

Article 4. Zoning Districts and Allowable Uses

Section 401 Establishment of Zoning Districts

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

~~(1)~~ ~~Adult Business Overlay (ABO)~~

~~(2)~~(1) Adult Business Park (ABP)

~~(3)~~(2) Agricultural (AG)

~~(4)~~(3) Beach Road (BR)

~~(5)~~(4) Garapan Core (GC)

~~(6)~~(5) Garapan East (GE)

~~(7)~~(6) Industrial (IN)

~~(8)~~(7) Mixed Commercial (MC)

~~(9)~~(8) Public Resource (PR)

~~(10)~~(9) Rural (RU)

~~(11)~~(10) Tourist Resort (TR)

~~(12)~~(11) Village Commercial (VC)

~~(13)~~(12) Village Residential (VR)

(b) Zoning districts are described in Article 5.

Section 402 Official Saipan Zoning Map

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

Section 403 Interpretation of District Boundaries

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

(a) Boundaries shown as following, or approximately following, streets shall be construed as following the centerlines of such streets.

(b) Boundary lines shown as following, or approximately following, platted lot lines, public land surveys, or other property lines shall be construed as following such lines.

(c) Boundaries shown as separated from, and parallel or approximately parallel to roads, beaches, or lot lines shall be construed to be parallel to such features and at such distances from them as are shown on the Official Saipan Zoning Map.

(d) It is the intent in establishing the zoning district boundaries that no parcel smaller than 5,000 sm have split boundaries. If such a parcel is found to be mistakenly mapped in two districts, the owner may determine into which of these districts s/he wishes the parcel to be located. The owner may then follow the procedures in Section 1309 for amendments to the zoning map. Split parcels larger than 5,000 sm shall also follow the requirements of Section 1309.

Section 404 Allowable Uses in Zoning Districts

- (a) ~~Table 1~~ ~~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~~ ~~Table 1~~ is prohibited ~~except that an adult business may be allowed in an adult business overlay zoning district provided it meets the requirements of Section 513 and all other requirements of this Law.~~
- (c) The use classifications in ~~Table 1~~ ~~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~~ ~~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 Uses

| Uses | Agricultural | Rural | Village Residential | Village Commercial | Mixed Commercial | Industrial | Garapan Core | Garapan East | Beach Road | Tourist Resort | Public Resource | Adult Business Park |
|----------------------------|---------------------------|----------------------|---------------------|--------------------|------------------|------------|--------------|--------------|------------|----------------|-----------------|---------------------|
| Agricultural Uses | | | | | | | | | | | | |
| Agriculture, intensive | P ^E | C ¹ | | | | C | | | | | | |
| Aquaculture (Commercial) | P ² | C ^{1&2} | | | C ² | | | | | | | |

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 the sensitivity of the Marpi area as a sanctuary and its importance as a tourist attraction.

² See Section 405(b)(1)

| Uses | Agricultural | Rural | Village Residential | Village Commercial | Mixed Commercial | Industrial | Garapan Core | Garapan East | Beach Road | Tourist Resort | Public Resource | Adult Business Park |
|--------------------------------------|----------------|----------------|---------------------|--------------------|------------------|------------|----------------|----------------|----------------|----------------|-----------------|---------------------|
| Aquaculture (Small Scale) | P | P ¹ | C | C | C | | | | | | | |
| Farms | P | P | P ⁶ | P ⁶ | P | P | | | | | | |
| 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, Restaurants, Adult | | | | | | | | | | | | |
| Adult business ⁵ | | | | | | | | | | | | P |

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 the 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 is allowed.

⁵ An adult business is a permitted use “P” in an Adult Business Overlay Zoning District.

⁶ Includes planting of crops & vegetables within an area of 900sq.ft for subsistence farming: This use does not include retail sale of products from the site.

