

1 **Article 9. Parking and Road Access**

2 **Section 901 Purpose**

- 3 (a) To establish minimum parking requirements for specific uses on Saipan.
- 4 (b) To minimize negative impacts on the streetscape and pedestrian environment.
- 5 (c) To encourage a safe and convenient network of vehicular circulation.
- 6 (d) To create attractive vehicular routes that accommodate pedestrian access and amenities.
- 7 (e) To minimize negative impacts of parking lots on the streetscape and pedestrian
- 8 environment.
- 9 (f) To promote shared parking.

10 **Section 902 Off-Street Parking Requirements**

- 11 (a) **Calculation of Floor Area.** For purposes of defining nonresidential off-street parking
- 12 requirements, the floor area of each level of a building shall exclude:
  - 13 (1) Areas devoted to storage, restrooms, corridors, hallways, entries, stairways,
  - 14 elevators, decks, equipment, utility rooms and kitchens not to be occupied by
  - 15 clientele; and
  - 16 (2) Areas for utility purposes not connected with the general conduct of business
  - 17 for which office or sales space is provided.
- 18 (b) **Requirements**
  - 19 (1) An off-street parking area shall contain the number of parking spaces stipulated
  - 20 in Table 1 and Table 2.
  - 21 (2) A use that is similar to any of the uses referenced in Table 1 and Table 2 shall
  - 22 adhere to the minimum parking requirements for the referenced use.
  - 23 (3) The Administrator shall determine the minimum parking requirements for a use
  - 24 that is not referenced in this Section.
- 25 (c) **Modification of Requirements**
  - 26 (1) An applicant may request a modification of the required number of parking
  - 27 spaces.
  - 28 (2) The applicant shall provide justification that parking demand can be met with
  - 29 reduced parking such as through the use of vans, buses, or compact parking
  - 30 spaces. The justification shall be prepared by a qualified professional approved
  - 31 by the Administrator or the Board.
  - 32 (3) The Administrator or the Board may approve a reduction of up to 75% from the
  - 33 requirements in this Section provided that the plan adequately provides for
  - 34 parking.
- 35 (d) **Shell Buildings**
  - 36 (1) When the Board has received a shell building (no specified use) permit
  - 37 application, off-street parking requirements shall be based on the possible
  - 38 tenant improvements or uses authorized by the zoning district designation and
  - 39 compatible with the limitation of the shell permit.
  - 40 (2) In industrial developments, a minimum of 2.0% of gross floor area shall be
  - 41 assumed as office when calculating parking requirements.
  - 42 (3) When the range of possible uses result in different parking requirements, the
  - 43 Board will establish the amount of parking based on a likely range of uses.
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**Table 1. Residential Parking Requirements**

<b>Residential Use</b>	<b>Required Parking Spaces (min)</b>
Dwelling unit - single family	2.0 per dwelling unit
Dwelling unit - multifamily	
Studio unit	1.0 per dwelling unit
One-bedroom unit	1.0 per dwelling unit
Two-bedroom unit	<del>1.52-0</del> per dwelling unit
Three-bedroom <del>or more unit</del>	2.0 per dwelling unit
Retirement home	0.8 per dwelling unit
Rest home, nursing, convalescent home, <u>institutional residential</u>	0.3 per bed
Congregate care facility	0.5 per dwelling unit

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**Table 2. Non-Residential Parking Requirements**

<b>Non-Residential Use</b>	<b>Parking Spaces Required (min)</b>
Church, synagogue, and temple	1.0 per 4 fixed seats plus 1.0 per 50 sf of gross floor area without fixed seats for assembly purposes
Day care facility or pre-school	2.0 plus 1.0 per employee
Financial institution	3.0 per 1,000 sf
Food store or market	3.0 per 1,000 sf
Government building, studio, professional or business office	3.0 per 1,000 sf
Hotel or motel	1.0 per room plus 1.0 per employee on any given shift
Medical office	3.0 per 1,000 sf
Manufacturing	1.0 per 1,000 sf
Personal service without fixed station	3.0 per 1,000 sf
Personal service with fixed station	<del>1.5</del> per station
Restaurant, <del>or</del> cafeteria, <del>or</del> snackbar	8.0 per 1,000 sf
Retail sale or service store	3.0 per 1,000 sf <u>1 per employee on any given shift</u>
<u>Auto rental office</u>	<u>3.0 per 1,000 sf plus 1 per rental vehicle</u>
Service station, vehicle repair or vehicle maintenance	3.0 per facility plus 1.0 per service bay plus 3.0 per 1,000 sf for store
<u>Schools</u>	<u>3 plus 1 per classroom</u>
Theater	1.0 per 4 fixed seats and/or 1.0 per 100 sf of gross floor area without fixed seats for assembly purposes
Wholesale or warehouse	1.0 per 1,000 sf

