



REPUBLIC OF THE PHILIPPINES
PROVINCE OF PAMPANGA
MUNICIPALITY OF MEXICO
OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPTS FROM THE MINUTES OF THE MINUTES OF THE 129TH REGULAR SESSION OF THE NINTH SANGGUNIANG BAYAN OF THE MUNICIPALITY OF MEXICO, PROVINCE OF PAMPANGA HELD ON MARCH 20, 2019 AT THE SANGGUNIAN SESSION HALL.

PRESENT:

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| Hon. Jonathan R. Pangan | - | Municipal Vice-Mayor / Presiding Officer |
| Hon. Lourdes G. Sicat | - | S. B. Member |
| Hon. Emmanuel R. Manalo | - | " |
| Hon. Fernando R. Dizon | - | " |
| Hon. Elimar M. Ventura | - | " |
| Hon. Louise Angelica D. Simbulan | - | " |
| Hon. Terence S. Napao | - | A.B.C. President |
| Hon. Dexter T. Colis | - | S.K.M.F. President |

ABSENT:

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|---------------------------|---|--------------|
| Hon. Eduardo T. Vitangcul | - | S. B. Member |
| Hon. Romeo C. Payabyab | - | " |
| Hon. Noel R. Sambile | - | " |

MUNICIPAL ORDINANCE NO. 010-2017

A MUNICIPAL ORDINANCE ENACTING THE COMPREHENSIVE ZONING ORDINANCE OF THE MUNICIPALITY OF MEXICO, PROVINCE OF PAMPANGA; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OR MODIFICATION THEREOF; AND REPEALING ALL EXISTING MUNICIPAL ORDINANCES INCONSISTENT THEREWITH.

WHEREAS, the implementation of the Comprehensive Land Use Plan contained in Resolution No. 015-2019 of the Sangguniang Bayan requires the passage of a zoning regulatory measure in order to translate its planning goals and objectives into reality; and

WHEREAS, the Local Government Code of 1991 empowers local government units to enact zoning regulatory measures in consonance with their respective approved comprehensive land use plan, subject, however to existing laws, rules and regulations.

NOW THEREFORE –

On motion of Honorable Fernando R. Dizon and duly seconded by Honorable Louise Angelica D. Simbulan,



BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF MEXICO, PROVINCE OF PAMPANGA, in regular session assembled:

**ARTICLE I
TITLE OF THE ORDINANCE**

SECTION 1. TITLE OF THE ORDINANCE. – This Municipal Ordinance shall be known as the **Comprehensive Zoning Ordinance of the Municipality of Mexico, Province of Pampanga** and shall be referred to as the Ordinance.

**ARTICLE II
AUTHORITY AND PURPOSE**

SECTION 2. AUTHORITY. – This Municipal Ordinance is enacted in pursuance to the pertinent provisions of Subsection a.2(ix) of Section 447 of Republic Act No. 7160, authorizing the Municipality of Mexico through the Sangguniang Bayan to adopt a Zoning Ordinance subject to existing laws and in conformity to Executive Order No. 72, series of 1993 of the Office of the President.

SECTION 3. PURPOSE. – This Ordinance is enacted for the following purposes:


1. Guide, control and regulate future growth and development of Mexico, Pampanga in accordance with its Comprehensive Land Use Plan;
2. Protect the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open spaces and other functional areas within the locality and promote the orderly and beneficial development of the same;
3. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the locality.


SECTION 4. GENERAL ZONING PRINCIPLE. – This Zoning Regulation is based on the approved General and Urban Land Use Plan as per Resolution No. 015-2019 of the Municipality of Mexico, Province of Pampanga.

**ARTICLE III
DEFINITION OF TERMS**

The definition of technical terms used in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as, but not limited to the National Building Code, Water Code, Philippine Environmental Code and other Implementing Rules and Regulations, promulgated by the HLURB. The words, terms and phrases enumerated hereunder shall be understood to have the meaning corresponding indicated as follows:

1. **Agricultural Zone (AGZ)** – an area within the municipality intended for cultivation / fishing and pastoral activities e.g., fishing, farming, cultivation of crops, goat / cattle raising, etc.

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2. **Agri-Industrial Zone (AgInZ)** – an area within the municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugarcane, etc.
 3. **Agro-Forestry Zone (AFZ)** – an area within the local government unit devoted to agro-forestry uses.
 4. **Aquaculture Sub-Zone (Aq-SZ)** – an area within the Municipal Waters Zone of the municipality designated for “fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas” (Fisheries Code).
 5. **HLURB / Board** – shall mean the Housing and Land Use Regulatory Board.
 6. **Buffer / Greenbelt Zone (B / GZ)** – an area within a municipality that are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution / nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.
 7. **Central Business District** – refers to area designated principally for trade, services and business purposes (Commercial Zone).
 8. **Certificate of Non-Conformance** – certificate issued to owners of all uses existing prior to the approval of the Zoning Ordinance, which do not conform in a zone as per provision of the said Ordinance.
 9. **Certificate of Non-Coverage** – a document issued by the DENR certifying that the proposed project or undertaking is not included in the Environmental Impact Statement (EIS) system.
 10. **Cockpit** – a pit or enclosure within a building or a portion thereof where cockfights are held. Money betting may be made or not.
 11. **Commercial Garage** – a garage where motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, hire or sale.
 12. **Compatible Use** – uses of land activities capable of existing together harmoniously, e.g. residential use and parks and playgrounds.
 13. **Comprehensive Land Use Plan (CLUP)** – a document embodying specific proposals for guiding and regulating growth and / or development. The main components of the Comprehensive Land Use Plan in this usage are the sectoral studies, e.g. Demography, Socio-Economic, Infrastructure and Utilities, Local Administration and Land Use.
 14. **Conflicting Uses** – a use or land activities with contrasting characteristics sited adjacent to each other, e.g., residential units adjacent to industrial plants.
 15. **Conforming Use** – a use that is in accordance with the zone classification as provided for in the Ordinance.

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16. **Easement** – open space imposed on any land use / activities sited along waterways, road-right-of-ways, cemeteries / memorial parks and utilities.
 17. **Ecotourism Overlay Zone (ETM-OZ)** – an area in the municipality intended for ecotourism uses.
 18. **Environmental Compliance Certificate** – a document issued by DENR certifying that the proposed project or undertaking will not cause significant negative environment impacts and the proponent has complied with the requirements of the EIS system.
 19. **Environmentally Critical Areas** – refer to those areas that are environmentally sensitive and are listed in Presidential Proclamation No. 2146 dated December 14, 1981.
 20. **Environmentally Critical Projects** – refer to those projects that have high potential for negative environmental impacts and are listed in Presidential Proclamation No. 2146 dated December 14, 1981.
 21. **Exception** – a device which grants a property owner relief from certain provisions of a Zoning Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
 22. **Floor Area Ratio or "FAR"** – the ratio between the gross floor area of a building over the area of the lot on which it stands, determined by dividing the gross floor area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed FAR multiplied by the lot area. The FAR of any zone should be based on its capacity to support development in terms of the absolute level of density that the transportation and other utility networks can support.
 23. **Forest Zone** – an area within the municipality intended primarily for forest purposes.
 24. **General Commercial Zone (GCZ)** – an area within the municipality for trading / services / business purposes.
 25. **General Institution Zone (GIZ)** – an area within the municipality principally for general types of institutional establishments, e.g. government offices, schools, hospitals / clinics, academic / research, convention centers.
 26. **General Residential Zone (GRZ)** – an area within the municipality principally for dwelling / housing purposes.
 27. **General Zoning Map** – a duly authenticated map delineating the different zones in which the whole municipality is divided.
 28. **Gross Floor Area (GFA)** – is the total floor space within the perimeter of the permanent external building walls, occupied by:

- Office areas;
- Residential areas;
- Corridors;
- Lobbies;
- Mezzanines;
- Vertical penetrations which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls;
- Rest rooms or toilets;
- Machine rooms and closets;
- Storage rooms and closets;
- Covered balconies and terraces;
- Interior walls and columns, and other interior features;

but excluding:

- Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;
- Uncovered areas for air-condition cooling towers, overhead water tanks, roof deck, laundry areas and cages, wading or swimming pools, whirlpools or Jacuzzis, gardens, courts or plazas.

29. High Density Residential Zone – a subdivision of an area principally for dwelling / housing purposes with a density of 66 or more units per hectare.

30. Heavy Industrial Zone – an area within the municipality principally for the following types of industries:

- Highly pollutive / Non-hazardous;
- Highly pollutive/ Hazardous;
- Highly pollutive / Extremely Hazardous;
- Pollutive / Extremely Hazardous; and
- Non-pollutive / Extremely Hazardous.

31. Hospital – an institution providing health services primarily for in-patient, medical or physical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient department, training facilities and staff offices.

32. **Innovative Design** – introduction and / or application of new / creative designs and techniques on development projects, e.g. Planned Unit Development (PUD), New Town, etc.
33. **Light Industrial Zone (L-I)** – a subdivision of an area principally for the following types of industries:
- Non-pollutive / non-hazardous; and
 - Non-pollutive / hazardous.
34. **Locational Clearance** – a clearance issued to a project that is allowed under the provisions of this Zoning Ordinance as well as other standards, rules and regulations on land use.
35. **Low Density Commercial Zone** – an area within the municipality principally for trade, services and business activities ordinarily referred to as the Central Business District.
36. **Low Density Residential Zone** – an area within the municipality principally for dwelling / housing purposes with a density of 20 dwelling units and below per hectare.
37. **Medium Density Commercial Zone** – an area within the municipality with quasi-trade business activities and service industries performing complementary / supplementary functions to principally commercial zone (CBD).
38. **Medium Density Residential Zone** – an area within the municipality principally for dwelling / housing purposes with a density of 21 to 65 dwelling units per hectare.
39. **Medium Industrial Zone** – an area within the municipality principally for the following types of industries:
- Non- Pollutive / Non-hazardous; and
 - Pollutive / hazardous.
40. **Mitigating Device** – a means to grant relief in complying with certain provisions of the Ordinance.
41. **New Town** – shall refer to a town deliberately planned and built which provides, in addition to houses, employment, shopping, education, recreation, culture and other services normally associated with a city or town.
42. **Non-Conforming Use** – existing non-confirming uses / establishments in an area allowed to operate in spite of the non-conformity to the provisions of the Ordinance subject to the conditions stipulated in this Zoning Ordinance.
43. **Parks and Recreation Zone (PRZ)** – an area designed for diversion / amusements and for the maintenance of ecological balance of the community.

44. **Planned Unit Development (PUD)** – it is a land development scheme wherein project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning / design, building siting, complementarity of building types and land uses, usable open spaces and the preservation of significant natural land features.
45. **Production Agricultural Sub-Zone (PDA-SZ)** – an area within the Agricultural Zone of the municipality that is outside of NPAAAD and declared by the municipality for agricultural use.
46. **Protection Agricultural Sub-Zone (PTA-SZ)** – an area within the Agricultural Zone of the municipality that includes the NPAAAD which are “agricultural areas identified by the Department of Agriculture through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth”.
47. **Rezoning** – a process of introducing amendments to or a change in the text and maps of the Zoning Ordinance. It also includes amendment or change in view of reclassification under Section 20 of R.A. No. 7160.
48. **Rural Area**– area outside of designated urban area.
49. **Service / Filling Station** – a building and its premises where gasoline, oil, grease, batteries, tires and car accessories may be supplied and dispensed at retail and where in addition, the following services may be rendered:
- Sale and servicing of spark plugs, batteries and distributor parts;
 - Tire servicing and repair, but not recapping and re-grooving;
 - Replacement of mufflers and tail pipes, water hose, fan belts, brake fluids, light bulbs, fuses, floor mats, seat covers, windshield wipers & wiper blades, grease retainers, wheel bearings, mirror & the like;
 - Radiator cleaning and flushing;
 - Washing and polishing, and sale of automotive;
 - Greasing and lubrication;
 - Minor servicing and carburetors;
 - Adjusting and repairing of brakes;
 - Minor motor adjustments not involving removal of the head or crankcase or raising the motor;

- Sale of softdrinks, packaged foods, tobacco and similar convenient goods for service station customers as accessory and incidental to the principal operation;
- Provision of road maps and other informational materials to customers and provision of rest room facilities.

