

ORDINANCE APPROVED BY THE SANGGUNIANG BAYAN OF SABANGAN,
MOUNTAIN PROVINCE IN ITS MEETING HELD AT SESSION HALL ON 21 JULY
2003

PRESENT: Alfredo S. Ramon, Vice Mayor, Presiding Officer
Joseph B. Bernardez, Sangguniang Bayan Member
Constancio T. Compalas, -do-
Donato L. Danglose, -do-
Juliet O. Palicos, -do-
Ruben P. Subilla -do-
Avelino O. Tolean, -do-
Benjamin B. Victoriano, -do-
Alberto P. Yamoyam -do-
Feliciano G. Liclic, LBP, -do-
Tony K. Saguipil, SK, -do-

ABSENT: NONE

MUNICIPAL ORDINANCE NO. 2003-05
Series of 2003

AN ORDINANCE ADOPTING (OR REVISING THE) ZONING REGULATIONS FOR
(OF) THE MUNICIPALITY OF SABANGAN, MOUNTAIN PROVINCE AND PROVIDING
FOR THE AMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND
FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.

Be it ordained enacted by the Sangguniang Bayan of Sabangan:

WHEREAS, the implementation of Comprehensive Land Use Plans would require the
enactment of regulatory measures to translate its planning goals and objectives into
reality; and a Zoning Ordinance is one such regulatory measure which is an important
tool for the implementation of the comprehensive land use plan;

WHEREAS, THE LOCAL GOVERNMENT CODE AUTHORIZES LOCAL
GOVERNMENT UNITS TO ENACT ZONING ORDINANCES SUBJECT TO AND IN
ACCORDANCE WITH EXISTING LAWS;

WHERE, the Housing Land Use Regulatory Board has spearheaded and now assists in
coordinates the activities of Local governments in comprehensive land use planning;

NOW THEREFORE, the Sangguniang Bayan of Sabangan Mountain Province in a
session assembled hereby adopts the following Zoning Ordinance.

ARTILCE I
TITLE OF THE ORDINANCE.

Section 1. Title of the Ordinance. This Ordinance shall be known as the Comprehensive
Zoning Ordinance of the Municipality of Sabangan and shall be referred to as the
Ordinance.

ARTICLE II AUTHORITY AND PURPOSE

Section 2. Authority. This Ordinance is enacted pursuant to the provisions of the Government Code, RA 7160 sections 458 a.2 (7-9) and 447 a.2 (7-9) dated 10 October 1991, "Authorizing the Municipality through the Sangguniang Panglunsod/ Bayan to adopt Zoning Ordinance subject to the provisions of existing law." And in conformity with E.O. No. 72

Section 3 Purposes. This Ordinance is enacted for the following purposes:

1. Guide, control and regulate future growth and development of Sabangan, Mountain Province in accordance with its Comprehensive Land Use Plan.
2. Protect the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space 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 Regulations is based on the approved General and Urban Land Use Plans as per resolution No. 2003-45 dated 16 June 2003 for Sabangan.

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, Philippine Environmental Code and other Implementing Rules and Regulations, promulgated by the HLRB. The words, terms and phrases enumerated hereunder shall be understood to have meaning corresponding indicated as follows:

1. Agricultural Zone (AGZ) – an area within the municipality of Sabangan for cultivation/fishing and pastoral activities e.g. fish, farming, cultivation of crops goat/cattle raising, etc.
2. Agro-Industrial Zone (AIZ) – an area within Sabangan, Mountain Province INTENDED primarily for integrated farm operations and related product processing activities such as plantations for bananas, pineapple, sugar etc.
3. HLURB/BOARD – THE HOUSING AND LAND USE REGULATORY BOARD
4. Buffer area – 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.
5. Built-up Area – a contiguous grouping of ten (10) or more structures.
6. Central Business District – shall refer to areas designated principally for trade, services and business purposes (Commercial 1 Zone).

7. Certificate of Non-Conformance – certificate issued to owners of uses existing prior to the approval of the Zoning Ordinance which do not conform in a zone as per provision of the said Ordinance.
8. Compatible Use – uses or land activities capable of existing together harmoniously; e.g. residential use and park playground.
9. Comprehensive Land Use Plan (CLUP) – a document embodying specific proposals for guiding, regulating growth and/or development. The main components of the Comprehensive Land Use Plan in this usage are the sectoral studies i.e. Demography, Socio- Economic, Infrastructure and Utilities, Local Administration and Land Use.
10. Conflicting Uses – Uses or land activities with contrasting characteristics sited adjacent to industrial plants.
11. Conforming Uses – a use which is in accordance with the zone classification as provided for in the Ordinance.
12. Easement – Open space imposed on any land use/activity sited along waterways, road-right-of-ways, cemeteries/memorial parks and utilities.
13. Environmentally Critical Areas – Refers to those areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 14,1981. (Refer to Annex A)
14. Environmentally Critical Areas – Refers to those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation 2146 dated December 14,1981. (Refer to Annex A)
15. 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.
16. Floor Area Ratio or “FAR” – Is the ration between the gross floor area of building and the area of the lot on which is stands, determined by dividing of 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 floor area ratio (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.
17. Forest Zone (FZ) – an area within the municipality intended primarily for forest purposes.
18. General Commercial Zone (GCZ) – an area within the municipality for trading/services/business purposes.
19. General Institutional Zone (GIZ) – an area within the municipality principally for general types of institutional establishments e.g. government offices, schools, hospital/clinics, academic/research, convention centers.
20. General Residential Zone (GRZ) – an area within the municipality principally for dwelling/housing purposes.

21. General Zoning Map - a duly authenticated map delineating the different zones in which the whole municipality is divided.