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**Section 903 Cooperative Off-Street Parking**

Two or more uses may establish cooperative off-street parking. Where it can be demonstrated to the Board that the hours of traffic generation on the part of the two land uses appear at different times of the day, the off-street parking provisions for each may be credited to the same cooperative off-street parking area.

**Section 904 Off-Street Parking Design Requirements**

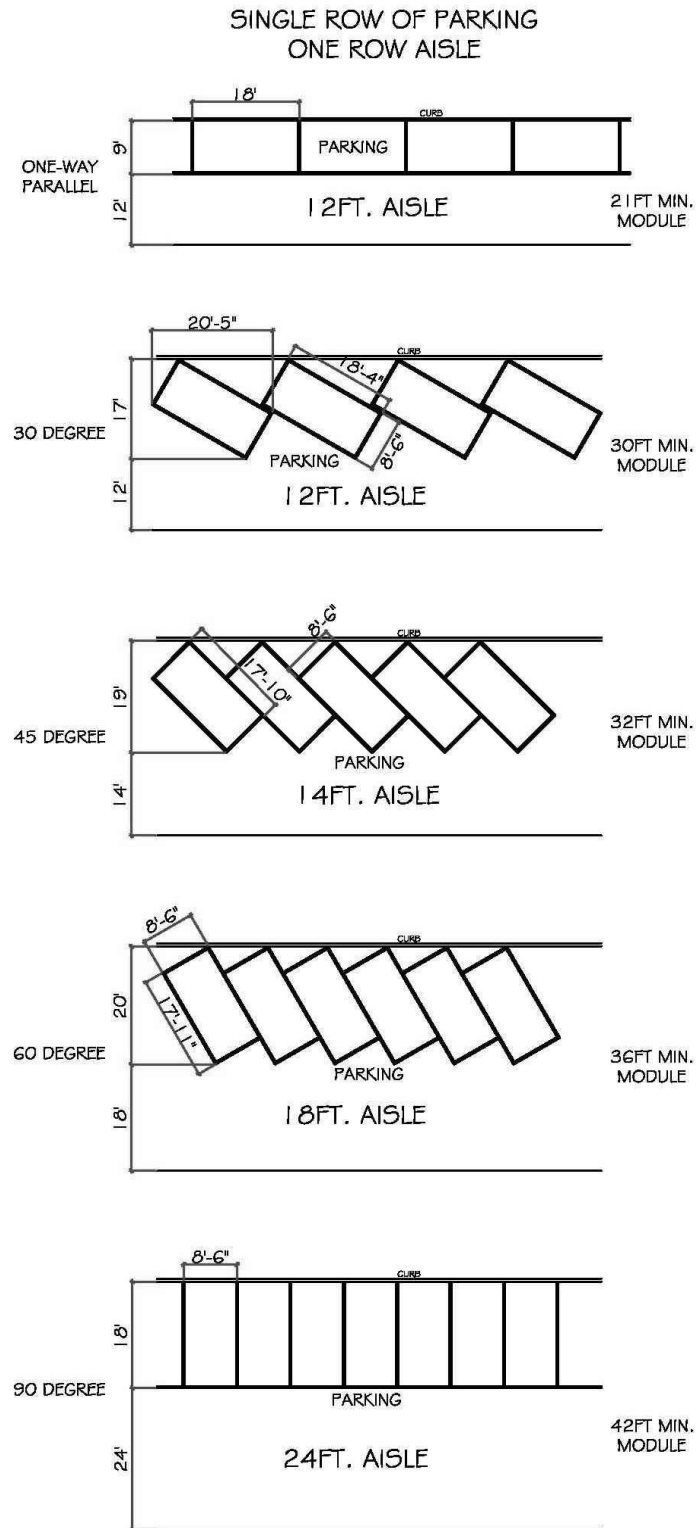
All off-street parking shall meet the requirements of this Section:

- (a) **Size of Parking Space.** A required off-street parking space shall be at least 8.5 ft in width and at least 18 ft in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. The length of parking spaces may be reduced to 16.5 ft including wheel stop if additional space of 1.5 ft in length is provided for the front overhang of the car. The parking space shall have a vertical clearance of at least 8 ft.
- (b) **Dimensional Requirements for Parking Rows, Aisles, and Modules.** Horizontal widths for parking rows, aisles, and modules shall be provided at widths no less than listed in Table 3 and illustrated in Figure 1, Figure 2, and Figure 3.

*Table 3. Dimensions for Parking Rows, Aisles, and Modules*

Parking Layout	Minimum Horizontal Width (ft.)				
	One-Way Parallel	Angle (in degrees)			
		30	45	60	90
Single row of parking	9	17	19	20	18
Driving Aisle	12	12	14	18	24
Minimum width (row + aisle) of module	21	29	33	38	42
Two rows of parking	18	34	38	40	36
Driving aisle	12	12*	14*	18*	24
Minimum width (row + aisle) of module	30	46	52	58	60

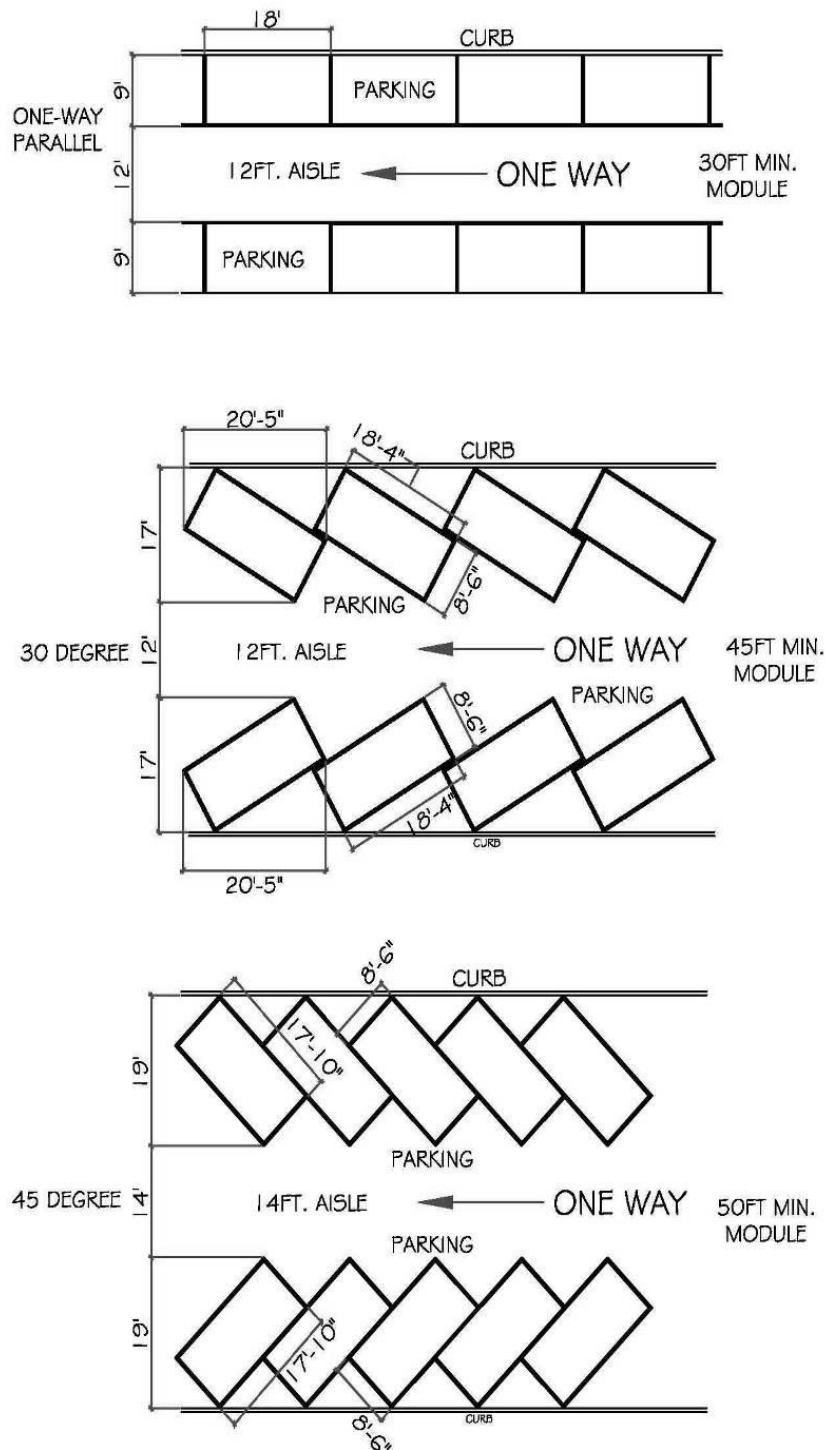
\*24 ft if a two-way aisle is used



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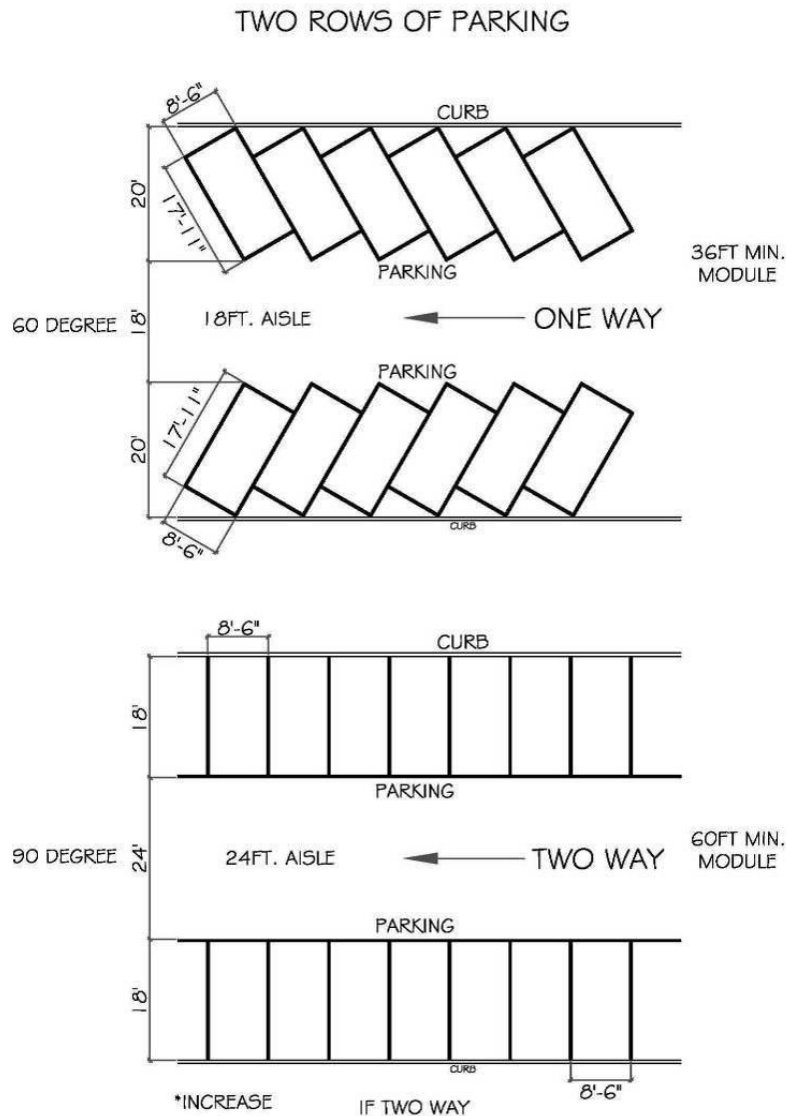
**Figure 1. Dimensional requirements for single row parking**

TWO ROWS OF PARKING



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Figure 2. Dimensional requirements for parallel, 30 and 45 degree two row parking



**Figure 3. Dimensional requirements for 60 and 90 degree two row parking**

**(c) Access to Off-Street Parking**

- (1) Each required off-street parking space shall open directly onto an aisle or driveway that is wide enough and designed to provide a safe and efficient means of vehicular access to the parking space.
- (2) All off-street parking facilities shall be designed with an appropriate means of vehicular access to a street or alley, in a manner that causes the least interference with traffic movements.

