
A BILL FOR AN ACT

To suspend the administration and implementation of the Commonwealth Zoning Code and the Saipan Zoning Law and its amendments for a period of five (5) Years; and for other purposes.

**BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that Public Law 6-32, the
2 Commonwealth Zoning Code, codified at 2 CMC §§ 7201 *et seq.*, was intended to promote
3 a rational pattern of growth, to provide for competing land uses, to abate nuisances, and to
4 manage all environmental resources of the Commonwealth as wisely as possible. This goal
5 required a legal system of land use guidance that is consistent with the aspirations and
6 values of the people, helps them maintain a desirable lifestyle, produces appropriate types
7 and levels of development for the Commonwealth, and preserves the environment for
8 future generations. Land use controls must also be practical and responsive to changing
9 circumstances. The Commonwealth Zoning Code also established Commonwealth Zoning
10 Board and professional staff to administer a land use and zoning system that protects the
11 interests of both present and future land owners and the general public. Pursuant to Public
12 Law 6-32, the Commonwealth Zoning Code provisions apply to the Third Senatorial
13 District (Saipan and the Northern Islands); but the provisions do not apply to the First
14 (Rota) and Second (Tinian and Aguiguan) Senatorial Districts.

15 The Legislature further finds that the Saipan Zoning Law enacted by the Saipan and
16 Northern Islands Legislative Delegation (SNILD) was repealed and reenacted several times
17 since 1993. The most recent enactment of the Saipan Zoning Law was through Saipan
18 Local Law 18-4 (SLL 18-4), known as the Saipan Zoning Law of 2013, which consisted
19 of pages 1-145 and attached map appendices. The findings of SLL 18-4 provided that the
20 Zoning Office was seeing improvements in different areas as follows: (a) Parking lots and
21 road accesses are safer and more attractive; (b) New buildings with landscaping are more

1 attractive and pedestrian friendly; (c) Signs are more durable and interesting; (d) Auto
2 Shops or poker parlors are being kept out of villages; (e) Neighborhoods, commercial and
3 industrial developments are being separated; and (f) Subdivisions are being designed with
4 streets that are wide enough for cars to pass and with turnaround areas for emergency
5 vehicles.

6 The findings of SSL 18-4 further stated that despite the many improvements in
7 zoning, the Zoning Board and Office, together with local businesses, zoning clients, and
8 other agencies, have identified ways to improve the Saipan Zoning Law of 2008. The
9 Zoning Office has submitted proposed amendments to the Saipan Zoning Law of 2008 in
10 the form of the Saipan Zoning Law of 2013. These proposed amendments were developed
11 in consultation with the public during eighteen (18) village meetings and public hearings,
12 nine (9) public education sessions, and through press releases, newspaper announcements
13 and comments received from members of the public. Some of the key amendments to the
14 Saipan Zoning Law include new provisions (1) allowing single family residences in most
15 zoning districts and “mom and pop” grocery stores, bookstores, flower shops, and daycares
16 in village residential districts; (2) confining industrial use such as manufacturing
17 warehousing and junkyards to industrial and mixed commercial districts; (3) creating an
18 outdoor amusement category like race tracks for rural districts; (4) regulating cargo
19 containers to be used as a residence; (5) regulating temporary batch plants for concrete.
20 Subsequently, the SNILD enacted Saipan Local Law 18-5 to establish the Saipan adult
21 gambling machine business zoning district to regulate gambling machine businesses. Since
22 2013, there have been numerous amendments to the Saipan Zoning Law pages and maps
23 to accommodate the demands of the developments on Saipan.

24 The Legislature finds that generally, the Saipan Zoning Law, is a good law that is
25 necessary to control and develop Saipan in a sustainable manner. However, for the past
26 five years or so, the administration and implementation of the Saipan Zoning Law has been
27 problematic and often stifling economic growth on Saipan. It appears that the
28 Commonwealth Zoning Office, based on various reports and community feedback, was

1 perceived as an obstacle to new development and the office has issues of inefficiency, lack
2 of transparency, and delays in the approval process for permits and zoning requests. These
3 issues can lead to frustration among business owners, developers, and residents who find
4 it difficult to navigate the system. There have also been concerns about inconsistent
5 enforcement of zoning laws, as well as a shortage of staff and resources, which can further
6 contribute to backlogs and slow decision-making. Additionally, the zoning office has
7 begun to go beyond the scope of the law that established it, encroaching on the
8 responsibilities of the Department of Public Works.

9 The Legislature finds that due to the many reports, complaints and problems with
10 the administration and implementation of the Saipan Zoning Law, it is necessary to take a
11 pause and re-evaluate the current Commonwealth Zoning Code and Saipan zoning laws,
12 regulations, procedures, and processes. As previously stated, the Saipan Zoning Law is
13 generally good for developments in Saipan and the people. However, the implementation,
14 i.e. regulations, procedures, and processes, must be consistent and within the parameters
15 of the said laws. The regulations, procedures, and processes must not include additional
16 requirements and provisions that are not necessary or not required by the Commonwealth
17 Zoning Code and the Saipan Zoning law, as amended. Therefore, the purpose of this
18 legislation is to suspend the administration and implementation of the Commonwealth
19 Zoning Code and Saipan Zoning Law for a period of five (5) years. During this five-year
20 period, the Legislature and the Executive branch can evaluate the zoning laws, regulations,
21 procedures, and processes to determine what amendments and changes must be made to
22 improve the land use and zoning system in Saipan.

23 **Section 2. Suspension.** Public Law 6-32, the Zoning Code of the CNMI, codified
24 at 2 CMC §§ 7201 through 7255 are hereby suspended for a period of five years.

25 **Section 3. Suspension.** Saipan Local Law 8-7, as amended, also known as the
26 Saipan Zoning Law of 2013 consisting of pages 1-145 with attached map appendices and
27 codified at 10 CMC §§ 3511-3512, is hereby suspended for a period of five years.

28 **Section 4. Transition and Transfer of Zoning Employees.**

1 (a) All approved and existing zoning permits shall be valid and maintained
2 according to the terms and conditions of the permits.

3 (b) All pending zoning permit applications and zoning cases shall be filed and
4 not reviewed.

5 (c) The Commonwealth Zoning Board shall be dissolved and all board
6 members shall no longer have any authority to administer the Saipan Zoning Law.

7 (d) All personnel, records, business and financial accounts and funds used in
8 the administration and operations of the Saipan Zoning Office shall be transferred to the
9 Department of Public Works. All personnel shall be transferred to work at the offices and
10 divisions of the Department of Public Works. All records shall be properly maintained and
11 stored by the Department. All business and financial accounts and funds shall be deposited
12 into the Department's business account.


13 **Section 5. Sunset.** The provisions of this Act shall expire five years after the
14 effective date of this Act.

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


19 **Section 7. Savings Clause.** This Act and any repealer contained herein shall not
20 be construed as affecting any existing right acquired under contract or acquired under
21 statutes repealed or under any rule, regulation or order adopted under the statutes.
22 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant
23 to prior law. The enactment of this Act shall not have the effect of terminating, or in any
24 way modifying, any liability civil or criminal, which shall already be in existence at the
25 date this Act becomes effective.

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

Date: 02/28/25

Introduced By: 
Senator Manny Gregory T. Castro


Senator Corina D. Magofna

Reviewed for Legal Sufficiency by:

Senate Legal Counsel