Major mechanical and body work straightening of body parts, painting, welding, storage of automobiles not in operating conditions, or other works involving noise, glare, fumes, smoke or other characteristics to any extent greater than normally found in service stations are not permitted at a service station.

50. **Setback** – the open spaces left between the building and lot lines.
51. **Special Institutional Zone (SI-Z)** – an area in the municipality intended principally for particular types of institutional establishments, e.g. welfare homes, orphanages, home for the aged, rehabilitation and training centers, military camps / reservation / bases / training grounds, etc.
52. **Strategic Agriculture and Fisheries Development Zone (SAFDZ)** – refers to “areas within the NPAAAD identified for production, agro-processing and marketing activities to help develop and modernize, with the support of government, the agriculture and fisheries sectors in an environmentally and socio-culturally sound manner” (AFMA).
53. **Tourism Zone** – are sites within the municipality endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.
54. **Urban Area(s)** – include/s a/all barangay(s) or portion(s) of which comprising the Poblacion, Central Business District (CBD) and other built-up areas including the urbanizable land in and adjacent to said areas and where at least more than fifty percent (50%) of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes.
55. **Urban Zoning Map** – a duly authenticated map delineating the different zones into which the urban area and its expansion area are divided.
56. **Urbanizable Land** – area designated as suitable for urban expansion by virtue of land use studies conducted.
57. **Variance**– a special locational clearance which grants a property owner relief from certain provisions of Zoning Ordinance where, because of the particular physical surrounding, shape or topographical conditions of the property, compliance on height, area, setback, bulk and / or density would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
58. **Warehouse** – refers to a storage and / or depository of those in business of performing warehouse services for others for profit.

59. **Water Zone** – refers to bodies of water within the municipality that include rivers, streams, lakes and seas except those included in other zone classification.
60. **Zone / District** – an area within the municipality for specific land use as defined by manmade or natural boundaries.
61. **Zoning Administrator / Zoning Officer** – a municipal government employee appointed by the Mayor and who is responsible for the implementation / enforcement of the Zoning Ordinance in the community.
62. **Zoning Ordinance** – a local legal measure that embodies regulations affecting land use.

ARTICLE IV ZONE CLASSIFICATIONS

SECTION 5. DIVISION, ZONE OR DISTRICTS. – To effectively carry out the provisions of this Ordinance, the municipality is hereby divided into the following zones or districts as shown in the official zoning map (refer to Annexes and for the appropriate color codes):

1. General Residential Zone (GR-Z);
2. Socialized Housing Zone (SH-Z);
3. Low Density Commercial Zone (C1-Z);
4. Medium Density Commercial Zone (C2-Z);
5. High Density Commercial Zone (C3-Z);
6. General Institutional Zone (GI-Z);
7. Special Institutional Zone (SI-Z);
8. Light Industrial Zone (I1-Z);
9. Medium Industrial Zone (I2-Z);
10. Heavy Industrial Zone (I3-Z);
11. Production Agriculture Sub-Zone (PDA-SZ);
12. Protection Agriculture Sub-Zone (PTA-SZ);
13. Protection Aquaculture Sub-Zone (PTAq-SZ);
14. Aquaculture Sub-Zone (Aq-SZ);
15. Agri-Industrial Zone (AgInZ);
16. Parks and Recreational Zone (PR-Z);

17. Eco-Tourism Overlay Zone (ETM-OZ);
18. Water Zone (W-Z);
19. Cemetery and Memorial Park Zone (C/MP-Z);
20. Utilities, Transportation and Services Zone (UTS-Z); and
21. Buffer / Greenbelt Zone (B/G-Z).

SECTION 6. ZONING MAPS. – It is hereby adopted as an integral part of this Ordinance, the official zoning maps for urban areas and for the whole municipality (General), wherein the designation, location and boundaries of the districts / zones herein established are shown and indicated. Such official zoning maps shall be signed by the Local Chief Executive and duly authenticated by the Sangguniang Bayan.

SECTION 7. ZONE BOUNDARIES. – The locations and boundaries of the above mentioned various zones into which the municipality has been divided are hereby identified and specified as follows:

ZONE BOUNDARIES:

| ZONE | LOCATION |
|------------------------------------|---|
| Buffer / Greenbelt Zone (B/G-Z) | <ul style="list-style-type: none"> • All areas colored dark green (RGB: 0,100,0) with hatch. • Areas bounding each bank of waterways, and not falling less than 3-meters and 20-meters from each side of water bodies if within urban areas and agricultural zones, respectively. |
| General Residential Zone (GR-Z) | <ul style="list-style-type: none"> • All areas colored light yellow in Zoning Map (RGB: 255,255,130). • 10 to 100 meters from road centerlines applicable to all roads but shall not encroach waterways. |
| Socialized Housing Zone (SH-Z) | <ul style="list-style-type: none"> • Areas colored yellow (RGB: 255,255,0) in barangays Tangle, Pandacaqui. Labeled "SH-Z" in barangay San Juan refers to proposed socialized housing. • Areas colored light yellow in Zoning Map in barangay San Rafael west side of NLEX adjacent to Summerfield and Tierra Vista subdivision. |
| Low Density Commercial Zone (C1-Z) | <ul style="list-style-type: none"> • Areas colored light red (RGB: 255,125,125) labeled "C1-Z" in Zoning Map. • Both sides of proposed road extending from Balas to Masamat, all the way to NLEX. • Few portions on both sides of proposed road connecting JASA Road and Quezon Road (barangays San Jose Matulid and San Antonio). |

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| Medium Density Commercial Zone (C2-Z) | <ul style="list-style-type: none"> • Areas colored red (RGB: 255,255,0) in Zoning Map specified as C2-Z. • 50 to 100 meters on both sides of JASA Road, starting from Wilcon Depot up to Lagundi Bridge. • Areas within 10 to 50 meters on both sides of JASA Road from Lagundi Bridge up to Abacan River. • Areas within 10 to 50 meters from road centerline starting from municipal hall up to Parian and San Carlos barangay boundary. • Areas within 10 to 100 meters from the centerline of the Quezon Road traversing all areas being influenced by the by-pass road specifically barangays of Laug, Dolores Piring, San Nicolas and San Lorenzo. • Areas within 10 to 50 meters from road centerline portions of Quezon Road in barangays San Roque, San Nicolas and Laug. • Areas within 50 to 300 meter radius from intersection of NLEX and Sindalan-Anao Road. • Areas within 10 to 50 meters from centerline of Angeles-Magalang Road in barangay Sapang Maisac as shown in Zoning Map. • 10 to 100 meters from centerline of road in northern part of Pandacaqui resettlement area. • 10 to 50 meters from centerline of Mexico-Magalang Road in barangay San Carlos from Mexico Community Hospital up to Mexico National High School. |
| High Density Commercial Zone (C3-Z) | <ul style="list-style-type: none"> • Areas colored red (RGB: 170,0,0) in Zoning Map specified as C3-Z. • 100 to 200 meters on both sides from the centerline of JASA Road starting from the boundary of Mexico and CSFP up to area across Wilcon Depot. |
| General Institutional Zone (GI-Z) | <ul style="list-style-type: none"> • All colored blue (RGB: 0,0,255) in Zoning Map. • Corresponds to general institutional facilities such as government buildings, schools, hospitals and health units, gymnasiums and sports complexes and churches. |
| Special Institutional Zone (SI-Z) | <ul style="list-style-type: none"> • Lighter shade of blue (RGB: 0,115,255) in Zoning Map. • A proposed government center that will serve as "one-stop shop" for all government offices offering their mandated services to the public shall be established. The said government center shall be built in San Jose Matulid, near the proposed road connecting JASA and Quezon roads. |

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| Utilities, Transportation and Services Zone (UTS-Z) | <ul style="list-style-type: none"> • All colored steel gray (RGB: 178, 178, 178) in Zoning Map. • NGCP area located in San Jose Matulid at around 14 hectares. • 4 hectares PELCO1 area in barangay Sto. Domingo, north side of JASA Road. • All existing roads, transmission offices of electric and water utilities, toll services, telecommunication towers and road strips fall under this category. |
| Light Industrial Zone (I1-Z) | <ul style="list-style-type: none"> • All colored light violet (RGB: 195,50, 255) in Zoning Map. • Proposed light industrial zones at 40 hectares in Anao, 20 hectares in San Jose Malino, 13 hectares in San Antonio, and 48 hectares in San Jose Matulid. Light industrial zone in San Jose Matulid shall surround each side of proposed road connecting San Isidro Laug and Sto. Cristo and traversing San Lorenzo, San Antonio and San Jose Matulid. |
| Medium Industrial Zone (I2-Z) | <ul style="list-style-type: none"> • All colored violet (RGB: 150, 0, 200) in Zoning Map. • Proposed medium industrialized zone shall cover San Lorenzo, San Isidro Laug and San Nicolas at 120, 98 and 48 hectares, respectively. |
| Heavy Industrial Zone (I3-Z) | <ul style="list-style-type: none"> • All colored dark violet (RGB: 90, 0, 250) in Zoning Map. • Proposed heavy industrialized zone shall cover San Lorenzo, San Isidro Laug and Dolores Piring at 32, 22 and less than 1 hectares, respectively. |
| Agricultural Zone / Production Agriculture Sub-Zone (PDA-SZ) | <ul style="list-style-type: none"> • All areas colored green (RGB: 0, 150, 0) in the Zoning Map which represent agricultural lands utilized for production and grazing (grasslands and idle / abandoned agricultural lands). |
| Agri-Industrial Zone (AgInZ) | <ul style="list-style-type: none"> • All areas colored mauve (RGB: 200,150,255) in Zoning Map. • Livestock and poultry-raising farms. |
| Parks and Recreational Zone (PR-Z) | <ul style="list-style-type: none"> • All areas colored light green (RGB: 100,225,100) and labeled "PRZ" in the Zoning Map. • Public parks and camping sites fall under this category. |
| Cemetery / Memorial Park Zone (C/MP-Z) | <ul style="list-style-type: none"> • All areas colored bright mint green (RGB: 165, 255, 115) that indicate both public and private cemeteries / memorial parks. |
| Eco-Tourism Overlay Zone (ETM-OZ) | <ul style="list-style-type: none"> • All areas colored orange (RGB: 255,153,0) and labeled "ETM-OZ" in the Zoning Map. • More than one kilometre along Abacan River, starting from the bridge in Sto. Rosario going upstream to San Patricio and about 30-meters from each bank, the revetment and riparian buffers shall be aesthetically improved with provision of benches, ornamental vegetation and stylish pathways and biking sections to promote tourism. |
| Aquaculture Sub-Zone (Aq-SZ) | <ul style="list-style-type: none"> • All areas colored light steel blue (RGB: 175, 215, 230) in the Zoning Map, which indicate fishponds utilized for production. |

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| Water Zone (W-Z) | <ul style="list-style-type: none"> All areas colored light blue (RGB: 0, 195,255) in the Zoning Map, which mainly are rivers and creeks, and irrigation. |
| Protection Agriculture Sub-Zone (PTA-SZ) Protection Aquaculture Sub-Zone (PTAq-SZ) | <ul style="list-style-type: none"> There are two (2) color coding used for Zoning Areas which fall under the Strategic Agriculture and Fishery Development Zones (SAFDZ). These are strictly excluded from any reclassification and land conversion. Agricultural lands and fishponds under SAFDZ are identified as Protection Agriculture Zones and Protection Aquaculture Zones, respectively. PTA-SZ is colored green ((RGB: 0, 150, 0) with hatching, while PTAq-SZ is colored light steel blue (RGB: 175, 215, 230) with hatching. |

SECTION 8. INTERPRETATION OF THE ZONE BOUNDARY. – In the interpretation of the boundaries for any of the zones indicated on the zoning map, the following rules shall apply:

1. Where zone boundaries are so indicated that they approximately follow the center of street or highway, the street or highway right-of-way lines, shall be construed to be the boundaries;
2. Where zone boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries;
3. Where zone boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of street and highway, such zone boundaries shall be construed as being parallel thereto and at such distance there from as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map;
4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way;
5. Where the boundary of a zone follows a stream, lake or other bodies of water, such boundary line should be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated;
6. Where a lot of one's ownership, as of record at the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the boundary line bisects the lot, it shall fall in the zone where the principal structure falls;
7. Where zone boundary is indicated as one-lot-deep, said depth shall be construed to be the average lot depth of the lots involved within each particular city / municipal block. Where, however, any lot has a depth greater than said average, the remaining portion of said lot shall be construed as covered by the one-lot-deep zoning district,

provided, the remaining portion has an area less than equivalent to fifty percent (50%) or more of the total area of the lot than the average lot depth shall apply to the lot which shall become a lot divided and covered by two or more different zoning districts, as the case may be;

In case of any remaining doubt as to the location of any property along zone boundary lines, such property shall be considered as falling within the less restrictive zone;

8. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.

