

SAN PABLO

City of Seven Lakes



COMPREHENSIVE LAND USE PLAN 2015-2025

City Planning and Development Office
City Government of San Pablo

"UNITY IN PROGRESS"
Tuloy-tuloy ang pag-abante



VOLUME 2:
**ZONING
ORDINANCE**



**The Comprehensive Land Use Plan
of San Pablo City 2015-2025 is
composed of the following
Volumes:**

Volume 1: The Comprehensive Land Use Plan

Volume 2: The Zoning Ordinance

Volume 3: Sectoral Studies



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CITY ORDINANCE NO. _____

Series of _____

**AN ORDINANCE ADOPTING THE ZONING REGULATIONS OF THE
CITY OF SAN PABLO, PROVINCE OF LAGUNA
AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT
AND AMENDMENT THEREOF AND REPEALLING
ALL ORDINANCES IN CONFLICT THEREWITH.**

Be it ordained enacted by the Sangguniang Panglungsod of San Pablo City.

WHEREAS, the implementation of Comprehensive Land Use Plans would require the enactment of regulatory measures to translate the planning goals and objectives into reality; and an integrated 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;

WHEREAS, this integrated Zoning Ordinance is one such regulatory measure which is an important tool for the implementation of the approved Comprehensive Land Use Plan;

NOW THEREFORE, the Sangguniang Panglungsod of San Pablo City in a session assembled hereby adopts the following Zoning Ordinance.

Article I

Title of the Ordinance

Section 1. Title of the Ordinance

This Ordinance shall be known and shall hereinafter be referred to as the Zoning Ordinance (ZO) of the City of San Pablo.

Article II

Authority and Purpose

Section 2. Authority

This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, R.A. 7160 Sections 447, 448 and 458 a.2 (7-9) dated 10 October



1991, "Authorizing the City, through the Sangguniang Panglungsod, to adopt a Zoning Ordinance subject to the provisions of existing laws" and in accordance with related laws such as but not limited to Commonwealth Act 141, RA 8550 Fisheries Code, PD 705 Forestry Code, PD 1067 Water Code, PD 1096 National Building Code, and Executive Order No. 72.

Section 3. Purposes

The ZO is enacted for the following purposes:

Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the City;

Guide, control and regulate the growth and development of public and private lands in San Pablo City in accordance with its Comprehensive Land Use Plan (CLUP);

Provide the proper regulatory environment to maximize opportunities for creativity, innovation and make ample room for development within the framework of good governance and community participation; and

Enhance the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the City and promote the orderly and beneficial development of the same.

Section 4. General Zoning Principles

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. _____ dated _____, as follows:

1. The Ordinance reflects the City's vision to be "A premier tourism destination, and industrial and education hub in CALABARZON, highly regarded as a resilient and healthy community, driven by God-fearing and empowered citizens, served by diligent public servants committed to good governance and sustainable development.";
2. The local government unit recognizes that any land use is a use by right, but provides however, that the exercise of such right shall be subject to the review standards of this Ordinance;
3. The Ordinance gives the free market the maximum opportunity to spur the City's development within a framework of environmental integrity and social responsibility;



4. The Ordinance has been designed to encourage the evolution of high-quality developments rather than regulating against the worst type of projects;
5. The Ordinance has been crafted in a manner that is fully responsive to the ever-changing conditions that the City continually face;
6. The Ordinance functions as a tool for informed decision-making on the part of land use administrators by way of providing specific criteria to judge the acceptability of developments;
7. The Ordinance provides a direct venue for community empowerment where the stakeholders become involved especially in critical development decisions; and
8. The regulations in the Zoning Ordinance are considered as land use management tools that are necessary to provide a clear guidance to land development in order to ensure the community's common good.

Article III

Definition of Terms

The definition of the terms used in this 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 Housing and Land Use Regulatory Board. The words, terms and phrases enumerated hereunder shall be understood to have the corresponding meaning indicated as follows:

Absolute Majority Vote - means that the "in favor" votes represent more than 50 percent of the valid votes. This is also called the 50% + 1 vote.

Accessory Use- pertains to those that are customarily associated with the Principal Use application (such as a garage is accessory to a house).

Actual Use – refers to the purpose for which the property is principally or predominantly utilized by the person in possession of the property.

Adaptive Reuse – utilization of buildings, other built-structures, and sites of value for purposes other than that for which they were originally intended, in order to conserve the site, its engineering integrity and authentic of design.

AFMA – shall refer to the Agriculture and Fisheries Modernization Act of 1997 or RA 8435.



Agricultural Activity – per the Comprehensive Agrarian Reform Law of 1988 (RA 6657), means the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry or fish, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.

Agricultural Land – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.

Agricultural Land Use Conversion – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.

Agricultural Zone (AGZ) – an area within a City intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations.

Agri-Industrial Zone (AgIndZ) - an area within a city intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

Agri-Processing Activities – refers to the processing of raw agricultural and fishery products into semi-processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products.

Allowable Uses- uses that conform to those allowed in a specific zone.

Aquaculture Sub-Zone (Aq-SZ) – an area within the City Waters Zone of a city 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).

Base Flood Elevation – the elevation to which floodwater is expected to reach during flood events as calculated by the regional office of the DPWH.

Base Zones – refers to the primary zoning classification of areas within the City and that are provided with a list of allowable uses and regulations on building density and bulk, among others.

Buffer Greenbelt Zone (BGZ) – an area within a city 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.

Building Height Limit (BHL) - per the National Building Code, this is "the maximum height to be allowed for buildings structures...and shall be generally measured from the established grade line to the topmost portion of the proposed building/structure. If applicable, the BHL may be subject to clearance requirements of the Civil Aviation Authority of the Philippines (CAAP) or the concerned military security authorities." BHL is expressed as the number of allowable storey's floor above established grade and or meters above highest grade.

Cemetery Memorial Park Zone (CMP-Z) – an area in a City intended for the interment of the dead.

Certificate of Non-Conformance – certificate issued to Owners of non-conforming uses as provided in this Zoning Ordinance.

Central Business District (CBD) – shall refer to areas designated principally for trade, services and business purposes.

Class "AA" Slaughterhouse/Abattoir – those with facilities and operational procedures sufficiently adequate that the livestock and fowls slaughtered therein is suitable for sale in any market within the country.

Class "A" Slaughter house/Abattoir – those with facilities and procedures of minimum adequacy that the livestock and the fowls slaughtered therein are suitable for distribution and sale only within the City where the slaughterhouse is located.

Commercial-1 Zone (C1-Z) – a low density commercial area within a City intended for neighborhood or community scale trade, service and business activities.

Commercial-2 Zone (C2-Z) – a medium to high density commercial area within a City intended for trade, service and business activities performing complementary/supplementary functions to the CBD.

Commercial-3 Zone (C3-Z) – a high density commercial area within a City 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



complexes area also allowed in this zone. This zone may also be called as the Central Business District (CBD).

Compatible Uses – different uses capable of existing harmoniously within a zone, e.g. residential and parks and playground uses subject to the conditions stipulated in the Zoning Ordinance.

Comprehensive Land Use Plan (CLUP) – is a technical document embodying specific proposals and strategies for guiding, regulating growth and/or development that is implemented through the Zoning Ordinance. The main components of the Comprehensive Land Use Plan in this usage are the land use plan and sectoral studies including Demography, Ecosystems Analysis (Terrestrial and Coastal), and Special Area Studies such as Climate Change Adaptation, Disaster Risk Reduction and Management, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.

Comprehensive Development Master Plan (CDMP) – a unitary development plan site plan that permits flexibility in planning urban design, building/structure siting, complementary of building types and land uses, usable open spaces for general public uses services and business activities and the preservation of significant land features (NBC) and may also be referred to as a Master Development Plan.

Conflicting Uses – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.

Conforming Use – a use that is in accordance with the zone regulations as provided for in the Ordinance.

Deed Restrictions - written agreements that impose limitations on the use of property in order to maintain the intended character of a neighborhood.

Easement – open space imposed on any land use activities sited along waterways, fault lines, road-rights-of-way, cemeteries memorial parks, utilities and the like.

Established Grade – the finish ground level of a proposed development which shall be determined according to the provisions of the latest edition of the National Building Code.

Ecotourism – a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors." (Tourism



Act and DENR AO2013-19 Guidelines on Ecotourism Planning and Management in Protected Areas)

Ecotourism Overlay Zone (ETM-OZ) – an area in a City intended for ecotourism uses.

Environmentally Constrained Areas – areas prone to natural hazards, such as those related to weather, hydrologic, and geologic disturbances. These hazards cover those that are weather and water-related, earthquake-induced, volcanic and erosion-related.

Environmentally Critical Projects (ECP) – refer to those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation 2146 dated December 14, 1981, as follows:

- a. Heavy industries
 - non-ferrous metal industries;
 - iron and steel mills;
 - petroleum and petro-chemical industries including oil and gas; and
 - smelting plants.
- b. Resource extractive industries
 - major mining and quarrying projects;
 - forestry projects such as logging, major wood processing, introduction of fauna (exotic animals) in public/private forests, forest occupancy, extraction of mangroves and grazing; and
 - fishery projects (dikes for/and fishpond development projects).
- c. Infrastructure projects
 - major dams;
 - major power plants (fossil-fuelled, nuclear-fuelled, hydroelectric or geothermal);
 - major reclamation projects, and
 - major roads and bridges.
- d. Golf course projects

Proponents of ECPs are required to submit an EIS to the Environmental Management Bureau (EMB) of the DENR.