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|--|--------------|----------------|---------------------|--------------------|------------------|------------|----------------------|----------------------|----------------------|----------------|-----------------|---------------------|
| Adult viewing booth | | | | | | | | | | | | |
| Bed and breakfast | | P | C | P | P | | P | P | P | P | | |
| Evening entertainment | | | | P | P | P | P | P | P | P | | P |
| Hotel/motel/ <u>guest house</u> | | C | | C | P | | <u>CP</u> | <u>CP</u> | <u>CP</u> | C | | |
| <u>Condominium</u> | | <u>C</u> | | <u>C</u> | <u>P</u> | | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | | |
| Adult gambling machine business | | | | | P ¹ | | <u>P¹</u> | <u>P¹</u> | <u>P¹</u> | P ¹ | | P ¹ |
| Restaurant, drive-through | | | | C | P | P | | P | P | P | | |
| Restaurant, general | | C ² | C | P | P | P | P | P | P | P | C ² | P |
| Office Uses | | <u>CP</u> | C | P | P | P | P | P | P | P | | |
| Retail Sales and Services | | | | | | | | | | | | |
| Art Studio | | C ² | C | P | P | P | <u>P</u> | <u>P</u> | <u>P</u> | <u>C</u> | | |
| Auto rental office | | <u>C</u> | | <u>PC</u> | P | P | P ⁴ | P ⁴ | <u>PC</u> | P ⁴ | | |
| Auto rental <u>vehicles</u> including service for rental vehicles | | <u>C</u> | | <u>C</u> | P | P | | | | | | |
| Automobile Sales <u>& Service</u> | | | | | P | P | | | | | | |
| Automotive audio and electronic service | | <u>P</u> | | P | P | P | | | | | | |
| Book Store, magazines, newspapers, periodicals | | P ² | P | P | P | | P | P | P | P | | |
| Building Material Sales | | | | | P | P | | | | | | |
| Catering service, social or Home | | C ¹ | C | P | P | P | P | P | P | P | | |
| Clothing, jewelry, shoes, sporting goods | | <u>P</u> | | P | P | | P | P | P | P | | |
| Construction Equipment Sales or Rental | | | | | P | P | | | | | | |
| Copy centers, small print, and sign shops | | <u>C</u> | | C | P | P | | | <u>P</u> | | | |

¹ See Section 612 for location restrictions in this zoning district.

² This use is prohibited within the Rural and Public Resource Districts that are north of Tanko Drive/ Rakka Drive/Chalan Matuis Drive (Map Sheets 5 & 7). This is due to the sensitivity of the Marpi area as a sanctuary and its importance as a tourist attraction.

³ A Dry Cleaning Outlet serves as a collection point for clothes that are being taken to a Dry Cleaning.

⁴ Use is permitted without any rental vehicle

| Uses | Agricultural | Rural | Village Residential | Village Commercial | Mixed Commercial | Industrial | Garapan Core | Garapan East | Beach Road | Tourist Resort | Public Resource | Adult Business Park |
|--|--------------|----------------|---------------------|--------------------|------------------|------------|--------------|--------------|------------|----------------|-----------------|---------------------|
| Dive shop | | <u>P</u> | | C | P | | P | P | P | P | | |
| Dry cleaning | | | | | P | P | | | | | | |
| Dry cleaning outlet ³ | | P ² | | P | P | P | | | | | | |
| Farm Equipment Sales or Rental | | <u>P</u> | | | P | P | | | | | | |
| <u>Canopy Rental</u> | | <u>P</u> | | | <u>P</u> | <u>P</u> | | | | | | |
| Flower and floral shop | | P ¹ | C | P | P | | P | P | P | P | | |
| Funeral home | | <u>P</u> | | <u>C</u> | P | P | | | | | | |
| Gas station, light repair | | C ¹ | | C | P | P | | | | | | |
| Gifts, toys, novelties, greeting cards | | | | P | P | | P | P | P | P | | P |
| Grocery / Convenience store | | P ¹ | | P | P | | P | P | P | P | | |
| Hardware, appliances, audio, computers, & electronic sales | | <u>P</u> | | P | P | <u>P</u> | P | P | | | | |
| Laundromats | | P ¹ | | P | P | P | | | | | | |
| Mom and Pop Grocery Store | | P ¹ | C | P | P | | | | | | | |
| Parking, commercial | | <u>C</u> | | | P | P | <u>PC</u> | P | <u>PC</u> | P | | P |
| Pawn shops | | | | | P | C | | | | | | |
| Personal service | | <u>P</u> | C | P | P | | P | P | P | P | | P |
| <u>Medical Supplies</u> | | <u>P</u> | <u>C</u> | <u>P</u> | <u>P</u> | | | <u>P</u> | <u>P</u> | | | |
| Pharmaceutical store | | | <u>C</u> | P | P | | P | P | P | P | | |
| Repair of air conditioners, small electronics appliances | | <u>P</u> | | <u>CP</u> | P | <u>P</u> | | <u>C</u> | C | C | | |
| Self-service storage | | <u>C</u> | | <u>C</u> | P | P | | | | | | |
| Truck, Van, Trailer, <u>Honey Wagon</u> -Rental | | <u>C</u> | | | P | P | | | | | | |
| Vehicle repair, general | | | | | C | P | | | | | | |
| <u>Gun shops</u> | | <u>C</u> | | | <u>C</u> | <u>P</u> | | | | | | |
| Public and Civic Uses | | | | | | | | | | | | |