**(d) Paving**

- (1) A paved parking area shall be paved with permanent materials (concrete, paving blocks, asphalt, or other all weather surface including the use of pervious paving materials where soils and level of use are suitable to provide both drainage and a stable surface). A driveway shall use asphaltic concrete or Portland cement pavement on the portion of the driveway within the ROW.

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- 2 (2) The amount of impervious surface in any development should be minimized.
- 3 (3) Impermeable pavement in new development shall only be used where necessary
- 4 to provide vehicular or pedestrian circulation or other functional activity.
- 5 (4) Permeable pavement may be used as an alternative.
- 6 (5) Unstabilized rock shall not be used for on-site parking or access drives for more
- 7 than six vehicles.
- 8 (e) **Disability Parking.** An off-street parking area shall provide parking space for use by
- 9 motor vehicles that transport physically disabled persons, in accordance with the current
- 10 requirements of the federal ADA.
- 11 (f) **Parking Lots near Intersections.** A parking lot shall not be located adjacent to a street
- 12 intersection for a property adjacent to an arterial road unless the Board finds that no other
- 13 alternative is feasible to accommodate permitted development.
- 14 (g) **Parking Access from Public Streets.** No more than one stall per property shall be
- 15 accessed directly from a public street. A parking area with more than one stall shall be
- 16 accessed from a driveway.

17 **Section 905 Road Access Requirements**

- 18 (a) **Purpose.** The purpose of this Section is to control vehicular access to collector and arterial
- 19 streets and highways in a manner that maintains the capacity of said facilities for travel;
- 20 improves the ability of vehicles to safely enter and exit properties; and makes the
- 21 improvement of roadways, when required by development, cost effective.
- 22 (b) Public collector and arterial streets and highways are a public investment paid for by all
- 23 citizens not just those whose properties front on these types of roads. Thus, those who
- 24 profit from the quality of the vehicular access shall bear the cost of maintaining said access
- 25 at the highest level possible.
- 26 (c) **Applicability.** This Section applies to all non-single family residential development unless
- 27 noted otherwise. The Board may waive one or more of these requirements where the
- 28 applicant can demonstrate that such vehicular access requirement(s) is not applicable or
- 29 desirable due to the nature of the site or use (i.e., industrial or mini-storage) and/or
- 30 incompatibilities with adjacent properties (i.e., connections to an existing incompatible use
- 31 on an adjacent property).
- 32 (d) **Driveway Width.** For properties adjacent to defined highways and arterial roadways:
- 33 (1) New driveways shall be no more than:
- 34 (A) 12 ft wide for residential development.
- 35 (B) 24 ft wide for commercial development Except, wider driveways up to 36
- 36 ft may be allowed: if traffic volumes generated by the site require two
- 37 exiting lanes (one left turn and one right turn lane), if the site generates a
- 38 high volume of large trucks that requires a wider driveway; or where an
- 39 additional or wider driveway is required by the fire department for safe fire
- 40 apparatus access.
- 41 (C) 36 ft wide for industrial development.
- 42 (2) Driveways shall be defined by a curb, berm, or other pavement element.
- 43 (3) No more than one driveway per lot or one driveway per 300 ft on a single lot
- 44 shall be allowed onto or from a public street, unless:
- 45 (A) Analysis of the site’s traffic generation demonstrates the need for more
- 46 than one driveway; or
- 47 (B) On-site circulation or access to truck loading facilities cannot be
- 48 accommodated by only one driveway.
- 49 (e) **Shared Driveways.** A new commercial development project should create a major

driveway that serves more than one property and/or business. A development may be required to provide an automobile connection to an adjacent property, where physically possible, through the use of a cross access easement, common entryway, shared internal roadways and parking lot, or similar technique.