Environmental Impact Statement (EIS) System – pursuant to PD 1586 of 1978, refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the significance of the effects of physical developments on the quality of the environment. Projects that fall within the purview of the EIS System include:

- a. Environmentally Critical Projects



b. Projects located in Environmentally Critical Areas

Exception – a device which grants a property owner relief from certain provisions of the 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.

Fisheries Code – shall refer to the Philippine Fisheries Code of 1998 (RA 8550).

Flood Overlay Zone (FLD-OZ) – an area in a City that have been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.

Flood Protection Elevation – the minimum elevation to which developments are required by this Ordinance to be elevated, with reference to the Base Flood Elevation, in order to be flood proofed.

Floor Area Ratio or “FAR” – is the ratio between the gross floor area of a building and 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 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.

Forest – refers to either natural vegetation or plantation of crops mainly of trees, or both, occupying a definable, uninterrupted or contiguous area exceeding but not less than one hectare with tree crown covering at least ten percent (10%) of the areas, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is a stand dominated by trees whose structure, functions and dynamics have been largely the result of natural succession process. A natural forest is classified as either 1) primary or virgin forest which has not never been subjected to significant human disturbance, or has not been significantly affected by the gathering of forest products such that its natural structure, functions and dynamics have not undergone any major ecological change; or 2) secondary or residual forest that maybe classified into either degraded or productive type (DENR DAO No. 99-53).

Forest Lands –“include the public forest, permanent forest or forest reserves, and forest reservations” (PD 1559. Further Amending PD 705, otherwise known as the Revised Forestry Code of the Philippines. 1978).



Forest Zone (FZ) – an area within a City which are intended primarily for forest purposes. This includes Forest Lands and areas outside of Forest Lands that are declared for forest purposes by this Ordinance.

Forestry Code – refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.

General Institutional Zone (GI-Z) – an area within a City intended principally for general types of institutional establishments, e.g. government offices, hospitals clinics, academic/research and convention centers.

Gross Floor Area (GFA) – the GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:

- Office areas
- Residential areas
- Corridors
- Lobbies
- Mezzanine
- 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 AC cooling towers, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or jacuzzis, gardens, courts or plazas.

Heritage Act – shall mean the National Cultural Heritage Act of 2009 or RA 10066.

Heritage Overlay Zone (HTG-OZ) – an area in a City that refers “to historical, anthropological, archaeological, artistic geographic areas and settings that are culturally significant to the country, as declared by the National Museum and or the National Historic Institute.” (Heritage Act)



Impervious Surface – type of man-made surface which does not permit the penetration of water.

Industrial-1 Zone (I1-Z) – an area within the City intended for light manufacturing or production industries that are:

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

Industrial-2 Zone (I2-Z) – an area within the City intended for medium intensity manufacturing or production industries that are:

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

Innovative Design – introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development.

Lake Sub-Zone (La-SZ) – an area in the City Waters Zone of a City defined as “an inland body of water, an expanded part of a river, a reservoir formed by a dam, or a lake basin intermittently or formerly covered by water.” (Fisheries Code)

Landslide Overlay Zone (LSD-OZ) – an area in a City that have been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.

Local Zoning Board of Appeals (LZBA) – a local special body created by virtue of this Ordinance mandated to, among others, handle appeals for Variances and Exceptions.

Locational Clearance (LC) – a clearance issued by the Zoning Administrator Zoning Officer to a project that is allowed under the provisions of this Ordinance.

Locational Clearance (Variance) (LC-V) – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Variance provision of this Ordinance.

Locational Clearance (Exception) (LC-E) – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Exception provision of this Ordinance.

Mitigating Device – a means to grant relief in complying with certain provisions of the Ordinance such as, but not limited to, those pertaining to use, building bulk and density, and performance standards.



City Waters Zone (WZ) – per Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the City Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the City which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters... (boundary delineation defined in the Fisheries Code).”

National Park Sub-Zone (NP-SZ) – an area within the Forest Zone of a City that “refers to a forest land reservation essentially of primitive or wilderness character which has been withdrawn from settlement or occupancy and set aside as such exclusively to preserve the scenery, the natural and historic objects and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for future generations.” (NIPAS Act).

NIPAS Act – shall refer to the National Integrated Protected Areas System Act of 1992 or RA 7586.

NIPAS: Multiple Use Sub-Zone (NMU-SZ) – an area that "pertains to the management zone of protected areas" of a City "where settlement, traditional and/or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities may be allowed consistent with the Management Plan." (5.10 of DENR Administrative Order No. 2008-26)

NIPAS: Strict Protection Sub-Zone (NSP-SZ) – an area within the Forest Zone of a City that have “...high bio-diversity value which shall be closed to all human activity except for scientific studies and or ceremonial or religious use by indigenous communities.” (NIPAS Act)

Non-Conforming Use – uses existing prior to the approval of this Zoning Ordinance that are not in conformity with its provisions but are allowed to operate subject to the conditions of this Zoning Ordinance.

Notice of Non-Conformance – notice issued to owners of all uses existing prior to the approval of the Ordinance which do not conform to the provisions herein provided.

Official Zoning Map – a duly authenticated map delineating the different zones into which the whole City is divided.

Open Space (OS) – as used in this Ordinance, an area where permanent buildings shall not be allowed and which may only be used as forest, buffer greenbelts, parks and playgrounds.



Overlay Zones (OZ) – a “transparent zone” that is overlain on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations.

Parks and Recreation Zone (PR-Z) – an area in a City designed for diversion amusements and for the maintenance of ecological balance.

Planned Unit Development (PUD) – a land development scheme wherein the 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.

Port – an area with facilities for loading and unloading of ships and may include, among others, harbor, docks, wharves, and piers.

Protected Areas – areas declared as belonging to the NIPAS System per NIPAS Act. These areas are those that have been designated or set aside pursuant to a law, presidential decree, presidential proclamation or executive order. These include:

- a. Strict nature reserves;
- b. Natural parks;
- c. National monuments;
- d. Wildlife sanctuary;
- e. Protected landscapes and seascapes;
- f. Resource reserves;
- g. Natural biotic areas; and
- h. Other categories established by law, conventions or international agreements which the Philippine Government is a signatory.

Protected Area Management Board (PAMB) – per the NIPAS Act's IRR, a board established for NIPAS areas that shall, among others:

Decide matters relating to planning, resource protection and general administration of the area in accordance with the General Management Planning Strategy (GMPS);

Approve proposals, work plans, action plans, and guidelines, for management of the protected area in accordance with the approved Management Plan;

Delineate and demarcate protected area boundaries, buffer zones, ancestral domains;



Promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development; and

Control and regulate the construction, operation and maintenance of roads, trails, water works, sewerage, fire protection and sanitation systems and other utilities within the protected area.

Protected Area Management Plan (PAMP) – a document required for NIPAS areas that “shall, as a minimum, promote the adoption and implementation of innovative management techniques including if necessary, the concept of zoning, buffer zone management for multiple use and protection, habitat conservation and rehabilitation, site-specific policy development, pest management, and fire control...” (NIPAS Act)

Protection Agricultural Sub-Zone (PTA-SZ) – an area within the Agricultural Zone of the City that include the NPAAAD which are “agricultural areas identified by the Department (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.”

Protection Forest – an area within a City that are “forestlands outside NIPAS obtained essentially for their beneficial influence on soil and water in particular and the environment in general. (DENR DAO 95-15)

Areas wholly or partially covered with woody vegetation manage primarily for its beneficial effects on water, climate, soil, aesthetic value and preservation of genetic diversity. (FMB Technical Bulletin No.5 as cited in ITTD PD 22003 Rev.1)

Reclassification of Agricultural Lands – “the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, and commercial as embodied in the CLUP” (LGC and MC 54).

Residential-1 Zone (R1-Z) – an area within a City intended for low density residential use. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.

Residential-2 Zone (R2-Z) – an area within the City intended for medium density residential use. Per the National Building Code, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.



Residential-3 Zone (R3-Z) – an area within the City intended for medium to high density residential use. Per the National Building Code, R3 Zone is characterized mainly by low-rise or medium-rise residential buildings for exclusive use as multi-family dwellings with mixed housing types.

Rezoning – a process of introducing amendments to or change in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.

Socialized Housing – refers to housing [programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA).

Socialized Housing Zone (SH-Z) – an area in a City designated for socialized housing projects.

Special Institutional Zone (SI-Z) – an area in a City 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.

Tourism Act – shall mean the Tourism Act of 2009 or RA 9593.

Tourism Zone – are sites within the City endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

UDHA – shall mean the Urban Development and Housing Act of 1992 or RA 7279.

Urban Renewal – regeneration, modernization, or revitalization of an old, deteriorated or blighted portion of a town or, with the objective of preparing the town or for present and future demands of urban living. Urban renewal is also implemented to address urban problems or upgrade existing conditions that are no longer compatible with modern times, provided old buildings are adaptively re-used.

Utilities, Transportation and Services Zone (UTS-Z) – an area in a City 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).



Variance – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

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

Water Code – shall mean the Water Code of the Philippines (Presidential Decree 1067).

