

Article 6. General Development Requirements

Section 601 Purpose

The purpose of this Article is to establish general requirements for development.

Section 602 Residential Lot Requirements

In addition to meeting all other requirements of this Law, residential development, including a home business, shall meet the requirements in Table 1.

Section 603 Nonresidential Lot Requirements

Nonresidential lot requirements are listed for each zoning district in Article 5.

Section 604 Building Design Requirements

(a) Purpose.

The purpose of this Section is to:

- (1) Reduce the apparent bulk and mass of large buildings;
- (2) Add visual interest to buildings;
- (3) Retain the “island character;”
- (4) Encourage the use of design details and small-scale elements in the design of buildings so that they are attractive at a pedestrian scale;
- (5) Achieve a human scale by including elements that provide visual clues to the size of the building and activity within;
- (6) Encourage pedestrian activity; and
- (7) Encourage the use of high quality and durable building materials.

(b) Applicability

- (1) Requirements of this Section apply to all commercial, multifamily and institutional development unless otherwise noted.
- (2) The Board may waive, except for retail or multifamily use, one or more of these requirements where the applicant can demonstrate that such building design requirements are not applicable because a building is screened from public view from the street and adjacent properties and such design features are not typically found on buildings proposed for the subject use.
- (3) One element or building characteristic may be used to address more than one requirement, if it applies.

Table 1. Residential Lot Requirements

Key: MC = Same as for Mixed Commercial Zoning District

ZD = See requirements listed under the applicable zoning district in Article 5

Zoning District/Use	Lot Area (sewered) ¹ (sm, min)	Lot Width (ft, min)	Front Yard (ft, min)	Side Yard (ft, min)	Rear Yard (ft, min)	Height (ft, max)
Agricultural (AG)						
Single Family	400	50	15	5	20	30
Accessory Building	-	-	15	5	20	30
Beach Road (BR)	ZD	ZD	ZD	ZD	ZD	ZD
Garapan Core (GC)	ZD	ZD	ZD	ZD	ZD	ZD
Garapan East (GE)	ZD	ZD	ZD	ZD	ZD	ZD
Mixed Commercial (MC)						
Single Family and Mobile Home	400	40	15	5	20	35
Planned Development	2,000	50	15	10	20	48 ²
Multifamily or Apartment, Mixed Use	600	50	15	10	20	48 ³
Townhouse	240	20	15	0	20	35
Institutional Residential	1,000	80	30	10	30	48
Public Resource (PR)	None	None	None	None	None	None
Rural (RU)						
Single Family and Mobile Home	400	40	20	10	10	35
Planned Development	5,000	150	30	30	30	48 ⁴
Multifamily or Apartment	5000	150	30	30	30	48 ⁵
Townhouse	400	40	20	0	10	35
Institutional Residential	5000	150	30	30	30	35
Tourist Resort (TR)	MC	MC	MC	MC	MC	160 ⁶
Village Commercial (VC)	MC	MC	MC	MC	MC	MC
Village Residential (VR)	MC	MC	MC	MC	MC	48

¹ The minimum lot area is based on availability of central or community sewage treatment. If an individual wastewater disposal system is to be used, a larger lot size may be required.

² Height may be increased to 60 ft if buildings are separated from property lines by a distance equal to 33% of their height.

³ Same requirement as for Planned Development in the Mixed Commercial zoning district.

⁴ Height may be up to 80 ft (except within 1,000 ft, measured horizontally, from the Mt. Tapochao, Suicide Cliff and Banzai Cliff) provided a building is separated from a property line by a distance equal to the height and meets all other requirements of this Law.

⁵ Same requirements as for Planned Development in the Rural zoning district.

⁶ A building over 48 ft high shall be set back from the boundary of a VR zoning district by a distance at least equal to its height.

(c) **Articulation and modulation**

- (1) **Multi-story buildings with facades over 100 ft** facing a public street shall provide at least 2 of the following modulation and articulation features along the street front or primary facade at intervals of no more than 50 ft (see example in Figure 1)
 - (A) Building modulation of at least 6 ft in depth and 6 ft in width (required for multifamily residential buildings);
 - (B) Repeating distinctive window patterns at intervals less than the articulation interval;
 - (C) Providing a porch, patio, deck, or covered entry for each articulation interval;
 - (D) Providing a balcony or bay window for each articulation interval;
 - (E) Changing the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval;
 - (F) Changing materials and/or color with a change in building plane;
 - (G) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval;
 - (H) Use of recessed building entries, plazas, courtyards, or seating and plantings areas;
 - (I) Alternative methods to shape a building such as angled or curved facade elements, offset planes, or terracing; or
 - (J) Other methods as approved by the Administrator or the Board as long as they meet the intent of the requirements.
- (2) **Commercial structures over 40,000 sf** in gross building footprint, except single purpose office and industrial buildings, shall cluster smaller uses and activities near the entrance. Alternatively, developments shall provide at least 600 sf of pedestrian-oriented space near the building entry (see example in Figure 2).

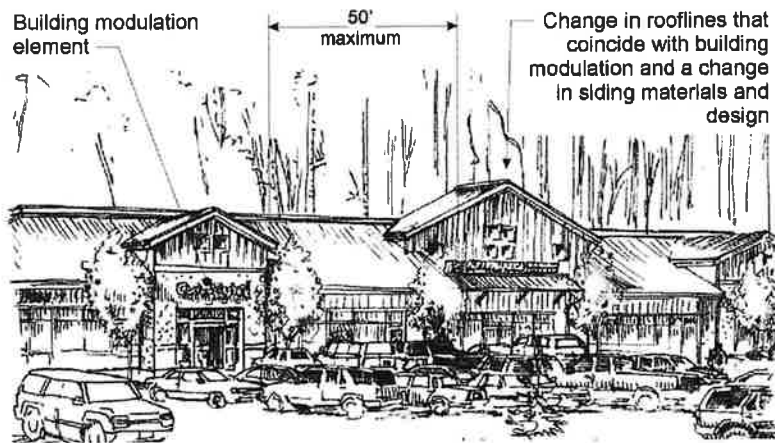


Figure 1. An example of building articulation (note how the building breaks up the large facade by a combination of roofline changes, entry and window patterns, landscaping, awnings, and other building features)

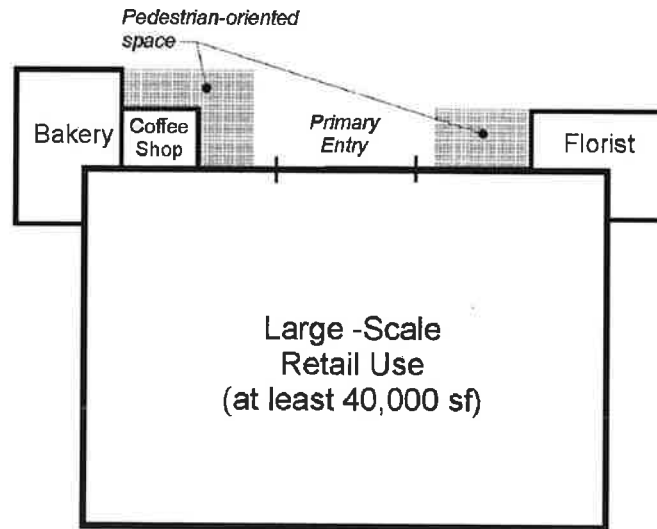


Figure 2. An example of clustering smaller uses near an entry of a large commercial structure

- (d) **Human Scale.** A commercial or multifamily building facing a public street, park or walkway shall employ at least 2 of the following elements or techniques toward achieving human scale. All proposals for achieving human scale are subject to approval by the Administrator or the Board.
- (1) Balconies or decks in upper stories at least 6 ft. deep and 6 ft. wide. At least one balcony or deck per upper floor on the facades facing streets;
 - (2) Bay windows that extend out from the building face at least one ft measured horizontally in upper stories, at least one per floor on the facades facing the street;
 - (3) Individual windows in upper stories;
 - (4) Multiple-paned fenestration (windows with multiple panes);
 - (5) Gabled or hipped roof, providing that the hipped or gabled roof covers at least one half of the building's footprint and has a slope greater or equal to 3 ft vertical in 12 ft horizontal;
 - (6) A porch, covered entry, trellis, gateway feature, or similar element;
 - (7) Upper story setbacks with one or more of the upper stories set back from the face of the building by at least 6 ft;
 - (8) Any of the features of a pedestrian-oriented facade (see Article 1); or
 - (9) Other, similar method approved by the Administrator or the Board.
- (e) **Building Detail.** A building facing a street, park, or public walkway shall:
- (1) Include at least three of the following design detail elements (see Figure 3 and Figure 4):
 - (A) Sculptural, mosaic, or other architectural details;
 - (B) Planter boxes or other landscaping feature;
 - (C) Window awnings or other feature to reduce heat from the sun;
 - (D) Decorative exterior light fixtures;
 - (E) Landscape trellises or other plantings;
 - (F) Decorative building materials incorporated into the building facade, including decorative masonry, shingles, brick, or stone;
 - (G) Individualized patterns or continuous details such as masonry in a geometric pattern, decorative moldings, brackets, wave trim or lattice work, ceramic tile, stone, glass block, or similar materials or other

- approved materials with decorative or textural qualities;
- (H) Gabled or hipped roof, provided the hipped or gabled roof covers at least one half of the building's footprint and has a slope greater than 2 vertical to 12 horizontal;
- (I) An upper story set back from the face of the building at least 6 ft or projecting out (forward) at least 2 ft;
- (J) Decorative artwork; or
- (K) Other, similar element approved by the Administrator or the Board.
- (2) Provide a covered entry (such as an overhang, awning, or canopy) on the primary facade.

