

TITLE 10: LOCAL LAWS
DIVISION 1: FIRST SENATORIAL DISTRICT (ROTA)

§ 1705. Zoning Board: Creation and Responsibilities.

(a) *Creation.* There is established for the Municipal Council of Rota an additional set of responsibilities and duties as the Zoning Board of Rota.

(b) *General Responsibilities.* The Zoning Board shall be responsible for the following:

(1) To educate the public about this article and the requirement for compliance. Such educational program shall be mandatory and shall be undertaken prior to submission of the zoning plan of the Zoning Board to the First Senatorial District legislative delegation.

(2) To administer and enforce this article.

(3) To hear and grant or deny applications for changes in land use district boundaries, uses or requirements, imposing such conditions as are deemed necessary to fulfill the purposes and policies of this article.

(4) To establish fees for processing of applications and for other procedures required or authorized by this article.

(5) To report annually on its activities to the First Senatorial District legislative delegation.

(6) To hire and to supervise the activities of the zoning administrator.

(c) *Specific Responsibilities: Zoning Plan.* The Zoning Board shall be responsible for preparing the zoning plan for Rota in accordance with the guidelines provided in 10 CMC § 1707.

(1) *Public Participation.* In coordination with the zoning advisory council, the Zoning Board shall hold open public hearings on the island of Rota in at least all major villages to solicit public opinion on proposed land use districts, boundaries and regulations.

(2) *Coordination with MPLC.* To the greatest extent feasible, the Zoning Board shall coordinate its responsibility for obtaining public comment on proposed land uses, as per subsection (c)(1) of this section, with the public comment activities of the Marianas Public Land Corporation (MPLC), or its successor agency, as MPLC fulfills its responsibility to adopt a comprehensive land use plan for the public lands of the Commonwealth.

To the greatest extent feasible, the Zoning Board shall coordinate the zoning plan with the comprehensive land use plan for public lands adopted by MPLC.

(3) *Report to Legislature; Adoption of Zoning Plan.* The Zoning Board shall submit its completed zoning plan by October 17, 1992, to the First Senatorial District legislative delegation.

The First Senatorial District legislative delegation shall have 90 days from submission within which to approve, or amend and approve, the zoning plan, by a separate local law duly enacted. Failure of the legislative delegation to act within this time shall be deemed as approval by the delegation.

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(d) *Regulations.* The Zoning Board shall promulgate regulations to carry out the intent and purposes of this article. The Zoning Board shall adopt such regulations within 60 days of adoption of the zoning plan into law.

(e) *Chairperson.* At the first meeting of the Zoning Board, the members shall elect a chairperson who shall maintain that position until his or her term expires as a member of the municipal council.

(f) *Meetings.* The Zoning Board shall meet at least once a month on a set day so that the public can have a regular expectation of the Zoning Board's meeting. Either the chairperson or any two members may call for any additional meeting. Advance public notice shall be posted at the Commonwealth Superior Court on Rota and the office of the mayor for at least two weeks prior to a meeting. Meetings of the Zoning Board, except for those meetings dealing with termination, hiring, or discipline of the administrator, shall be open to the public. The opportunity for public participation at meetings shall be provided. No decisions of the Zoning Board shall be made other than in a duly noticed public meeting. The Zoning Board shall adopt rules of procedure necessary for the conduct of its operations and meetings. A majority of the Zoning Board members is required to transact official business consistent with other applicable Commonwealth law.

A written record of all meetings shall be kept and be available for public inspection. Such records shall include clear statements of how and why decisions were made. Copies of such records shall be available to the public upon payment of a reasonable copying cost.

(g) *Appeals.* An applicant may appeal a determination of the Zoning Board pursuant to the provisions of 1 CMC § 9112; except, the court shall act upon such appeals within 60 days of the written record of the relevant Zoning Board meeting being made available to the court.

Source: Rota LL 8-2, § 5, modified.