Wharf – an area within a City intended as a landing place where ships may be tied-up or unloaded.

Yard – as defined in the National Building Code, this is “the required open space left between the outermost face of the building structure and the property lines, e.g. front, rear, right and left side yards. The width of the yard is the setback.”

Zone/Sub-Zone – an area within a City for specific land use as defined by manmade or natural boundaries.

Zoning Administrator/Zoning Officer – a City government employee responsible for the implementation enforcement of the Zoning Ordinance.

Zoning Certificate – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.



Article IV

Zone Classifications

Section 5. Division into Zones or Sub-Zones

To effectively carry out the provisions of this Ordinance, the City is hereby divided into the following zones or districts as shown in the Official Zoning Maps (Annex 1 and Annex 2).

Section 6. Base Zones

The following are designated as Base Zones:

1. Forest Zone (FZ)
 - Protection Forest Sub-Zones
 - Forest Reserve Sub-Zone (FR-SZ)
 - National Park Sub-Zone (NP-SZ)
 - Production Forest Sub-Zones (PF-SZ)
2. Agricultural Zone (AGZ)
 - Protection Agricultural Sub-Zone (PTA-SZ)
 - Production Agricultural Sub-Zone (PDA-SZ)
3. Agri-industrial Zone (AgIndZ)
4. City Waters Zone (WZ)
 - Protection Water Sub-Zones
 - Lake Sub-Zone (L-SZ)
 - Production Water Sub-Zones
 - Aquaculture Sub-Zone (Aq-SZ)
5. Residential-1 Zone (R1-Z)
6. Residential-2 Zone (R2-Z)
7. Residential-3 Zone (R3-Z)
8. Socialized Housing Zone (SH-Z)
9. Commercial-1 Zone (C1-Z)
10. Commercial-2 Zone (C2-Z)
11. Commercial-3 Zone (C3-Z)
12. Industrial-1 Zone (I1-Z)
13. General Institutional Zone (GI-Z)
14. Special Institutional Zone (SI-Z)
15. Parks and Recreation Zone (PR-Z)
16. Cemetery/Memorial Park Zone (CMP-Z)
17. Buffer/Greenbelt Zone (BG-Z)
18. Utilities, Transportation, and Services Zone (UTS-SZ)
19. Tourism Zone (T-Z)



Section 7. Overlay Zones

The following are designated as Overlay Zones:

1. Landslide Overlay Zone (LSD-OZ)
2. Heritage Overlay Zone (HTG-OZ)
3. Ecotourism Overlay Zone (ETM-OZ)

Section 8. Zoning Maps

It is hereby adopted as an integral part of this Ordinance, the duly authenticated and Official Zoning Maps of the City showing location and boundaries of the Base Zones, Sub-zones and Overlay Zones herein established (refer to Annex 1 and Annex 2).

Section 9. Zone Boundaries

The locations and boundaries of the above mentioned various zones into which the City has been subdivided are identified and specified as follows:

1. Forest Zone (FZ)

These are areas under NIPAS found in Barangay Sta. Elena and San Cristobal southeast of the city and part of San Cristobal Mt. Banahaw National Park; Barangay San Diego and Sto. Angel and part of Malabanban Forest Reserve; and areas outside NIPAS with 30% above slopes in following barangays: north Sta. Catalina (97.42 ha), east of San Isidro, east of Atisan, east of Bautista and east of Santiago 2 (439.36 ha combined area for four barangays) which should be reforested and/or developed into production forest.

Forest zones are further subdivided into three sub-zones, namely:

- **Forest Reserve Sub-Zone (FR-SZ)**

These are reserve areas in Barangay San Diego and Sto. Angel and part of Malabanban Forest Reserve with an area of 384.21 hectares.

- **National Park Sub-Zone (NP-SZ)**

These are areas in Barangay Sta. Elena and San Cristobal southeast of the city and part of San Cristobal Mt. Banahaw National Park with an area of 452.12 hectares.

- **Production Forest Sub-Zone (PF-SZ)**

These are areas outside NIPAS with 30% and above slopes in following barangays: north Sta. Catalina (97.42 ha), east of San Isidro, east of Atisan, east of Bautista and east of Santiago 2 (439.36 ha combined area



for four barangays) which should be reforested and/or developed into production forest.

2. Agricultural Zones

Areas in the rural barangays of the City intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations (AFMA). These include Protected Agricultural Areas as well as Production Agricultural Areas declared by the City.

Agricultural zones are further subdivided into two sub-zones, namely:

- **Protection Agriculture Sub-Zone (PTA-SZ)**

- a. Based on NPAAD-SAFDZ, these are patches of sloping areas in Barangays San Nicolas, Sta. Monica, Sta. Veronica and Santiago 1. Large portions are also found South of Barangay Sta. Maria extending to Barangay Stmo. Rosario up to Barangay San Isidro; and
- b. Agricultural lands identified by the City Agrarian Reform Office as CARPable areas in barangays Sta. Ana, Sto. Angel, San Antonio 1, San Antonio 2, San Bartolome, Bautista, San Buenaventura, Sta. Catalina, Concepcion, San Crispin, Sta. Cruz, San Diego, Dolores, Sta. Elena, Sta. Filomena, San Francisco, San Ignacio, San Cristobal, Sta. Isabel, San Joaquin, San Isidro, San Jose, San Juan, San Lorenzo, San Marcos, San Gabriel, Sta. Maria, Sta. Maria Magdalena, San Mateo, San Miguel, Sta. Monica, San Nicholas, Sto. Niño, San Pedro, San Rafael, Stmo. Rosario, Santiago 1, Santiago II, Soledad, Sta. Veronica, and San Vicente.

- **Production Agricultural Sub-Zone (PDA-SZ)**

These are areas in the rural barangays that are outside of NPAAAD and declared by the City for agricultural use.

3. Agri-Industrial Zone (AgIndz)

These are areas found in portions of Barangay Soledad located north of the proposed SLEX extension, extending up to the Northern part of Sta. Maria which has a total area of about 50 hectares. Specifically, these areas are found in Lot Nos. described in Cadastral Maps Case 10: Majority of 10669, part of 10695, majority of 10699, and majority of 10668.



4. City Waters Zone (WZ)

All existing water bodies within the jurisdiction of the City of San Pablo. These include the seven (7) lakes within the tourism circuit and the rivers, creeks, and tributaries draining and traversing the city.

City waters are further divided into two subzones, namely:

- **Lake Sub-Zone (L-SZ)**

These are areas and shorelines covered by the seven (7) lakes: Sampaloc Lake located in Barangays IV-A, IV-C, V-A, Concepcion, and San Lucas I, Lake Bunot in Barangay Concepcion, Lake Calibato in Sto. Angel, Lake Mohicap in San Buenaventura, Lake Palakpakin in San Buenaventura, San Lorenzo, and Dolores, Lake Pandin in San Lorenzo and Sto. Angel, and Lake Yambo in San Lorenzo.

- **Aquaculture Sub-Zone (Aq-SZ)**

These are areas within the seven (7) lakes that are identified by BFAR and LLDA. Under Republic Act 8550 or the Fishery Act, this should cover maximum of 10% of the total surface area of a lake.

5. Residential – 1 Zone (R1-Z)

These are all other areas outside the 3-km urban area radius not specifically delineated into other land use category. These are currently vacant and open but intended for low density residential developments.

6. Residential – 2 Zone (R2-Z)

All existing areas and subdivision project within the old Poblacion and adjacent barangays within the 3-km radius area of urban areas.

7. Residential – 3 Zone (R3-Z)

These areas are found in Barangay Santa Ana, located south of the Industrial areas and south of Santa Ana Homes (Socialized Housing).

Specifically, this zone is situated in lot numbers as described in Cadastral Map Case 10: majority of 11529, majority of 11528, 11524, 11525, large portion of 11526, 11527, majority of 11529, and large portion of 11523.



8. Socialized Housing Zone (SH-Z)

- a. This covers all existing areas and subdivision projects with total area of 83.37 hectares within the old Poblacion and adjacent barangays. Specifically, this zone can be located in the following barangays:
 - i. Clapson Homes 1 and 2 north of San Nicolas along San Nicolas road;
 - ii. Coco Villa northwest San Miguel along San Miguel road;
 - iii. Sta. Ana Homes southeast of Sta. Ana along Sta. Ana road;
 - iv. Sto. Niño Homes northwest of Sto. Niño along Sto. Niño road;
 - v. NHA Housing southwest of Sto. Angel along San Pablo-Nagcarlan Provincial road;
 - vi. NHA housing in San Jose;
 - vii. BLISS in center in San Lucas 1;
 - viii. Spring Leaf MERALCO Housing Project in Gawad Kalinga in large portion of San Lucas 2 ; and
 - ix. Bagong Lipunan 1 and 2, east of San Nicolas and Bagong Silang, west of San Nicolas.
- b. Proposed socialized housing expansion between Clapson Homes 1 and 2 with area of 20 hectares; and
- c. Proposed socialized housing expansion in Gawad Kalinga in San Lucas 2 with area of 46.61 hectares.