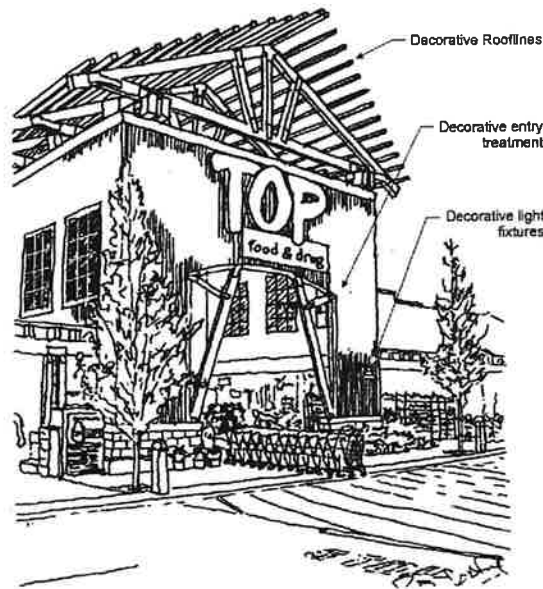


Figure 3. Example of building details that upgrade the character of a large building

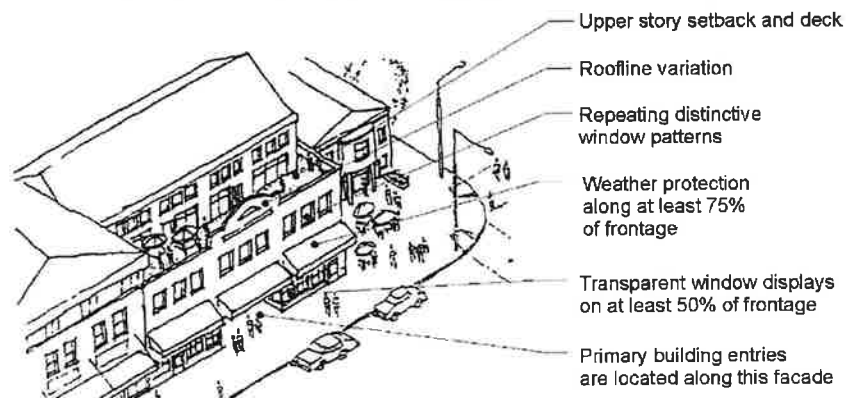


Figure 4. An illustration of some of the desired design details

(f) Untreated Blank Wall

- (1) A blank wall includes:

- (A) Any wall or portion of a wall that has a surface area of 400 sf of vertical surface without a window, door, building modulation as defined below or

- other architectural feature; or
- (B) Any ground level wall surface or section over 4 ft high and longer than 15 ft wide that does not contain all or part of window or door.
- (2) An untreated blank wall within 20 ft of, and visible from, a public street, sidewalk or pedestrian area is discouraged in the GC, GE, BR, and TR zoning districts. Where unavoidable, a blank wall shall be treated in one or more of the following ways (see Figure 5):
- (A) Installing a vertical trellis in front of the wall with climbing vines;
- (B) Landscaping that covers 50% of wall area within one year of planting;
- (C) Special materials (such as decorative patterned masonry); or
- (D) Artwork or other treatment approved by the Administrator or the Board.

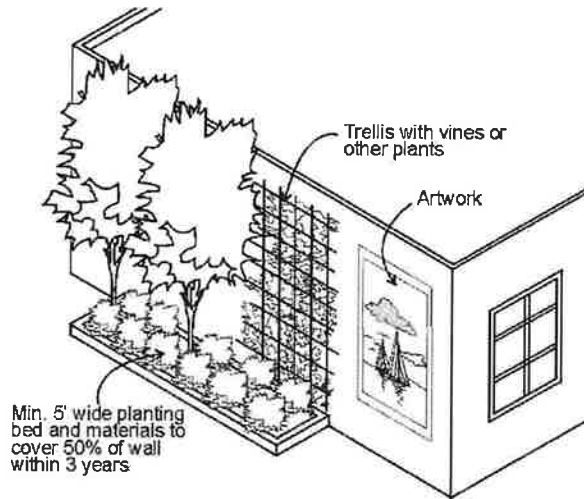


Figure 5. Examples of blank wall treatments

- (g) **Building Material.** The following requirements apply to a building visible from a public right-of-way, pedestrian area, or parking lot.
- (1) A building shall use durable and high-quality exterior material.
- (2) The following material shall not be used unless an exception is granted by the Administrator or the Board.
- (A) Highly reflective materials such as mirrored glass or shiny metal panels;
- (B) Corrugated sheet metal or fiberglass;
- (C) Chain-link fences in front yards (except in industrial areas); or
- (D) Synthetic materials with reflective surfaces, including galvanized steel and glossy vinyl siding.
- (3) Material should be those of typical use on Saipan, including, but not limited to:
- (A) Concrete and masonry;
- (B) Rock, stone, and brick material; or
- (C) Manufactured, pre-finished and colored metal roof systems but not corrugated sheet metal
- (4) If sheet material, such as plywood, composite fiber product, or prefabricated, pre-finished metal siding system (but not corrugated sheet metal), is used as a siding material over more than 25% of a building's facade, the building shall use:
- (A) Material with a matted, colored finish;
- (B) Visible window and door trim painted or finished in a complementary color; and

- 1 (C) Corner and edge trim that covers exposed edges of the siding material.
2 (5) A prefabricated metal building shall include at least three of the following
3 features:
4 (A) Porch or recessed entry;
5 (B) Overhanging eaves;
6 (C) Visible trim at least 4 inches wide around all doors and windows in an
7 accent color;
8 (D) Other building elements such as a cupola, building wing, trellis, portico;
9 (E) Picture windows or adjoining windows totaling at least 32 square ft;
10 (F) Canopy or other weather protection feature over an adjacent walkway; or
11 (G) Other feature that meets the intent of the requirements and as approved by
12 the Administrator or the Board.
13 (6) Block or Concrete Wall. If concrete or block (concrete masonry unit or “cinder
14 block”) is used for a wall, one or more of the following architectural treatments
15 shall be used:
16 (A) Painted surfaces;
17 (B) Textured blocks with split-face, grooved, or other similarly treated
18 surfaces;
19 (C) Colored mortar;
20 (D) Other masonry types, such as brick, glass block, or tile, in conjunction with
21 concrete blocks; or
22 (E) Other similar treatment acceptable to the Administrator or the Board
23 (7) Exposed Rebar. Use of visible, exposed rebar (“wish sticks”) is prohibited.
24 Where the applicant wishes to provide rebar connections for future
25 construction, the connections shall be provided in a way that is not visible from
26 a public ROW or open space or treated in a manner acceptable to the
27 Administrator or the Board. Decorative elements, such as planters or sculpture,
28 may be used to hide the wish sticks until the building addition is constructed
29 (see Figure 6).