SECTION 9. GENERAL PROVISIONS. – The uses enumerated in the succeeding sections are neither exhaustive nor all-inclusive. The Local Zoning Board of Appeals (LZBA) shall, subject to the requirements of this article, allow other uses not enumerated hereunder, provided, that they are compatible with the uses expressly allowed.

Unless otherwise herein provided, no building structure or land shall be used or occupied and no building or structure or a part thereof shall hereafter be erected, constructed or reconstructed, moved or structurally altered except in conformity with the provisions of the National Building Code of the Philippines (P.D. No. 1096) and all the implementing rules and regulations issued hereto. This provision shall be uniformly observed in all the zones.

Allowance of further uses shall be based on the intrinsic qualities of the land and the socio-economic potential of the locality with due regard to the maintenance of the essential qualities of the zone.

Specific uses / activities of lesser density within a particular zone (low density residential) may be allowed within the zone of higher density (medium density residential, high density residential) but not vice versa, nor in another zone and its subdivisions (e.g. general commercial, low density commercial, medium density commercial), except for uses expressly allowed in said zones, such that the cumulative effect of zoning shall be intra-zonal and not inter-zonal.

SECTION 10. USE REGULATIONS IN GENERAL RESIDENTIAL ZONE.
– A General Residential Zone shall be used principally for dwelling / housing purposes so as to maintain peace and quiet of the area within the zone. The following are the allowable uses:

1. Single-detached dwelling units;
2. Semi-detached family dwelling units, e.g. duplex;
3. Townhouses;
4. Apartments;
5. Residential condominiums;
6. P.D. No. 957 Subdivisions;
7. P.D. No. 957 Condominiums;

8. Boarding houses;
9. Dormitories;
10. Pension houses;
11. Hotel apartments or apartels;
12. Hotels;
13. Museums;
14. Libraries;
15. Home occupation for the practice of one's profession such as offices of physicians, surgeons, dentists, architects, engineers, lawyers and other professionals or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - a. The number of persons engaged in such business / industry shall not exceed five (5), inclusive of owner;
 - b. There shall be no change in the outside appearance of the building premises; That in no case shall more than 20% of the building be used for said home occupation;
 - c. No home occupation shall be conducted in any customary accessory uses cited above;
 - d. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
 - e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
16. Home Industry classified as cottage industry, provided that:
 - a. Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - b. It shall be classified as non-pollutive / non-hazardous as provided in this integrated ZO;
 - c. Allotted capitalization shall not exceed the capitalization as set by the DTI; and

- d. Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment / process under Home Occupation of this section.
- 17. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - a. Swimming pool,
 - b. Tennis courts,
 - c. Basketball courts.
- 18. Parks and Open Spaces;
- 19. Nursery / Elementary school;
- 20. High school;
- 21. Vocational school;
- 22. Tutorial services;
- 23. Sports club;
- 24. Religious Use;
- 25. Multi-purpose / Barangay hall;
- 26. Clinic, nursing and convalescing home, health center;
- 27. Plant nursery;
- 28. Parking buildings (aboveground / underground);
- 29. Customary accessory uses incidental to any of the principal uses provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes such as:
 - a. Servants quarters;
 - b. Private garage;
 - c. Guardhouse;
 - d. Laundries;
 - e. Non-commercial garages;
 - f. Houses for pets such as dogs, birds, rabbits and the like of not more than 4.00 sq. m. in floor area:
 - 1) Pump houses,
 - 2) Generator houses.

SECTION 10A. USE REGULATIONS IN SOCIALIZED HOUSING ZONE (SHZ). – A SHZ shall be used principally for socialized housing / dwelling purposes for the unprivileged and homeless as defined in R.A. No. 7279. Allowed uses:

1. All uses allowed in General Residential Zone.

SECTION 11. USE REGULATIONS IN COMMERCIAL ZONE. – A Commercial Zone shall be for business / trade / services.

SECTION 11A. USE REGULATIONS IN C-1 ZONE. – Referred to as Central Business District (CBD), a C-1 Zone shall be principally trade, services and business activities. Enumerated below are allowable uses:

1. Offices like –

- a) Office building; and
- b) Office condominium.

2. General retail condominium –


- a) Department store;
- b) Bookstore and office supply shop;
- c) Home appliance store;
- d) Car shop;
- e) Photo shop; and
- f) Flower Shop.

3. Food markets and shops like –

- a) Bakery and bake shop;
- b) Wine store;
- c) Grocery; and
- d) Supermarket.

4. Personal service shops like –

- a) Beauty parlor;
- b) Barber shop;
- c) Sauna bath and massage clinic; and
- d) Dressmaking and tailoring shops.

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5. **Recreational centers / establishments like –**
- a) Movie house / theater;
 - b) Play court, e.g. tennis court, bowling lane, billiard hall;
 - c) Swimming pool;
 - d) Day and night club;
 - e) Stadium, coliseum, gymnasium; and
 - f) Other sports and recreational establishment.
6. Restaurants and other eateries;
7. **Short term special education like –**
- a) Dancing schools;
 - b) School for self-defense;
 - c) Driving school; and
 - d) Speech clinics.
8. Storerooms but only as may be necessary for the efficient conduct of the business;
9. **Commercial housing like –**
- a) Commercial condominium (with residential units in upper floors)
10. Embassy / consulate;
11. Library / museum;
12. Filling station / service station;
13. Clinic;
14. Vocational / technical school;
15. Convention center and related facilities;
16. Delivery service;
17. Security agency;
18. Janitorial service;
19. Bank and other financial institutions;
20. Radio and television station;

21. Building garage;
22. Commercial and job printing;
23. Typing and photo engraving services;
24. Repair of optical instruments and equipment and cameras;
25. Repair of clocks and watches;
26. Manufacture of insignia, badges and similar emblems except metal;
27. Transportation terminal / garage;
28. Plant nursery;
29. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities.

SECTION 11B. USE REGULATIONS IN C-2 ZONE. – A C-2 Zone shall be for quasi-trade, business activities and service industries performing complimentary functions to principally Commercial Zone (CBD). Within the C-2 Zone, the following uses are allowed:

1. All uses in C-1 may be allowed in C-2;
2. **Repair shops like –**
 - a) House appliances;
 - b) Motor vehicles and accessories;
 - c) Home furnishing shops.
3. Transportation terminal / garage with repair;
4. Publishing;
5. Medium scale junk shop;
6. Machinery display shop / center;
7. Gravel and Sand;
8. Lumber / Hardware;
9. Manufacture of ice, ice blocks, cubes, crushed, except dry ice;
10. Manufacture of signs and advertising displays (except printed);
11. Chicharon factory;
12. Welding shop;

13. Machine shop service operation (repainting / rebuilding or custom job order);
14. Repair of motorcycles;
15. Lechon or whole toasting;
16. Biscuit factory – manufacture of biscuits, cookies, crackers and other similar dried bakery products;
17. Doughnut and hopia factory;
18. Other bakery products not elsewhere classified;
19. Repackaging of food products, e.g. fruits, vegetables, sugar and other related products;
20. Funeral parlors, mortuaries and crematory services and memorial chapels;
21. Parking lots, garage facilities;
22. Other commercial activities not elsewhere classified; and
23. Warehouse / Storage.


SECTION 11C. USE REGULATIONS IN C-3 ZONE. – A C-3 Zone within the municipality shall be intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and requires metropolitan level development planning and implementation. High rise hotels, sports stadium or sports complex areas are also allowed in this zone. This zone may also be called as the Central Business District (CBD). Within the C-3 Zone the following uses are allowed:


1. All uses allowed in C-1 and C-2 Zones;
2. All uses allowed in other General Residential Zones;
3. Regional shopping malls / centers;
4. The number of allowable storeys / floors above established grade is sixty (60) as provided in the NBC; and
5. The Building Height Limit is 180.00 meters above highest grade as provided in the NBC.

SECTION 12. USE REGULATIONS IN LIGHT INDUSTRIAL ZONE (I-1).
– An I-1 Zone shall be for non-pollutive / non-hazardous and non-pollutive / hazardous manufacturing / processing establishments. Enumerated below are the allowable uses:

Non- Pollutive / Non-Hazardous Industries:

1. Drying fish;

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2. Biscuit factory-manufacture of biscuits, crackers and other similar dried bakery products;
 3. Doughnuts and hopia factory;
 4. Manufacture of macaroni, spaghetti and vermicelli and other noodles;
 5. Other bakery products not elsewhere classified;
 6. Life belts factory;
 7. Manufacture of luggage, handbags, wallets and small leather goods;
 8. Manufacture of miscellaneous products of leather and leather substitutes and n.e.c.;
 9. Manufacture of shoes except rubber, plastic and wood;
 10. Manufacture of slippers and sandals except rubber and plastic;
 11. Manufacture of footwear parts except rubber and plastic;
 12. Printing, publishing and allied industries and those n.e.c.;
 13. Manufacture of assembly of typewriters, cash registers, weighing, duplicating and accounting machines;
 14. Manufacture or assembly of electronics data processing machinery and accessories;
 15. Renovation and repair of office machinery;
 16. Manufacture or assembly of miscellaneous office machines and those n.e.c.;
 17. Manufacture of rowboats, bancas, sailboats;
 18. Manufacture of animal drawn vehicles;
 19. Manufacture of children vehicles and baby carriages;
 20. Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.;
 21. Manufacture of measuring, controlling equipment, plumb bomb, rain gauge, taxi meters, thermometer, etc.;
 22. Manufacture or assembly of surgical, medical, dental equipment and medical furniture;
 23. Quick freezing and cold packaging for fish and other sea foods;
 24. Quick freezing and cold packaging for fruits and vegetables;

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25. Popcorn / rice factory;
 26. Manufacture of medical / surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.;
 27. Manufacture of orthopedic and prosthetic appliance (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.;
 28. Manufacture of photographic equipment and accessories;
 29. Manufacture or assembly of optical instruments;
 30. Manufacture of eyeglasses and spectacles;
 31. Manufacture of optical lenses;
 32. Manufacture of watches and clocks;
 33. Manufacture of pianos;
 34. Manufacture of string instruments;
 35. Manufacture of wind and percussion instruments;
 36. Manufacture or assembly of electronic organ;
 37. Manufacture of sporting gloves and mitts;
 38. Manufacture of sporting balls (not of rubber or plastic);
 39. Manufacture of gym and playground equipment;
 40. Manufacture of sporting tables (billiards, pingpong, pool);
 41. Manufacture of other sporting and athletic goods, n.e.c.;
 42. Manufacture of toys and dolls, except rubber and mold plastic;
 43. Manufacture of pens, pencils and other office and artist materials;
 44. Manufacture of umbrella and canes;
 45. Manufacture of buttons except plastic;
 46. Manufacture of brooms, brushes and fans;
 47. Manufacture of needles, pens, fasteners and zippers;
 48. Manufacture of insignia, badges and similar emblems (except metal);
 49. Manufacture of signs and advertising displays (except printed); and
 50. Small-scale manufacture of ice cream.