22. Gross floor are (GFA) – The GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:

- O Office Areas;
- O Residential Areas;
- O Corridors;
- O Lobbies
- O Mezzanine;
- O Vertical penetrations, which shall mean stairs, fire Escape, Elevator shafts; Flues, Pipe Shafts, Vertical ducts, and the like, And the likes, and their enclosing walls;
- O Rest rooms or Toilets;
- O Machine rooms and Closets;
- O Storage rooms and Closets;
- O Covered Balconies and Terraces;
- O Interior wall and Columns, and other interior Features;

BUT EXCLUDING:

- O Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;
- O Uncovered areas for AC Cooling Towers, Overhead Water Thanks, Roof Decks Laundry areas and Cages , Wading or swimming pools, Whirlpools or Jacuzzis, Gardens, Courts or Plazas

23 Heavy Industrial Zone (1 3) – a subdivision of an area principally for the following types of industries:

- a. Highly pollutive/non-hazardous
- b. Highly pollutive/hazardous
- c. Highly pollutive/extremely hazardous
- d. Pollutive/extremely hazardous
- e. Non-pollutive/extremely hazardous

24. High Density Residential Zone (R-3) – a subdivision of an area principally for dwelling/housing purpose with a density of 66 more dwelling units per hectare

25. Innovate Design – introduction and/or application of new/creative designs and techniques in development projects e.g. PLANNED UNIT DEVELOPMENT (PUD), Newtown, etc.

26. Light Industrial Zone (1-1) a subdivision of an area principally for the following types of industries:

- a. non-pollutive/non hazardous
- b. non-pollutive/hazardous

27. Location 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.

28. Low density Commercial Zone (C-1) - an area within the municipality principally for trade, services and business activities ordinarily referred to as the Central Business District.

29. Low Density Residential Zone (R-1) - an area within the municipality principally for dwelling/housing purposes with a density of 20 dwelling units and below per hectare.

30. Medium Density Commercial Zone (C-2) - an area within the municipality with quasi-trade business activities and service industries performing complementary/supplementary functions to principally commercial zone (CBD)

31. Medium Density Residential Zone (R -2) - an area within the municipality principally for dwelling/housing purposes with a density of 21 to 65 dwelling units per hectare.

32. Medium Industrial Zone (1-2) – an area within the municipality principally for the following types of industries:

- a. pollutive/non-hazardous
- b. pollutive/hazardous

33. Mitigating Device – a means to grant relief in complying with certain provisions of the Ordinance.

34. 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.

35. Non-conforming use – existing non-conforming 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 Ordinances

36. Parks and Recreation Zone (PRZ) – an area designed for diversion/amusements and for the maintenance of ecological balance of the community.

37. 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.

38. 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 RA 7160.

39. Rural Area – Area outside of designated urban area

40. Setback – The open space left between the building and lot lines.

41. Special Institutional Zone (SIZ) – An area within the municipality principally or 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.

42. Tourist Zone (TZ) – Are sites within the municipality endowed with the natural or natural mandate physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

43. Urban Areas (S) – Include 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 (50%) of the population are engaged in non agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes.

44. Urban Zoning Map – a duly authenticated map delineating the different zones into which the urban area and its expansion area are divided.

45. Urbanizable Land – area designated as suitable for urban expansion by virtue of land use studies conducted.

46. Variance – a SPECIAL LOCATIONAL CLEARANCE which grants a property owner relief from certain provision 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.

47. Water Zone (WZ) – are bodies of water within the municipality which include rivers, stream, lakes and seas except those included in other zone classification.

48. warehouse – refers to a storage and/or depository of those in business of performing warehouse service for others, for profit.

49. Zone/District – an area within the municipality for specific land use as defined by manmade or natural boundaries.

50. Zoning Administrator/ZONING OFFICER – a municipal government employee responsible for the implementation/enforcement of the Zoning Ordinance of Sabangan, Mountain Province

51. Zoning Ordinance – a local legal measure which embodies regulations affecting land use.

ARTICLE IV ZONE CLASSIFICATION

Section 5. Division into Zones or Districts. To effectively carry out provisions of this Ordinance, the municipality is hereby divided into the following zones or districts as shown in the Official Zoning Maps.

1. General Residential Zone (GRZ)
2. Socialized Housing Zone (SHL)
3. Low Density Residential Zone (R-1)
4. Medium Density Residential Zone (R-2)
5. High Density Residential Zone (R-3)
6. General Commercial Zone (GCZ)
7. Low Density Commercial Zone (C-1)
8. Medium Density Commercial Zone (C-2)
9. High Density Commercial Zone (C-3)
10. Light Industrial Zone (1-1)
11. Medium Industrial Zone (1-2)

12. Heavy Industrial Zone (1-3)
13. General Institutional Zone (GIZ)
14. Special Institutional Zone (SIZ)
15. Agricultural Zone (AGZ)
16. Agro-Industrial Zone (AIZ)
17. Forest Zone (FZ)
18. Parks and other Recreation Zone (PRZ)
19. Water Zone (WZ)
20. Tourist Zone (TZ)

Section 6. Zoning Maps. It is adopted as an integral part of his 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 HLRB/SANGGUNIANG PALALAWIGAN.

Section 7. Zone Boundaries. The locations and boundaries of the above mentioned various zones into which the city/municipality has been divided are hereby identified and specified as follows:

Bounded on the North by the municipalities of Sagada & Bontoc.
 Bounded on the South & West by the municipality of Bauko.
 Bounded on the East by the municipality of Hongduan, Ifugao.

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 streets 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 the boundaries are so indicated that they approximately parallel to the center lines or right-of-way lines of streets and highways, 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 a stream, lake or other bodies of water, said boundary line shall be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of change in the shorelines, shall be construed as moving with the actual shorelines.
5. Where a lot of one 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 it is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principle structure falls.
6. 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 equivalent to fifty percent (50%) of the total area of the entire lot. If the remaining portion has an area equivalent to fifty percent (50%) or more

of the total area of the lot then 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.

7. The textual description of the zone boundaries shall prevail over that the Official zoning Maps.

ARTICLE V ZONE REGULATIONS

Section 9. General Provision. The uses enumerated in the succeeding sections are not exhaustive nor all-inclusive. The LOCAL ZONING BOARD OF ADJUSTMENT AND APPEALS(LZBAA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

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 (R-1) may be allowed within the zone of higher density (R-2,R-3) but not vice versa, nor in another zone and its subdivisions (e.g. GC, C-1, C-2), 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 (GRZ). A GR zone shall be used principally for dwelling/housing purpose so as to maintain peace and quiet of the area within the zone. The following are the allowable uses:

1. Detached family dwelling
2. Multi-family dwelling e.g. row houses, apartments
3. Residential Condominium
4. Apartment
5. Homestay
6. Pension House
7. Hotel apartment or apartel
8. Dormitory
9. Boarding House
10. Branch libraries and museums
11. Customary accessory uses like:
 - a. Servant quarter
 - b. Private garage
 - c. Guard house
12. Home occupation for the practice of one's profession 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 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 neighborhood and any need for parking generated by the conduct of such home occupation shall be met on the street and in a place other than the required front yard;
- 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.

