

TITLE 2: NATURAL RESOURCES
DIVISION 7: BUILDING AND ZONING CODES

§ 7213. Definitions.

As used in this chapter:

(a) “Act” or “chapter” means this legislation and the regulations issued under its authority.

(b) “Consistency” means zoning shall further enhance the goals and policies of the plan, further the aims and intent of the zoning districts by implementing the land use districts and map of the comprehensive plan with zoning districts of similar intensity and location.

(c) “District” means an area of land established as a land use district; except, “district” means a senatorial district when used in 2 CMC § 7212(b) and 2 CMC § 7221(e), (f) and (k), or when modified by the word “senatorial.”

(d) “Land” includes areas above the ordinary high water mark and public lands.

(e) “Land use plan map” means an element of the comprehensive plan that sets forth the desired future land use in the form of a map.

(f) “Nonconforming use” means a structure or use that is not permitted by laws and regulations currently in effect.

(g) “Owner” includes lessees and homesteaders of real property.

(h) “Person” means any individual, estate, firm, corporation, company, joint venture, association, partnership, trust, receiver, club, syndicate, cooperative association or other entity, including agencies and offices of the government of the Commonwealth.

(i) “Saipan comprehensive land plan” means the comprehensive plan is a policy document that sets forth the goals, objectives and policies of Saipan for its future. The goals would cover topics such as land use, community character, public facilities, economic growth, housing or other social issues. The comprehensive plan describes the desired future of Saipan and explains the reasons that shaped that vision of Saipan.

(j) “Structure” means any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner.

(k) “Zoning district” means the zoning regulations will have a number of zoning districts each of which has a different set of rules for permitted land use, lot area or density, setbacks, landscaping, and open space. Parking standards would not vary within a district. A suburban zoning district, for example, might allow houses to be at a density of seven homes per hectare while in an urban district they could be built at 18 homes per hectare.

(l) “Zoning law” means the legal document that regulates the use of land. It is supposed to implement the comprehensive plan. Zoning provides actual laws that land owners must follow in developing the land. These rules include permitted land use, lot area or density, setbacks, landscaping, open space, and parking.

(m) “Zoning map” means a map of Saipan that shows the various zoning districts and the boundaries between them. The entire island would be divided into districts. The first step in the development process is for the land owner to refer to this map to find the zoning district that applies to the property. The zoning

TITLE 2: NATURAL RESOURCES
DIVISION 7: BUILDING AND ZONING CODES

map is a portion of the zoning regulations and as such has the same legal force as the zoning regulations.

(n) “Zoning plan” means the proposal of the Zoning Board submitted to the legislature in accordance with the provisions of this chapter which shall include, but is not limited to, these components of a plan of zoning:

(1) A system of land use districts setting out the purposes and land uses characteristic of each such district, the uses prohibited within each, the uses permissible within each, and any special requirements governing such uses;

(2) Those quantifiable performance standards which shall be employed in determining whether a particular use or structure is permissible within a particular district;

(3) Maps showing the boundaries of each district proposed; and

(4) If appropriate to the system of zoning proposed, standards and procedures for issuance of variances and conditional use permits.

The zoning plan shall be constructed in statutory form as appropriate.

Source: PL 6-32, § 1 (§ 7213); amended by PL 8-10, §§ 7, 8, modified.

Commission Comment: To enhance clarity, in subsection (m), the Commission deleted “of” after “legal force” and inserted “as” in its place.

With respect to the reference to the “Zoning Board,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001; see also the comment to 2 CMC § 7211.