9. Commercial – 1 Zone (C1-Z)

- a. These are areas in barangays II-D; IV-B and IV-C; V-B; V-C and V-D; and VII-B; VII-C; VII-D and VII-E. These include the public market and its peripheral streets south of Rizal Avenue down to Balverde Street. These areas bounded on the west by P. Alcantara St. and on the east by portion of M. Paulino Street. These are being bisected by P. Burgos St., A. Regidor St; and P. Paterno St.;
- b. Moreover, this zone is situated in areas on the northern side of side of Rizal Avenue up to F. Bautista St. and the peripheral of the City Hall, bounded on the west by A. Mabini St. and on the east by T. Azucena and Gen. Luna St.; The interior roads are I. Barleta St.; M. Brion St. Paseo de Arsenio Escudero; T. Dizon St. and A. Fule St.;
- c. Proposed extension in Barangay San Jose are found in lot numbers as described in Cadastral Map Case 5, 6, and 7: 6020, part of 6019, part of 6329, part of 6022, majority of 5084, 5022, 5021, 5020, 5019, part of 5018, 4989, 4987, 4990, 4986, 4985, 4988, 4984, 5086, majority of 5085, 5204, 5205, 5206, 5524, 5523, 5521, 5522, 5520, 5519, 5518, 5517, 5515, part of



5516 and 5513, 5714, 5036, 5035, 5034, part of 5033, 5373, 5372, 5371, part of 5370, and majority of 5106.

10. Commercial – 2 Zone (C2-Z)

- a. These area areas of about 100 meters on both sides of the road right-of-way of Schetelig Avenue extending northwards and northeast via the San Pablo – Nagcarlan Provincial road in Barangay Concepcion up to the 3-km radius limit; and
- b. Areas of about 100 meters on both side of the road of right-of-way of Rizal Avenue extending north west to L. Cosico Avenue and the national highway to Calauan at Barangay Del Remedio up to 3-km radius limit.

11. Commercial – 3 Zone (C3-Z)

- a. Areas of about 100 meters on both sides of the road right-of-way of Maharlika National Highway in Barangays San Antonio 1 and San Antonio 2 and about 200 meters on both sides of the road of Maharlika National Highway within the 3-km radius area of urban areas in Barangays San Rafael and San Roque surrounded by residential lots and 100 meters on both sides of the road of Maharlika National Highway outside the 3-km radius area of urban areas in Barangay San Nicolas. These areas are bounded by agricultural areas with patches of residential lots on the northern part, and agricultural areas and socialized housing on the southern part;

Specifically, this zone is situated in lot numbers as described in Cadastral Map Case 10: small portion of 11664, portion of 11663, small portion of 10539, small portion of 11661, 10538, 10537, 10534, small portion of 11659, large portion of 11672, portion of 11657, portion of 10533, portion of 10532, portion of 10531, portion of 10530, portion of 11636, large portion of 11656, 11653, small portion of 11634, portion of 11651, portion of 11652, 11650, small portion of 11649, portion of 11529, portion of 11644, small portion of 11643, small portion of 11642, portion of 11641, small portion of 11640, 11639, 11638, 11637, 11636, 11635, 10464, large portion of 11631, 11630, 11608, large portion of 11609, small portion of 11610, large portion of 11619, 11620, 11621, 11622, 11623, 11624, 11625, 11626, 11627, 11628, 11629, small portion of 11583, 11613, 11614, 11615, and 11617.

Cadastral Map Case 8: 8519, small portion of 8391, 8540, small portion of 8539, portion of 8538, 8535, 8534, 8533, 8532, 8531, 8530, 8529, 8528, 8527, 8626, 8525, 8524, 8523, 8522, 8521, portion of 8520, large portion of 8494, large portion of 8493, large portion of 8492, large portion of 8491, large



portion of 8490, 8489, 8488, 8487, 8486, 8485, 8484, large portion of 8483, large portion of 8482, large portion of 8481, majority of 8480, 8479, portion of 8494, portion of 8463, large portion of 8462, large portion of 8461, large portion of 8460, large portion of 8459, large portion of 8458, portion of 8478, large portion of 8456, large portion of 8455, 8464, small portion of 8454, small portion of 8453, small portion of 8452, large portion of 8450, portion of 8438, large portion of 8437, large portion of 8436, 8434, small portion of 8432, 8431, 8430, portion of 8429, majority of 8428, large portion of 8425, portion of 8398, 8421, 8420, portion of 8419, 8418, 8417, portion of 8416, portion of 8415, small portion of 8413, small portion of 8412, 8411, 8410, 8409, 8408, 8407, 8406, large portion of 8405, 8404, 8403, and large portion of 8402.

- b. Proposed regional commercial center at Barangay San Gabriel along barangay road, near the boundary of San Miguel, North of the interchange of the proposed SLEX. Specifically, this area is located in lot numbers as described in Cadastral Map Case 9 and 10: part of 9776, part of 9778, 9779, 9780, 9781, part of 9785, part of 9787, 9788, 9789, 9791, 9790, 9807, 9782, 9819, 9820, 9821, 9827, 9828, 9829, majority of 9830, majority of 8172, and part of 9783.

12. Industrial – 1 Zone (I1-Z)

Large portion of the Western part of Barangay San Vicente and large portion of the Eastern part of Barangay Santa Ana located along Maharlika Highway which is about 240 has.

Specifically, these area are found in lot numbers as described in Cadastral Map Case 10: portion of 11475, portion of 11472, 11646, portion of 11469, large portion of 11648, 11462, 11461, 11473, small portion of 11458, 11460, portion of 11463, 11441, large portion of 11442, small portion of 11439, large portion of 11443, large portion of 11446, large portion of 11438, portion of 11436, 11447, small portion of 11437, large portion of 11435, small portion of 11434, large portion of 11433, 11432, 11430, 11431, 10511, portion of 11455, portion of 11456, large portion of 11454, portion of 11494, 11498, 10467, 11600, 11286, 11285, large portion of 11284, 11492, 11493, large portion of 11272, 11275, 11276, 11277, 11278, 11279, 11280, 11281, 11448, 11449, 11450, 11451, 11453, 11430, 11429, small portion of 11428, small portion of 11427, portion of 10510, large portion of 11228, large portion of 10507, large portion of 11227, 11241, 11240, 11239, 11238, 11237, 11236, small portion of 11266, 11265, 11264, 11263, 11262, 11261, 11235, 11234, 11233, 10501, 11229, 11230, 11231, 11232, 11242, 11243, 10400, 11222, 11223, small



portion of 11209, large portion of 11210, 11219, 11132, 10499, 11258, small portion of 11267, 11257, 11256, 11255, 11254, 11253, 11252, 11251, 11250, 11249, 11248, 11247, 11288, 11246, 11244, 11245, 11218, 11217, 11216, portion of 10437, 11215, 11214, 11220, and 11221.

13. General Institutional Zone (GI-Z)

- a. This zone includes the City Hall compound in Barangay V-A;
- b. Dalubhasaan ng Lungsod ng San Pablo in San Jose and Laguna State Polytechnic University in Del Remedio;
- c. Roman Catholic Church in Barangay III-B;
- d. All existing clinics, medical, educational, government offices and religious establishments, public and private within City; and
- e. Institutional expansion areas in San Jose bounded on the northwest by NHA Housing, Malaunod River on the east, San Pablo City General hospital on the south, and a residential area which is about 35 hectares.

14. Special Institutional Zone (SI-Z)

An area the City intended principally for particular types of institutional establishments: St. Martin de Porres in Concepcion, Face the Children Frontline Ministries in Sto. Niño, Bahay Nazareth Home for the Aged in beside the San Pablo Cathedral, Center for the Welfare and Protection of Children (CWPC) in San Francisco, and Center for Street Children in Cardil Village in Del Remedio.

15. Parks and Recreation Zone (PR-Z)

- a. Existing City Plaza and Dona Leonila Park and pocket parks to be designated within the urban areas;
- b. Shorelines/Coastline of the Sampaloc Lake north of the Poblacion for park development known as Dagatan Boulevard;
- c. Proposed Sports Complex in San Ignacio with area size of 18 hectares bounded by residential areas on the northern and southern side, Malaunod River on the western side, and San Ignacio on the east; and
- d. Proposed Park in in San Jose with area of 5.7 hectares bounded by Dalubhasaan ng Lungsod ng San Pablo on the west, San Pablo City General Hospital on the southern side, and proposed institutional zone on the northern side.



16. Cemetery Memorial Park Zone (CMP-Z)

Areas in the City intended for the interment of the dead:

- a. San Pablo City Cemetery in Barangay II-F;
- b. Himlayan San Pableña in Del Remedio;
- c. San Pablo Memorial Park in San Gabriel;
- d. San Pablo Memorial Garden in San Gabriel;
- e. Eternal Glory Memorial Garden in San Vicente;
- f. Chinese Cemetery in Barangay II-F;
- g. Exclusive memorial park in Carmelite Monastery in Concepcion;
- h. Exclusive memorial park in Canossa College in Lakeside Park Subdivision;
and
- i. New cemetery in San Ignacio.

17. Buffer/Greenbelt Zone (BG-Z)

- a. Areas of about 50 meters surrounding the industrial areas in Barangays San Vicente and Santa Ana.