13. 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. 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 and e of number 12, home occupation, this section.

14. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:

- a. Swimming pool
- b. Pelota court
- c. Others

15. Nursery/Elementary School

16. High School

17. Vocational School

18. Sports Club

19. Religious Use

20. Multi-purpose hall/barangay hall

21. Clinic, nursing and convalescing home, health center

22. Plant nurseries

Section 10 a. Use Regulations in Low density Residential Zone (R-1). An R-1 shall be used principally for housing/dwelling purposes so as to maintain the peace and quiet of the area within the zone with a density of 20 dwelling units and below per hectare. The following are allowable uses:

- 1. Detached family dwelling
- 2. Semi-detached family dwelling e.g. duplex, rowhouse
- 3. Customary accessory uses like:

- a. Servants quarter
- b. Private garage
- c. Guardhouse

4. Home occupation for the practice of one's profession or for engaging an in-house business such as dressmaking, tailoring, running a sari-sari store and the like provided that:

- a. The number of person engaged in such business/industry shall no exceed five (5), inclusive of the owner;
- b. There shall be no change in the outside appearance of the building or 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 conducted of such home occupation shall be met off the street and in a place other than in a required front yard;
- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses and visual or audible interference in any radio or television receivers or causes fluctuation in line voltage off the premises.

5. 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/nuisance;
- b. Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
- c. Shall consider same provisions as enumerated in letters c, d and e of number 4, Home Occupation, this section.

6. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:

- a. Swimming pool
- b. Pelota
- c. Others

7. Religious use

8. Multi-purpose/Barangay hall

9. Pre-school

10. Sports club

11. Clinic, Nursing and convalescing home, health center

12. Plant nursery

Section 10b. Use Regulation in High Density Residential (R-3) Zone. An R-3 shall be for housing/dwelling purposes of high density i.e. 66 or more dwelling units per hectare. The following are the allowable uses:

1. all uses allowed in R-1 zone
2. apartment
3. boarding houses
4. dormitory
5. branch library and museum
6. elementary school
7. high school

Section 10c. Use Regulations in High Density Residential (R-3) Zone. An R-3 shall be for housing/dwelling purposes of high density i.e. 66 or more dwelling units per hectare. The following are the allowable uses:

1. all uses allowed in R-1 and R-2 Zones
2. residential condominium
3. pension house
4. homotel
5. vocational school
6. hotel apartments or apartels
7. high school and vocational school

Section 10d. Use Regulations in Socialized Housing Zone (SHZ) – An SHZ shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279. Allowable uses:

1. All uses allowed in General residential Zone, R1, R2 and R3 Zones

Section 11. Use Regulations in General Commercial Zone (GCZ) AGC Zone shall be for business/trade/service uses. Within the zone the following types of establishments shall be allowed:

1. Offices Like:

- a. office building
- b. office condominium

2. General retail stores and shops like:

- a. department store
- b. bookstore and office supply shop
- c. home appliance store
- d. car shop
- e. photo shop
- f. flower shop

3. Food markets and shops like:

- a. bakery and bake shop
- b. wine store
- c. grocery

- d. supermarket
4. Personal service shops like:
 - a. beauty parlor
 - b. barber shop
 - c. sauna bath and massage clinic
 - d. dressmaking and tailoring shops
 5. Recreational center/establishments like:
 - a. moviehouse/theater
 - b. playcourt e.g. tennis court, bowling lane, billiard hall
 - c. swimming pool
 - d. day and night club
 - e. stadium, coliseum, gymnasium
 - 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 schools
 - d. speech clinics
 8. Storerooms but only as may be necessary for the efficient conduct of the business
 9. Commercial condominium (with residential unit in upper floors)
 10. Commercial Housing like:
 - a. hotel
 - b. apartment
 - c. apartel
 - d. boarding house
 - e. dormitory
 - f. pension house
 - g. club house
 - h. motel
 11. Embassy/consulate
 12. Library museum
 13. Filling Station/service station
 14. Clinic
 15. Vocational;/Technical school
 16. Convention Center and related facilities
 17. Messengerial service
 18. Security Agency
 19. Janitorial service
 20. Bank and other financial institutions
 21. Radio and televisions station
 22. Building garage, parking lot

23. bakery and baking of bread, cake, pastries, pies and other similar perishable products
24. Custom dressmaking shop
25. Commercial tailoring shop
26. Commercial and job printing
27. Typing and photo engraving services
28. Repair of optical instruments and equipment and cameras
29. Repair of clocks and watches
30. Manufacture of insignia, badges and similar emblems except metal
31. Transportation terminals/garage with and without repair
32. repair shops like:
 - a. house appliances repair shops
 - b. motor vehicles and accessory repair shops
 - c. home furnishing shops

33. Printing/publishing
34. Machinery display shop/center
35. Gravel and sand
36. Lumber /hardware
37. Manufacture of ice blocks, cubes, tubes, crush except dry ice
38. chicharon factory
39. Manufacture of signs and advertising displays (except printed)
40. Printing and publishing of books and pamphlets, printing cards and stationary
41. Manufacture of wood furniture including upholstered
42. Manufacture of rattan furniture including upholstered
43. Manufacture of box beds and mattresses
44. Welding shops
45. Machine shop service operation (repairing/rebuilding, or custom job orders)
46. Medium scale junks shop
47. Repair of motorcycles
48. Lechon or whole pig roasting
49. Biscuit factory- manufacture of biscuits, cookies, crackers and other similar dried bakery products
50. Doughnut and hopia factory
51. Other bakery products not elsewhere classified (n.e.c.)
52. Repacking of food products e.g. fruits, vegetables, sugar and other related products
53. Plant nursery
54. Funeral parlors, mortuaries and memorial chapels
55. Parking lots, garage facilities
56. Other commercial activities not elsewhere classified

Section 11a. Use Regulations in C-1 Zone. Referred to as the central Business District 9 CBD), a C-1 Zone shall be principally for trade, service and business activities.