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 the sensitivity of the Marpi area as a sanctuary and its importance as a tourist attraction.

| Uses | Agricultural | Rural | Village Residential | Village Commercial | Mixed Commercial | Industrial | Garapan Core | Garapan East | Beach Road | Tourist Resort | Public Resource | Adult Business Park |
|---------------------------------|--------------|----------------|---------------------|--------------------|------------------|------------|--------------|--------------|------------|----------------|-----------------|---------------------|
| 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 | <u>C</u> | |
| Hospital | | P ¹ | | <u>C</u> | P | | | | | | | |
| Medical Clinic | | P ¹ | <u>C</u> | P | P | | P | P | P | P | | |
| School, public | | P | <u>C</u> | P | P | | | P | P | <u>CP</u> | | |
| School, private | | P ¹ | C | P | P | P | | P | P | C | | |
| Veterinary clinic or hospital | | C ¹ | | P | P | | | | | | | |
| Recreational Uses | | | | | | | | | | | | |
| Amusement, indoor | | <u>C</u> | | P | 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 | | | <u>P</u> | | | | | P | | |
| 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 | | | | | | P | | | | | | |
| Contractor's office and storage | | C ¹ | | C | <u>P</u> | P | | | C | | | |
| Mining | | C ¹ | | | | C | | | | | | |
| Gas and fuel, wholesale | | <u>C</u> | | <u>C</u> | <u>C</u> | P | | | | | | |
| Heliport or helipad | | C ¹ | | | C | C | | | | | | |
| Junkyard | | | | | | 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 | Adult Business Park |
|--|--------------|----------------|---------------------|--------------------|------------------|------------|--------------|--------------|------------|----------------|-----------------|---------------------|
| Manufacturing and processing | | | | C | C | P | | | C | | | |
| Microbrewery | | C | | C | C | P | C | C | C | C | | C |
| Seaport | | | | | | P | | | | | | |
| Warehousing and general wholesaling | | | | C | P | P | | | C | | | |
| <u>Crematoriums</u> | | C | | | | P | | | | | | |
| Utility Uses | | | | | | | | | | | | |
| Communication tower, standard | | C ¹ | | | C | C | | | | | C | |
| Communication tower, stealth | | P | 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 | 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 | P |
| Water or wastewater plant | C | C | | | C | P | | | | | | |
| Temporary Uses | | | | | | | | | | | | |
| Special event | T | T | | T | T | T | T | T | T | T | T | T |
| Roadside merchandise stand | T | T | T ² | T | T | | | | T | T | T | |
| Video or movie production | T | T | | T | T | T | T | T | T | T | T | T |
| Temporary Batch Plant | T | T | | | T | T | T | T | T | T | T | T |
| Construction materials yard/ <u>Staging areas</u> | T | T | | T | T | T | T | T | T | T | T | |

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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 the sensitivity of the Marpi area as a sanctuary and its importance as a tourist attraction.