30 **(h) Sustainable Architectural Requirements**

- 31 (1) A new building shall have an insulated roof to an effective level of R19.
32 (2) A building shall feature two of the following measures to save energy and
33 resources:
34 (A) Window awning, overhang, or other means to reduce solar gain from
35 windows;
36 (B) A rainwater collection or water reuse system;
37 (C) A shaded outdoor area for human activity such as shaded balconies, roof
38 decks, or courtyards;
39 (D) A means of cross-ventilation with operable windows;
40 (E) Special siting for indoor climate control (e.g., orientation to a breeze); or
41 (F) Other means approved by the Administrator or the Board.
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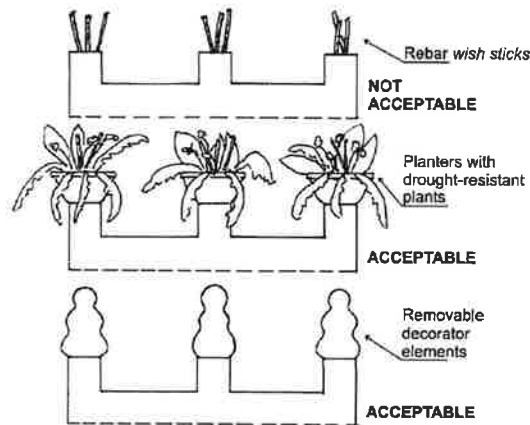


Figure 6. Examples of methods to treat wish sticks

Section 605 Multiple Building/Large-Lot Developments

- (a) **Purpose.** The intent of multiple building/large lot development requirements is:
- (1) To reduce negative impacts on adjacent properties;
 - (2) To take advantage of special opportunities to create a composition of buildings and landscape features;
 - (3) To enhance pedestrian and vehicular circulation;
 - (4) To encourage transit use;
 - (5) To provide usable open space;
 - (6) To create focal points for pedestrian activity for developments; and
 - (7) To enhance the visual character of the community.
- (b) **Applicability**
- (1) These requirements apply to a property with more than one hectare in gross land area or with more than two primary buildings except these requirements shall not apply in the Industrial zoning district.
 - (2) Other requirements of this Law also apply. However, the Board or Administrator may relax or revise other requirements related to vehicular and pedestrian circulation, building and parking orientation, and landscaping if the Board or Administrator determines that the master plan, as approved, would provide a superior development than if the requirements were strictly implemented.
- (c) **Requirements**
- (1) For applicable properties and projects, the applicant shall submit a master plan for the property showing:
 - (A) Current and future development phases;
 - (B) The land use and environmental features (topography, water bodies and courses, vegetated areas, roadways, driveways, public rights of way and buildings) of the site and surrounding area (at least the extent of adjacent properties);
 - (C) Building layout, entrances, height, and proposed uses (retail, office, residential, etc) ;
 - (D) Service and outdoor storage areas;
 - (E) Open space and landscaping (see Article 8);
 - (F) Pedestrian circulation (see Section 606);

- (G) Vehicle access, circulation and parking (see Section 607 and Article 9);
- (H) General location and type of signs (especially freestanding signs) (see Article 10); and
- (I) Other site features and characteristics as requested by the Administrator or the Board.
- (2) The master plan shall illustrate to the Administrator's or the Board's satisfaction that it meets the requirements of this Section.
- (3) Site planning for all developments shall demonstrate a unifying, organized design that meets the following requirements (see examples in Figure 8 and Figure 9):
- (A) Incorporate open space, natural features and landscaping as a unifying element (See Article 8);
- (B) Where possible, incorporate screening, environmental mitigation, utilities, and drainage as positive elements (for example, create a "natural" open space or wet pond as a site feature to accommodate surface water runoff);
- (C) Provide pedestrian paths or walkways connecting all businesses and the entries of multiple buildings as required by Section 606;
- (D) Provide safe and efficient vehicular circulation, take advantage of shared parking opportunities, and reduce traffic impacts on public streets;
- (E) Provide on-site pedestrian-oriented space at the following ratio: 1.0% of applicable lot area plus 1.0% of non-residential floor area. (see example in Figure 7);
- (F) Provide a pedestrian path from/to all adjacent public rights of way, transit stops, and adjacent properties except where the Administrator or the Board finds that the pedestrian connection would negatively impact those adjacent properties;
- (G) Integrate pedestrian accommodations for transit stops into the development of public and private streets;
- (H) Integrate on-site pedestrian circulation with adjoining right-of-way activity and development;
- (I) Incorporate, or at least protects, on-site natural features such as wetlands, steep slopes, water courses, and stands of significant natural vegetation;
- (J) Identify measures to manage storm water, and prevent undesirable run-off and reductions in water quality; and
- (K) Include a landscape concept or plan that illustrates how landscaping will be used to: define and enhance pedestrian-oriented spaces and pedestrian walks and paths; enhance buildings; buffer and screen service areas and parking lots; and integrate, or complement where appropriate, landscaping of the streetscape and adjacent properties.
- (4) A permit for development on applicable lots will be issued only after the Administrator or the Board reviews and approves the master plan described in Subsection (c) of this Section. Subsequent development projects for later phases must be consistent with the master plan or demonstrate to the Administrator's or the Board's satisfaction that the proposal meets the objectives of this Section at least as well as the master plan.

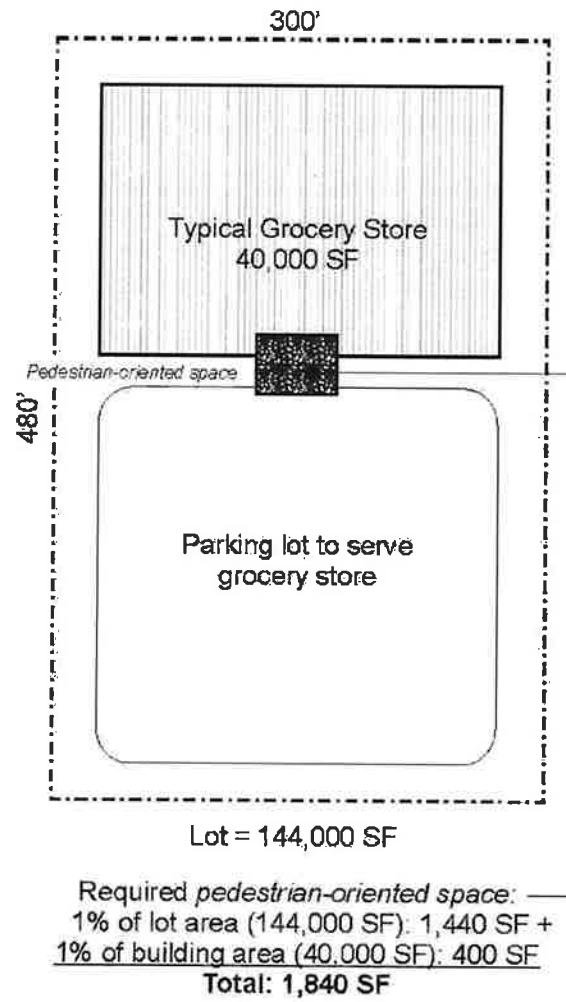


Figure 7. Example of pedestrian-oriented space required for a typical grocery store with surface parking

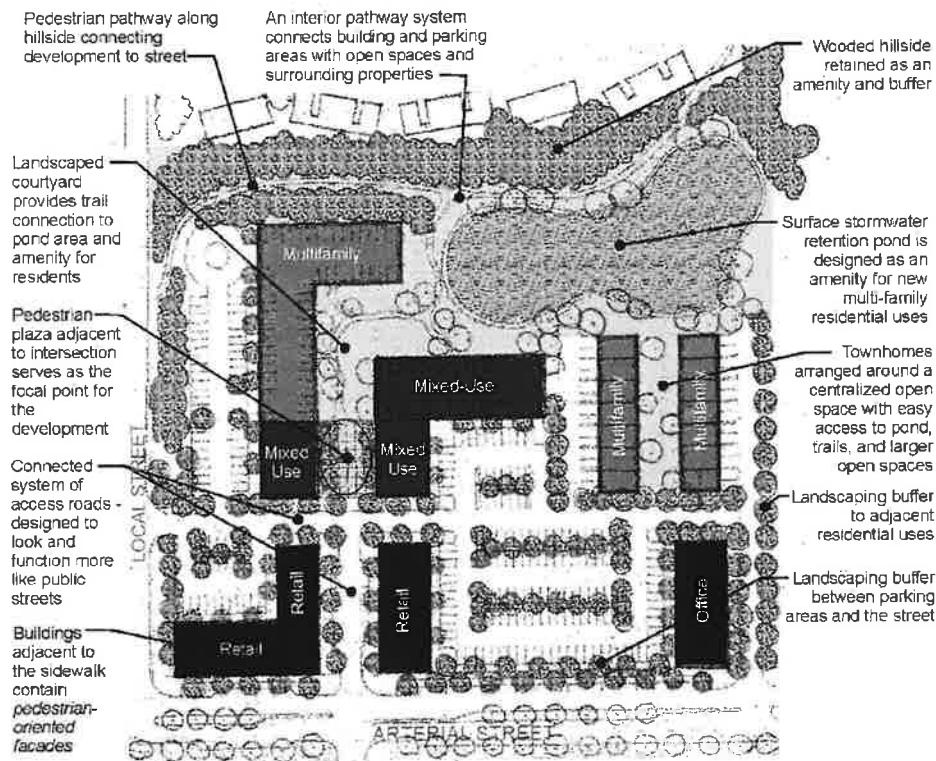


Figure 8. Example of multiple building/large lot development with desired features

