



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Eloy S. Inos
Lt. Governor

Honorable Ramon A. Tebuteb
Chairman, Saipan & Northern Island Legislative Delegation
Seventeenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Honorable Eliceo D. Cabrera
Speaker, House of Representatives
Seventeenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Chairman and Mr. Speaker:

This is to inform you that I have signed into law House Local Bill No. 17-50, entitled, "To amend the Saipan Zoning Law of 2008, 10 CMC § 3511; and for other purposes," which was passed by the Saipan and Northern Island Legislative Delegation of the Seventeenth Northern Marianas Commonwealth Legislature.

This bill becomes **Saipan Local Law No. 17-12**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "ELOY S. INOS", with a long horizontal stroke extending to the left.

ELOY S. INOS
Acting Governor

cc: Governor; Attorney General; Press Secretary; Saipan Zoning Board; Secretary, Department of Public Lands; Mayor of Saipan; Saipan and Northern Islands Municipal Council; Commonwealth's Law Revision Commission, Special Assistant for Administration; Special Assistant for Programs and Legislative Review



Saipan & Northern Islands Legislative Delegation

Third Senatorial District

P.O. Box 500586

Saipan, MP 96950

Representative Ramon A. Tebuteb, Chairman

Representative Joseph M. Palacios, Vice Chairman

Senator Pete P. Reyes, Floor Leader

July 6, 2011

Honorable Benigno R. Fitial
Governor
Commonwealth of the Northern
Mariana Islands
Saipan, MP 96950


Dear Governor Fitial:

I am honored to transmit for your action *House Local Bill No. 17-50*, entitled,

***"A Local Bill For An Act For The Third Senatorial District
"To amend the Saipan Zoning Law of 2008, 10 CMC § 3511; and for other purposes."***

This bill was passed by the Saipan and Northern Islands Legislative Delegation of the Seventeenth Northern Marianas Commonwealth Legislature on First and Final Reading, a quorum being present, during its First Day, Tenth Special Session, 2011 held on June 29, 2011.

Respectfully,


Alicia DLG. Leon Guerrero
Delegation Clerk

Enclosures



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION
SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
TENTH SPECIAL SESSION, 2011**

HOUSE LOCAL BILL NO. 17-50

**A LOCAL BILL FOR AN ACT
FOR THE THIRD SENATORIAL DISTRICT**

To amend the Saipan Zoning Law of 2008, 10 CMC § 3511; and for other purposes.

Offered by Representative Eliceo D. Cabrera

on

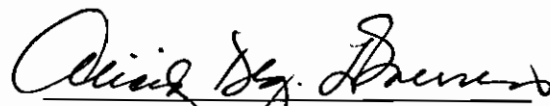
May 27, 2011

HOUSE ACTION

**Transmitted to Saipan and Northern Islands Legislative Delegation
for action on June 6, 2011**

DELEGATION ACTION

Referred to	:	None
Public Hearing	:	None
Mayor's Comments	:	June 9, 2011 [Ref. Mayor's Comm. 17-43]
Standing Committee Report	:	None
Passed First and Final Reading	:	June 29, 2011


Alicia DLG Leon Guerrero
Delegation Clerk



**SAIPAN AND NORTHERN ISLANDS LEGISLATIVE DELEGATION
Seventeenth Northern Marianas Commonwealth Legislature**

FIFTH SPECIAL SESSION, 2011

HOUSE LOCAL BILL NO. 17-50

**A LOCAL BILL FOR AN ACT
FOR THE THIRD SENATORIAL DISTRICT**

To amend the Saipan Zoning Law of 2008, 10 CMC § 3511;
and for other purposes.

**BE IT ENACTED BY THE THIRD SENATORIAL DISTRICT DELEGATION
PURSUANT TO CHAPTER 4, DIVISION 1, TITLE 1 OF
THE COMMONWEALTH CODE:**

1 **Section 1. Findings.** The Saipan and Northern Islands Legislative Delegation finds
2 that it is appropriate to rezone certain districts that the Commonwealth Zoning Board has
3 recommended for rezoning pursuant to Saipan and Northern Islands Legislative Delegation
4 Resolution No. 16-2, D1, entitled, *“To affirm the authority of the Saipan Zoning Board*
5 *under the Commonwealth Zoning Code to make determinations on zoning district boundary*
6 *changes.”*

7 The Commonwealth Zoning Board has held public hearings with respect to each of the
8 district rezones listed below and has transmitted its recommendations based on the evidence

House Local Bill No. 17-50

1 presented at those hearings to the Delegation. The Delegation agrees that rezoning these areas
2 is in the best interest of the community.

3 Furthermore, the Delegation finds that the Saipan Zoning Law of 2008 allows the
4 Administrator insufficient flexibility to permit projects in accordance with good planning
5 principles, while encouraging development consistent with community values in the island of
6 Saipan. Additionally, the purpose of this Act is to give the Administrator more flexibility in
7 granting zoning permits.