² Permitted only on lots abutting an arterial or collector road.

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; ~~14 kids~~; 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.
- (d) **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.
- (e) **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 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 toilet and cooking facilities, that is not a duplex or townhouse. More than one structure on

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

22 Section 407 Home Based Business Uses

23 Home based business uses include:

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

36 Typical home business uses are music or dance lessons, hair care, day care, art studio,

37 professional office, and making baked goods, but not outdoor shows. Where there are no

38 external changes to the home and no sales or customers at the home, no zoning approval

39 shall be required. A home in a village residential neighborhood shall not be used as a

40 commercial warehouse or solely for storage.

41

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

47 Section 408 Hotels, Restaurants, Adult Uses

48 Hotels, restaurants, adult uses include:

- 1 (a) **Adult Business** means as defined in Section 103.
 2 (b) **Adult Viewing Booth** means as defined in Section 103.
 3 (c) **Bed and Breakfast.** A transient lodging establishment, generally in a single-family
 4 dwelling or up to 10 detached guesthouses, primarily engaged in providing overnight or
 5 otherwise temporary lodging for the general public and serves breakfast at no extra charge
 6 to these guests.
 7 (d) **Evening Entertainment.** A bar or nightclub except an Adult Business. An establishment
 8 primarily engaged in the sale of alcoholic beverages in a ready-to-consume state. Bars and
 9 nightclubs may include live bands, other music, and dancing as well as games of skill such
 10 as pool or darts for use by the patrons of the establishment.
 11 (e) **Adult Gambling Machine Business.** means as defined in Article 1.
 12 (f) **Hotel/Motel/Guest Rooms.** An establishment providing guest rooms for lodging, typically
 13 on a less than weekly basis, with no or minimal kitchen facilities in the guest units. Guest
 14 units may be reached either from a common entrance or directly from the outside of the
 15 building. Accessory uses may include, but are not limited to, utility uses, restaurants, retail
 16 sales and service, offices, public and civic uses, and recreational uses.
 17 (g) **Restaurant, Drive-Through.** An establishment where the principal business is the sale of
 18 food and beverages to the customer in a ready-to-consume state and where the design or
 19 principal method of operation is that of a fast-food or drive-through restaurant.
 20 (h) **Restaurant, General.** An establishment where the principal business is the sale of food
 21 and beverages in a ready-to-consume state or to cook on the premises. This use includes
 22 restaurants, cafeterias, delicatessens, retail bakeries, snack bars, coffee shops, donut shops,
 23 and ice cream parlors. This use may include the consumption of alcoholic beverages as a
 24 secondary use, but excludes a drive-through restaurant.

25 Section 409 Office Uses

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

29 Section 410 Retail Sales and Service Use

30 Retail sales and service uses include:

- 31 (a) **Catering Service, Commercial, Social or Home.** A business, other than a home business,
 32 that provides food and incidental service for an event, social affair or private dwelling.
 33 This use also includes small-scale preparation of food for transport and sale at other
 34 locations, such as retail stores or food stalls.
 35 (b) **Funeral Home.** An establishment engaged in preparing the human deceased for burial, and
 36 arranging and managing funerals. Funeral homes ~~may~~ include crematories.
 37 (c) **Mom and Pop Grocery Store.** A business that is independently owned and operated in a
 38 single location. Rather than being part of a national chain, the mom and pop store offers a
 39 shopping alternative to consumers who wish to deal with businesses established by
 40 members of the community. Mom and Pop stores are also characterized by having few
 41 employees, doing a relatively small amount of business, and not being predominant in their
 42 “area of operation.” A Mom and Pop grocery store shall not contain more than 900 square
 43 feet of floor space.
 44 (d) **Parking, Commercial.** This use includes buildings or other structures and paved areas that
 45 provide temporary parking for motor vehicles for profit, where some or all of the spaces
 46 are not accessory to another principal use.
 47 (e) **Personal Service.** An establishment primarily engaged in the provision of frequently or
 48 recurrently needed services of a personal nature; or the provision of informational,