Non- Pollutive / Hazardous Industries –

1. Manufacture of house furnishing;
2. Textile bags factories;
3. Canvass bags and other canvass products factory;
4. Jute bag factory;
5. Manufacture of miscellaneous textile goods, embroideries and weaving apparel;
6. Manufacture of fiber batting, padding and upholstery filing except jackets;
7. Men's and boy's garment factory;
8. Women's, girls' and ladies' factory;
9. Manufacture of hats, gloves, handkerchiefs, neckwear and related clothing accessories;
10. Manufacture of raincoats and waterproof outer garments except jackets;
11. Manufacture of miscellaneous wearing apparel except footwear and those n.e.c.;
12. Manufacture of miscellaneous fabricated millwork and those n.e.c.;
13. Manufacture of wooden and cane containers;
14. Sawali, nipa and split cane factory;
15. Manufacture of bamboo, rattan and other similar products;
16. Manufacture of cork products;
17. Manufacture of wooden shoes, shoe lace and other similar products;
18. Manufacture of miscellaneous wood products and those n.e.c.;
19. Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.;
20. Manufacture of paper stationary, envelopes and related articles;
21. Manufacture of dry ice; and
22. Repackaging of industrial products, e.g. paints, varnishes and other related products.

SECTION 13. USE REGULATIONS IN MEDIUM INDUSTRIAL ZONE
(I-2). – An I-2 zone shall be for pollutive / non hazardous and pollutive / hazardous manufacturing and processing establishments. Enumerated are the allowable uses:

Pollutive / Non-Hazardous Industries –


1. Manufacturing and canning of ham, bacon and native sausage;
2. Poultry processing and canning;
3. Large-scale manufacture of ice-cream;
4. Corn mill / Rice mill;
5. Chocolate and cocoa factory;
6. Candy factory;
7. Chewing gum factory;
8. Peanuts and other nuts factory;
9. Other chocolate and confectionery products;
10. Manufacturing of flavoring extracts
11. Manufacture of food products n.e.c., (vinegar, vetsin or MSG)
12. Manufacture of fish meal;
13. Oyster shell grading;
14. Manufacture of medical and pharmaceutical preparations;
15. Manufacture of stationary, art goods, cut stone and marble products;
16. Manufacture of abrasive products;
17. Manufacture of miscellaneous non-metallic mineral products n.e.c.;
18. Manufacture of cutlery, except table flatware;
19. Manufacture of hand tools;
20. Manufacture of general hardware;
21. Manufacture of miscellaneous cutlery hand tools and general hardware n.e.c.;
22. Manufacture of household metal furniture;
23. Manufacture of office, store and restaurant metal furniture;
24. Manufacture of metal blinds, screens and shades;


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25. Manufacture of miscellaneous furniture and fixture primarily of metal n.e.c.;
 26. Manufacture of fabricated structural iron and steel;
 27. Manufacture of architectural and ornamental metal works;
 28. Manufacture of boilers, tanks and other structural sheet metal works;
 29. Manufacture of other structural products n.e.c.;
 30. Manufacture of metal cans, boxes and containers;
 31. Manufacture of stamped coated and engraved metal products;
 32. Manufacture of fabricated wire and cable products;
 33. Manufacture of heating, cooking and lighting equipment except, electrical;
 34. Sheet metal works generally manual operation;
 35. Manufacture of other fabricated metal products except machinery and equipment n.e.c.;
 36. Manufacture or assembly of agricultural machinery and equipment;
 37. Native plow and harrow factory;
 38. Repair of agricultural machinery;
 39. Manufacture or assembly of service industry machines;
 40. Manufacture of assembly of elevators and escalators;
 41. Manufacture or assembly of sewing machines;
 42. Manufacture or assembly of cooking ranges;
 43. Manufacture or assembly of water pumps;
 44. Refrigeration industry;
 45. Manufacture or assembly of other machinery and equipment except electrical n.e.c.;
 46. Manufacture and repair of electrical apparatus;
 47. Manufacture and repair of electrical cables and wires;
 48. Manufacture of electrical cables and wires;
 49. Manufacture of other electrical industry machinery and apparatus n.e.c.;

50. Manufacture or assembly of electric equipment radio and television, tape recorders, stereo;
51. Manufacture or assembly of radio and television transmitting, signaling and detection equipment;
52. Manufacture or assembly of telephone and telegraphic equipment;
53. Manufacture of other electronic equipment and apparatus n.e.c.;
54. Manufacture of industrial and commercial electrical appliances;
55. Manufacture of household cooking, heating and laundry appliances;
56. Manufacture of other electrical appliances n.e.c.; and
57. Manufacture of electric lamp fixtures.

Pollutive / Hazardous Industries –

1. Flour mill;
2. Cassava flour mill;
3. Manufacture of coffee;
4. Manufacturing of unprepared animal feeds, other grain milling n.e.c.;
5. Production of prepared feeds for animals;
6. Cigar and cigarette factory;
7. Curing and redrying of tobacco leaves;
8. Miscellaneous processing tobacco leaves, n.e.c.;
9. Weaving hemp textile;
10. Jute spinning and weaving;
11. Miscellaneous spinning and weaving mills, n.e.c.;
12. Hosiery mill;
13. Underwear and outwear knitting mills;
14. Fabric knitting mills;
15. Miscellaneous knitting mills n.e.c.;
16. Manufacture of mats and mattings;
17. Manufacture of carpets and rugs;
18. Manufacture of cordage, rope and twine;

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19. Manufacture of related products from abaca, sisal, henequen, hemp, cotton paper, etc.;
 20. Manufacture of linoleum and other surfaced coverings;
 21. Manufacture of artificial leather, oil cloth and other fabrics except rubberized;
 22. Manufacture of coir;
 23. Manufacture of miscellaneous textile, n.e.c.;
 24. Manufacture of rough lumber, unworked;
 25. Manufacture of worked lumber;
 26. Re-sawmills;
 27. Manufacture of veneer, plywood and hardwood;
 28. Manufacture of doors, windows and sashes;
 29. Treating and preserving of wood;
 30. Manufacture of charcoal;
 31. Manufacture of wood and cane blinds, screens and shades;
 32. Manufacture of containers and boxes of paper and paper boards;
 33. Manufacture of miscellaneous pulp and paper products, n.e.c.;
 34. Manufacture of perfumes, cosmetics and other toilet preparations;
 35. Manufacture of wax and polishing preparations;
 36. Manufacture of candies;
 37. Manufacture of inks;
 38. Manufacture of miscellaneous chemical products, n.e.c.;
 39. Tire retreading and rebuilding;
 40. Manufacture of rubber shoes and slippers;
 41. Manufacture of industrial moulded rubber products;
 42. Manufacture of plastic footwear;
 43. Manufacture of plastic furniture;
 44. Manufacture of other fabricated plastic products, n.e.c.;
 45. Manufacture of table and kitchen articles;

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46. Manufacture of pottery, china and earthenware, n.e.c.;
 47. Manufacture of flat glass;
 48. Manufacture of glass containers;
 49. Manufacture of miscellaneous glass and glass products, n.e.c.;
 50. Manufacture of clay bricks, clay tiles and hollow clay tiles;
 51. Manufacture of miscellaneous structural clay products, n.e.c.;
 52. Manufacture of structural concrete products;
 53. Manufacture of asbestos products;
 54. Manufacture of engines and turbines except motor vehicles, marine and aircraft;
 55. Manufacture of metal cutting, shaving and finishing machinery;
 56. Manufacture of wood working machinery;
 57. Manufacture, assembly, rebuilding, repairing of food and beverage making machinery;
 58. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment;
 59. Manufacture, assembly, rebuilding, repairing of paper industry machinery;
 60. Manufacture, assembly, rebuilding, repairing of printing, trade machinery and equipment;
 61. Manufacture of rice mills;
 62. Manufacture of machines for leather and leather products;
 63. Manufacture of construction machinery;
 64. Manufacture of machines for clay, stove and glass industries;
 65. Manufacture, assembly, repair, rebuilding of miscellaneous special industrial machinery and equipment, n.e.c.;
 66. Manufacture of dry cells, storage, battery and other batteries;
 67. Boat building and repairing;
 68. Ship repairing industry, dock yards, dry dock, shipways;
 69. Miscellaneous ship building and repairing, n.e.c.;
 70. Manufacture of locomotive parts;

71. Manufacture of railroad and street cars;
72. Manufacture or assembly of automobiles, cars, jeepneys, utility vehicles, buses, trucks and trailers;
73. Manufacture of wood furniture including upholstered;
74. Manufacture of rattan furniture including upholstered; and
75. Manufacture of box beds and mattresses.

SECTION 14. USE REGULATIONS IN HEAVY INDUSTRIAL ZONE (I-3).

– An I-3 Zone shall be highly pollutive / non-hazardous, highly pollutive / hazardous, high pollutive / extra hazardous, non-pollutive / extremely hazardous manufacturing and processing establishments. Enumerated below are the allowable uses:

Highly pollutive / non- hazardous industries:

1. Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharron;
2. Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated);
3. Butter and cheese processing plants;
4. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products);
5. Other dairy products n.e.c.;
6. Canning and preserving fruits and fruit juices;
7. Canning and preserving vegetables and vegetable juices;
8. Canning and preserving vegetable sauces;
9. Miscellaneous canning and preserving of fruits and vegetables n.e.c.;
10. Fish canning;
11. Patis factory;
12. Bagoong factory;
13. Processing, preserving and canning of fish and other seafood n.e.c.;
14. Manufacture of starch and its products;
15. Manufacture of wines from juices of local fruits;
16. Manufacture of malt and malt liquors;
17. Manufacture of soft drinks carbonated water;

18. Manufacture of instant beverages and syrups;
19. Other non- alcoholic beverages n.e.c.;
20. Other slaughtering, preparing and preserving meat products n.e.c.

Highly Pollutive / Hazardous Industries –

1. Vegetable oil mills, including coconut oil;
2. Manufacturing of refined cooking oil and margarine;
3. Manufacture of fish, marine and animal oils;
4. Manufacture of vegetables and animal oils and fats n.e.c.;
5. Sugar cane milling (centrifugal and refined);
6. Sugar refining;
7. Muscovado sugar mill;
8. Distilled, rectified and blended liquors n.e.c.;
9. Cotton textile mill;
10. Ramie textile mill;
11. Rayon and other man-made fiber textile mill;
12. Bleaching and drying mills;
13. Manufacture of narrow fabrics;
14. Tanneries and leather finishing plants;
15. Pulp mill;
16. Paper and paperboard mills;
17. Manufacture of fibreboard;
18. Manufacture of inorganic salts and compounds;
19. Manufacture of soap and cleaning preparations;
20. Manufacture of hydraulic cement;
21. Manufacture of lime and lime kilns;
22. Manufacture of plaster;
23. Products of blast furnaces, steel works and rolling mills;
24. Products of iron and steel foundries;

25. Manufacture of smelted and refined non-ferrous metals;
26. Manufacture of rolled, drawn or extruded non-ferrous metals;
27. Manufacture of non-ferrous foundry products.

Highly Pollutive / Extremely Hazardous Industries –

1. Manufacture of industrial alcohol;
2. Other basic industrial chemicals n.e.c.;
3. Manufacture of fertilizers;
4. Manufacture of pesticides;
5. Manufacture of synthetic resins, plastic materials and man-made fibers except glass;
6. Petroleum refineries;
7. Manufacture of reclaimed, blended and compound petroleum products;
8. Manufacture of miscellaneous products of petroleum and oil n.e.c.

Pollutive / extremely Hazardous Industries –

1. Manufacture of plants;
2. Manufacture of varnishes, shellac and stains;
3. Manufacture of fertilizer;
4. Manufacture of other paint products;
5. Manufacture of matches;
6. Manufacture of tires and inner tubes;
7. Manufacture of processed natural rubber not in rubber position;
8. Manufacture of miscellaneous rubber products n.e.c.

Non-Pollutive / Extremely Hazardous Industries –

1. Manufacture of compressed and liquefied gases.

SECTION 15. USE REGULATIONS IN GENERAL INSTITUTIONAL ZONE (GIZ). – In GI Zone the following uses shall be allowed:

1. Government center to house national, regional or local offices in the area;

2. Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions for higher learning;
3. General hospitals, medical centers, multi-purpose clinics;
4. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological welfare facilities;
5. Convention centers and related facilities;
6. Religious structures e.g. church, seminaries, convents;
7. Museums;
8. Embassies / consulates;
9. Student housing, e.g. dormitories, boarding houses.

SECTION 16. USE REGULATIONS IN SPECIAL INSTITUTIONAL (SIZ) ZONE. – In SI Zone, the following cases shall be allowed:

1. Welfare, orphanages, boys' and girls' town, home for the aged and the like;
2. Rehabilitation and vocational training center for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments;
3. Military camps / reservations / bases and training grounds;
4. Penitentiary and correctional institutions;
5. A one-stop shop government center where government offices are available to cater to different public services mandated for each office.