8 **Section 2. Amendment.** This Act amends the Official Saipan Zoning Map, dated
9 December 5, 2008 of the Saipan Zoning Law of 2008. The amended sheets listed below,
10 showing the rezoned districts are attached hereto and replace the prior versions of these sheets
11 as part of the appendix to the Saipan Zoning Law of 2008. The amendments made to the
12 Official Saipan Zoning Map from Village residential to Village Commercial Zoning District
13 are listed as follows:

14 ***Saipan Official Zoning Map Sheet 10 and 13 of 29***

15 (Lot Nos. 023 D 52; 023 D 53; 023 D 85; 023 D 86; 023 D 87;
16 023 D 88; 023 D 89; 023 D 90; and 023 D 91).

17 ***Saipan Official Zoning Map Sheet 20 of 29***

18 (Lot Nos. 380 B New R-1, 380 B New-1, and 380 B New-3).

19 **Section 3. Amendment.** This Act amends the Official Saipan Zoning Map, dated
20 December 5, 2008 of the Saipan Zoning Law of 2008. The amended sheet listed below,

1 showing the rezoned districts is attached hereto and replaces the prior version of this sheet as
2 part of the appendix to the Saipan Zoning Law of 2008. The amendments made to the Official
3 Saipan Zoning Map from Village Residential to Mixed Commercial Zoning District are listed
4 as follows:

5 ***Saipan Official Zoning Map Sheet 19 of 29***

6 The area beginning from Winzy Corporation leading towards the
7 old Jen Marz Auto Shop, now Big Boy Marine Sports Incorporated
8 (Lot Nos. 393; 394; 395; 396; 397; 398; 400; 409; and, 409-1-R1).

9 **Section 4. Amendment.** This Act amends the Official Zoning Map, dated December
10 5, 2008 of the Saipan Zoning Law of 2008. The amended sheet listed below, showing the
11 rezoned districts is attached hereto and replaces the prior version of this sheet as part of the
12 appendix to the Saipan Zoning Law of 2008. The amendments made to the Official Saipan
13 Zoning Map from Rural to Mixed Commercial Zoning District are listed as follows:

14 ***Saipan Official Zoning Map Sheet 15 of 29***

15 To rezone the property of the Heirs of Antonio T. (Abaros) Camacho
16 (TR 22796-7, TR 22796-8, and TR 21903-8) and the Kagman Mobil
17 Gas Station (Lot No. TR 22700).

18 **Section 5. Repealer and Re-enactment.** Section 1311(h) *Administrative Variance*
19 is hereby repealed and re-enacted to read as follows:

20 **“Administrative Variance.** The administrator may grant an administrative
21 variance in the following circumstances:

22 “(1) If the variance does not increase the use’s nonconformity; and

23 “(2) The variance is for either:

24 “(A) Repair or other alteration which does not change the

1 use, footprint or square footage; or

2 “(B) One of the following changes:

3 “(i) A decrease of up to 50% of the required
4 dimension requirements, size of the lot or
5 front yard, side yard, or rear yard setback; or

6 “(ii) A change in fence height or requirement
7 regarding the specific decorative elements
8 required by the law, such as building
9 façade design; or

10 “(iii) A decrease of up to 33% in the number of
11 required parking spaces; or

12 “(iv) An increase of up to 20% in the number of
13 compact parking spaces allowed on the site; or

14 “(v) Rural land that has 6% slope, shall have a
15 setback of 10 feet from the property line at the
16 front yard, side yard, or rear yard; and

17 “(vi) Sidewalk, road, tennis court, hammerhead tee
18 turnaround, and cul-de-sac shall have a setback
19 of 3 feet from the property line when land is
20 over 6% slope.”

21 **Section 6. Severability.** If any provision of this Act or the application of any such
22 provision to any person or circumstance should be held invalid by a court of competent
23 jurisdiction, the remainder of this Act or the application of its provisions to persons or
24 circumstances other than those to which it is held invalid shall not be affected thereby.

25 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not be
26 construed as affecting any existing right acquired under contract or acquired under statutes
27 repealed or under any rule, regulation or order adopted under the statutes. Repealers contained

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1 in this Act shall not affect any proceeding instituted under or pursuant to prior law. The
2 enactment of the Act shall not have the effect of terminating, or in any way modifying, any
3 liability, civil or criminal, which shall already be in existence on the date this Act becomes
4 effective.

5 **Section 8. Effective Date.** This Act shall take effect upon its approval by the
6 Governor or becoming law without such approval.

CERTIFIED BY:

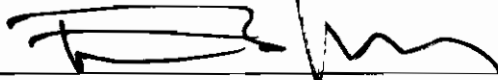


RAMON A. TEBUTEB
Chairman
Saipan & Northern Islands
Legislative Delegation



ELICEO D. CABRERA
Speaker
House of Representatives

Approved on this 27TH day of July, 2011.



ELOY S. INOS
Acting Governor
Commonwealth of the Northern Mariana Islands