1 instructional, personal improvement or similar services, which may involve the limited
2 accessory sale of retail products. Typical uses include:

- 3 (1) Barber, beauty shops
- 4 (2) Art, dance, music schools
- 5 (3) Health/fitness centers/spas that are not adult businesses
- 6 (4) Driving schools
- 7 (5) Licensed therapeutic massage studios
- 8 (6) Internet Cafes

9 (f) **Other Retail Sales.** Typical uses include:

- 10 (1) Automobile sales with or without repair service
- 11 (2) Dry cleaning, Laundromats
- 12 (3) Auto rental including service for rental vehicles that would be allowed under
13 "gas station, light repair".
- 14 (4) Copy centers, small print and sign shops
- 15 (5) Pawn shops
- 16 (6) Sale of lumber, construction, or building materials
- 17 (7) Construction equipment sales, rental
- 18 (8) Moving truck, van and trailer sales, rental
- 19 (9) Farm equipment and machinery sales, rental
- 20 (10) Repair of air conditioners, small electronics and appliances.
- 21 (11) Clothing, jewelry, shoes, sporting goods
- 22 (12) Hardware, appliances, computers, audio and electronic equipment
- 23 (13) Grocery or convenience items
- 24 (14) Books, magazines, newspapers, periodicals
- 25 (15) Gifts, toys, novelties, greeting cards
- 26 (16) Flowers and floral arrangements
- 27 (17) Pharmaceuticals
- 28 (18) Sale and installation of automobile audio and electronic equipment
- 29 (19) Dive shop
- 30 (20) Auto rental office without garage services for rental vehicles.

31 (g) **Self-Service Storage.** An enclosed storage facility of a commercial nature containing
32 independent, fully enclosed bays that are leased to persons exclusively for storage of their
33 household goods or personal property.

34 (h) **Gas Station, Light Repair**

- 35 (1) An establishment primarily engaged in the retail sale of gasoline or other motor
36 fuels that may include the sale of convenience retail items, and/or
- 37 (2) An establishment engaged in maintenance operations such as: changing
38 oil/filter or other fluid, vehicle inspection, light engine tune-up or repair;
39 steering or suspension repair; tire service; brake service; air conditioning
40 service; electrical repair; ~~or~~ "trim" work (for example: the changing of lights,
41 lens, door handles, window regulators and glass) that also meets the following
42 requirements:
 - 43 (A) The lot size is at least 1,000 sm;
 - 44 (B) All work is completed in fully enclosed bays;
 - 45 (C) No body repairs, painting, rust proofing or undercoating;
 - 46 (D) No storage of vehicles that not being actively repaired;
 - 47 (E) All vehicles have current registration with the Department of Motor
48 Vehicles; and
 - 49 (F) No overnight storage of more than 8 vehicles.

50 ~~(F)~~

51 Gas Stations and Automotive Light Repair operations shall be screened from

adjoining properties zoned Village Residential or Rural. Screening shall consist of appropriate vegetation or fencing.

(4) Light Carwashing – minor carwash activities which include handwashing.

~~(3)~~

- (i) **Vehicle Repair, General.** An establishment engaged in the repair and maintenance of motor vehicles or other heavy equipment or machinery, including automobiles, boats, motorcycles and trucks, paint and body work. Typical uses include automobile repair garages, vehicle inspection centers, paint and body shops, automobile tune-up stations, automotive glass shops, quick lubes, automotive car washing and detailing, and muffler shops. This use does not include overnight storage of a vehicle that is not being actively repaired or that is not currently registered with the Department of Motor Vehicles. General Vehicle Repair businesses shall be screened from adjoining properties zoned as Village Residential, Village Commercial, Rural, or Mixed Commercial. . Screening shall consist of appropriate vegetation or fencing.