SECTION 17. USE REGULATIONS IN PARKS AND RECREATION ZONE. – The following uses shall be allowed in Parks and Recreational Zones:

1. Parks / gardens;
2. Resort areas, e.g. beaches, including accessory uses;
3. Open air or outdoor sports activities and support facilities, including low raise stadia, gyms, amphitheatres and swimming pools;
4. Golf courses, ball courts, race tracks and similar uses;
5. Memorial / Shrines, monuments, kiosks and other park structures;
6. Sports Club;
7. Cockpit arena;
8. Underground parking structures / facilities.

SECTION 18. USE REGULATIONS IN CEMETERY / MEMORIAL PARK ZONE (C/MP-Z). – An area intended for the interment of the dead. Enumerated below are the allowable uses:

1. Memorial Parks;
2. Cemetery;
3. Columbarium;
4. Crematorium;
5. Ossuary;
6. Customary accessory uses such as crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking and toilet facilities.

SECTION 19. USE REGULATIONS IN BUFFER / GREENBELT ZONE (B/G-Z). – These are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution / nuisance and for identifying and defining development areas or zones where no permanent structures are allowed. Enumerated below are the allowable uses:

1. Open spaces / gardens;
2. Parks and park structures such as playgrounds, jogging trails, bicycle lanes;
3. Plant nurseries;
4. Ground-level or underground parking structures / facilities;
5. Agriculture, silviculture, horticulture;
6. Customary accessory uses incidental to any of the above such as offices, eateries / canteens, parking, kiosks, retail stores and toilet facilities;
7. Vegetation that grows over stipulated distance from each bank of natural waterways such as rivers and creeks. The required distance that must be maintained as vegetation and as such must not be under any type of urban development depends on the land use of the area where the river / creek traverses. For instance, natural surface waters running throughout an agricultural area must have a buffer of 20 meters from each bank, while a buffer of 3 meters is required for those that traverses an urban area.

SECTION 20. USE REGULATIONS IN UTILITIES, TRANSPORTATION, AND SERVICES ZONE (UTS-Z). – An area in the municipality designated for "a range of utilitarian / functional uses or occupancies, characterized mainly as a low-rise or medium-rise building / structure for low to high intensity community support functions, e.g. terminals, inter-modals, multi-modals, depots, power and water generation / distribution facilities, telecommunication facilities, drainage /

wastewater and sewerage facilities, solid waste handling facilities and the like" (NBC). Enumerated below are the allowable uses:

1. Bus and railway depots and terminals;
2. Port facilities;
3. Airports and heliport facilities;
4. All other types of transportation complexes;
5. Power plants (thermal, hydro, geothermal, wind, solar);
6. Pumping plants (water supply, storm drainage, sewerage, irrigation and waste treatment plants);
7. Liquid and solid waste management facilities;
8. Climate monitoring facilities;
9. Telecommunication facilities such as cell (mobile) phone towers;
10. All other types of large complexes for public services;
11. Customary accessory uses incidental to any of the above uses such as the following:
 - a. Staff houses / quarters;
 - b. Offices;
 - c. Parking lots / garage facilities;
 - d. Eateries / canteens;
 - e. Storerooms and warehouses but only as may be necessary for the efficient conduct of the business;
 - f. Pump houses;
 - g. Generator houses.

SECTION 21. TOURISM ZONE. – No tourism project or tourist related activities shall be allowed in Tourism Zones unless developed or undertaken in compliance with the Department of Tourism (DOT) Guidelines and Standards.

Allowable Uses –

1. Agri-tourism;
2. Resort areas, e.g. beach, mountain, resort including accessory uses;
3. Theme parks;
4. Heritage and Historical Sites;

5. Other related activities such as tree parks and botanical gardens;
6. Tourism accommodation such as:
 - a. Cottages,
 - b. Lodging inns,
 - c. Restaurants,
 - d. Home stays.
7. Souvenir shops;
8. Open air or outdoor sports activities;
9. Food production and processing activities such as vegetables, fruits and plantation crop and fish production to sustain tourism industry;
10. Parking areas.

SECTION 22. ECOTOURISM OVERLAY ZONE (ETM-OZ). – The objective for this Overlay Zone is to ensure that the dual goals of environmental conservation and tourism economic development are attained. Allowable Uses In addition to those uses that may be allowed in the Base Zone, the following are uses and activities that may be allowed in the Ecotourism Overlay Zone:

1. Accommodation facilities;
2. Aesthetic vegetation;
3. Boardwalks;
4. Dining facilities;
5. Dive shops / Diving lesson establishments;
6. Water-oriented recreation / sports rental equipment shops;
7. Tourism-oriented retail shops (e.g. souvenirs, clothes, etc.);
8. Foreign exchange shops / establishments.

SECTION 23. USE REGULATIONS IN AGRICULTURAL ZONE (AGZ). – In Agricultural Zones the following uses shall be permitted:


1. Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like;
2. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.;
3. Silviculture, mushroom culture, fishing and fish culture, snake culture, crocodile farm, monkey raising and the like;

4. Customary support facilities such as palay dryers and rice threshers and barns and warehouses;
5. Ancillary dwelling unit / farmhouses for tillers and laborers
6. Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.;
7. Pastoral activities such as goat raising and cattle fattening;
8. Home occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - a) Number of persons engaged in such business / industry shall not exceed five (5), inclusive of the owner;
 - b) There shall be no change in the outside appearance of the building premises;
 - c) No home occupation shall be conducted in any customary accessory uses cited above;
 - d) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential location and any need for parking generated by the conduct of such home occupation shall be met off the street in a place other than the required front yard;
 - e) No equipment or process shall be used in such occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
9. Home industry classified as cottage industry, e.g. mat weaving, pottery making, food preservation, etc. Provided that:
 - a) Such home industry shall not occupy more than thirty percent (30%) of floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be hazard or nuisance;
 - b) Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
 - c) Such shall consider same provisions as enumerated in letters **c, d, e** of Home Occupation, this section.

SECTION 24. USE REGULATIONS IN AGRI-INDUSTRIAL ZONE (AIZ).

– In Agri-Industrial Zones the following uses shall be permitted:

1. All uses allowed in Agricultural;
2. Rice / corn mills (single pass);

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3. Drying, cleaning, curing and preservation of meat and its by-products and derivatives;
 4. Drying, smoking and airing tobacco;
 5. Flour mill;
 6. Cassava flour mill;
 7. Manufacture of coffee;
 8. Manufacture of unprepared animal feeds, other grain milling, n.e.c.;
 9. Production of prepared feeds for animals;
 10. Cigar and cigarette factory;
 11. Curing and redrying tobacco leaves;
 12. Miscellaneous processing tobacco leaves, n.e.c.;
 13. Weaving hemp textile;
 14. Jute spinning and weaving;
 15. Manufacture of charcoal;
 16. Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated);
 17. Butter and cheese processing plants
 18. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products);
 19. Other dairy products, n.e.c.;
 20. Canning and preserving of fruits and fruit juices;
 21. Canning and preserving of vegetables and vegetable juices;
 22. Canning and preserving of vegetable sauces;
 23. Miscellaneous canning and preserving of fruit and vegetables n.e.c.;
 24. Fish canning;
 25. Patis factory;
 26. Bagoong factory;
 27. Processing, preserving and canning of fish and other seafoods n.e.c.;
 28. Manufacture of desiccated coconut;

29. Manufacture of starch and its products;
30. Manufacture of wines from juices of local fruits;
31. Vegetable oil mills, including coconut oil;
32. Sugarcane milling (centrifugal and refines);
33. Sugar refining;
34. Muscovado sugar mill;
35. Cotton textile mill;
36. Manufacture / processing of other plantation crops e.g. pineapple, bananas, etc.;
37. Other commercial handicrafts and industrial activities utilizing plant or animal parts and / or products as raw materials, n.e.c.;
38. Other accessory uses incidental to agro-industrial activities;
39. Poultry and livestock raising, either backyard or of higher industrial level (i.e. areal extent greater than 1 hectare) shall apply for permit to operate and evaluated in accordance to the restrictions and policies of the Sangguniang Barangay, prior to issuance of the said permit. Otherwise, any type of agro-industry shall not be allowed to be established or to continue operations.

SECTION 25. USE REGULATIONS IN AQUACULTURE SUB-ZONE (Aq-SZ). – Per the Fisheries Code, this is an area within the Municipal Water Zone of the municipality designated for **“fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas”**.

Allowable Uses / Activities –

1. Aquaculture

SECTION 26. USE REGULATIONS IN PROTECTION AQUACULTURE SUB-ZONE (PTAq-SZ). – Per the AFMA, these include the Network of Protected Areas for Agriculture and Agri-Industrial Development (NPAAAD) which are **“aquaculture areas identified by the Department Agriculture in order to ensure the efficient utilization of land for aquaculture and agri-industrial development and promote sustainable growth”**. Fishponds under Strategic Agriculture and Fishery Development Zones (SAFDZ) are identified as protection aquaculture zones for production, agro-processing and marketing activities to help develop and modernize, with the support of government. These are strictly excluded from any reclassification within a five (5)-year period. Unless complying to exemptions stipulated by the said **Section 9 of Republic Act No. 8435**, reclassification shall be allowed only if the areas covered for, thus, shall not exceed the total 5% of lands classified under SAFDZ.

Allowable Uses / Activities –

1. Protection Aquaculture.

SECTION 27. REGULATIONS IN PROTECTION AGRICULTURE SUB-ZONE (PTA-SZ). – Per the AFMA, these include the Network of Protected Areas for Agriculture and Agri-Industrial Development (NPAAAD) which are “**agricultural areas identified by the Department of Agriculture through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agri-industrial development and promote sustainable growth**”.

Allowable Uses / Activities –

1. Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like;
2. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.;
3. Silviculture, mushroom culture and the like;
4. Pastoral activities such as goat and cattle raising;
5. Fishpond activities;
6. Backyard raising of livestock and fowl, provided that:
 - a. For livestock – maximum of 1 sow and 10 heads;
 - b. For fowl – a maximum of 500 heads.
7. Single-detached dwelling units of landowners;
8. Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses;
9. Ancillary dwelling units / farmhouses for tenants, tillers and laborers;
10. Engaging in home businesses such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - a. The number of persons engaged in such business / industry shall not exceed five, inclusive of owner;
 - b. There shall be no change in the outside appearance of the building premises;
 - c. No home occupation shall be conducted in any customary accessory uses cited above;
 - d. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated

by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and

- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
11. Home Industry classified as cottage industry, provided that:
- a. Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit;
 - b. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance; and
 - c. Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.

SECTION 28. USE REGULATIONS IN PRODUCTION AGRICULTURAL SUB-ZONE (PDA-SZ). – These are areas that are outside of NPAAAD and declared by the Municipality for agricultural use.

Allowable Uses / Activities –

- 1. Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like;
- 2. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.;
- 3. Silviculture, mushroom culture and the like;
- 4. Pastoral activities such as goat raising and cattle fattening;
- 5. Fishpond activities;
- 6. Poultry and piggery subject to the HLURB Rules and Regulation Governing the Processing of Applications for Locational Clearance of Poultry and Piggery;
- 7. Rice / corn mill (single pass such as cono mill);
- 8. Rice / corn warehouses and solar dryers;
- 9. Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.;
- 10. Plant nursery;
- 11. Single-detached dwelling units of landowners;

12. Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses;
13. Ancillary dwelling units / farmhouses for tillers and laborers;
14. Engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - a. The number of persons engaged in such business / industry shall not exceed five, inclusive of owner;
 - b. There shall be no change in the outside appearance of the building premises;
 - c. That in no case shall more than 20% of the building be used for said home occupation;
 - d. No home occupation shall be conducted in any customary accessory uses cited above;
 - e. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
 - f. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
15. Home Industry classified as cottage industry, provided that: Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit.
 - a. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - b. Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.
16. Class "A" slaughterhouse / abattoir.