1. Offices Like:

- a. office building
- b. office condominium

2. General retail stores and shops like

- a. department store/shopping center
- b. bookstore and office supply shop
- c. car shop

- d. home appliance store
- e. photo shop
- f. flower shop

3. Food markets and shops like:

- a. bakery and bake shop
- b. wine store
- c. grocery
- d. supermarket

4. Personal services shop like:

- a. beauty parlor
- b. barber shop
- c. sauna bath and massage clinic
- d. dressmaking and tailoring shops

5. Recreational center/establishments like:

- a. moviehouse/theater
- b. playcourt e.g. tennis bowling, billiard
- c. swimming pool
- d. day and club
- e. stadium, coliseum, gymnasium
- f. other sports and recreational establishments

6. Restaurants and other eateries

7. Short term special education Like:

- a. dancing schools
- b. schools for self-defense
- c. driving schools
- d. speech clinics

8. Storeroom and warehouse but only as may be necessary for the efficient conduct of the business

9. Commercial housing like:

- a. hotel
- b. apartment
- c. apartel
- d. boarding house
- e. dormitory
- f. pension house
- g. club house
- h. motel

10. Commercial condominium (with residential units in upper floors)

11. Embassy/consulate

13. Filing station/service station

14. Clinic

15. Vocational/technical school
16. Convention center and related facilities
17. Messengerial_service
18. Security Agency
19. Janitorial service
20. Bank and other financial institutional
- 21 Radio and television station
22. Building garage
23. Commercial job printing
24. Typing and photo engraving services
25. Repair of optical instruments and equipment and cameras
26. Repair of clocks and watches
27. Manufacture of insignia, badges and similar emblems except metal
28. Transportation terminal/garage
29. Plant nurseries
30. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities.

Section 11b. Use Regulation in C-2 Zone A C-2 Zone shall be for quasi-trade, business activities and service industries performing complimentary supplementary function 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 accessory
 - 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, crush except dry ice
10. Manufacture of signs and advertising displays (except printed)
11. Chicharon Factory
12. Welding Shops
13. Machine shop service operations (repairing/rebuilding, or custom job orders)
14. Repair of motorcycles
15. Lechon or whole pig roasting
16. Biscuit factory – manufacture biscuits, cookies, crackers and other similar dried bakery products
17. Doughnut and hopia factory
18. Other bakery products not elsewhere classified
19. Repacking of food products e.g. fruits, vegetables, sugar and other related product
20. Funeral parlors, mortuaries and memorial chapels
21. Other commercial activities not elsewhere classified

Section 12. Use Regulation in Light Industrial Zone (1-1) An 1-1 zone shall be for non-pollutive/non-hazardous and non-pollutive/hazardous manufacturing/processing establishments. Enumerated below are the allowable uses:

a. Non-Pollutive/Non-Hazardous Industries

1. Drying fish
2. Biscuit factory-manufacture of biscuits, cookies crackers and other similar dried bakery products
3. Doughnut and hopia factory
4. Manufacture of macaroni, spaghetti and vermicelli and other noodles
5. Other bakery products not elsewhere classified (n.e.c.)
6. Life belts factory
7. Manufacture of luggage. Handbags, wallets and small leather goods
8. Manufacture of miscellaneous products of leather and leather substitute and n.e.c.
9. Manufacture of shoes except rubber, plastic and wood
10. Manufacture of slipper and sandal 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 or assembly of typewriters, cash registers, machinery
14. Manufacture or assembly of electronic 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 and controlling equipment, plumb bomb, rain gauge, taxi meter, 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
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 appliances (abdominal 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 of assembly electronic organs
37. Manufacture of sporting gloves and mitts
38. Manufacture of sporting balls (not or rubber or plastic)
39. Manufacture of gym and playground equipment
40. Manufacture of sporting tables (billiards, pingpong, pool)
41. Manufacture of sporting and athletics 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)
50. Small-scale manufacture of ice cream

b. Non-pollutive/Hazardous Industries

1. Manufacture of house furnishing
2. Textile bag factories
3. Canvas bags and other canvas products factory
4. Jute bag factory
5. Manufacture of miscellaneous textile goods, embroideries and weaving apparel
6. Manufacture of fiber batting, padding and upholstery filling except choir
7. Men's and boy's garment factory
8. Women's and girls, and ladies' garment factory
9. Manufacture of hats, gloves, handkerchief, 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 mill work and those n.e.c.
13. Manufacture of wooden and cane containers
14. Sawali, nipa and split cane factory
15. Manufacture of cork products
16. Manufacture of bamboo, rattan and other cane baskets and ware
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 stationery, envelopes and related articles
21. Manufacture of dry ice
22. Repacking of industrial products e.g. paints, Varnishes and other related

Section 13. Use Regulations in Medium Industrial Zone (1-2) An 1-2 Zone shall be for pollutive/non-hazardous and pollutive/hazardous manufacturing and processing establishments. Enumerated below are the allowable uses:

a. Pollutive/Non-Hazardous Industries

1. Manufacture and canning of ham, bacon and native sausage
2. Poultry processing and canning
3. Large-scale Manufacture of ice cream
4. Corn mill/Ricemill
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. Manufacture of food products n.e.c. (Vinegar, Vetsin)
11. Manufacture of flavoring extracts
12. Manufacture of fish meal
13. Oyster shell grading
14. Manufacture of medicinal 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
25. Manufacture of miscellaneous furniture and fixture primarily of metal n.e.c
26. Manufacture of fabricated structure iron and steel
27. Manufacture of architectural and ornamental metal works
28. Manufacture of boilers, tanks and other structure sheet metal works
29. Manufacture of other structure 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. Manufacture or assembly of service industry machines
39. Repair of agricultural machinery
40. Manufacture or assembly of elevators and escalators
41. Manufacture or assembly of sewing machines
42. Manufacture or assembly of cooking ranges
43. Manufacture of 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 industrial machinery and apparatus n.e.c.
50. Manufacture or assembly of electric equipment radio and television, tape records, 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.
57. Manufacture of electric lamp fixtures