Section 411 Public and Civic Uses

Public and civic uses include:

- (a) **Assembly Hall.** The principal use of a site or facility owned and/or operated for social, educational, or recreational purposes. Typical uses include but are not limited to nonprofit fraternal organizations and union halls and for-profit facilities for weddings, receptions, private parties, conventions, educational/informational workshops, and classes.
- (b) **Cemetery.** Land used or intended to be used for nonprofit or commercial burial, whether human or animal, including a mausoleum, or columbarium.
- (c) **Church or Place of Worship.** A site and its buildings used primarily for religious worship and related religious services by a tax-exempt religious group. Churches may include staff housing and cemeteries belonging to and operated by the church. Churches shall not include day care facilities, pre-schools, schools or homeless shelters, unless they are approved as a separate use.
- (d) **Day Care Facility.** An establishment that provides non-medical daytime care or services for three or more persons on a daily or regular basis for less than 24 hours a day, but not overnight. Day care facility includes a child care facility and a day care facility for adults but not a day care that is a home business.
- (e) **Government Service.** A buildings or facility owned or operated by a government entity that provide a service for the public, excluding utility and recreational service. Typical uses include administrative offices of government agencies, post offices, public libraries, and police and fire stations.
- (f) **Hospital.** A facility that maintains and operates organized facilities for medical or surgical diagnosis or procedures; care, including overnight and outpatient care; and treatment of human illness. A helipad shall be considered an accessory use for a hospital.
- (g) **Medical Clinic.** A small private or public health facility that is devoted to the care of persons residing at the facility for periods less than 24 hours. Medical clinics typically occur in more of a community setting than larger hospitals, which treat persons who reside at the facility for periods longer than 24 hours. Medical clinic usually contain offices for medical professionals.
- (h) **School, Private.** A private for-profit or nonprofit institution of learning that conducts regular classes and courses of study required for accreditation by the CNMI as an elementary, secondary, or post-secondary school or that offers regularly scheduled vocational instruction in technical, commercial, or trade skills.
- (i) **School, Public.** A public institution of learning that conducts regular classes and courses of

- 1 study.
- 2 (j) **Veterinary Clinic or Hospital.** An establishment primarily engaged in providing medical
- 3 care and treatment for animals.

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5
6 **Section 412 Recreational Uses**

7 Recreational uses include:

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

40 **Section 413 Industrial Uses**

41 Industrial uses include:

- 42 (a) **Airport.** Any public or privately owned or operated ground facility designed to
- 43 accommodate landing and take-off operations of general aircraft including helicopters.
- 44 (b) **Asphalt or Concrete Plant.** An establishment engaged in the manufacture, mixing or
- 45 batching of asphalt, asphaltic cement, cement or concrete products.
- 46 (c) **Contractor’s Office and Storage Yard.** A permanent office and accessory storage facility
- 47 used by building trade and service contractors on land other than construction sites.