SECTION 29. USE REGULATIONS IN WATER ZONES (WZ). – All existing waterways, natural (rivers and creeks) or man-made (such as canals, irrigation lines, etc.) traversing within:

1. Areas stipulated in the Proposed Development Areas for Industrialization, i.e. barangays San Lorenzo, San Jose Matulid, San Antonio, San Nicolas, San Isidro Laug, Dolores Piring shall be dredged and expanded, de-clogged, and / or maintained to curb high water rise and subsequent flooding during extreme rains and storms.

2. Existing built-up areas, in particular barangays that fall within the inundation plain of Betis, Abacan, Bungang Guinto and Mexico Rivers shall be improved with vegetative and / or structural slope protection, protected from any type of illegal waste disposal and human encroachment and converted into spaces, strips of parks and / or tourist spots.

ARTICLE V GENERAL DISTRICT REGULATION

SECTION 30. DEVELOPMENT DENSITY. – Permitted density shall be based on the zones capacity to support development.

SECTION 31. HEIGHT REGULATIONS. – Building height must conform to the height restrictions and requirements of the Air Transportation Office (ATO) as well as the requirements of the National Building Code, the Structural Code as well as laws, ordinances, design standards, rules and regulations related to land development and building construction and the various safety codes.

A. RESIDENTIAL ZONES –

A.1. Low Density Residential Zones (R-1). – in R-1 Zone, no building or structure for human occupancy whether public or private shall be higher than ten (10) meters above the highest natural grade line in the property or front sidewalk (main entry). Low rise dwellings are up to three storeys.

A.2. Medium Density Residential Zones (R-2). – in R-2 Zone, no building or structure for human occupancy whether public or private shall be higher than twenty one (21) meters above the highest natural grade line in the property or front sidewalk (main entry) level; mid-rise dwellings are fourth to seven storeys.

A.3. High Density Residential Zones (R-3). – in R-3 Zone, high rise dwelling units of eight (8) or more storeys are allowed, provided they conform with the zone's prescribed Floor Area Ratio (FAR). The FAR of an R-3 shall be based on the planned density of development intended for the zone.


Mexico's Zoning for residential zones is classified simply as General Residential Zone (GR-Z).

B. ALL OTHER ZONES –

There is no fixed building height limits except those prescribed by the Air Transportation Office (ATO) and other government regulations within these zones, building heights shall be based on the prescribed Floor Area Ratio (FAR).

SECTION 32. EXEMPTIONS FROM HEIGHT REGULATIONS IN R-1 AND R-2. – Exempted from the imposition of height regulations in Residential Zones are the following: towers, church steeples, water tanks and other utilities and such other structures not covered by the height regulations of the National Building Code and / or the Air Transportation Office.

SECTION 33. AREA REGULATIONS. – Area regulation in all Zones shall conform with the minimum requirement of existing codes such as:

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- a) **P.D. No. 957** – the “Subdivision and Condominium Buyers’ Protective Law” and its Revised Implementing Rules and Regulations;
 - b) **B.P. No. 220** – “Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects” and its Revised Implementing Rules and Regulations;
 - c) **R.A. No. 7279** – the “Urban Development and Housing Act”;
 - d) **P.D. No. 1096** – the “National Building Code”;
 - e) **P.D. No. 1185** – the “Fire Code”;
 - f) **P.D. No. 856** – the “Sanitation Code”;
 - g) Plumbing Code;
 - h) **R.A. No. 6541** – the “Structural Code”;
 - i) **Batas Pambansa Blg. 344** – the “Accessibility Law”;
 - j) Rules and Regulations – HLURB Locational Guidelines and CLUP Guidebook 2013-2014;
 - k) **P.D. No. 1076 or Water Code of the Philippines** – inland and coastal waters, shorelines and riverbank easements;
 - l) **R.A. No. 6657 or Comprehensive Agrarian Reform Law** – agrarian reform lands;
 - m) **R.A. No. 8749** – the “Clean Air Act”;
 - n) **R.A. No. 9003** – the “Ecological Solid Waste Management Act”;
 - o) **R.A. No. 7586 or National Integrated Protected Areas Act** – protected areas in both land and seas;
 - p) **R.A. No. 8435 or Agriculture and Fisheries Modernization Act (AFMA)** – SAFDZs and prime agricultural lands;
 - q) **R.A. No. 8550 or Revised Fisheries Code** – municipal waters and coastal zones;
 - r) **R.A. No. 9593 or Philippine Tourism Act** – tourism zones and estates;
 - s) **R.A. No. 9729 or Philippine Climate Change Act**, as amended;
 - t) **R.A. No. 10066 or Philippine Cultural Heritage Act** – cultural and heritage zones / areas;
 - u) **R.A. No. 10121 or Disaster Risk Reduction and Management Act** – disaster-prone and geo-hazard areas;
 - v) **Executive Order No. 648**; and

- w) **Other relevant guidelines promulgated by the national agencies concerned.**

SECTION 34. ROAD SETBACK REGULATIONS. – The following road setback regulations shall be applied:

| Zoning Classifications | Major Thoroughfare 30 M and above Diversion / Railways | Secondary Road Provincial | Tertiary Road 6 M and below Municipal / Barangay |
|------------------------|---|------------------------------|---|
| Residential | 5 M | 5 M | 3 M |
| Commercial | 10 M | 10 M | 7 M |
| Industrial | 30 M | 25 M | 10 M |
| Agriculture | 20 M | 20 M | 7 M |
| Agro- Industrial | 50 M | 50 M | 10 M |
| Institutional | 20 M | 20 M | 10 M |
| Parks & Recreation | 10 M | 10 M | 3 M |
| Forest | 30 M | 25 M | 10 M |

SECTION 35. EASEMENT. – Pursuant to the provisions of the Water Code:

1. The banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas; twenty (20) meters in agricultural area and forty (40) meters in forest areas, along their margins are subject to easement of public use in the interest of recreation, navigation, floatage, fishing and salvage.

No person shall be allowed to stay in this zone longer than what is necessary for space or recreation, navigation, floatage, fishing or salvage or to build structures of any kind.

2. Mandatory five-meter easement on both sides of the Marikina fault traces and such other fault traces on the ground identified by PHIVOLCS.

SECTION 36. BUFFER REGULATIONS. – A buffer of 3 meters shall be provided along entire boundary length between two or more conflicting zones allocating 1.5 meters from each side of the district boundary. Such buffer strip should be open and not encroached upon by any building or structure should be a part of the yard or open space. A riparian buffer, i.e. a space of distance not less than 3 meters from the either banks of a surface water system if within urban areas, and 20 meters if within agricultural areas, shall be placed under protection, and as such restricted from any type of waste disposal and human encroachment. Riparian buffers must be covered with vegetation, preferably trees with soil protection properties, such as bamboo, mangrove, and molave, as well as grasses and shrubberies.

SECTION 37. SPECIFIC PROVISIONS IN THE NATIONAL BUILDING CODE. – Specific provisions stipulated in the National Building Code (P.D. No. 1096) as amended thereto relevant to traffic generators, advertising and business signs, erection or more than one principal structure, dwelling or rear lots, access yard requirement and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

SECTION 38. WATER CONSERVATION PROGRAMS / FACILITIES IN INSTITUTIONAL BUILDINGS AND LARGE INDUSTRIAL / COMMERCIAL UNITS. – A mandatory implementation to institutional facilities such as government offices, barangay halls, and public schools and a recommended inclusion to permits issued to large industrial and commercial buildings, is the provision of rainwater collection system for domestic purposes, particularly lavatory use and cleaning.

ARTICLE VI PERFORMANCE STANDARDS

SECTION 39. APPLICATION OF PERFORMANCE STANDARDS. – The following performance standards are intended to ensure land use and neighborhood compatibility. Proposed developments shall comply with the applicable performance standards which shall form part of the requirements for Locational Clearance. These standards are by no means exhaustive or all inclusive. The Local Zoning Board of Appeals (LZBA) may require other standards, when deemed necessary, to ensure land use and neighborhood compatibility. These shall be enforced through the Implementing Guidelines that is made part of this ZO.

SECTION 40. ENVIRONMENTAL CONSERVATION AND PROTECTION STANDARDS. – It is the intent of the ZO to protect the natural resources of the Municipality. In order to achieve this objective, all developments shall comply with the following regulations:

1. Views shall be preserved for public enjoyment especially in sites with high scenic quality by closely considering building orientation, height, bulk, fencing and landscaping.
2. Deep wells shall not be allowed unless a Water Permit is obtained from the National Water Resources Board.
3. Land use activities shall not cause the alteration of natural drainage patterns or change the velocities, volumes and physical, chemical and biological characteristics of storm water. Streams, watercourses, wetlands, lakes or ponds shall not be altered, re-graded, developed, piped, diverted or built upon.
4. All developments shall ensure that storm water runoff shall be controlled through appropriate storm water drainage system design.
5. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage.
6. The internal drainage systems of developments shall be so designed as not to increase turbidity, sediment yield or cause the discharge of any harmful substances that will degrade the quality of water. Water quality shall be maintained according to DENR's latest Revised Water Usage and Classification / Ambient Water Quality Criteria.
7. Municipal and industrial wastewater effluents shall not be discharged into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality.

Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters.

8. Developments that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements of and approved by the DENR.
9. Floodplains shall not be altered, filled and / or built upon without proper drainage design and without proper consideration of possible inundation effects on nearby properties.
10. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures.
11. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke, gas or any other air polluting material that may have harmful effects on health or cause the impairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR's latest Air Quality Standards.
12. Developments that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
13. Industrial processes / activities should not cause negative impacts to the environment. The Zoning Administrator / Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance.
14. All waterways affected by developments in areas of Laug, Dolores Piring, San Lorenzo, San Antonio, San Jose Matulid and San Nicolas **must be doubled in size and storm water capacity**. The same must be armored with reinforced concrete revetment by developers.
15. All land developments must possess appropriate drainage systems that could accommodate a **minimum quantity of a month rainfall falling in one day**. Outfall must either be a creek, a water lagoon or an underground reinforced concrete water cistern.
16. Structures with a roofing area beginning at 2,500 square meters **must possess rainwater catchment facility, either a lagoon or a reinforced concrete cistern with a capacity equivalent to a month rainfall falling in one day multiplied by the area of the roofing**; and the same may be used for domestic consumption after treatment and or may only be drained to the road's drainage if the same is no longer filled with storm water to prevent flooding. It is the goal of the municipality to implement installation of rainwater collection system for sanitation purposes (toilet use, washing and all other uses excluding drinking) in institutional facilities, particularly barangay halls, public schools and the municipal hall.
17. All food processing, packaging or manufacturing industries, restaurants, hotels, food chain outlets, hospitals, mortuaries, slaughterhouse, swine / poultry dressing plants and all industries with liquid waste causing pollution to land, water and air or clogs / disrupts

the flow of water at drainage system must possess their respective sewage treatment plant or wastewater treatment plant duly approved by the Department of Environment and Natural Resources and by the Department of Health.

18. All commercial, industrial, recreational, institutional establishments must have their respective material recovery facility, segregate their own solid waste and dispose their respective residuals directly to accredited sanitary landfills. Hospitals, funeral parlors, mortuaries, slaughter house and swine / poultry dressing plants must have their respective MRFs with their own waste collectors.
19. All medium and heavy industries engaged in manufacturing, processing of metals / chemical substances which when exposed to the atmosphere adversely affect the environment or pollutes the air, land, water and expose humans to danger must have their respective highly and technologically-advanced / operational / functional anti-pollution devices to prevent / control emissions of pollutants at standards allowed by the Department of Environment and Natural Resources, Department of Health or by the World Health Organization.
20. Buffer zones / restricted areas, with minimum depth of 6.0 meters from fences, must be planted with forest trees or big fruit-bearing trees as many as possible to mitigate the effects of global warming.
21. Public roads must not be used as parking areas, temporary waiting area or truck bays. Commercial and industrial subdivisions must have their own parking / waiting areas inside their own yards.
22. Industrial, commercial, institutional, recreational and residential structures located along the national roads and by-passes must observe setback with reference and compliance to Sec. 804, Table VIII. 3 of the National Building Code of the Philippines; and all structures including permanent fences must observe at least 3.0 meter legal easement from waterway.

PENAL PROVISION –

Any person, firm or corporation or any juridical entity who violates the provision of this Ordinance shall cause the revocation of permits and or certificate of occupancy issued and occupancy / operation of the same be declared illegal.