b. Pollutive/ Hazardous Industries

1. Flour mill
2. Cassava Flour mill
3. Manufacturing of unprepared animal feeds, other grain milling n.e.c.
4. Production prepared feeds for animals
5. Cigar and Cigarette factory
7. Curing and redrying 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 outerwear knitting mills
14. Fabric knitting mills
15. Miscellaneous knitting mills n.e.c.
16. Manufacture of mats and matings
17. Manufacture of carpets and rugs
18. Manufacture of cordage, rope and twine
19. Manufacture of related product of 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. Resawmills
27. Manufacture of veneer, plywood and hardware
28. Manufacture of doors, windows and sashes
29. Treating and preserving of wood
30. Manufacture of charcoal
31. Manufacture of wood and canes blinds, screen and shades
32. Manufacture of containers and boxes of paper and paper board
33. Manufacture of miscellaneous pulp and paper products, n.e.c.
34. Manufacture of perfumes cosmetic and other toilet preparations
35. Manufacture of waxes and polishing preparations
36. Manufacture of candles
37. Manufacture of inks
38. Manufacture of miscellaneous chemical products, n.e.c.
39. Tire retreating and rebuilding
40. Manufacture of rubber shoes and slippers
41. Manufacture of industrial and moulded rubber products
42. Manufacture of plastic footwear
43. Manufacture of other of plastic furniture
44. Manufacture of other fabricated plastic products, n.e.c.
45. Manufacture of table and kitchen articles
46. Manufacture of pottery, china and earthen ware 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 equipment
58. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
59. Manufacture, assembly, rebuilding, repairing of printing, trade machinery and equipment
60. Manufacture of rice mills
61. Manufacture, assembly, rebuilding, repairing of paper industry machinery
62. Manufacture of machines for leather and leather products
63. Manufacture of construction of 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 repairing
68. Ship repairing industry, dock yards, dry dock, shipways
69. Miscellaneous shipbuilding and repairing, n.e.c.
70. Manufacture of locomotives and parts
71. Manufacture of railroad and street cars
72. Manufacture or assembly of automobiles, cars, buses, trucks and trailers
73. Manufacture of wood furniture including upholstered
74. Manufacture of rattan furniture including upholstered
75. Manufacture of box beds and mattresses

Section 14. Use regulations in Heavy Industrial Zone (1-3). An 1-3 Zone shall be for highly pollutive/non-hazardous; highly pollutive/extremely hazardous; non-pollutive/extremely hazardous; and pollutive/extremely hazardous manufacturing and processing establishments. Enumerated below are the allowable uses:

a. Highly Pollutive/Non-Hazardous Industries

1. Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharon
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 of fruits and fruits juices
7. Canning and preserving of vegetables and vegetable juices
8. Canning and preserving of 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 seafoods n.e.c.
14. Manufacture of dessicated coconut
15. Manufacture of starch and its products
16. Manufacture of wines from juices of local fruits

17. Manufacture of malt and malt liquors
18. Manufacture of soft drinks carbonated water
19. Manufacture of instant beverages, n.e.c.
20. Other non-alcoholic beverages n.e.c
21. Other slaughtering, preparing and preserving meat products, n.e.c.

b. Highly Pollutive/Hazardous Industries

1. Vegetable oil mills, including coconut oil
2. Manufacture of refined cooking oil and margarine
3. Manufacture of fish, marine and other animal oils
4. Manufacture of vegetable 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
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 fiberboard
18. Manufacture of soap and cleaning preparations
19. Manufacture of inorganic salts and compounds
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

c. Highly pollutive/extremely Hazardous Industries

1. Manufacture of industrial alcohols
2. other basic industrial chemical, n.e.c.
3. Manufacture of fertilizers
4. Manufacture of pesticides
5. Manufacture of reclaimed, blended and compound petroleum
6. Petroleum refineries
7. Manufacture of reclaimed, blended and compound petroleum products
8. Manufacture of miscellaneous products of petroleum and coal, n.e.c.

d. Pollutive/Extremely Hazardous Industries

1. Manufacture of paints
2. Manufacture of Varnishes, shellac and stain
3. Manufacture of paint removers
4. Manufacture of other paint and products
5. Manufacture of matches

6. Manufacture of tires and inner tubes
7. Manufacture of processed natural rubber not in rubber plantation
8. Manufacture of miscellaneous rubber products, n.e.c.

e. Non-Pollutive/Extremely Hazardous Industries

1. Manufacture of compressed and liquefied gases

Section 15. Uses Regulation in General Institutional (GIZ) Zone. 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 of high learning
3. General hospitals, medical center, multipurpose clinics
4. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
5. Convention centers and related facilities
6. Religious structures e.g. church, seminary, convents
7. Museums
8. Embassies/consulate
9. Student housing e.g. dormitories, boarding house

Section 16. Use regulations in Special Institutional (SIZ) Zone. In SI zones, the following uses shall be allowed:

1. Welfare homes, 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 correction institution

Section 17. Use Regulations in parks and Recreation Zone (PRZ). The following uses shall be allowed in Parks and recreation 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 rise stadia, gyms, amphitheatres and swimming pools
4. Golf course, ball courts, race tracks and similar uses
5. Memorial/Shrines monuments, kiosks and other park structures
6. Sport club

Section 18. Use Regulations for Agricultural (Agr.) zone (AGZ) In Agr. 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 the 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 dryer and rice threshers and storage barns and warehouses
5. Ancillary dwelling unit/farmhouses for tillers and laborers
6. Agricultural research and experimentation facilities such a 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 a 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 of 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 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 (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 a 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 and e of Home Occupation, this section.

10. Backyard raising of livestock and fowl, provided that:

- a. For livestock – a maximum of 10 heads
- b. For fowl – a maximum of 500 birds

Section 19. Use Regulations in Agro-Industrial Zone (AIZ). In Agr. -I Zones the following uses shall be permitted:

1. All uses allowed in agriculture
2. Rice/corn mills (single pass)
3. Drying, cleaning, curing and preserving of meat and its by products and derivatives
4. Drying, smoking and airing of 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 feed for animals
10. Cigar and cigarette factory
11. Curing and redrying tobacco leaves, n.e.c.
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 fruit 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 industries activities utilizing plant or animal parts and/or products as raw materials, n.e.c.
38. Other accessory uses incidental to agro-industrial activities

Section 20. Use Regulations in Forest Zones (FZ) no development use, or activity shall be allowed in forest zones unless consistent with the Department of Environment and Natural Resources ' (DENR) development regulations for a permit, lease or license is issued by the DENR for the following:

1. Contract Reforestation with Forest Land Management Agreement [FLMA]
2. Commercial Tree Plantation and Industrial Forest Plantation [IT/IFP]
3. Integrated Social Forestry Programs [ISF]
4. Community –Based Forest Management
5. Reforestation compliance by pasture lease agreement
6. Reforestation compliance by forest users by temporary lease agreement
7. Ecological revolution programs [ECOREV]

Other allowable uses such as mining, Infrastructure Development, Fishpond and resettlement purposes should be in consonance with national policies as enumerated below:

1. Mining

No extraction excavation or other mining activity shall be undertaken except in accordance with the mining code and its implementing rules and regulations.