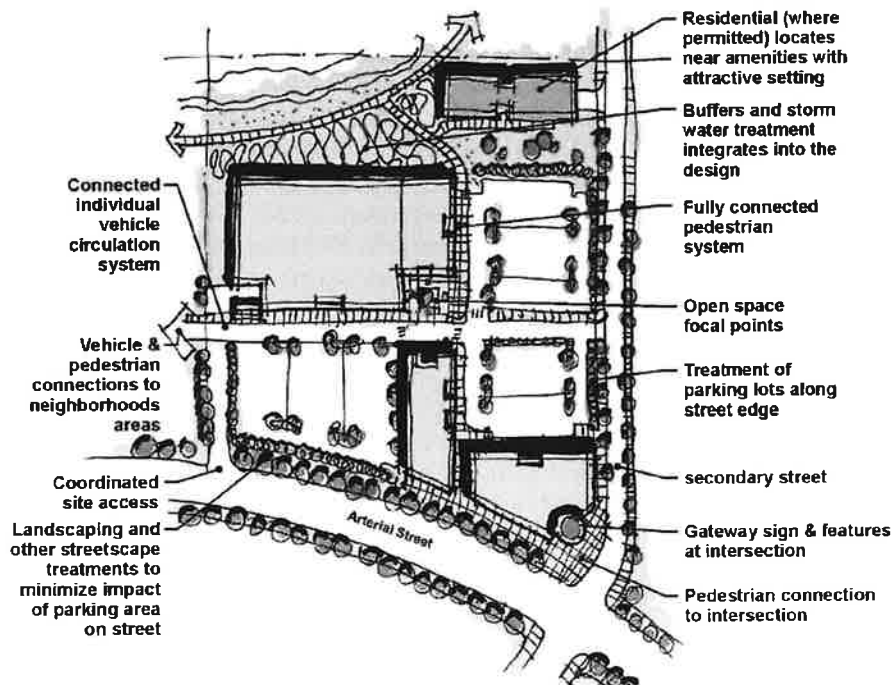


Figure 9. Example of large site development with desired features

Section 606 Pedestrian Access and Amenities

(a) Purpose.

- (1) To provide safe and direct pedestrian access in commercial areas to accommodate pedestrian movement patterns, to minimize conflicts between pedestrians and vehicular traffic, and to provide pedestrian connections to neighborhoods;
- (2) To provide safe routes for the pedestrian and disabled person across parking, to entries, and between buildings;
- (3) To accommodate non-competitive/non-commuter bicycle riders who use bicycles on short trips for exercise and convenience;
- (4) To provide attractive internal pedestrian routes that promote walking and enhance the character of the area;
- (5) To provide a network of pedestrian pathways that can be expanded over time; and
- (6) To encourage pedestrian amenities along pathways, such as artwork, landscaping elements, and architectural details.

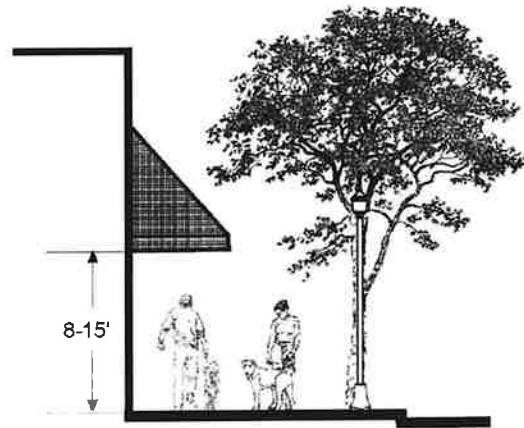
(b) Applicability. The requirements of this Section apply to all nonresidential and mixed use development unless otherwise noted.

(c) Requirements.

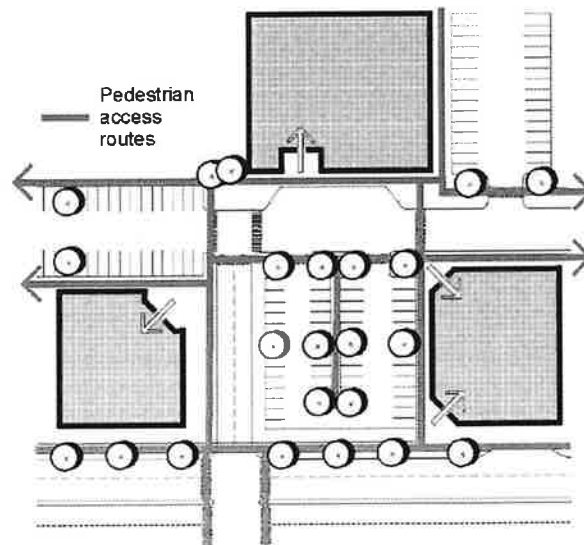
The requirements for pedestrian access and amenities are as follows:

- (1) For a building with a retail or commercial service on the ground floor that is separated from the public right-of-way by parking (that is, where there is a parking lot between the building and the sidewalk), provide a paved walkway at least 12 ft wide along the front of the building (see Figure 10). The walkway shall be landscaped with trees no farther than 30 ft on-center. Maintain a walking surface at least 8 ft wide at all points along the walkway. Pedestrian lighting is not required if provided from the building or parking lot lighting. The intent of this provision is to allow for a pedestrian walkway along the front of the building and to enhance the front facade
- (2) A pedestrian pathway shall conform to federal and CNMI codes for mobility impaired persons, and the ADA.
- (3) All primary building entrances shall have clear pedestrian access to the sidewalk. Where a use fronts two streets, access shall be provided from the road closest to the main entrance, but preferably from both streets.
- (4) Pedestrian paths or walkways connecting all businesses and the entries of multiple commercial buildings frequented by the public on the same development site shall be provided (see Figure 11).
- (5) For development sites abutting vacant or underdeveloped land, the Administrator or the Board may require new development to provide for the opportunity for future connection to its interior pathway system through the use of pathway stub-outs, building configuration, and/or parking lot layout. For example, a grid of pedestrian connections at intervals of no more than every 300 ft would meet the Intent statements above and be scaled similar to traditional block sizes in downtowns.
- (6) A paved walkway or sidewalk shall be provided for safe walking areas through parking lots greater than 190 ft long (measured parallel to the building front). A walkway shall be provided for every three parking aisles (see Figure 12). Such an access route through parking areas shall be separated from a vehicular parking and travel lane by use of contrasting paving material that may be raised above the vehicular pavement. A speed bump may not be used to satisfy this

- 1 requirement. A crosswalk is required when a walkway crosses vehicle travel.
 2 (7) A development should include an integrated pedestrian circulation system that
 3 connects buildings, open spaces, and parking areas with the adjacent street
 4 sidewalk system. A multifamily residential complex or commercial
 5 development should not be an isolated enclave separated from one another by
 6 fences, walls, and parking lots. Also, connections to adjacent properties are
 7 particularly important.
 8 (8) The applicant shall successfully demonstrate that a proposed walkway is of
 9 sufficient width to accommodate the anticipated number of users. A walkway
 10 shall feature a minimum 5 ft of unobstructed width.



11 *Figure 10. Example of pedestrian walkway*



16 *Figure 11. Example of pathways between buildings*

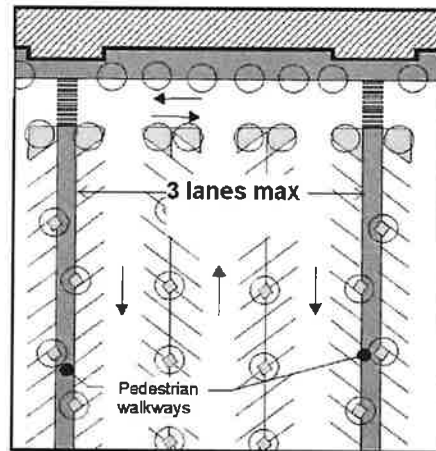


Figure 12. Example of pathways through parking lots

Section 607 Neighborhood Design and Subdivision Layout

- (a) **Applicability.** This Section applies to all residential, planned development, and mixed-use developments greater than 10,000 s.m. in gross land area and to subdivisions of more than 4 lots unless otherwise noted. These requirements are not applicable where the property has been divided up among family members as a result of a bequest or other gift and where there is no development plan for the property. In such cases, the subdivision of property must include only easements to provide vehicular access, water lines, sanitary sewers, storm water drainage, power lines, and other utilities as required by the DPW and/or the CUC. Where feasible, a utility easement may be included in the road ROW.

