

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

§ 7231. Land Use Districts.

(a) *Creation.* Land use districts shall be established to preserve, protect and encourage the development of lands in the Commonwealth for those uses to which the lands are best suited in accordance with sound planning principles and in the interest of the health and welfare of the people of the Commonwealth. In preparing its zoning plan the Zoning Board shall, in addition to carrying out the stated general purposes and policies of this chapter, specifically establish and employ:

- (1) Standards for subdivision development;
- (2) A system of flood control and flood plain, wetlands, and watershed management;
- (3) Provisions which encourage fresh water conservation;
- (4) Provisions which encourage energy conservation and conversion to renewable energy sources, particularly protecting lands which would be suitable for use in association with an ocean thermal energy conversion system;
- (5) Restrictions on the placement and size of commercial advertising signage;
- (6) Protections for lands having special, exceptional, critical, or unique biological productivity, the loss of which would jeopardize the continued existence of any species of wildlife on any island or its surrounding waters;
- (7) Protections for lands having special, exceptional, critical, or unique scenic, historic, archaeological, architectural, topographic, geologic, ethnologic, scientific, cultural, or recreational significance;
- (8) In commercial areas and within lands which are a primary focus of the tourism industry, restrictions and requirements which protect the aesthetic and utilitarian values of these areas, including, but not limited to, minimum lot size, density, setback, landscaping, parking, site coverage, and building height; and
- (9) Protections for lands in intensive agricultural use or with a high capacity for growing crops, including, but not limited to flowers, foliage, fruits, forage and timber, or for raising of livestock or the propagation of fish or game.

To the extent compatible with Commonwealth laws and constitutional provisions on the management of public lands, the zoning plan shall promote or create a system of public parks, beach access, recreation areas and wild and natural areas.

The Zoning Board shall also endeavor to structure the zoning plan so that its effect upon the present economic values of land is relatively neutral. Lastly, the Zoning Board shall avoid zoning that precludes the building of a residence on a homestead property because of minimum lot size requirements.

(b) *Maps.* Once adopted by law, the maps showing the boundaries of districts shall be kept permanently on file in the zoning administrator's office.

Source: PL 6-32, § 1 (§ 7231).

Commission Comment: With respect to the references 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 § 7223.