Specifically, this zone is situated in lot numbers as described in Cadastral Map Case 10: small portion of 10434, small portion of 11210, small portion of 11209, small portion of 11225, small portion of 11226, small portion of 11227, small portion of 10507, 10508, small portion of 11228, 10509, portion of 10510, majority of 11427, majority of 11428, majority of 11434, small portion of 11433, small portion of 11435, small portion of 11436, small portion of 11437, small portion of 11438, small portion of 11443, small portion of 11439, small portion of 10523, small portion of 11440, small portion of 11296, small portion of 11463, small portion of 11468, small portion of 11294, small portion of 11465, small portion of 11467, small portion of 10524, small portion of 11468, small portion of 11469, small portion of 11646, small portion of 11470, small portion of 11471, small portion of 10518, small portion of 10466, small portion of 11474, small portion of 10517, small portion of 11477, small portion of 11458, small portion of 11459, small portion of 11442, small portion of 11439, small portion of 11446, small portion of 11455, small portion of 11456, small portion of 11457, small portion of 11458, small portion of 11483, small portion of 11488, small portion of 11489, small portion of 11490, small portion of 11491, small portion of 11492, small portion of 11493, small portion of 11494, small portion of 11436, small portion of 11497 and small portion of 11499.



- b. Areas of about 20 meters surrounding the agri-industrial areas in Barangays Soledad and Santa Maria.

Specifically, this zone is situated in lot numbers as described in Cadastral Map Case 9: portion of 10668, portion of 10665, portion of 10701, and portion of 10732.

18. Utilities, Transportation, and Services Zone (UST-SZ)

- a. Sanitary landfill area of about 13.3 hectares in Barangay Sto. Niño;
- b. Cell site areas in Barangays Bautista, Concepcion, Del Remedio, San Antonio II, San Buenaventura, San Cristobal, San Francisco, San Ignacio, San Isidro, San Lucas I, San Lucas II, San Marcos, San Mateo, San Miguel, San Rafael, San Roque, San Vicente, Sta. Elena, Sta. Filomena, Sta. Maria, Sta. Maria Magdalena, Sta. Monica, Sto. Angel, I-A, IV-A, and VII-E;
- c. Tollgate plaza in Barangays San Miguel and San Gabriel;
- d. Proposed two Grand Terminals of about 1 hectare. Terminal 1 in Del Remedio is bounded by Cosico Avenue on the west, Malinao Creek on the east, and commercial areas on the north and the south. Terminal 2 in San Francisco is bounded by a residential area on the north, Maharlika Highway on the south, and commercial areas on the eastern and western side;
- e. Production well in Concepcion, San Marcos 1, San Marcos 2, Rizal Avenue, San Pedro, San Mateo, Sta. Catalina, San Antonio, San Gabriel, San Cristobal, Sta. Veronica, and Sto. Angel;
- f. Malaunod pumping station in San Francisco, Balanga pumping station in San Antonio 2, and pumping stations in Concepcion, San Marcos 1, San Marcos 2, San Pedro, San Mateo, Sta. Catalina, San Cristobal, Sta. Veronica, and Sto. Angel; and
- g. Calibato Hydro Power Plant in Sto. Angel.

19. Tourism Zone (T-Z)

- a. These include areas in Barangays San Buenaventura, San Lorenzo and Sto. Angel;
- b. This covers the five (5) lakes of Palakpakin, Mohicap, Yambo, Pandin, and Calibato. An easement of about 200 meters along banks of these lakes shall be reserved for parks, recreation and nature activities, tree planting and recognition of lake ecosystem; and



- c. This zone also includes a 50-meter radius away from the lakes of Sampaloc and Bunot for parks, recreation and nature activities, tree planting and recognition of lake ecosystem.

Overlay Zones

1. Landslide Overlay Zone (LSD-OZ)

Portions of the following barangays which are highly susceptible to landslide as specified in zoning map: Atisan, San Isidro, Bautista, Santiago 2, San Cristobal, Santa Elena, San Jose, San Crispin, San Juan, Santo Angel, Santa Filomena, Santa Maria Magdalena, San Marcos, San Buenaventura, Dolores, San Mateo, San Lorenzo, Santa Catalina, and San Diego.

2. Heritage Overlay Zone (HTG-OZ)

The whole of:

- a. San Pablo Cathedral;
- b. Town Plaza;
- c. Rizal Monument;
- d. Presidencia or Municipio (currently DepEd Library Hub);
- e. Escuela Pia or community school (currently Red Cross Building);
- f. Telegraphia or telegraph office (beside DepEd library Hub);
- g. Fire Station;
- h. Century old mango tree;
- i. Kilometer Zero Marker across Rizal Monument;
- j. Original lamp posts;
- k. Stretch of Rizal Avenue from the Church patio down to Lion's welcome arc and railroad tracks corner Bagong Bayan;
- l. Farcon residence beside the Cathedral which used to be the convent attached to the Cathedral;
- m. Former Capino residence (currently Si Christina's), Fule-Malvar residence (currently Phil-Am Insurance); and
- n. San Pablo Central School.

3. Ecotourism Overlay Zone (ETM-OZ)

- a. Areas along the Magampon River in Sta Monica and along the Tarak Falls in Sta. Veronica, areas adjacent to the forest zones in barangays Santiago II, Bautista and Atisan, and existing areas of Malabanban Watershed and Lubigan Spring in Brgy. Sto. Angel; and
- b. Ecotourism sites located in Barangays San Buenaventura (swimming), Sta. Catalina (caving and rock climbing), San Lorenzo (nature walk and



picnicking), Sto. Angel (off-road biking), Sta. Veronica (swimming and camping), and mountain trekking and extreme adventure in Sta. Monica, Santiago II, Bautista and Atisan.

Section 10. Interpretation of Zone Boundaries

The following rules shall apply in the interpretation of the boundaries indicated on the Official Zoning Map:

Where zone boundaries are so indicated that they approximately follow the center of streets or highway, the streets or highways right-of-way lines shall be construed to be the boundaries.

Where zone boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries.

Where zone boundaries are so indicated that they are 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 therefrom 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.

Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.

Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should 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.

Where a lot of one ownership, as of record 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 lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.

Where zone boundaries are indicated by Lot Parcels or said to be one-lot deep, this should mean that the said zone boundaries are defined by the parcellary subdivision existing at the time of the passage of this Ordinance.



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

Article V

Zone Regulations

Section 11. General Provisions

Zone regulations refer to Use and Building Regulations as described below:

Allowable Uses

The uses enumerated in the succeeding sections are not exhaustive nor all inclusive. The Local Zoning Board of Appeals (LZBA) may allow other uses subject to the requirements of the Mitigating Devices provision of this Ordinance.

Building Regulations

Building regulations specify whether buildings/structures may be allowed in specific zones/sub-zones. When allowed, buildings/structures shall be designed, constructed and operated in accordance with the requirements of each zone's sub-zone's governing authority as well as with the relevant provisions of the National Building Code (NBC) and this Ordinance.

In certain zones, the design of buildings/structures may also be regulated by this Ordinance according to Building Height Limit in consonance with the NBC and to architectural design to ensure harmony with the desired character of the zone in consideration.

Section 12. Regulations in Base Zones

Base Zones refer to the primary zoning classification of areas within the City and that are provided with a list of allowable uses and regulations on building density and bulk, among others.

Section 12.1 Regulations in Forest Zone

The Forest Zone includes the Protection Forest and Production Forest. The following regulations shall be applied in accordance with the relevant provisions of the Revised Forestry Code, Revised Public Land Act of 1937, NIPAS Act of 1992, and specific proclamations of Forest Reservations, and related issuances as well as with approved City Forest Land Use Plan (FLUP), if any.



Section 12.1.1 Forest Reserve Sub-Zone

Per the Revised Forestry Code, these are “lands of the public domain which have been the subject of the present system of classification and determined to be needed for forest purposes. Also called Permanent Forest.”

Allowable Uses/Activities

- Reforestation
- Religious ceremonies of Indigenous Peoples (IPs)
- Burial sites of IPs
- Scientific studies that do not involve gathering of species or any alteration in the area

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.1.2 National Park Sub-Zone

Per the NIPAS Act, this “refers to a forest land reservation essentially of primitive or wilderness character which has been withdrawn from settlement or occupancy and set aside as such exclusively to preserve the scenery, the natural and historic objects and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for future generations.”

Allowable Uses/Activities

- Reforestation
- Religious ceremonies of Indigenous Peoples (IPs)
- Burial sites of IPs
- Scientific studies that do not involve gathering of species or any alteration in the area

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.1.3. Production Forest Sub-Zone

These are areas outside of NIPAS and declared by the City for production forest use where the following may be allowed consistent with the protected area management plan; settlement, traditional and or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities.



Allowable Uses/Activities

- Existing settlement, traditional and/or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities;
- Areas of high recreational tourism;
- Areas of educational or environmental awareness values;
- Areas consisting of existing installations of national significance/interest such as development of renewable energy sources, telecommunication and electric power lines; and
- When allowed, buildings and structures shall be designed, constructed and operated in accordance with the requirements of the PAMP, NBC and with the provisions of this Ordinance.

Section 12.2 Regulations in Agricultural Zone

The Agricultural Zone includes areas intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations (AFMA). These include Protected Agricultural Areas (as defined by AFMA, CARL and related issuances) as well as Production Agricultural Areas as may be declared by the City.