- (b) **Purpose:** The purpose of this Section is to:

- (1) To enhance pedestrian and vehicular connectivity between residential areas and to surrounding uses and amenities;
- (2) To provide safe and attractive streets for residents;
- (3) Create cohesive neighborhoods designed around centralized park or open spaces;
- (4) To create walkable neighborhoods;
- (5) To create community open space amenities that lend identity to a neighborhood and are used by its residents in many ways;
- (6) To create a system of parks that are accessible and interconnected, providing a greater amenity to the community; and
- (7) To retain sensitive natural areas and other unique natural features as community open space.

- (c) **Neighborhood Unit.**

A neighborhood unit shall meet the requirements of this Subsection.

- (1) A subdivision with more than 30 lots shall be designed with cohesive neighborhood units – where all residents are no more than 1/4 –mile walking distance from a central neighborhood park or square and if permitted, neighborhood service uses.
- (2) A neighborhood unit shall be connected to another neighborhood unit by a residential street and a pedestrian path so that several smaller areas can support community-wide services, such as an elementary school.
- (3) A neighborhood unit shall not be bisected by a collector or arterial road.
- (4) Traffic speed shall be no higher than 25 miles per hour on residential streets.

- (5) A main pedestrian path or street into a neighborhood shall be treated as a gateway with special landscaping, signage, or other identifiable features.

(d) **House and Driveway Design**

The requirements of this Subsection apply to new developments with more than four lots.

- (1) A driveway shall be designed with a minimum amount of impervious surface and minimum presence on the street to retain green-space and reduce surface water runoff.
- (2) A driveway shall meet the following requirements:
- (A) Except for a driveway shared by two residences, the maximum width of a driveway at the front property line shall be 12 ft; and
- (B) A driveway and vehicle circulation pavement shall be the minimum size necessary to accommodate vehicle storage and circulation. The Administrator or the Board may require that pavement dimensions be modified to reduce impervious surface.

(e) **Lot design**

The design and layout of all lots shall meet the requirements of this Subsection.

- (1) **Dimensional Requirements.** A lot created by the approval of a subdivision plat on Saipan shall meet the dimensional requirements set forth in Article 5 and Section 602 of this Law including lot area, minimum lot width, and front, side, and rear yard requirements.
- (2) **Arrangement and Design.** The lot arrangement and design of a subdivision shall be such that each lot will provide satisfactory and desirable sites for buildings and be properly related to the topography of the site, any other natural resource features located on the site, and existing and probable future requirements of the area.
- (3) **Lots to Abut Access Right-of-Way.** A lot shall abut on a public street, private street, private access ROW, or on a street that has become public by right of use. The minimum front lot line shall be 30 ft.
- (4) **Minimum Required Lot Size.** A remnant area of land with an area less than that required for the minimum lot size of the zoning district in which the subdivision is located shall not be permitted. Except that a lot of less than the minimum size shall be permitted only where an easement limits the parcel's use to open space, stormwater ponding, and other services to the development.
- (5) **Limitation of Access to Arterial Streets.** Where a proposed subdivision abuts an arterial street, access to such arterial street from an individual lot of the subdivision may be limited as required by the Administrator or the Board. Under such circumstances, the subdivision plat (both minor and major) shall indicate a "No Vehicular Access" restriction on the face of the subdivision plat for those lots on which a limitation is placed.
- (6) **Double or Reverse Frontage Lots.** A double frontage or reverse frontage lot (a lot that abuts two public streets but is not a corner lot) shall be prohibited except where necessary to provide separation of development from through traffic or to overcome specific disadvantages of topography or other natural features of the site.

(f) **Flag Lots**

- (1) A flag lot is prohibited except if necessary to allow a property owner reasonable use and benefit of a parcel of land or to alleviate situations that would otherwise cause extreme hardship for the owner such as:
- (A) Where necessary to eliminate access onto arterial streets or thoroughfares:
- (B) To reasonably utilize irregularly shaped land:

- (C) To reasonably utilize land with severe topography;
 - (D) To reasonably utilize land with limited sites suitable for septic tank nitrification fields; and/or
 - (E) To provide for the protection of significant natural or cultural resources.
- (2) A flag lot will not be allowed if it increases the number of access points onto a major thoroughfare.
 - (3) A subdivision approved after the effective date of this Law shall not be re-subdivided to create flag lots.
 - (4) Use of a single driveway granted through an easement to serve adjoining flag lots or to serve a flag lot and an adjoining conventional lot is permitted and encouraged to reduce access points on public streets.
 - (5) The minimum lot width of a flag lot at the public street is 30 ft. Except, the Administrator or the Board may reduce the width to a minimum of 20 ft where topographical conditions permit the design and construction of an adequate driveway and drainage within that width. The Administrator or the Board may also require greater width where necessary to ensure adequate and safe access.

(g) **Streets**

Street design and construction shall meet the requirements of this Subsection and any requirements of DPW.

(1) **Preventing Congestion and Hazards**

- (A) A new development shall not cause traffic congestion or safety hazards. This shall be determined by the Administrator or the Board through a site plan analysis of street intersection and access drive locations relative to sight distance and road speed as well as the number of trips to be generated by the proposed development and the capacity of the existing road system serving the subject property. Based on this analysis, the Administrator may determine that access be limited to certain locations of the property to be subdivided.
 - (B) The Administrator or the Board may request that the subdivider cause the preparation of a detailed traffic engineering analysis by a professional traffic engineer at the subdivider's sole expense.
- (2) **Street Names.** The street system of the proposed subdivision shall be considered in regard to any existing official maps of the area. All streets indicated shall be named.
 - (3) **Street Network.** The following requirements apply to new developments with more than four lots.
 - (A) Where the plat covers only a part of the subdivider's land, the preliminary plat shall include a sketch of the prospective street system of the un-platted parts of the subdivider's land.
 - (B) The street pattern for new residential development shall emphasize a connected network of streets rather than long irregular loops with dead-ends and cul-de-sacs. Such a network will provide better traffic flows, orientation, and shorter trips through the neighborhood. Intersections should occur at intervals of no more than 400 ft.
 - (C) The street network should account for existing topography and other natural features.
 - (D) A street should interconnect neighborhoods. At least 33% of total street footage should be through-streets, not dead ends.
 - (E) Provision should be made for future street connections where topography permits a street to be extended in the future.
 - (F) A local street shall approach collector or arterial streets at an angle of not

less than 80 degrees.

- (G) The total number of streets converging at one intersection shall be reduced to a minimum, preferably not more than 2 streets.
- (H) The dedication of a half-street located along a subdivision boundary line, or within any part of a subdivision, shall not be permitted.
- (I) The temporary termination of a street intended to be extended at a later date shall be accomplished with either a temporary cul-de-sac or Tee turnaround in conformance with Figure 13 or Figure 14.
- (J) If a permanent termination point of any street is more than 200 ft from an intersection, the termination point shall feature a cul-de-sac that conforms to Figure 23. An alternative may be approved if it provides adequate turning area for emergency vehicles and is approved by DPW.

(4) **Street Design**

A proposed public residential street shall meet the design requirements in Table 2 and the cross-section requirements shown in Figure 15 and be consistent with requirements adopted by DPW.

- (A) A public street, drive, and other access right-of-way shall be graded and surfaced in accordance with the approved requirements of the DPW.
- (B) The maximum allowable grade shall be 16% for streets and 20% for driveways.
- (C) The Administrator or the Board may approve an alternative street design where the applicant demonstrates that such alternative design:
 - (i) Enhances safety for pedestrians and vehicles;
 - (ii) Provides durable construction but reduces environmental impacts such as reducing impervious surface;
 - (iii) Adapts to the site's existing topography and vegetation;
 - (iv) Accommodates the projected traffic; and is
 - (v) Acceptable to DPW.