(f) **Permanent Access.** Access to a public road shall be limited to ensure that the congestion created by turning movements is reduced to a minimum. To achieve this, a development shall meet the following requirements:

(1) **Access to Residential Uses.**

- (A) A proposed residential use shall take direct vehicular access only to a residential access or village road unless the Board determines this is impractical.
- (B) An individual detached single-family residence built under the single-family development option shall use a flag lot to avoid taking direct access to a collector or arterial street.
- (C) A multifamily residential use shall be granted access to a collector or arterial street only where it cannot be afforded access to a residential access street.

(2) **Access to Nonresidential Uses.**

- (A) A nonresidential use shall take primary vehicular access from a frontage road, reverse frontage road, parking circulation road, shared access, or road designed to provide internal circulation within the development.
- (B) Direct primary access to a local residential street is prohibited for a nonresidential use.
- (C) A nonresidential use may be permitted direct access to a collector or arterial street or highway only as permitted in this Section.

(g) **Separation of Access Points**

- (1) Access to a collector and arterial street and highway shall be limited to the minimum separation requirements listed in ~~Table 4~~Table 4. An exception may be requested through the variance procedures. The Board may also approve a deviation to these requirements based on findings of a traffic study certified by a qualified professional engineer.
- (2) If an exception to these requirements is necessary for exceptional topographic and sight distance situations, then a request for a variance may be made.

*Table 4. Minimum Separation Requirements for Access Points*

Road Type	Minimum Separation Distance (ft)
Access or Local Street	100
Collector	100
Arterials	250

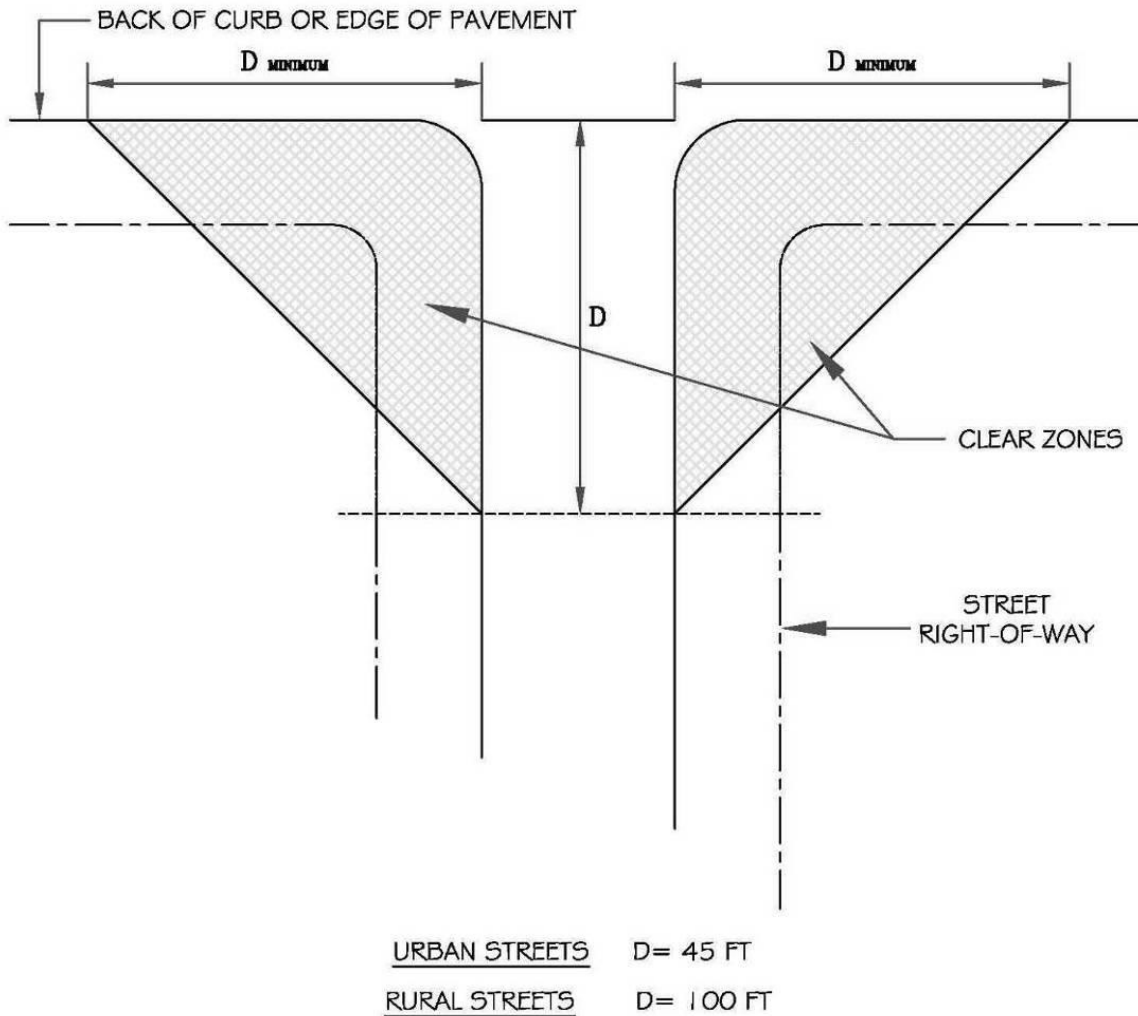
(h) **Curb Barrier.** A use shall provide a curb barrier to prevent access other than at an approved access location. This eliminates hazardous conditions.