- 1 (d) **Mining.** This use includes extracting or obtaining coral, minerals, sand, gravel, rock,
 2 aggregate, clay, or similar materials from an excavation in the earth for financial gain,
 3 including selling extracted materials or using them for the benefit of a construction
 4 business. This includes uses customarily incidental, appropriate, and subordinate to mining
 5 and located on the same site, such as: stockpiling, sorting; screening; washing; crushing;
 6 batching; recycling of concrete; asphalt, and related construction materials; maintenance
 7 facilities, and contractors' service and storage yards; and concrete products manufacturing
 8 that make use of the products produced from the subject mining site. The following uses or
 9 activities are not considered to be mining.
- 10 (1) Excavation for a swimming pool.
 - 11 (2) Maintenance dredging or reconstruction of an existing channel or intake and
 12 discharge structure.
 - 13 (3) Small lily ponds, goldfish ponds, reflecting ponds, and other small ornamental
 14 water features with a maximum depth of 6 ft and lined with impervious
 15 material.
 - 16 (4) Excavation for the placement of a septic tank and leaching field.
 - 17 (5) Extraction and removal of material from a construction site.
 - 18 (6) Restoration of land to its prior condition following a flood, landslide or natural
 19 disaster.
- 20 (e) **Gas and Fuel, Wholesale.** The use of land for bulk storage and wholesale distribution of
 21 2,500 or more gallons of flammable liquid, or 2,000 or more gallons (water capacity) of
 22 flammable gas. This use excludes below-ground storage that is clearly accessory to the
 23 principal use on the site.
- 24 (f) **Heliport or Helipad.** An area used for landing or take-off of helicopters, including all of
 25 the area or buildings that are appropriate to accomplish these functions, including
 26 refueling.
- 27 (g) **Junkyard.** This use includes commercial storage (except in a fully-enclosed building with
 28 an impervious floor) of: a vehicle, equipment or machinery that is not actively being
 29 repaired (including an automobile, motorcycle, boat, truck, or tractor); part of a vehicle; or
 30 scrap metal not being prepared for recycling.
- 31 (h) **Manufacturing and Processing.**
- 32 Manufacturing and processing include uses described in this Section.
- 33 (1) An establishment engaged in the manufacture, predominantly from previously
 34 prepared materials, of finished products or parts, including: processing,
 35 fabrication, assembly, treatment, and packaging of such products; and incidental
 36 storage, sales and distribution of such products. Typical uses include:
- 37 (A) Garment manufacture
 - 38 (B) Food processing and beverage bottling
 - 39 (C) Large-scale baking
 - 40 (D) Woodworking and cabinetmaking
 - 41 (E) Machining, sheet metal work, welding
 - 42 (F) Dry cleaning and laundry services for customers who drop-off and pick-
 43 up at a different location
 - 44 (G) Electronics assembly
 - 45 (H) Pharmaceuticals
 - 46 (I) Printing and publishing
- 47 (2) A facility designed and used for receiving, separating, storing, converting,
 48 baling or processing non-hazardous recyclable materials that are not intended
 49 for disposal. The use may include construction debris recycling or other
 50 intensive recycling processes such as chipping and mulching.
- 51 (i) **Microbrewery.** A facility for the production and packaging of malt beverages of low

- 1 alcoholic content for retail or wholesale distribution and with a capacity of not more than
 2 6,000,000 12-ounce bottles per year. The development may include other uses such as a
 3 general restaurant or evening entertainment as otherwise permitted in the zoning district.
- 4 (j) **Seaport.** Marine terminals and cargo handling facilities, including bulk fuel storage at the
 5 port area, ferry terminals, commercial moorage facilities, and commercial passenger
 6 terminals.
- 7 (k) **Warehousing and General Wholesaling.**
- 8 (1) An establishment primarily engaged in the storage of materials, equipment, or
 9 products within a building for manufacturing use or for distribution to
 10 wholesalers or retailers, as well as activities involving significant movement
 11 and storage of products or equipment. Typical uses include
- 12 (A) Motor freight transportation
 13 (B) Moving and storage facilities
 14 (C) Cold storage
 15 (D) Warehousing or dead storage facilities
- 16 (2) An establishment primarily engaged in the display, storage, distribution and sale
 17 of goods to other firms for resale, but excluding gas and fuel.
- 18 (3) This use does not include self-service storage facilities, office-warehouse
 19 combinations or wholesaling outlets whose appearance resembles a retail or
 20 office use.