Table 2. Design Requirements for Public Residential Streets

Feature	Neighborhood Street Classification	
	Major Collector Road	Access/Village Road
Characteristics	Conveys traffic from Arterial to lower order streets. Collectors are often key streets for bicycle access.	Conveys traffic from Major collector to residences.
Usual average daily traffic	1,000-3,000	0-999
Lane configuration	At least two 12 ft lanes and two 8 ft shoulder/parking lanes	Two 11 ft. travel lanes and two 6 ft. shoulders (paved or unpaved)
Recommended ROW including sidewalks	60 ft	44 ft
Level design speed	35 mph	25 mph
Range of desirable centerline curb radius	300-500 ft	150-300 ft
Planting strips	5 ft with trees	none
Sidewalks	4 ft sidewalk on both sides	None

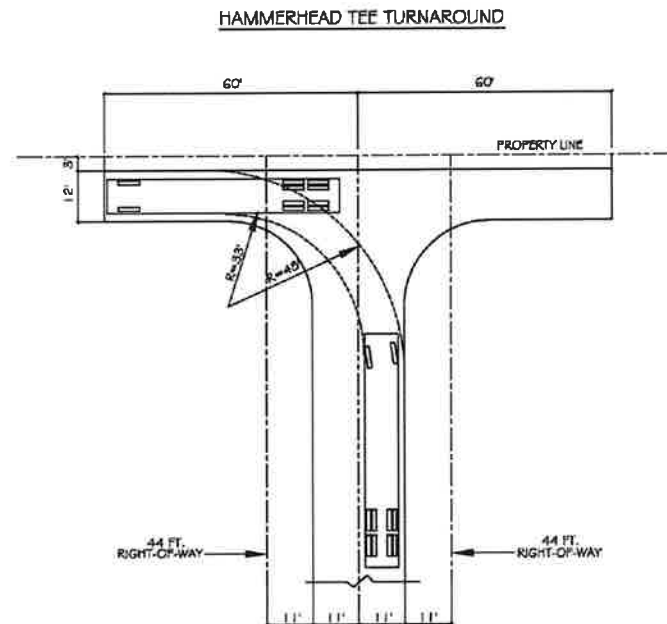
- (5) **Private Road.** A private road is permitted and shall meet the following requirements.
- (A) Table 3 lists the minimum road width requirements for a residential development. The calculations are for the road surface, not the right-of-way.
- (B) When a subdivision includes construction of a private road, the base and sub-base shall meet DPW requirements for public road construction. A private road may be surfaced with gravel and may have narrower cross-sections than public roads (as provided in Table 3. Minimum Width for Private Roads below); however, in no case shall a cross-section be narrower than 20 ft.

Table 3. Minimum Width for Private Roads

Number of Dwelling Units	Minimum Road Width (ft.)
1 to 15	20
15+	Shall meet all public road requirements

- (h) **Easement.** An easement shall be provided by the developer to accommodate water lines, sanitary sewers, stormwater drainage, powers lines, and other utilities as required by the DPW and/or the CUC. Where feasible, a utility easement may be included in the road ROW.
- (i) **Lease and/or Deed Restrictions and Development Covenants.** Every development containing a private road shall adopt lease and/or deed restrictions and development covenants in order to ensure that access is perpetually maintained. The developer/subdivider shall provide for the takeover of roadway maintenance responsibility (for the section of roadway at the point of access to a public road) by the CNMI in the event of a failure to maintain safe access or a vote by the residents of responsibility.
- (j) **Sidewalks and Trails**
- (1) The following requirements apply to all new residential development with more than 30 lots unless otherwise noted.
- (A) A sidewalk or pathway should be provided along public streets.
- (B) The paving surface on a pedestrian path shall be appropriate to its use such as: concrete for a sidewalk; seamless materials like asphalt for a bike/skating trail; or crushed gravel for a nature trail. The Administrator or the Board may approve alternative materials where the applicant can demonstrate that the material is appropriate for the projected use, durable, and easily maintainable.
- (k) **Parks and open space**
- (1) A residential subdivision with more than 25 lots and all multifamily development shall include a variety of public open space in every community to provide for a variety of natural conditions and neighborhood uses. Recreational open space is critical for the needs of a community, particularly for its youth.
- (2) The Board may require retention of existing natural features such as high points, ponds, wetlands, or streams as community open space.

- 1 (3) Development should be concentrated on the land of least natural value.
 2 (4) Existing natural landmarks, such as significant trees, should be preserved to the
 3 extent possible.
 4 (5) Passive recreational features, such as footpaths into natural areas, should be
 5 incorporated except where access conflicts with important habitat resources.
 6 (1) **Landscaping.** A landscaping plan meeting the intent of Article 8 shall be provided.



Turning Radius Required for Fire Apparatus,
 School/Bus & Trucks in a Tee Turnaround

Figure 13 Requirements for a Tee turnaround

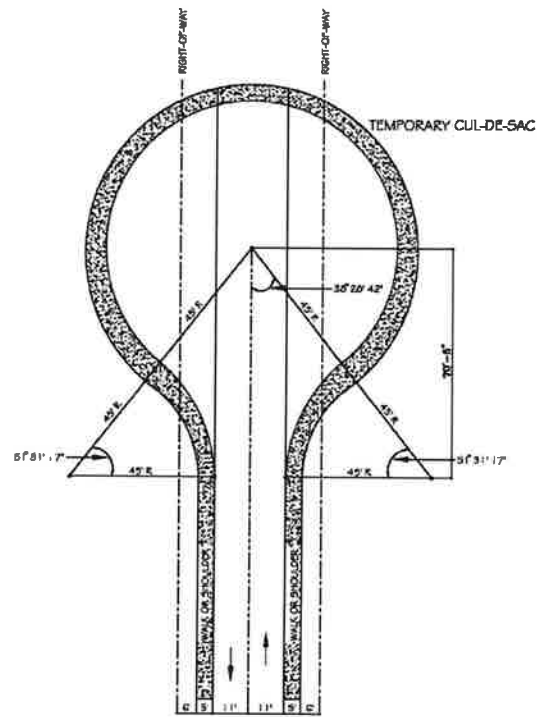


Figure 14. Requirements for a cul-de-sac

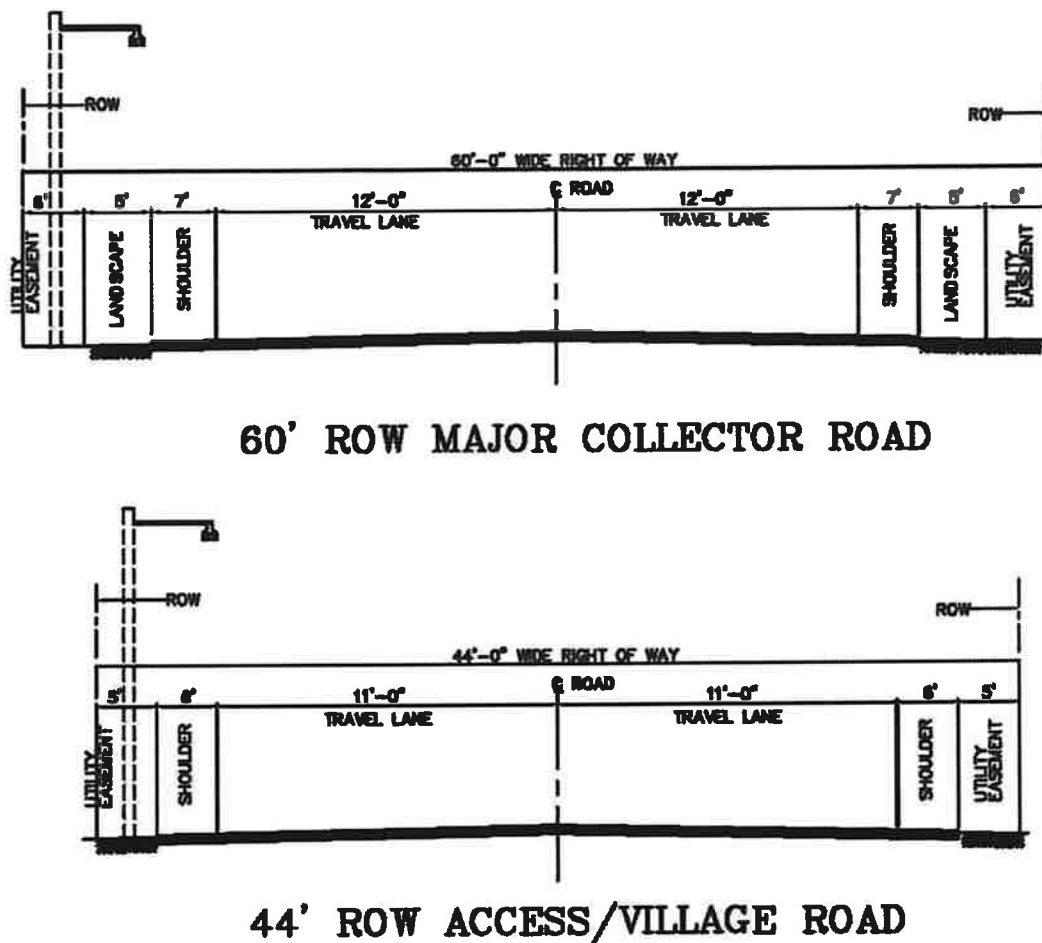


Figure 15. Requirements for Street Cross-Sections

Sectin 608 Institutional Residential Uses

In addition to meeting all other requirements of this Law, institutional residential uses shall meet the requirements of this Section.

- (a) All institutional residential structures shall provide residents with safe and sanitary living spaces meeting OSHA requirements
- (b) A single occupancy room shall provide a minimum of 50 sf per person.
- (c) An institutional residential development shall have a minimum of one full bathroom. A facilities housing both sexes shall have a minimum of 2 bathrooms. No facility shall have less than one bathroom containing a toilet, shower, and lavatory for each 6 persons.
- (d) Unless housed in an adjoining institutional use, a facility shall contain a kitchen and eating area adequate for the resident population. If an individual cooking facility is in a room, it shall have at least 50 sf.