2. Fishpond Purposes

Fishing activities within the forest zone shall be undertaken pursuant to the provisions of the fisheries code and its implementing rules and regulations and the revised forestry code of the Philippines as amended.

3. Infrastructure and resettlement

Infrastructure development and resettlement undertaken within forest zones shall be consistent with the provisions of the revised forestry code of the Philippines, as amended, and subject to an environmental impact assessment, prior to the approval of such projects in order to determine their environmental impacts and social acceptability.

Section 21. Use Regulations in water Zones (WZ).

1. The utilization of the water resources for domestic and industrial use shall be allowed provided it is in consonance with the development regulations of DENR, provisions of the water code, and revised forestry code of the Philippines, as amended, and provided further, that it is subjected to an environmental impact assessment prior to the approval of its use.

2. Other uses such as recreation, fishing and related activities, floatage/transportation and mining(E.G. off shore oil exploration) shall also be allowed provided it is in consonance with the provisions of the water code, and the revised forestry code of the Philippines, as amended.

Such bodies of water shall include rivers, streams, lakes and seas.

Section 22. Regulations in Tourist Zone (TZ)

No tourist project or tourist related activities shall be allowed in tourist zones unless developed or undertaken in accordance with department of tourism [DOT] guidelines and standards and granted approval by the tourism estate department of DOT.

ARTICLE VI GENERAL DISTRICT REGULATION

Section 23. Development Density. Permitted density shall be based on the zones capacity to support development.

A. RESIDENTIAL ZONES

A.1 Low Density Residential Zone (R-1) In R-1 Zone, allowed density is twenty (20) dwelling units and below per hectare;

A.2 Medium Density Residential Zone (R-2) in R-2 Zone, allowed density is twenty one to sixty-five (21 to 65) dwelling units per hectares;

A.3 High Density Residential (R-3) – In R-3 Zone, allowed density is sixty six (66) or more dwelling units per hectare.

B. ALL OTHER ZONES

There is no fixed maximum density but should be based on the planned absolute level of density that is intended for each concerned zone based on the comprehensive land use plan.

Section 24. 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 all laws ordinances design standards rule and regulations related to land development and building construction and the various safety codes.

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 highest natural grade line in the property or front sidewalk (Main entry) level; low rise dwelling are up to three storeys.

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

A.3 High Density Residential Zones (R-3) In R-3 Zone, high rise dwelling units of eight or more storeys are allowed provided it conforms with the zone's prescribed floor area ratio (FAR). The FAR of an R-3 zone shall be based on the planned density of development intended for the zone.

B. ALL OTHER ZONE

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). [Refer to annexes B-F for illustration on how floor area ratio is issued in a zoning plan]

Section 25. Exemptions from heights 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 regulation of the National Building Code and /or the air transportation office.

Section 26. Area Regulations. Area regulation in all zones shall conform with the minimum requirement of the existing codes such as:

a. PD. 957 – The “ Subdivision and Condominium Buyers’ protective Law” and its revised implementing rules and regulation

b. B.P. 220 – “Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects” and its’ revised implementing rules and regulations.

- c. P.D 1096 – National Building Code
- d. Fire Code
- e. Sanitation Code
- f. Plumbing Code
- g. Structural Code
- h. Executive Order No. 648
- i. Other relevant guide promulgated by the national agencies concerned.

Section 27. Road setback Regulation. The following road setback regulations shall be applied:

ROAD SETBACK

Zoning Classification	Major Thoroughfare 30m. & above	Secondary Road	Tertiary Road 6m.& below
	Diversion/Railways	Provincial	Mun./Brgy.
Residential	10m.	10m.	3m.
Commercial	20m.	20m.	7.
Industrial	30m.	25m.	10m.
Agriculture	20m.	20m.	7m.
Agro-Industrial	30m.	25m.	10m.
Institutional	20m.	20m.	10m.
Parks & Recreation	10m.	10m.	3m.
Forest	30m.	25m.	10m.

Source: DPWH

Section 28. Easement. Pursuant to the provisions of the water code: 1) the banks of the rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of the three (3) meters in urban areas; twenty (20) meters in agricultural areas and forty (forty) 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 structure of any kinds.

Section 29. 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 and should be apart of the yard or open space.

Section 30. Specific Provisions in the National Building Code. Specific provisions stipulated in the National Building Code (P.D. 1096) as amended thereto relevant to traffic generators, advertising and business signs, erection of more than one principal structure, dwelling or rear lots, access yard requirements and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

ARTICLE VII INNOVATIVE TECHNIQUES

Section 31. 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 RA 7279, BLISS Commercial Complexes, etc., the zoning Administrator/ Zoning Officer shall on grounds of innovative development technique forward applications to HLURB for appropriate action, unless the local units concerned has the capacity to process the same.

ARTICLE VIII MICELLANEOUS PROVISION

Section 32. Projects of National Significance. Projects may be declared by the NEDA board as projects of national significance the locational clearance shall be issued HLRB pursuant to EO 72.

Section 33. Environmental Compliance Certificate. (ECC). Notwithstanding the issuance of locational clearance under section 37 of this ordinance, no environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements ECC have been complied with.

Section 34. Subdivision Projects. All owners and /or developer of subdivision projects shall in addition to securing a locational clearance under section 37 of this ordinances be required to secure a development [permit] pursuant to provisions of PD 957 and its implementing rules and regulations in the case of socialized housing projects in accordance with the procedures laid DPWH in EO 71, series 1993

ARTICLE IX MITIGATING DEVICES

Section 35. Deviation. Exceptions, variances or deviations from the provisions of this ordinance may be allowed by the Local Zoning Board of Adjustment and Appeals (LZBAA) only when following terms and conditions are existing:

1. Variance

a. The property is unique and different from other properties in the adjacent locality and because of its uniqueness, the owner/s cannot obtain a reasonable return on the property.