REMEDIAL PROVISION –

Upon compliance to technical and legal requirements and upon appeal, occupancy and operation permits may be issued upon payment of **TWENTY THOUSAND (P 20,000.00) PESOS** to **ONE MILLION (P 1,000,000.00) PESOS** (graduated amount with ratio to cost of structure) as penalty and surcharge.

SECTION 41. AGRICULTURAL LAND CONSERVATION AND PRESERVATION CRITERIA. – Agricultural lands are recognized as valuable resources that provide employment, amenity and bio-diversity. All agricultural lands in the Municipality shall not be prematurely reclassified. Requests for reclassification shall be evaluated on the merits of conditions prevailing at the time of application, compatibility with the CLUP and subject to the provisions of Memorandum Circular No. 54, Prescribing the Guidelines Governing Section 20 of R.A. No. 7160, **“Authorizing Cities and Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses”**.

Applications for agricultural land re-classification approved by the Municipality shall be submitted to the HLURB / Sangguniang Panlalawigan for review and final approval.

SECTION 42. NETWORK OF GREEN AND OPEN SPACES. – The Municipality intends to develop a network of green and open spaces as a way to minimize the occurrence of urban heat islands. Developments shall conform to the following provisions, as applicable: CLUP Guidebook 2014, Volume 373.

1. All residential, commercial, industrial and mixed-use subdivisions, in compliance with the rules and regulations of P.D. No. 1216, P.D. No. 953, P.D. No. 957 and B.P. Blg. 220, are respectively required to provide tree-planted strips along their internal roads.
2. Similar developments shall also be required to provide landscaped tree parks that may be made part of the open space requirements mandated by P.D. No. 957, B.P. Blg. 220 and related laws. These mandated open spaces shall be classified as non-alienable public lands and non-buildable.
3. Roof decks of all buildings shall be landscaped, as applicable.
4. Parking lots having at least 20 car parking slots shall be:
 - a. Landscaped with suitable trees. The minimum height of trees at the time of securing an Occupancy Permit shall be 1.80 meters from the base to the crown.
 - b. 50% paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.

SECTION 43. SITE DEVELOPMENT STANDARDS. – The Municipality considers it in the public interest that all projects are designed and developed in a safe, efficient and aesthetically pleasing manner. Site development shall consider the environmental character and limitations of the site and its adjacent properties. All project elements shall be in complete harmony according to good design principles and the subsequent development must be visually pleasing as well as efficiently functioning especially in relation to the adjacent properties and bordering streets.

Further, designs should consider the following:

1. The height and bulk of buildings and structures shall be so designed that it does not impair the entry of light and ventilation, cause the loss of privacy and / or create nuisances, hazards or inconveniences to adjacent developments;

2. Abutments to adjacent properties shall not be allowed without the neighbor's prior written consent which shall be required by the Zoning Administrator / Zoning Officer prior to the granting of a Locational Clearance;
3. The capacity of parking areas / lots shall be per the minimum requirements of the National Building Code. These shall be located, developed and landscaped in order to enhance the aesthetic quality of the facility. In no case shall parking areas / lots encroach into street rights-of-way;
4. Developments, such as shopping malls, schools, places of worship, markets, sports stadia and the like, which attract a significant volume of transportation, such as PUVs and, private vehicles shall provide adequate on-site parking for the same. These should also provide vehicular loading and unloading bays so as through street traffic flow will not be impeded;
5. Buffers, silencers, mufflers, enclosures and other noise-absorbing materials shall be provided to all noise and vibration-producing operations. Noise levels shall be maintained according to levels specified in DENR's latest guidelines on the Abatement of Noise and Other Forms of Nuisance;
6. Glare and heat from any operation or activity shall not be radiated, seen or felt from any point beyond the limits of the property; and
7. Fencing along roads shall be see-through. Side and rear fencing between adjacent lots (not facing a road) may be of opaque construction materials.

SECTION 44. INFRASTRUCTURE CAPACITIES. – All developments shall not cause excessive requirements at public cost for public facilities and services. All developments shall exhibit that their requirements for public infrastructure (such as roads, drainage, water supply and the like) are within the capacities of the system/s serving them.

The Zoning Administrator shall require the following:

1. **Drainage Impact Assessment Study.** – All development proposals in flood prone areas and all major proposals likely to affect the existing drainage regime, including commercial-residential buildings or condominiums, shopping malls, public markets, schools, universities, residential and industrial and other similar developments shall be required to submit Drainage Impact Assessment Studies. These should be prepared, signed and sealed by duly licensed Civil Engineers, Sanitary Engineers or Environmental Planners.
2. **Traffic Impact Statement.** – Major, high intensity facilities such as commercial-residential buildings or condominiums having four floors and above, shopping malls, public markets, transportation terminals / garages, schools, universities, residential and industrial subdivisions, cock fighting arena, sports stadia and other similar developments shall be required to submit Traffic Impact Statements. Other traffic generating developments, as determined by the Zoning Administrator / Zoning Officer, shall be required to submit the same.

ARTICLE VII INNOVATIVE TECHNIQUES

SECTION 45. INNOVATIVE TECHNIQUES OR DESIGNS. – For projects that introduce flexibility and creativity in design or plan such as, but not limited to Planned Unit Development, housing projects covered by New Town Development under R.A. No. 7279, BLISS Commercial Complexes, etc., the Zoning Administrator / Zoning Officer shall, on grounds of innovative development techniques, forward applications to HLURB for appropriate action, unless the local government unit concerned has the capacity to process the same. That after the approval of this Zoning Ordinance and Comprehensive Land Use Plan by the Provincial Land Use Committee, the LGU, having the capacity to process application and enforce this Ordinance, shall process applications for locational / zoning clearance and will no longer be forwarded to the HLURB.

ARTICLE VIII ENVIRONMENTAL MANAGEMENT

SECTION 46. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC).
– Notwithstanding the issuance of Locational Clearance under Section 39 of this Ordinance, no Environmentally Critical Projects or projects located in Environmentally Critical Areas shall be commenced, developed or operated unless an Environmental Compliance Certificate (ECC) or a Certificate of Non-Coverage (CNC) is issued by the Department of Environment and Natural Resources.

SECTION 47. PERFORMANCE STANDARDS. – All land uses, development, or construction in all Zones shall conform to the following standards:

1. Noise and Vibrations –

All noise and vibrations-producing machinery shall be enclosed by a building and shall be provided with effective noise-absorbing materials, noise silencers and mufflers, an open yard of a distance not less than twenty (20) meters from the street or adjoining property lines and property planted with dense trees as buffers. To minimize vibration, a machinery should be mounted on shock-absorbing mountings, such as cork set on reinforced concrete foundations or a floating isolated foundation set on piles as needed by the machinery concerned, to reduce all noise and vibration to a reasonable degree. A noise is considered objectionable due to intermittence, beat frequency or high pitch, noise proof buildings are tested and approved by the Municipal officials concerned.

2. Smoke –

Any smoke emitted from any source for a period aggregating seven (7) minutes in any given thirty (30) minute time particularly when starting a new fire, shall have a density not greater than No. 2 of Ringelmann Chart.

3. Dust, Dirt and Fly Ash –

The emission of dust, dirt or fly ash from any source of activity that will pollute the air and render it unclean, destructive, unhealthful or hazardous or cause visibility to be impaired, shall not be permitted. In no case whatsoever shall dust, dirt or fly ash be allowed to exceed 0.30 grams per cubic meter of fuel gas at stack temperature of 60 degrees centigrade so as not to create a haze with opaqueness equivalent to or greater than No. 1 of the Ringlemann Chart.

4. Odors and Gases –

The emission of foul odors and gases deleterious to public health, safety and general welfare shall not be permitted. Buildings and activity emitting foul odors and obnoxious gases shall be enclosed within airtight buildings provided with air conditioning system, filters, deodorizing and other air cleansing equipment.

5. Glare and Heat –

Glare and heat from any operation or activity shall not be allowed to radiate, be seen or felt from any point beyond the limits of the property.

6. Industrial Waste –

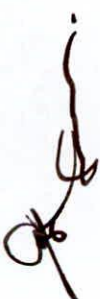
Industrial waste shall be disposed of only in a manner that will not create any nuisance or danger to adjoining properties or to the community in general.

7. Sewerage Deposit –

No sewerage dangerous to the public health, safety and general welfare shall be discharged to any public sewer system, natural waterway or drainage channel. In addition to other requirements, all sewage shall comply with the pertinent requirements of the National Pollution Control Commission.

8. Acidity –

Acidity shall be neutralized to a pH (ion concentration) of between 6.5 and 8.5 at a daily average volume basis with a temporary variation of 5.0 to 10.0 Ph. Wastewater shall not contain oil and greases in excess of 300 PPM (parts per million) or exceed a daily average of 10 PPM.



SECTION 48. MATERIAL RECOVERY FACILITIES (MRFs) AT BARANGAY LEVEL. – A land lot of area not less than 300 square meters shall be required from each barangay government to be allotted for a Material Recovery Facility (MRF). Each MRF shall receive solid wastes from sources within the jurisdiction of the barangay and be responsible in proper waste segregation.

ARTICLE IX MISCELLANEOUS PROVISIONS

SECTION 49. PROJECTS OF NATIONAL SIGNIFICANCE. – Projects may be declared by the NEDA Board as Projects of National Significance pursuant to Section 3 of E.O. No. 72. When a project is declared by the NEDA Board as a project of National Significance, the Locational Clearance shall be issued by HLURB pursuant to E.O. No. 72.

SECTION 50. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC). – Notwithstanding the issuance of locational clearance under Section 37 of this Ordinance, no environmentally critical projects located in environmentally critical areas shall be commenced, developed or operated, unless the requirements of ECC have been complied with.

SECTION 51. SUBDIVISION PROJECTS. – All owners and / or developers of Subdivision Projects shall, in addition to securing Locational Clearance under Section 37 of this Ordinance, be required to secure a Development Permit pursuant to the provisions of P.D. No. 957 and its implementing rules and regulations, B.P. No. 220 and its implementing rules and regulations in the case of Socialized Housing Projects in accordance with the procedures laid down in E.O. No. 71, series of 1993.

- 51.1. All owners / developers must have their own Material Recovery Facility equipped with composting equipment / devices for bio-degradable and possess trucks for transporting collected residual waste to sanitary landfill transfer stations.
- 51.2. Planting strips along and in both sides of road must be provided by the developer. Strips must be planted with trees and must be maintained and shall never be occupied with temporary / permanent structures.
- 51.3. To ensure sustainability of groundwater resources, all subdivision owners and developers are encouraged to allow provision of ample spaces that are not covered by impervious spaces, to facilitate ground infiltration of rainwater and promotion of recharge in groundwater reserves.

ARTICLE X MITIGATING DEVICES

SECTION 52. DEVIATION. – Variances and / or exceptions from the provisions of this Ordinance may be allowed by the Local Zoning Board of Appeals (LZBA) only when the following terms and conditions are existing:

1. **Variances** – (deviation from applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards):
 - a. Variance may be allowed provided that proposals satisfy all of the following provisions:

- Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner or occupant of the property due to physical conditions of the property (topography, shape, etc.), which is not self-created.
- The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
- The variance will not alter the intended physical character of the zone and adversely affect the use of the other properties in the same zone such as blocking-off natural light, causing loss of natural ventilation or encroaching in public easements and the like.
- That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the public health, safety or welfare.
- The variance will be in harmony with the spirit of this Ordinance.

2. Exceptions – (deviations from Allowable Use provisions):

- a. Exceptions may be allowed, provided that proposals satisfy all of the following conditions:
- The exception will not adversely affect the public health, safety and welfare and is in keeping with the general pattern of development in the community;
 - The proposed project shall support economic based activities / provide livelihood, vital community services and facilities while at the same time posing no adverse effect on the zone / community;
 - The exception will not adversely affect the appropriate use of adjoining properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like; and
 - The exception will not alter the essential character and general purpose of the district where the exception sought is located.

SECTION 53. PROCEDURES FOR EVALUATING VARIANCES AND / OR EXCEPTIONS. – The procedure for evaluating application for Variances and / or Exceptions are as follows:

1. The project proponent shall file a written application for Variance and / or Exception with LZBA citing the section(s) of the Ordinance under which the same is sought and stating the ground/s thereof.

2. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site. This sign shall be maintained until the LZBA has rendered a decision on the application.
3. The LZBA shall conduct preliminary studies on the application. These application papers shall be made accessible to the public.
4. A written affidavit of no objection to the project by the owners of the properties immediately in front of and abutting the project site shall be filed by the applicant with the LZBA within fifteen (15) days upon filing of application.
5. The LZBA shall hold public hearing(s) to be held in the concerned barangay.
6. At the hearing, any party may appear in person, or be represented by agent/s. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
7. The LZBA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing(s).

All expenses to be incurred in evaluating proposals for Variances and / or Exceptions shall be shouldered by the project proponent.

ARTICLE XI ADMINISTRATION AND ENFORCEMENT

SECTION 54. LOCATIONAL CLEARANCE. – All owners / developers shall secure Locational Clearance from the Zoning Administration / Zoning Officer or in Cases of Variances and Exemptions, from the Local Zoning Board of Appeals (LZBA) prior to conducting any activity or construction on their property / land.

SECTION 55. BUILDING PERMIT. – No building permit shall be issued by the Local Government Building Official without a valid Locational Clearance in accordance with this Ordinance.

SECTION 56. NON-USE OF LOCATION CLEARANCE. – Upon issuance of a Locational Clearance, the grantee thereof shall have one (1) year within which to commence to or undertake the use, activity or development covered by such clearance on his property. Non-use of clearance within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his project without applying for a new clearance.

SECTION 57. CERTIFICATE OF NON-CONFORMANCE. – A certificate of Non-Conformance shall be applied for by the owner of the structure or operator of the activity involved within six (6) months from the ratification of the Zoning Ordinance by the HLURB or the Sangguniang Panlalawigan (SP). Failure on the part of the owner to register / apply for a certificate of Non- Conformance shall be considered in violation of the Zoning Ordinance and is subject to fines / penalties.

Upon approval of this Ordinance, the Zoning Administrator / Zoning Officer shall immediately notify owners of known existing non-conforming use to apply for a Certificate of Non-Conformance.

SECTION 58. EXISTING NON-CONFORMING USES AND BUILDINGS.

– The lawful uses of any building, structure or land at the time of adoption or amendment of this Ordinance may be continued, although such uses do not conform with the provision of this Ordinance, provided:

1. That no such non-conforming use shall be enlarged or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part, to any other portion of the lot or parcel or land where such non-conforming use exists at the time of the adoption of this Ordinance;
2. That such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use;
3. An idle / vacant structure may not be used for non-conforming activity;
4. That any non-conforming structure or structures under one ownership which has / have been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50 %) of the replacement cost;
5. That should such non-conforming portion of structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance;
6. That no such non-conforming structure may be enlarged or altered in a way, which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
7. That should such structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the district in which it is moved or relocated.

In addition, the owner of a non-conforming use shall program the phase-out and relocation of the non-conforming use within ten (10) years from the effectivity of this Ordinance.

SECTION 59. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT. – This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator / Zoning Officer who shall be appointed by the former in accordance with existing rules and regulations on the subject.

SECTION 60. POWERS AND FUNCTIONS OF A ZONING ADMINISTRATOR / ZONING OFFICER. – Pursuant to the provisions of Executive Order No. 72, implementing R.A. No. 7610 in relation to Section 5 paragraph a and d and Section 7 of Executive Order No. 648, dated 07 February 1981, the Zoning Administrator / Zoning Officer shall perform the following functions, duties and responsibilities:

1. Enforcement –

- A. Act on all applications for Locational Clearance for all projects.
 - 1. Issuance of Locational Clearance for projects conforming to zoning regulations.
 - 2. Recommend to the Local Zoning Board of Appeals (LZBA) the grant or denial of application for variances and exemptions and the issuance of Certificate of Non-Conformance for non-conforming projects lawfully existing at the time of the adoption of the Zoning Ordinance, including clearances for repairs / renovations on non-conforming uses consistent with the guidelines thereof.
- B. Monitor on-going / existing projects within their respective jurisdictions and issue notices of violation and show cause order to owners, developers or managers of projects that are violative of Zoning Ordinance and if necessary, pursuant to Sec. 3 of E.O. No. 72 and Sec. 2 of E.O. No. 71, refer subsequent actions thereon to the HLURB.
- C. Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this Ordinance.
- D. Coordinate with the Municipal Legal Officer for other legal actions / remedies relative to the foregoing.

2. Planning –

- A. Coordinate with the Provincial Land Use Committee / Regional Office of the HLURB regarding proposed amendments to the Zoning Ordinance prior to the adoption by the Sangguniang Bayan.

SECTION 61. ACTIONS ON COMPLAINTS AND OPPOSITIONS. – A complaint for violation of any provision of the Zoning Ordinance or of any clearance or permit issued pursuant thereto shall be filed with the LZBA.

However, oppositions to application for clearance, variance or exception shall be treated as a complaint and dealt with in accordance with the provision of this section.

SECTION 62. FUNCTIONS AND RESPONSIBILITIES OF THE LOCAL ZONING BOARD OF APPEALS. – There is hereby created a Local Zoning Board of Appeals (LZBA) which shall perform the following functions and responsibilities:

- A. Act on Applications of the following nature –
 - 1. Variances;
 - 2. Exceptions;
 - 3. Non- Conforming Uses;

4. Complaints and Opposition to Applications.
- B. Act on Appeals on Grant or Denial of Locational Clearance by the Zoning Administration / Zoning Officer.
- C. Act on appeals regarding the non-conformity of existing uses, buildings or structures to the applicable provisions of this Ordinance.
- D. Decisions of the Local Zoning Board of Appeals (LZBA) shall be carried by an absolute majority vote (50%+1) of its members.

SECTION 63. COMPOSITION OF THE LOCAL ZONING BOARD OF APPEALS (LZBA). – The Municipal Development Council shall create a sub-committee that will act as the LZBA composed of the following members:

1. Municipal Mayor as Chairman;
2. SB Committee Chairperson on Land Use / Zoning (If said committee is nonexistent, the SB may elect a representative);
3. Municipal Legal Officer;
4. Municipal Assessor;
5. Municipal Engineer;
6. Municipal Planning and Development Coordinator (if other than the Zoning Administrator);
7. Municipal Environment and Natural Resources Officer / Disaster Risk Reduction and Management Officer
8. Two (2) representatives of the private sector nominated by their respective organizations;
9. Two (2) representatives from non-government and civil society organizations nominated by their respective organizations.

The Municipal Planning and Development Office shall serve as the Secretariat to the LZBA. The LZBA may also invite resource persons in support of the performance of its functions.

SECTION 64. INTERIM PROVISION. – Until such time that the LZBA shall have been constituted, the HLURB shall act as the LZBA. As an appellate Board, the HLURB shall adopt its own rules of procedure to govern the conduct of appeals arising from the administration and enforcement of this Ordinance.

SECTION 65. REVIEW OF THE ZONING ORDINANCE. – The Municipal Development Council shall create a sub-committee, the Local Zoning Review Committee (LZRC) that shall review the integrated Zoning Ordinance considering the Comprehensive Land Use Plan, as the need arises, based on the following reasons / situations:

1. Updating / Revision of the CLUP;

2. Introduction of projects of national and / or local significance;
3. Force majeure events with municipal-wide implications;
4. Petition for rezoning / re-classification with municipal-wide implications;
5. Increasing number of applications / issuances invoking Variances and Exceptions.

SECTION 66. COMPOSITION OF THE LOCAL ZONING REVIEW COMMITTEE (LZRC). – The Local Zoning and Review Committee shall be composed of sectoral experts.

These are the Local Officials / Civic Leaders responsible for the operation, development and progress of all sectoral undertakings in the locality, e.g.:

1. SB Committee Chairperson on Land Use / Zoning (or equivalent committee);
2. Municipal Planning and Development Coordinator;
3. Municipal Zoning Administrator / Municipal Zoning Officer;
4. Municipal Assessor;
5. Municipal Legal Officer;
6. Municipal Engineer;
7. Municipal Environment and Natural Resources Officer (MENRO) / Disaster Risk Reduction and Management Officer;
8. Municipal Agriculturist;
9. Municipal Agrarian Reform Officer (MARO);
10. President of the Association of Barangay Captains;
11. Three (3) Private Sector Representatives such as from Local Chamber of Commerce, Local Housing and Industry, Federation of Homeowner's Association and Academe;
12. Two (2) NGO and Civil Society Organization representatives.

The Municipal Planning and Development Office shall serve as the Secretariat to the Local Zoning Review Committee (LZRC).

The Local Zoning Review Committee (LZRC) may invite resource persons in support of the performance of its functions.

SECTION 67. FUNCTIONS OF THE LOCAL ZONING REVIEW COMMITTEE. – The Local Zoning Review Committee shall have the following powers and functions:

- A. Review the Zoning Ordinance for the following purposes:
1. Determine amendments or revisions necessary in the Zoning Ordinance because of changes that might have been introduced in the Comprehensive Land Use Plan;
 2. Recommend changes to be introduced in the Comprehensive Land Use Plan and the Zoning Ordinance in the light of permits granted such as Variances and Exceptions and increasing applications for rezoning and reclassification.
- B. Recommend to the Sangguniang Bayan necessary legislative amendments on the needed changes in the integrated Zoning Ordinance (ZO) as a result of the review conducted; and
- C. Coordinate with HLURB of the recommended changes to the integrated Zoning Ordinance as a result of its review.

SECTION 68. AMENDMENTS TO THE ZONING ORDINANCE. – Changes in the Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as an amendment, provided that any amendment to the Zoning Ordinance or provisions thereof shall be subject to public hearing and review evaluation of the Local Zoning Review Committee and shall be carried out through a resolution of three fourths vote of the Sangguniang Bayan. Said amendment shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

SECTION 69. VIOLATION AND PENALTY. – Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine not exceeding **TWO THOUSAND FIVE HUNDRED (P 2,500.00) PESOS** or an imprisonment for a period not exceeding six (6) months, or both at the discretion of the Court. In case of violation by a corporation, partnership or association, the penalty shall be imposed upon erring officers thereof.

SECTION 70. SUPPLETORY EFFECT OF OTHER LAWS AND DECREES. – The provisions of this Ordinance shall be without prejudice to the application of other laws, Presidential Decrees, Letter of Instructions and other Executive or Administrative Orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.


SECTION 71. SEPARABILITY CLAUSE. – Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 72. REPEALING CLAUSE. – All ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.


SECTION 73. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon approval by the Sangguniang Panlalawigan.

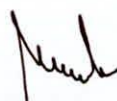
UNANIMOUSLY ENACTED.

I HEREBY CERTIFY to the correctness of the above Municipal Ordinance.



ADONIS L. COSIO
Secretary to the Sanggunian

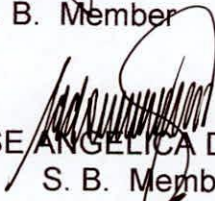
CONCURRED BY:



LOURDES G. SICAT
S. B. Member

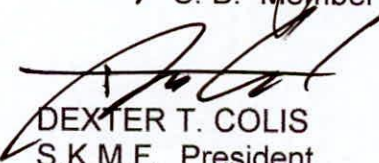

EMMANUEL R. MANALO
S. B. Member


FERNANDO R. DIZON
S. B. Member



ELIMAR M. VENTURA
S. B. Member


LOUISE ANGELICA D. SIMBULAN
S. B. Member

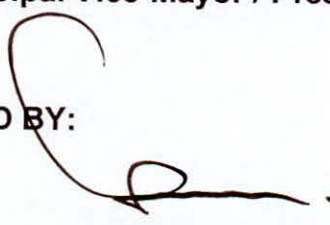

TERENCE S. NAPAO
A.B.C. President


DEXTER T. COLIS
S.K.M.F. President

ATTESTED BY:


JONATHAN R. PANGAN
Municipal Vice-Mayor / Presiding Officer

APPROVED BY:


TEDDY C. TUMANG
Municipal Mayor

| | | |
|-----------------------------------|---|--------------------|
| Date Transmitted for LCE Approval | : | <u>APR 17 2019</u> |
| Date of Approval by LCE | : | <u>APR 17 2019</u> |
| Date of Posting | : | <u>APR 22 2019</u> |