](#) because gaming found in casinos do not carry the same concerns as those of adult gambling machines. Based on the foregoing, the Legislature finds and declares that this law is necessary and is proper use of the legislative authority granted by Article II of the Commonwealth Constitution.

[Saipan Local Law 19-04](#) (enacted Apr. 29, 2015) contains specific amendments to the Official Zoning Map of [SLL 18-04](#) (Saipan Zoning Law of 2013), dated July 15, 2013. Because these amendments were not codified, please refer directly to [SLL 19-04](#) for the text of those amendments.

[Saipan Local Law 19-21](#) (enacted Aug. 5, 2016) amended the Official Zoning Map of [SLL 18-04](#) (Saipan Zoning Law of 2013), dated July 15, 2013. It contained the following specific amendments to Sheet 17 of 29:

Lots 10 G 18; 010 G 15; 010 G 35; and 010 G 34 from Village Residential (VR) and Village Commercial (VC) to Public Resource (PR) zoning district.

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Saipan Local Law 19-25 (enacted Oct. 14, 2016) amended the Official Zoning Map of SLL 18-04 (Saipan Zoning Law of 2013), dated July 15, 2013. It contained the following specific amendments to Sheet 05 of 29:

Lots 008 B 16, 008 B 22, 008 B 23, 008 B 24, 008 B 35, 008 B 48, 008 B 50 and Lot 001 B 42 shall be classified as “Tourist Resort” Zoning District.

Saipan Local Law 20-05 (enacted June 30, 2017) amended the Official Zoning Map of SLL 18-04 (Saipan Zoning Law of 2013), dated July 15, 2013. It contained the following specific amendments:

Saipan Official Zoning Map Sheet 03 of 29: (Lots 032 A 01 from “Rural” to “Tourist Resort” Zoning District).

Saipan Official Zoning Map Sheet 05 of 29: (Lots 007 A 02, 007 A 03, 007 A 04, 007 A 05, 007 A 06, 007 A 07, 002 A 02, 002 A 03, 010 A 02, and 010 A 17 from “Rural/Village Commercial” to “Tourist Resort” Zoning District).

Saipan Local Law 20-06 (enacted June 30, 2017) amended the Official Zoning Map of SLL 18-04 (Saipan Zoning Law of 2013), dated July 15, 2013. It contained the following specific amendments to Sheet 20 of 29:

Lots 001 H 06, 001 H 07, 001 H 08, 001 H 09, 001 H 10, 001 H 011, 001 H 012, 001 H 15, 001 H 16, and 001 H 17 from “Village Residential” to “Village Commercial” Zoning District.

Saipan Local Law 20-08 (enacted July 26, 2017) amended sections 503–509 and 511, and deleted section 513 of the Official Zoning Map of SLL 18-04 (Saipan Zoning Law of 2013), dated July 15, 2013. As with earlier amendments to the Saipan Zoning Law, the Commission opted not to codify the specific amendments. Please refer directly to [SLL 20-08](#) for amendments.