This condition shall include at least 3 of the following provisions

- * Conforming to the provisions of the Ordinances 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 propose variance is the minimum deviation necessary to permit reasonable use of the property.
- * The propose variance is the minimum deviation necessary to permit reasonable use of the property.
- * The variance will not alter the physical character of the district or zone where the property for which the variance is sought is located, and will not substantially or permanently injure the use of the other properties in the same district or zone.

- The variance will be in harmony with the spirit of this ordinance.

2. Exceptions

- a. The exception will not adversely effect the public health, safety and welfare and is in keeping with general pattern of development in the community.
- b. 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.
- c. The exception will not adversely affect the appropriate use of adjoining property in the same district.
- d. The exception will not alter the essential character and general purpose of the district where the exception sought is located.

Section 36. Procedures for granting Exception or Variances. The procedure for the granting of exception and / or variances is as follows:

1. A written application for an exception or variance shall be filed with the Local Zoning Board of Adjustment and Appeals [LZBAA] citing the section of this Ordinance under which the same is sought and stating the grounds 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.
3. The Local Zoning Board of Adjustment and Appeals shall conduct preliminary studies on the application.
4. A written affidavit of non-objection of the by the owners of the properties adjacent to the project shall be filed by the applicant with LZBAA at least fifteen (15) days prior to the decision for exception/variance.
5. In case of objection. The LZBAA shall hold public hearing.
6. At the hearing, any party may appear in person, or be represented by any agents. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
7. The LZBAA 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 in case of any objection to the granting of exception/variance.

ARTICLE X ADMINISTRATION AND ENFORCEMENT

Section 37. Locational Clearance. All owners/developers shall secure locational clearance from the zoning administrator/zoning officer or in cases of variances and exemption, from the Local Zoning Board of Adjustment and Appeals (LZBAA) prior to conducting any activity or construction on their property/land.

Section 38. Building Permit. No building shall be issued by the local building office without a valid locational clearance in accordance with this ordinance.

Section 39. Non-user of Location clearance. Upon issuance of a locational clearance, the grantee thereof shall have one year within to commence or undertake the use, activity or development covered by such clearance on his property. Non-use of said clearance within in 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 40. 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 ratification of the zoning ordinance by the HLRB or 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 fine/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 41. Existing Non-Conforming Uses and Buildings. The lawful uses of any building, structure or land 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 exist at the time of the adoption of this ordinance.
2. That no 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 structure under one ownership which has been damaged maybe reconstructed and used as before provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.

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 provision of this ordinance.

5. That no such non-conforming structure maybe moved to displace any conforming use.
6. That no such non-conforming structure may be enlarged or altered in a way which increase 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 42. 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 43. Powers and Functions of a Zoning Administrator/ZONING OFFICER. Pursuant to the provisions of EO 72 implementing RA 7160 in relation to Sec. 5, paragraph a and d, 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 with zoning regulations.
 - 2. Recommend to the Local Zoning Board of adjustment and Appeals (LZBAA) The grant or denial of applications 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 ordinances for repairs/renovations on non-conforming uses consistent with the guidelines therefore.
- 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 EO 72 and Sec. 2 of EO 71 refer subsequent actions thereon to the HLRB.
- 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 Fiscal/Municipal Attorney for other legal action/remedies relative to the foregoing.

II. Planning

A. Coordinate with Regional Office of the HLRB regarding proposed amendments to the zoning ordinances prior to adoption by the Sangguniang Bayan.

Section 44. Action on Complaints and Oppositions. A complaint for violations of any provision of the zoning ordinance or any clearance or permits issued pursuant thereto shall be filled with the LZBAA.

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 45. Function and responsibilities of the Local Zoning Board of adjustment and appeals. There is hereby created a LZBAA 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 Location Clearance by the Zoning Administrator/Zoning Officer.

Decisions of the Local Zoning Board of Adjustment and Appeals shall be appealable to the HLRB.

Section 46. Composition of Local Zoning Board of Adjustment and Appeals (LZBAA). The municipal development council shall create a sub-committee which shall act as the LZBAA composed of the following members:

1. Municipal Mayor as Chairman
2. Municipal Legal Officer
3. Municipal Assessor
4. Municipal Engineer
5. Municipal Planning and Development Coordinator (if other than the Zoning Administrator).
6. Two (2) representatives of the private sector, nominated by their respective organizations and confirmed by the municipal mayor. In the event of non-availability of any of the officials enumerated above, the Sangguniang Bayan shall elect the number of its members as may be necessary to meet the total number above set forth, as representatives.
8. Two (2) representatives from non-government organizations, nominated by their respective organizations and confirmed by the municipal mayor. In the event of non-availability of any officials enumerated above, the Sangguniang Bayan shall elect the number of its members as may be necessary to meet the total number above set forth, as representatives.

For purposes of policy coordination, said committee shall be attached to the Municipal Development Council.

Section 47. Interim Provision. Until such time that Local Zoning Board of Adjustment and Appeals shall have been constituted, the HLRB shall act as the Local Zoning Board of adjustment and appeals. As an appellate Board, the HLRB shall adopt its own rules of procedure to govern the conduct of appeals arising from the administration and enforcement of this Ordinance.

Section 48. Review of the Zoning Ordinance. The Municipal Development Council shall create a sub-committee, the Local Zoning Review Committee (LZRC) that shall review the Zoning Ordinance considering the Comprehensive Land Use Plan, as the needs arises, based on the following reason/situations:

- a. Change in local development plans
- b. Introduction of projects of the national significance
- c. Petition for rezoning
- d. Other reasons which are appropriate for consideration

Section 49. Composition of the Local Zoning Review Committee (LZRC). The Local Zoning 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.