21 Section 414 Utility Uses

22 Utility uses include:

- 23 (a) **Communication Tower, Standard.** AM/FM radio, television, microwave, digital or
 24 cellular telephone transmission or reception towers, and accessory equipment and
 25 buildings, that are not designed to be stealth towers. The height requirement for each
 26 Zoning District shall be applied.
- 27 (b) **Communication Tower, Stealth.** Commercial transmission and reception towers and
 28 accessory equipment and buildings designed to appear like trees, flag poles, or similar
 29 uses, or those that are designed to be an integral part of another permitted structure such as
 30 an existing building, water tower, church steeple. These towers shall not be situated on
 31 building rooftops and shall be screened from public view using decorative materials. The
 32 distance between each towers shall be a minimum of 250ft. The total height of the tower
 33 from ground level shall not exceed 40ft or the height requirement for the zoning district,
 34 whichever is less.
- 35 ~~(b)(c)~~ _____
- 36 ~~(e)(d)~~ **Energy Facility, Nonrenewable.** The use of land for generation of power for
 37 commercial purposes from a nonrenewable energy resource. This shall not include on-site
 38 power generation for a specific business which shall be classified as an accessory use and
 39 meet any requirements related to the principal use.
- 40 ~~(d)(e)~~ **Energy Facility, Renewable.** The use of land for generation of power for commercial
 41 purposes from a renewable energy resource. This use shall not include a small wind
 42 energy system which shall be treated as an accessory use and meet any requirements
 43 related to the principal use.
- 44 ~~(e)(f)~~ **Sanitary Landfill.** A disposal facility employing an engineered method of disposing
 45 of solid waste on land in a manner that minimizes environmental hazards.
- 46 ~~(f)(g)~~ **Transfer station.** A publicly owned or franchised facility designed and used for
 47 collecting and temporarily storing organic or recyclable material and/or household solid,
 48 non-hazardous waste.
- 49 ~~(g)(h)~~ **Utility, Minor.** Elements of utility distribution, collection, or transmission networks

1 that are required by their nature to be relatively dispersed throughout the service area.
 2 Typical uses include: substations; transformers, water towers and tanks; and sewage lift
 3 stations.

4 ~~(h)~~(i) **Water or Wastewater Plant.** Central treatment system for drinking water or
 5 wastewater.

6 **Section 415 Temporary Uses**

7 (a) **Temporary use** means a use:

- 8 (1) Established for a fixed period of time;
- 9 (2) With the intent to discontinue such use upon the expiration of such time and;
- 10 (3) That does not involve the construction or alteration of a permanent structure.

11 (b) **A temporary use does not include:**

- 12 (1) A garage or rummage sale not exceeding 14 days (2 weeks) per event
- 13 (2) A contractor's office, equipment storage shed, or portable lavatory on the site of
 14 a permitted active construction project
- 15 (3) A special event for a period not exceeding 28 days (4 weeks)

16 (c) **Temporary uses include:**

- 17 (1) **Special Event** for a period exceeding 28 days (4 weeks). This event may
 18 include, but is not limited to, outdoor concert, auction, fiesta, carnival, outdoor
 19 religious meeting, rodeo, special entertainment at a commercial property, and
 20 bake sale. Included is a profit or nonprofit group that travels around with the
 21 event to different communities, and a commercial operation that provide
 22 additional outdoor entertainment for their patrons.
- 23 (2) **Roadside Merchandise Stand.** A temporary structure or vehicle used for the
 24 sale of locally grown produce, locally caught fish, souvenirs, beverages, snacks,
 25 or locally made handicrafts.
- 26 (3) **Video or Movie Production.** This is a temporary structure or vehicle used in
 27 the production of either commercial video or motion picture films.
- 28 (4) **Construction Materials Yard/ Staging areas.** This is an area for the
 29 temporary off-site storage of construction materials for a permitted **building**
 30 **development** or public facility.
- 31 (5) **Temporary Batch Plant.** This is a batch plant for asphalt or concrete for a
 32 public or private construction project. A temporary batch plant shall only be
 33 permitted to operate for 45 days. An applicant may seek an extension of the 45
 34 day time limit from the Zoning Administrator for good cause shown.

35
 36 The Zoning Administrator shall:

- 37 (i) minimize noise nuisance by limiting the hours of operation, as
 38 appropriate;
- 39 (ii) Locate the plant as far from residential areas as is feasible;
- 40 (iii) limit the height of any structure to the minimum height necessary
 41 for effective operation;
- 42 (iv) limit ground visibility of stored equipment and materials; and
- 43 (v) minimize dust and debris at the site.

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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
- 12) Adult Business Park

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