(i) **Conflicting Driveways.** The Board may require that driveways on opposite sides of a street align or be offset such that vehicles turning left out of the driveways do not conflict.

(j) **Permanent Access Plan.** To minimize the number of vehicular access points on collector and arterial streets and highways, the Administrator shall, when the first development occurs in an area, propose an overall access plan for the area. The access plan shall not be valid until it is approved by the Board. A landowner, lessee, or developer seeking to develop within that area shall be required to meet the access plan in order to obtain site plan or subdivision plat approval.



- 1 (k) **Clear View of Intersections.** No sign (except those used for legal traffic control) or other
- 2 obstruction shall be permitted in the clear zone of an intersection, as shown in Figure 4.
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6 *Figure 4. Clear View of Intersecting Streets*

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8 **Section 906 Fee in Lieu of Parking and Parking Improvement Fund**

- 9 (a) The Administrator or the Board may waive all or part of the on-site parking requirements of
- 10 this Law for development meeting the requirements of this Section.
- 11 (b) Waivers shall only be allowed for development in the Garapan Core or Garapan East zoning
- 12 districts.
- 13 (c) A waiver shall only be issued upon written request by the applicant to pay a fee into the
- 14 parking improvement fund created pursuant to this section. This payment shall be in lieu of
- 15 furnishing the required parking spaces.
- 16 (d) In making a determination on a waiver request, the Administrator or the Board shall
- 17 consider:

- 1 (1) The extent to which the parking requirements of this Law impose a particular hardship  
2 upon the applicant;
- 3 (2) Whether granting the request would be unreasonably burdensome to other property  
4 owners in the area; and
- 5 (3) Whether granting the request would lead to a better overall result than would strict  
6 adherence to the parking requirements of this Law for the purposes of encouraging  
7 appropriate land uses, improving pedestrian circulation and achieving better parking  
8 design.
- 9 (e) The fee to be paid in lieu of providing the required parking spaces shall be \$5,000 per space  
10 required, or such other amount as the Zoning Board shall hereafter set by regulation. The fee  
11 set by the Board shall be based on current values for the purchase of land and construction of  
12 off-street parking spaces, or on a rental fee for each required space.
- 13 (f) The fee in lieu of parking spaces shall be paid in full into the Parking Improvement Fund  
14 prior to the issuance of a zoning permit.
- 15 (g) **Parking Improvement Fund**
- 16 (1) There is hereby created in the CNMI Treasury a special fund designated the “Parking  
17 Improvement Fund,” into which all in-lieu parking fees shall be deposited. Such funds  
18 shall only be expended for public improvements listed in a parking improvement plan  
19 to be adopted by the Board. The Board may from time to time direct that other  
20 moneys be transferred into the fund to be used for the purposes of the fund.
- 21 (2) The fund shall be used exclusively for planning, acquisition, design, development,  
22 construction and financing of parking facilities for use by the general public in the  
23 vicinity of the Garapan Core or Garapan East zoning districts, all consistent with the  
24 specific project priorities set forth in the parking improvement plan, as adopted or  
25 thereafter amended by the Board.  
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