- a. Municipal Planning and Development Coordinator
- b. Municipal Health Officer
- c. Municipal Agriculturist
- d. President, Association of Barangay Captains
- e. President, Association of Barangay Captains
- f. Community Environment and Natural Resources Officer (CENRO)
- g. Municipal Agrarian Reform Officer (MARO)
- h. District School Supervisor
- i. Three (3) Private Sector Representatives [Local Chamber of Commerce, Housing Industry and homeowner's association]
- j. Two (2) NGO Representatives

FOR PURPOSES OF POLICY AND PROGRAM COORDINATION, THE LZRC SHALL BE ATTACHED TO THE MUNICIPAL DEVELOPMENT COUNCIL.

Section 50 Functions of the LOCAL ZONING REVIEW COMMITTEE. The Local Zoning Review Committee shall have following powers and functions:

A. Review the Zoning Ordinance for the following purposes:

- 1. Determine changes to be introduced in the Comprehensive Land Use Plan in the light of permits given, exceptions and variances granted.
- 2. Determine amendments or revisions necessary in the Zoning ordinance because of changes that might have been introduced in the Comprehensive Land Use4 Plan.
- 3. Identify provisions of the Ordinance difficult to enforce or are unworkable.

B. Recommend to the Sangguniang Bayan necessary legislative amendments and to the local planning development staff the needed changes in the plan as a result of the review conducted.

C. Provided information to the HLRB that would be useful in the exercise of its functions.

Section 51. 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 amendments shall take effect only after approval and authentication by HLRB OR SANGGUNIANG PALALAWIGAN.

Section 52. Violation and penalty. Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine NOT EXCEEDING p/2,500 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 the erring officers thereof.

Section 53. 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 area, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

Section 54. Separability Clause. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or valid, such decision shall net 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 55. Repealing Clause. All previous 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 56. Effectivity Clause. This Ordinance shall take effect upon approval by the SANGGUNIANG PANLALAWIGAN.

Section 57. Approved by the Sangguniang Bayan this 21st day of July 2003 at Sabangan, Mountain Province.

CARRIED.

ALFREDO S. RAMON
SB Presiding Officer

JOSEPH B. BERNARDEZ
SB, Member

CONSTANCIO T. COMPALAS
SB Member

DONATO L. DANGLOSE
SB Member

JULIET O. PALICOS
SB. Member

RUBEN P. SUBILLA
SB. Member

TONY K. SAGUIPIL
SB member

BENJAMIN B. VICTORIANO
SB. Member

FELICIANO G. LICLIC
SB. Member

ALBERTO P. YAMOYAM
SB. Member

ATTESRED:

APPROVED BY:

PAULINA M. PADSOYAN
SB. Secretary

JUPITER C. DOMINGUEZ
Municipal Mayor

RECLASSIFICATION OF AGRICULTURAL LANDS

By virtue of RA 2264 (Local Autonomy Act of 1959), LGUs were empowered to classify all lands in their locality. The local legislative bodies of cities and municipalities were authorized to adopt zoning and planning ordinances or regulations for their respective jurisdictions. Until the issuance of LOI 729 in 1978, these ordinances and regulations were subject only to the approval of the city or municipal mayor. LOI 729, however, required LGUs to submit their land use plans, zoning ordinances, and enforcement systems and procedures to then Ministry of Human settlements for review and ratification. Thus this authority of LGUs first become subject to control by the national government in 1978.

EO 648,S. of 1981, transferred the power to review, evaluate, and approve or disapprove land use development plans and zoning ordinances of LGUs to the national agency created for this purpose, the Human Settlements Regulatory Commission(later renamed the Housing and Land Use Regulatory Board (HLURB) under EO 90,s. of 1986). This regulatory power of HLURB over LGUs was upheld by BP 337 and E) 129-A (Reorganization Act of the Department of the Agrarian Reform) was issued to enhance the effectivity of the Department of Agrarian Reform (DAR) in implementing the Comprehensive Agrarian Reform Program (CARP). This order vested in the DAR exclusive authority to approve or disapprove the conversion of agricultural lands for residential, commercial, industrial, and other land uses. RA 6657 (Comprehensive Agrarian Reform Law) which was enacted a year later, empowered DAR to authorize, under certain conditions, the reclassification or conversion of private agricultural land.

Invoking its mandate under EO 129 and RA 6657, the DAR issued AO 1, S. of 1990, which vests it with exclusive jurisdiction over all matters involving the implementation of the CARP. AO 1 provides:

- a. The classification of land from agricultural to non- agricultural uses shall be undertaken according to RA 2264, BP 337, and EO 648. Pursuant to EO 229, 129 and RA 6657, however, land use classification and reclassification after June 15, 1988 shall be subject to DAR approval.
- b. The preparation of new land use plans and zoning ordinances and the updating of existing ones, including those approved by the HLURB

prior to June 15, 1988, shall be covered by the provisions of AO 1 with respect to changes in current agricultural land uses or classification.

It will be noted that the authority of the DAR now extends to land use classification as well.

Under the Code, cities and municipalities shall share the authority of the DAR to reclassify agricultural lands but only to a limited extent. This authority shall apply only to the following percentage of the total agricultural land area at the time of the passage of the ordinance (20-a):

- c. For highly urbanized cities
and independent component cities 15%
- d. For component cities and 1st
To 3rd class municipalities 10%
- e. For 4th to 6th class municipalities 5%

The intent is not to make reclassification a one-time process, but a continuing one. This is strongly implied in the phrase “ at the time of the passage of the ordinance” (20-a). In other words, if a sanggunian has passed an ordinance approving the reclassification of say, it may later approve a second ordinance reclassifying another 10% of what remains of its agricultural lands.

The Code also allows the president, should public interest so require and upon recommendation of the NEDA, to authorize a city or municipality to reclassify lands in excess of said limits (20-b).

Limitations

The authority of cities and municipalities to reclassify agricultural lands may be exercised only in either of two cases, namely:

- f. when the land ceases to be economically feasible and sound for agricultural purposes as determined by the DA; or
- g. when the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned (20-a).

Under AO 1, the authority to certify as to whether the land has ceased to be economically feasible and sound for agricultural purposes is

vested in the DA. The same authority remains with the DA under the Code (20-a). However, the Code requires that the DA or any national agency to act on an application for reclassification within three months from receipt of the same; otherwise such application shall be deemed approved (20-d)

The authority to determine the second condition for reclassification is transferred by the Code to the sanggunian concerned (20-a). Under AO1, the same authority is exercised by the HLURB. This AO also requires the DENR to certify to the ecological soundness of the proposed conversion.