Section 609 Service or Storage Area

The requirements of this Section apply to all development except for single family development.

- (a) A service or storage area is defined in Section 103.
- (b) A service or storage area shall not intrude onto the public right-of-way and shall be located to minimize the impacts on the pedestrian environment and adjacent uses. Service elements should generally be concentrated and located where they are designed for easy access by service vehicles and for convenient access by tenants.
- (c) Roof-mounted mechanical equipment shall be located so as not to be visible from the street, public open space, parking areas, or from the ground level of adjacent properties. Screening features shall blend with the architectural character of the building.
- (d) A service or storage area visible from a public street, parking area, pedestrian pathway, open space, or adjacent property shall be screened by:
 - (1) Type A Landscaping (see Section 804) around a side that faces a street, public area or and adjacent property; and/or
 - (2) A wall or fence, at least 6 ft high, with self-closing doors, and made of masonry, ornamental metal and/or wood.
- (e) Permanent outdoor sales areas, such as auto dealerships and lumber yards shall be separated from the public right-of-way with 10 ft of Type B landscaping (see Section 804) or some other form of enhancement as approved by the Administrator or the Board. The purpose of this provision is to allow visual access to the merchandise and an attractive street/property edge

Section 610 Use of Cargo (Ocean Shipping) Containers

Cargo Containers, which are used for ocean shipping, are a common feature in an island community, but present bulk and height issues, and an industrialized appearance. Cargo containers can be used for convenient storage or as economical housing. To ensure that such adaptive re-uses are compatible with a neighborhood and do not dominate the landscape, the following rules of development shall apply:

- (a) All site plans shall show the location of cargo containers on site.
- (b) Cargo containers may be located in the front of property for a period of not more than five (5) days to load or unload cargo.
- (c) If a cargo container is to be used for permanent storage, it shall be located in a back yard and screened from public view.
- (d) When a cargo container is to be used as a residence, it shall be architecturally altered to reduce its industrialized appearance by providing windows and doors, and other features such as open porch areas. It must meet the setback requirements for a structure contained elsewhere in this Law. It must also provide two or more of the following:
 - (1) A pitched roof to drain water from the top of the container and integrate the design of the container into a neighborhood setting;
 - (2) A generous amount of landscaping along the foundation of the container;
 - (3) A fresh coat of paint; or
 - (4) Set back from any road right-of-way by twenty (20) feet.
- (e) Cargo containers shall not be used as part of a fence structure.

Section 611 Development in Sensitive Areas and Environmental Protection Measures

- (a) In addition to meeting all other requirements of this Law, development within 150 ft of the shoreline shall be located as far inland as possible to serve the needed function and whenever feasible and practical, structures shall be constructed on pilings or stilts to avoid impeding natural beach processes, sand and water movement, and public access.
- (b) Development shall meet all federal and local agency requirements, including requirements of Federal Emergency Management Agency (FEMA), US Army Corp of Engineers (ACOE), Coastal Resources Management Office (CRM), Commonwealth Utility Corporation (CUC) and Division of Environmental Quality (DEQ), for near shore and floodplain development, development in wetlands, groundwater protection, storm water management, land clearing and earthmoving, air quality protection, utility connections, sanitary sewage disposal, and other regulated development.

Section 612 Adult Gambling Machine Business

- (a) An adult gambling machine business shall meet the sign requirements in Article 5 Section 513(g).
- (b) In any zoning district where an adult gambling machine business is permitted, it shall only be located:
 - (1) Within the Tourist Resort and Mixed Commercial districts on lots abutting or west of Beach Road and Chalan Tomas P. Sablan from Afetna Road to Chalan Msgr. Guerrero and on lots abutting and west of Chalan Pale Arnold from Chalan Msgr. Guerrero to Orchid Street, as well as in the Garapan Core, Garapan East, and Beach Road zoning districts, if the business is located 200 feet away from a church, laundromat, public or private school, park, or playground; or
 - (2) In a hotel with more than 20 rooms if it is located within the Garapan Core, Garapan East, Beach Road, Tourist Resort or Mixed Commercial Zoning Districts; or
 - (3) The restrictions on adult gambling businesses in sections (1) and (2) of this subsection shall not apply to the holder of a license issued by the Commonwealth Lottery Commission pursuant to PL 18-56.

Section 613 Temporary Use

In addition to meeting all other requirements of this Law, a temporary use shall meet the requirements of this Section.

(a) General requirements

- (1) The property that a temporary use locates on will be returned, upon its conclusion, to its original condition or use.
- (2) A temporary use may occur in any land use district upon attaining a temporary use permit from the Administrator. Such a permit shall meet the following criteria:
 - (A) There shall be no serious interference with the activity of any nearby resident;
 - (B) The activity shall not impede traffic circulation and shall provide for adequate on-site parking with a reasonable means of ingress and egress;
 - (C) Noise, light, or odor shall not be a public nuisance to neighborhood residents; and,
 - (D) There shall be adequate provisions for any necessary water supply and sanitary facilities.
- (3) The Administrator may place conditions on the permit by limiting the hours of assembly or activities to ensure compatibility with surrounding uses
- (b) A special event exceeding 28 days per event shall provide temporary parking, restroom facilities, and traffic control, sufficient for the planned attendance at the event. A sign

advertising the event is covered under the provisions of Section 1005.

(c) **Roadside Merchandise Stand**

- (1) A roadside merchandise stand shall meet the requirements of this section and not be subject to the requirements of Articles 5, 6, 8, or 9 of this Law.
- (2) The area covered by a structure shall not exceed 200 sf
- (3) If a roadside merchandise stand is covered by a tent or canopy, the tent or canopy and all fixtures and equipment shall be removed from the site at night.
- (4) The site shall, at all times, be kept free from debris, garbage or other waste.
- (5) A structure shall have a temporary character and meet the requirements of Section 604(g) Building Material.
 - (A) Sheet material may be used, such as plywood or pre-finished metal siding or roofing.
 - (B) Permanent material such as hollow block or concrete walls or floors is prohibited.
 - (C) A window opening shall be open-air and not covered with glass.
 - (D) Air conditioning and refrigeration equipment are prohibited.
- (6) A roadside merchandise stand may be housed in a vehicle but the vehicle shall not be permanently parked and/or stored on public land.
- (7) Safe road access and adequate parking shall be provided.

(d) **Commercial Video and Motion Picture Production**

- (1) A structure or support facility shall take place where a parking area is adequate to handle the needed vehicles and supporting structures without damage to forest vegetation or beaches.
- (2) Clearing of natural landscape shall only be permitted for the minimum area needed and when a restoration plan demonstrates that the site will be fully restored to the pre-project conditions.
- (3) A certification from the DLNR shall confirm that there is no threatened or endangered species habitat, nesting area, and/or feeding area within 500 ft of the site.
- (4) A guarantee shall be posted to ensure the clean up and restoration of the area to natural conditions after the filming is completed.

(e) **Off-Site Construction Materials Storage Yards**

- (1) These sites shall be abandoned, cleaned, and returned to their original vegetated condition on completion of the project they are servicing.
- (2) Where visible from an arterial or collector road, residential property or tourism area, such a site shall be landscaped to minimize esthetic impact.
- (3) Where there is a potential for creating an attraction for children, such a site shall be fenced to minimize the risk of unauthorized entry.
- (4) Only dry material (wood, stone, coral, metal, brick, block, or similar) shall be stored. No liquids, chemicals, or reactive materials are allowed.
- (5) A site shall be at least 150 ft from any occupied residence.

(f) **Temporary Batch Plant**

The construction of roads, bridges, retaining walls, and other large structures in remote areas, often requires temporary batch plant facilities to manufacture Portland Cement Concrete (PCC) or asphalt cement (AC). Temporary batch plant facilities typically consist of silos containing fly ash, lime, and cement; heated tanks of liquid asphalt; sand and gravel material storage areas; mixing equipment; above ground storage tanks containing concrete additives and water; and designated areas for sand and gravel truck unloading, concrete truck loading, and concrete truck washout.

- (1) These sites shall be abandoned, cleaned, and returned to their original vegetated condition on completion of the project they service.
- (2) Applicants shall submit a plan depicting the location of all silos, heating tanks, storage tanks, designated areas for truck loading and unloading, and the designated area for concrete truck washout.
- (3) Temporary batch plant facilities (including associated stationary equipment and stockpiles) shall be located at least 150 feet from any recreational area, school, residence, or other structure not associated with the construction project, except where the batch plant is not near a public facility and the applicant receives permission from all of the surrounding properties' owners for a lesser set back
- (4) Hours of operation shall be set by the Zoning Administrator on a case by case basis.