Regulations shall be in accordance with AFMA, CARL, Republic Act No. 7160 or the Local Government Code of 1991 (LGC) and related issuances. The implementation of Sec. 20 of R.A. No. 7160 authorizing City of San Pablo to reclassify agricultural lands into non-agricultural uses shall observe the guidelines set by the Joint HLURB, DAR, DA and DILG Memorandum Circular, s. 1995, pursuant to Memorandum Circular 54, s. 1993 from the Office of the President. Procedures for Reclassification must be followed as stated in Section 6 of the Joint HLURB, DAR, DA, DILG Memorandum Circular which made integral part of this Zoning Ordinance (Annex 3).

Section 12.2.1 Protection Agriculture Sub-Zone

Per the AFMA, these include the Network of Protected Areas for Agriculture and Agro-industrial Development (NPAAAD) which are "agricultural areas identified by the Department (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."



Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat and cattle raising
- Fishpond activities
- Backyard raising of livestock and fowl, provided that:
 - For livestock – maximum of 1 sow and 10 heads
 - For fowl – a maximum of 500 heads
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tenants, tillers and laborers
- 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.
- Home Industry classified as cottage industry provided that:
 - a. Such home industry shall not occupy more than thirty percent 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.

Building Regulations

- When allowed, buildings and structures shall be designed, constructed and operated in accordance with the requirements of the NBC and with the provisions of this Ordinance.
- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.

Section 12.2.2 Production Agricultural Sub-Zone

These are areas that are outside of NPAAAD and declared by the City for agricultural use.

Allowable Uses/Activities

- All allowable uses in Section 12.2 and Section 12.2.1
- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat raising and cattle fattening
- Fishpond activities
- 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
- Rice/corn mill (single pass such as cono mill)
- Rice/corn warehouses and solar dryers
- Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
- Plant nursery
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tillers and laborers
- 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;
- 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; and
- g. Home Industry Classified as cottage industry provided that:
 - Such home industry shall not occupy more than thirty percent 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; and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.
- Class "A" slaughterhouse/abattoir
- Piggery and poultry:
 - a. Piggery and poultry farm shall be situated in an area with good drainage. Flood prone areas and other environmentally critical areas shall be avoided;
 - b. The farm shall preferably be at least 500 to 1000 meters away from the built-up areas (residential, commercial, institutional and industrial); and
 - c. The piggery shall be 500 meters away from the major roads and/or highways. For poultry farms, it shall be 200 meters away from the major roads and/or highways.



Building Regulations

- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.
- Piggery and poultry:
 - a. Piggery and poultry farm shall be situated in an area with good drainage. Flood prone areas and other environmentally critical areas shall be avoided;
 - b. The farm shall preferably be at least 500 to 1000 meters away from the built-up areas (residential, commercial, institutional and industrial); and
 - c. The piggery shall be 500 meters away from the major roads and/or highways. For poultry farms, it shall be 200 meters away from the major roads and/or highways subject to the following conditions:
 - No complaint against its operation
 - Appropriate anti-pollution devices/measures are provided against foul odor and flies infestations
 - A three (3) chamber septic tank shall be provided to preserve the water quality.

Section 12.3 Regulations in Agri-Industrial Zone

These are areas within the City intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

Agri-industrial projects allowed for this zone shall still conform to light production threshold, as in the "Industrial" Zone of this ZO. Similarly, below identified allowed uses and activities are, adopted from MC 2014-005 of the Environmental Management Bureau of the DENR, as to the Guidelines for Project Screening and Requirements, vis-a-vis environmental impacts of projects. Category B are projects characterized by non ECPs, located in non-ECA and required to secure an ECC. Category D are not covered by the Philippine Environmental Statement System (PEISS or PD 1586), hence may or may not secure a Certificate of Non-Coverage (CNC).

Allowable Uses/Activities

- Animal Products processing including other marine/aquaculture products
 - Category B :> 200 MT but \leq 2,500 MT annual production rate
 - Category D: \leq 200 MT annual production rate
- a. Class "A" slaughterhouse/abattoir



- b. Class "AA" slaughterhouse/abattoir
 - c. Fish canning
 - d. Patis factory
 - e. Bagoong factory
 - f. Processing, preserving and canning of fish and other seafood n.e.c.
- Coconut processing plants, including production of other coconut-based products
 - Category B: >200 MT but $\leq 25,000$ MT annual production rate
 - Category D: ≤ 200 MT annual production rate
 - a. Manufacture of desiccated coconut
- Food preservation (i.e., drying and freezing) and other similar methods aside from canning (no capacity threshold)
 - a. Drying, smoking and airing of tobacco
 - b. Canning and preserving of fruits and fruit juices
 - c. Canning and preserving of vegetables and vegetable juices
 - d. Canning and preserving of vegetable sauces
 - e. Miscellaneous canning and preserving of fruit and vegetables n.e.c.
- Agricultural processing including rice, corn, vegetable, fruits, and other agricultural products
 - Category B: $>5,000$ MT but $\leq 50,000$ MT annual production rate
 - Category D: $\leq 5,000$ MT annual production rate
- Other types of food (and other food by-products and additives, etc.) processing industries
 - Category B: > 200 MT but $< 50,000$ MT annual production rate
 - Category D: ≤ 200 MT annual production rate
 - a. Manufacture of starch and its products
 - b. Drying, cleaning, curing and preserving of meat and its by-products and derivatives
 - c. Vegetable oil mills, including coconut oil
 - d. Manufacture/processing of other plantation crops e.g. pineapple, bananas, etc.
 - e. Other commercial handicrafts and industrial activities utilizing plant or animal parts and/or products as raw materials
- Rice/corn mills, Rice/corn mill warehouses & solar dryers
 - Category B: >1 ton/hr. or mill with polishing (regardless of production rate)
 - Category D: ≤ 1 ton/hr. production rate
 - a. Other accessory uses incidental to agri-industrial activities
 - b. Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses



- Processing of dairy products
 - Category B: >100 L but < 10,000 L (liquid) or >1 MT but < 100 MT (solid) annual production rate
 - Category D: \leq 1,000 L (liquid) or \leq 1 MT (solid) annual production rate
 - a. Butter and cheese processing plants
 - b. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
 - c. Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
- Animal feed mill and other grain milling
 - Category B: > 200 MT but < 2,500 MT annual production rate
 - Category D: \leq 200 MT annual production rate
 - a. Feed Mill
 - b. Flour mill
 - c. Cassava flour mill
- Agricultural plantation (i.e., orchards, including rubber plantation)
 - Category B: > 50 hectare but < 500 hectares
 - Category D: \leq 50 hectares
- Fishery/aquaculture project
 - Category B: > 1 hectare but < 5 hectares
 - Category D: \leq 1 hectare
- Other industries, which thresholds are defined in the MC 2014-005 of the Environmental Management Bureau
 - a. Agricultural and/or agri-industrial research & experimentation facilities
 - b. Curing and re-drying tobacco leaves
 - c. Miscellaneous processing of tobacco leaves n.e.c.
 - d. Weaving hemp textile
 - e. Jute spinning and weaving
 - f. Manufacture of charcoal
 - g. Manufacture of wines from fruit juices
 - h. Ancillary dwelling units/farmhouses for landowners, tenants, tillers and laborers (no capacity threshold)
 - i. Ice plant (no capacity threshold)

Building Density and Bulk Regulations

- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.



Section 12.4 Regulations in City Waters Zone

Per Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the City Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the City which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters... (boundary delineation defined in the Fisheries Code).”

Regulations shall be in accordance with the Fisheries Code, Presidential Decree No. 1067 or the Water Code of the Philippines, Republic Act No. 9275 or the Philippine Clean Water Act of 2004 and related issuances.

Section 12.4.1 Lake Sub-Zone

Per the Fisheries Code, this is “an inland body of water, an expanded part of a river, a reservoir formed by a dam, or a lake basin intermittently or formerly covered by water.”

Allowable Uses/Activities

- Regulated fishing
- Aquaculture

Building Regulations

- Except for duly-approved protective lakeshore and fish landing structures, no other permanent buildings or structures are allowed.

Section 12.4.2 Aquaculture Sub-Zone

Per the Fisheries Code, this an area within the City Waters Zone of the City 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

- Aquaculture

Building Regulations

- Except for duly-approved aquaculture-related structures such as fish cages, no other temporary structures are allowed.
- No permanent buildings or structures are allowed.



Section 12.5 Regulations in Residential-1 (R-1) Zone

An area within City intended for low density residential use of 20 dwelling units per hectare. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.

Allowable Uses

- Single-detached dwelling units.
- Semi-detached family dwelling units, e.g. duplex.
- Residential Subdivisions approved per P.D. 957 standards.
- 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;
 - 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.
- 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.
- 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
- Parks and Open Spaces
- Nursery/Elementary School
- Tutorial services
- Sports club
- Religious use
- Multi-purpose/Barangay hall
- Clinic, nursing and convalescing home, health center
- Plant nursery
- 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
 - g. Pump houses
 - h. Generator houses

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is three (3) as provided in the NBC.
- The Building Height Limit is 10.00 meters above highest grade as provided in the NBC.
- No build zone in highly susceptible rain-induced landslide and flooding.
- Mitigation measures should be observed and implemented in moderate to low-susceptibility to hazards.



- San Pablo City shall strictly implement the Green Building Designs on new constructions such as but not limited to energy, water, waste management, indoor environmental quality and site sustainability.