Section 614 Utilities

- (a) In addition to meeting all other requirements of this Law, utility development shall meet the requirements of this Section.

(b) Water Supply

- (1) Where an approved CUC public water supply is reasonably available as defined by CUC or DEQ, the site developer or subdivider shall make the water supply available to the subdivision or development. Such installation or contract shall include lateral lines to the property line of each lot.
- (2) Where an approved CUC public water supply is not reasonably available, the developer or subdivider shall either:
 - (A) Install a central water supply system and water lines from wells or other approved sources in accordance with the DEQ or other agency regulations;
 - or
 - (B) Submit evidence that adequate water supply and quality from alternative sources meeting all of the requirements of the DEQ or other agencies are available to the site or to each lot in the proposed subdivision.
- (3) Fire Hydrants. A fire hydrant within a subdivision may be required if an approved and funded plan for fire protection including hydrants exist. A hydrant shall be of the type, size, and number, and installed in such locations as determined by the CUC, DPW, or Fire Chief of DPS.

Section 615 Fences

- (a) In addition to meeting all other requirements of this Law, a fence shall meet the requirements of this Section.
- (b) Construction of all new fences, intended to become permanent for more than two (2) years, shall be subject to minor site plan review.
- (c) Location of Fences
 - (1) A fence for a pool or an excavation shall meet the requirements of the Building Safety Code.
 - (2) A fence should not be located in an easement. When a fence is constructed in an easement, it is subject to the conditions under which the easement was established. The property owner is responsible for any replacement or repairs to the fence should CUC or private utility company needs access to the easement.
 - (3) The construction or location of a fence shall not create an unreasonable obstruction to the natural flow of water in any drainage easement.
 - (4) A fence located across a stream or drainage swale shall be a minimum of 6 inches above grade, with the exception of upright posts or bars.
 - (5) A fence, wall or similar screening material shall not be erected or maintained in any public

right-of-way except when erected for the purpose of ensuring public safety by a government agency having proper authority.

(d) Materials

- (1) A fence shall be finished on the side facing a public right-of-way or adjacent property.
- (2) A fence shall not be constructed of materials such as plywood, particleboard, sheet metal, broken boards or other discarded materials, wire mesh, rebar, concrete slabs, concrete barriers, tarps, or other similar coverings.
- (3) Cargo containers, as typically used to ship freight on ocean-going vessels, shall not be used as portions of a fence structure.
- (4) Barbed-wire and similar fence material may only be used in conjunction with a permitted agricultural use or in conjunction with the permitted keeping of horses or livestock. Up to 2 ft of barbed or razor wire may be erected on top of another fence type for safety purposes for industrial or utility uses or for community facilities.

(e) Fence Height

(1) Residential

- (A) A freestanding solid fence, which does not allow the public to see the other side of the fence, shall not exceed six (6) feet in height including piers, posts, and finials.
- (B) Freestanding fences that allow the public to view the other side may be built to a height maximum of ten (10) feet. Such fences include, for example, picket, chain link, and wrought-iron fences.

(2) Non Residential

- (A) A freestanding solid fence, which does not allow the public to see the other side of the fence, shall not exceed six (6) feet in height including piers, posts, and finials. Except, a higher solid non-residential fence may be allowed based on unique site conditions.
- (B) Freestanding fences that allow the public to view the other side, may be built to a height maximum of ten (10) feet. Such fences would include picket, chain link, and wrought-iron fences.
- (C) The height limit shall not be deemed to prohibit safety or security fences of any height necessary for public playgrounds, public utilities, or other public institutions.

(3) Gradual Transition of Fence Height

Where a fence section of ten (10) feet in height connects to a fence section of six (6) feet in height, they shall be separated by a fence panel of no less than 12 feet in length. The transitional fence panel shall gradually increase in height to connect the two disparate fence panels.

(f) Fences Abutting Rights-of-Way or Other Special Areas

- (1) Where a non-residential fence will abut a public right-of-way, sidewalk, park, or other public use property:
 - (A) It shall be set back at least 4 feet from the right-of-way;
 - (B) A minimum of 3 small shrubs spaced every 20 feet shall be planted on the side of the fence or wall facing the right-of way, sidewalk, park, or other public use property (plantings shall not be placed in the public right-of-way); and
 - (C) It shall provide visual interest through the use of different materials or decorative posts and finials.
- (2) A chain-link fence shall not be used in the front yard of a commercial, multifamily, or institutional building where the front yard is visible from a public right-of-way, pedestrian area, or parking lot.
- (3) Where a residential fence will abut a collector or arterial street, it must provide visual interest through:
 - (A) Changes in fence setbacks or materials;
 - (B) Use of decorative posts with finials; or

(C) Use of plants spaced every 20 feet on the side of the fence or wall facing the public thoroughfare (plants shall not be placed in the public right-of-way).

(g) Fences in Required Landscape Buffers

- (1) A fence shall be permitted in a landscape buffer only where it is planned as an integral part of the buffer. Where there is existing vegetation, the fence must be installed so as to protect significant vegetation, such as being hand built and winding around trees. A fence in a buffer shall not completely enclose a section of the buffer inside the fence.
- (2) A fence shall supplement and not replace the existing and/or required plantings. A fence shall be set back from the edge of a buffer so that the buffer plantings are located on both sides of the fence, with a minimum of 4 feet from public rights-of-way. A fence shall be of uniform design throughout the buffer.

Section 616 Retaining Structures

- (a) In addition to meeting all other requirements of this Law, a retaining structure shall meet the requirements of this Section.
- (b) Grading and any support structure associated with a retaining structure shall not encroach into any required buffer or protected area and shall be contained entirely on site.
- (c) A retaining structure shall be set back from a lot line by a minimum of 3 feet.
- (d) If a lot proposed for a retaining structure abuts a zoning district other than an Industrial Zoning District, the structure shall be set back from the lot line by a distance equal to one-half the height.

Section 617 Small Wind Energy System

- (a) Small wind energy system shall be classified as an accessory use.
- (b) In addition to meeting all other requirements of the Saipan Zoning Law, a small wind energy system shall meet the requirements of this Section.
- (c) Design Approval. A small wind turbine design must meet the requirements of the National Electrical Manufacturers Association and the CNMI Department of Public Works Division of Building Safety.
- (d) Wind Tower Height and Setback. Wind tower height and setback shall be as shown in Table 1. Provided, the Zoning Administrator may reduce the minimum setback if written permission is granted by the owner or other entity with significant proprietary interest in the affected asset or lot.

Table 1. Wind Tower Height and Setback

Lot size (square meters)	Tower Height (maximum)	Setback from LotLine (minimum)	Setback From: Inhabited Structures Overhead Utility Lines Public Road ROW (minimum)
Up to 2,500	The higher of: 45 feet; or 25 feet above the peak of the roof.	10 feet	Distance equal to tower height
Over 2,500	The higher of: 60 feet; or 30 feet above the peak of the roof.	20 feet	Distance equal to tower height

- (f) Noise. A small wind energy system shall not exceed 55 decibels (dBA), as measured at the closest lot line except during short-term events such as utility outages and severe wind storms.
- (f) FAA compliance. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- (g) CUC notice. CUC shall be notified, prior to installation, of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- (h) Paint and finish. The wind generator and tower shall remain painted or finished the non-reflective color or finish that was originally applied by the manufacturer, unless approved in the building permit.
- (i) Lighting. Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of the small wind energy system, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.
- (j) Signs and Advertising. Signs and advertising shall be restricted to reasonable identification of the manufacturer or operator of the small wind energy facility and shall defer to the requirements of the Saipan Zoning Law.
- (k) Abandonment and Removal.
- (1) A small wind energy system that has been abandoned is considered to be a public nuisance and shall be removed.
 - (2) A small wind energy system shall be considered abandoned when it fails to operate for 364 consecutive days (52 weeks).
 - (3) The Zoning Administrator may grant an extension of the removal deadline for good cause shown.
 - (4) The Zoning Administrator may follow the procedures in Section 1209, entitled "Public Nuisances", of the Saipan Zoning Law to obtain removal.
- (l) System Maintenance. The applicant shall maintain the small wind energy system in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and security measures.
- (m) Unauthorized Access. Wind turbines or other structures part of a small wind energy system shall be designed to prevent unauthorized access. For instance, the tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.

1 (n) Temporary Meteorological (Met) Towers. A Met tower shall be permitted under the same
2 standards as a small wind system, except that the requirements apply to a temporary
3 structure. A permit for a temporary Met tower shall be valid for a maximum of 3 years
4 after which an extension may be granted. Wind monitoring shall be permitted in all zoning
5 districts subject to issuance of a zoning permit for a temporary structure.
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