Section 12.6 Regulations in Residential –2 (R-2) Zone

An area within the City intended for medium density residential use. Per the National Building Code, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.

Allowable Uses

- All uses allowed in R-1 Zone
- Apartments
- Boarding houses
- Dormitories
- Museums
- Libraries
- High School
- Vocational School

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is five (5) as provided in the NBC.
- The Building Height Limit is 15.00 meters above highest grade as provided in the NBC.
- No build zone in highly susceptible rain-induced landslide and flooding.
- Mitigation measures should be observed and implemented in moderate to low-susceptibility to hazards.
- San Pablo City shall strictly implement the Green Building Designs on new constructions such as but not limited to energy, water, waste management, indoor environmental quality and site sustainability.



Section 12.7 Regulations in Residential –3 (R-3) Zone

An area within City intended for medium to high density residential. Per the National Building Code, R3 Zone is characterized mainly by low-rise or medium-rise residential buildings for exclusive use as multi-family dwellings with mixed housing types.

Allowable Uses

- All uses allowed in R-1 and R-2 Zones
- Residential condominiums
- Pension houses
- Hotel apartments or apartels
- Hotels
 - a. Parking buildings (aboveground underground)

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is twelve (12) as provided in the NBC.
- The Building Height Limit is 36.00 meters above highest grade as provided in the NBC.
- No build zone in highly susceptible rain-induced landslide and flooding.
- Mitigation measures should be observed and implemented in moderate to low-susceptibility to hazards.
- San Pablo City shall strictly implement the Green Building Designs on new constructions such as but not limited to energy, water, waste management, indoor environmental quality and site sustainability.

Section 12.8 Regulations in Socialized Housing Zone

An area within the City designated to housing programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA).

Allowable Uses

- All uses allowed according to the provisions of BP 220.

Building Regulations

- Applicable provisions of BP 220.



Section 12.9 Regulations in Commercial – 1 (C-1) Zone

A low density commercial area within the City intended for neighborhood or community scale trade, service and business activities.

Allowable Uses

- Retail stores and shops like:
 - a. Department stores
 - b. Bookstores and office supply shops
 - c. Art supplies and novelties
 - d. Home appliance stores
 - e. Car display and dealer stores
 - f. Photo shops
 - g. Flower shops
 - h. Curio or antique shops
 - i. Pet shops and aquarium stores
 - j. Jewelry shops
 - k. Consumer electronics such as cellular phones, cameras, laptops, home appliances and the like
 - l. Drugstores
- Food market and shops like:
 - a. Bakery, cake, pastry and delicatessen shops
 - b. Liquor and wine stores
 - c. Groceries
 - d. Supermarkets
 - e. Convenience stores
- Product showroom/display store
- Warehouse/storage facility for non-pollutive/non-hazardous finished products
- Personal service shops like:
 - a. Medical, dental, and similar clinics
 - b. Beauty parlor
 - c. Barber shop
 - d. Wellness facilities such as sauna, spa, massage and facial clinics
 - e. Dressmaking and tailoring shop
- Bayad centers
- Laundries
- Internet café and cyber stations
- Photo/video, lights & sounds services
- Catering services
- Event planners



- Water stations
- Courier services
- Security agencies
- Janitorial services
- Travel agencies
- Photo and portrait studios
- Repair shops like:
 - a. House furniture and appliances repair shops
 - b. Motor vehicles and accessory repair shops
 - c. Battery shops and repair shops
 - d. Bicycle repair shops
 - e. Repair shops for watches, bags, shoes, cellular phones, cameras, computers and the like
- Recreational centers/establishments like
 - a. Play courts e.g. tennis court, bowling lane, billiard hall
 - b. Swimming pool
 - c. Gymnasium
- Restaurants and other eateries
- Lotto terminals, off-fronton, on-line bingo outlets and off-track betting stations
- Parks, playgrounds, pocket parks, parkways, promenades and play lots
- Plant nurseries
- Vocational/technical school
- Special Education (SPED) school
- Short term special education like:
 - a. Dance schools
 - b. Schools for self-defense
 - c. Driving school
 - d. Speech clinics
 - e. Tutorial centers
- Embassies/consulates
- Libraries/museums
- Financial institutions/services like:
 - a. Banks
 - b. Stand-alone automated teller machines
 - c. Insurance
 - d. Foreign exchange
 - e. Money lending
 - f. Pawnshops
- Offices



- Parking lots/garage facilities
- Parking buildings (aboveground/underground)
- Auto repair, tire, vulcanizing shops and car wash
- Gasoline filling stations/services stations
- Engraving, photo developing and printing shops
- Printing, publication and graphics shops
- Manufacture of insignia, badges and similar emblems except metal
- Construction supply stores/depots
- Funeral parlors (Category II and III)
- Commercial housing like:
 - a. Hotel
 - b. Apartment
 - c. Apartel
 - d. Boarding house
 - e. Dormitory
 - f. Pension house
- All uses allowed R-1 Zones
- Customary accessory uses incidental to any of the above uses such as:
 - a. Staff houses/quarters
 - b. Parking lots
 - c. Building garage
 - d. Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - e. Pump houses
 - f. Generator houses

Building Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is three (3) as provided in the NBC.
- The Building Height Limit is 10.00 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.10 Regulations in Commercial – 2 (C-2) Zone

A medium to high density commercial area within the City intended for trade, service and business activities performing complementary supplementary functions to the CBD.



Allowable Uses

- All uses allowed in C-1 Zone
- Wholesale stores
- Wet and dry markets
- Shopping centers, malls and supermarkets
- Recreational center/establishments like:
 - a. Movie house/theater
 - b. Stadium, coliseum
 - c. Tennis courts and sports complex
 - d. Billiard halls, pool rooms and bowling alleys
 - e. Sports clubhouses
 - f. Other sports and recreational establishments
- Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
- Exhibit halls
- Convention centers and related facilities
- Business Process Outsourcing services
- Radio and television stations
- Transportation terminals/garage with and without repair
- Display for cars, tractors, etc.
- Motor pool
- Hauling services and garage terminals for trucks, tow trucks and buses
- Auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft and aircraft sales yards
- Boat storage
- Vehicle emission testing centre
- Machinery display shop/center
- Welding shops
- Machine shop service operation (repairing/rebuilding or custom job orders)
- Welding shop
- Medium scale junk shop
- Glassware and metalware stores, household equipment and appliances
- Signboard and streamer painting and silk screening
- Printing/typesetting, copiers and duplicating services
- Recording and film laboratories
- Gravel and sand stores
- Lumber/hardware
- Paint stores without bulk handling



- Gardens and landscaping supply/contractors
- Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
- Lechon stores
- Chicharon factory
- Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Other bakery products not elsewhere classified (n.e.c.)
- Shops for repacking of food products e.g. fruits, vegetables, sugar and other related products
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Funeral parlors (all categories)
- Commercial condominium (with residential units in upper floors)
- Commercial housing like:
 - a. Motel
 - b. Condotel
- All uses allowed in R-1 and R-2 Zones

Building Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is six (6) as provided in the NBC.
- The Building Height Limit is 18.00 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.11 Regulations in Commercial – 3 (C-3) Zone

A high density commercial area within the City 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 complexes area also allowed in this zone. This zone may also be called as the Central Business District (CBD).



Allowable Uses

- All uses allowed in C-1 and C-2 Zones
- All uses allowed in R-3 Zones
- Regional shopping malls/centers

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is sixty (60) as provided in the NBC.
- There is no fixed building height limits except those prescribed by the air transportation office (ATO) and other government regulations. Within this zone, building heights shall be based on the prescribed floor area ratio (FAR).
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.12 Regulations in Industrial –1 (I-1) Zone

An area within the City intended for light manufacturing or production industries that are:

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

Light industries are projects or undertakings which are (a) not classified as Environmentally Critical Projects (ECPs) under Presidential Proclamation No 2146 (1981), Proclamation No 803 (1996) or (b) non-ECPs and are not located in Environmentally Critical Area (ECA). Processes of any of these establishments are characterized as: (a) using, storing, and/or handling chemicals not listed in the Priority Chemical List (PCL) (Annex 1 of DAO 2014-02); (b) generating zero to small quantities of Chemicals and/or Hazardous Wastes (Annex 2 of DAO 2014-02); (c) have air pollution source/s that are not required to undergo stack sampling; (d) generate more than 30 kg/day of aggregates solid waste; (e) discharges less than 30 m3/day of waste water and within effluent quality parameters; and (f) do not generate sludge.

Allowable Uses

Non-Pollutive/Non-Hazardous Industries:

- Information technology, databank, and related industries
- Business process outsourcing (BPOs)



- Drying fish
- Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Manufacture of macaroni, spaghetti, vermicelli and other noodles
- Other bakery production not elsewhere classified (n.e.c.)
- Life belts factory
- Manufacture of luggage, handbags, wallets and small leather goods
- Manufacture of miscellaneous products of leather and leather substitute and n.e.c.
- Manufacture of shoes except rubber, plastic and wood
- Manufacture of slipper and sandal except rubber and plastic
- Manufacture of footwear parts except rubber and plastic
- Printing, publishing and allied industries and those n.e.c.
- Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines
- Manufacture or assembly of electronic data processing machinery and accessories
- Renovation and repair of office machinery
- Manufacture or assembly of miscellaneous office machines and those n.e.c.
- Manufacture of rowboats, bancas and sailboats
- Manufacture of animal-drawn vehicles
- Manufacture of children vehicles and baby carriages
- Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
- Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, thermometer, etc.
- Manufacture or assembly of surgical, medical, dental equipment and medical furniture
- Ice plants and cold storage buildings
- Quick freezing and cold packaging for fish and other seafood
- Quick freezing and cold packaging for fruits and vegetables
- Popcorn/rice factory
- Manufacture of medical/surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
- Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.)
- Manufacture of photographic equipment and accessories
- Manufacture or assembly of optical instruments



- Manufacture of eyeglasses and spectacles
- Manufacture of optical lenses
- Manufacture of watches and clocks
- Manufacture of pianos
- Manufacture of string instruments
- Manufacture of wind and percussion instruments
- Manufacture or assembly of electronic organs
- Manufacture of sporting gloves and mitts
- Manufacture of sporting balls (not of rubber or plastic)
- Manufacture of gym and playground equipment
- Manufacture of sporting tables (billiards, pingpong, pool)
- Manufacture of other sporting and athletic goods n.e.c.
- Manufacture of toys and dolls except rubber and mold plastic
- Manufacture of pens, pencils and other office and artist materials
- Manufacture of umbrella and canes
- Manufacture of buttons except plastic
- Manufacture of brooms, brushes and fans
- Manufacture of needles, pens, fasteners and zippers
- Manufacture of insignia, badges and similar emblems (except metal)
- Manufacture of signs and advertising displays (except printed)
- Small-scale manufacturing of ice cream
- Dairies and creameries
- Warehouse/Storage facility for non-pollutive/non-hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Non-Pollutive/Hazardous Industries:

- Manufacture of house furnishing
- Textile bag factories
- Canvass bags and other canvass products factory
- Jute bag factory



- Manufacture of miscellaneous textile goods, embroideries and weaving apparel
- Manufacture of fiber batting, padding and upholstery filling except coir
- Men's and boys' garment factory
- Women's and girls' and ladies' garments factory
- Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories
- Manufacture of raincoats and waterproof outer garments except jackets
- Manufacture of miscellaneous wearing apparel except footwear
- Manufacture of miscellaneous fabricated mill work and those n.e.c.
- Manufacture of wooden and cane containers
- Sawali, nipa and split cane factory
- Manufacture of bamboo, rattan and other cane baskets and wares
- Manufacture of cork products
- Manufacture of wooden shoes, shoe lace and other similar products
- Manufacture of miscellaneous wood products and those n.e.c.
- Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.
- Manufacture of paper stationery, envelopes and related articles
- Manufacture of dry ice
- Repackaging of industrial products e.g. paints, varnishes and other related products
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants]
- Warehouse/Storage Facility for non-pollutive/hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses



Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.13 Regulations in General Institutional Zone

An area within the City intended principally for general types of institutional establishments, e.g. government offices, hospitals clinics, academic research and convention centers.

Allowable Uses

- Government or civic centers to house national, regional or local offices in the area;
- Police and fire stations;
- Other types of government buildings;
- Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning;
- Learning facilities such as training centers, seminar halls and libraries;
- Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities;
- Museums, exhibition halls and art galleries;
- Convention center and related facilities;
- Civic centers and community centers;
- General hospitals, medical centers, specialty hospitals, medical, dental and similar clinics;
- Places of worship, such as churches, mosques, temples, shrines, chapels;
- Seminaries and convents;
- Embassies/consulates;
- Parking buildings;
- Parks, playgrounds, pocket parks, parkways, promenades and play lots; and
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices



- Eateries/canteens
- Parking lots/garage facilities
- Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
- Pump houses
- Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.14 Regulations in Special Institutional Zone

An area the City 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.

Allowable Uses

- Welfare home, orphanages, boys and girls town, nursing homes, homes for the aged and the like;
- Rehabilitation and vocational training centers for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments;
- Military camps/reservations/bases and training grounds;
- Jails, prisons, reformatories and correctional institution;
- Penitentiaries and correctional institutions;
- Leprosaria;
- Psychiatric facilities, such as mental hospitals, mental sanitaria/asylums;
- Parks, playgrounds, pocket parks, parkways, promenades and play lots; and
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities



- Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
- Pump houses
- Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.15 Regulations in Parks and Recreation Zone

An area designed for diversion/amusements and for the maintenance of ecological balance in the community.

Allowable Uses

- Parks, playgrounds, pocket parks, parkways, promenades and play lots, gardens;
- All types of resort complexes such as those providing accommodation, sports, dining and other leisure facilities;
- Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheatres and swimming pools;
- Ball courts, skating rinks and similar uses;
- Memorial/Shrines monuments, kiosks and other park structures;
- Sports clubs;
- Parking structures/facilities;
- Open space buffers and easements; and
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses



Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- There is no fixed building height limits except those prescribed by the air transportation office (ATO) and other government regulations. Within this zone, building heights shall be based on the prescribed floor area ratio (FAR).
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.16 Regulations in Cemetery/Memorial Park Zone

An area in the City intended for the interment of the dead.

Allowable Uses

- Memorial Parks;
- Cemetery;
- Columbarium;
- Crematorium;
- Ossuary; and
- Customary accessory uses such as crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking, and toilet facilities.

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to HLURB Rules and Regulations for Memorial Parks and Cemeteries and other applicable guidelines/standards of concerned agencies.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.17 Regulations in Buffer/Greenbelt Zone

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.



Allowable Uses

- Open spaces/gardens;
- Parks and park structures such as playgrounds, jogging trails, bicycle lanes;
- Plant nurseries;
- Ground-level or underground parking structures/facilities;
- Agriculture, silviculture, horticulture; and
- Customary accessory uses incidental to any of the above such as offices, eateries canteens, parking, kiosks, retail stores and toilet facilities.

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is six (6) meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.18 Regulations in Utilities, Transportation, and Services Zone

An area in the City 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).

Allowable Uses

- Bus and railway depots and terminals;
- Port facilities;
- Airports and heliport facilities;
- All other types of transportation complexes;
- Power plants (thermal, hydro, geothermal, wind, solar);
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants];
- Liquid and solid waste management facilities;
- Climate monitoring facilities;
- Telecommunication facilities such as cell (mobile) phone towers;
- All other types of large complexes for public services; and



- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Parking lots/garage facilities
 - Eateries/canteens
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is fifteen (15) meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.19 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

- Agri-tourism;
- Resort areas, e.g. beach/mountain resort including accessory uses;
- Theme parks;
- Heritage and Historical Sites;
- Other related activities such as tree parks and botanical gardens;
- Souvenir shops;
- Open air or outdoor sports activities;
- Food production and processing activities such as vegetables, fruits and plantation crop and fish production to sustain tourism industry;
- Parking areas; and
- Tourism accommodation such as:
 - Cottages
 - Lodging inns
 - Restaurants
 - Home stays



Building/Structure Design Regulations

Site development shall be designed with consideration to avoiding/minimizing (1) risks that it will be affected by landslides; (2) its adverse impacts to the soil; (3) and risks that it will cause landslides to nearby areas/properties.

- Buildings and structures should be laid out and designed to harmonize with the terrain to minimize earth moving activities;
- Appropriate slope, erosion and soil stabilization measures shall be applied, either through hard or soft engineering measures;
- Indigenous and mature vegetation should be retained;
- Natural drainage patterns should not be altered; and
- Use sustainable drainage systems to include rainwater storage tanks, green roofs, etc. that can decrease the flow and make productive use of storm water run-off.

Section 13. Regulations in Overlay Zones

A "transparent zone" that is overlain on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations. These additional layers of regulations may pertain to additionally allowable uses, building density and bulk and building structure design that are deemed necessary to achieve the objectives for the Overlay Zone.

Section 13.1 Landslide Overlay Zone (LSD-OZ)

Objective

- LSD-OZ regulations are applied in areas identified in the CLUP as highly susceptible to landslides. The objectives of these regulations are to avoid/minimize potentials for landslide occurrence, and to protect lives and properties from its impacts.

Allowable Uses

- Allowable uses shall be as provided in the Base Zone, subject to the following additional regulations.

Building Density and Bulk Regulations

- The Maximum Allowable Percentage of Site Occupancy (MAPSO) (defined in the NBC as the area of ground coverage of Allowable Maximum Building Footprint), expressed as a percentage of the total lot area, shall be:



- 20% for Parks and Recreation uses
- 30% for all other uses activities

The MAPSO shall include all buildings and structures built or to be built on the lot.

- The Unpaved Surface Area (USA) of developments shall:
 - Not be less than 70% for Parks and Recreation uses
 - Not be less than 60% for all other uses activities

As defined in the NBC, USA is the “true open space which should be of exposed soil and planted.” The USA is located outside the building envelope.

Prohibited Uses

- Prohibited uses within the zone include evacuation centers, hospitals, schools, establishments handling toxic and hazardous substances, protective services, government related buildings, schools, social welfare buildings, power and water related point facilities.
- Socialized housing sites, or housing development which would accommodate dwelling units for low to middle income families (with low capacities for employing risk mitigation)

Section 13.2 Heritage Overlay Zone (HTG-OZ)

Objective

- The HTG-OZ is applied in areas with houses of ancestry. The objectives are: 1) to preserve existing historic structures; and 2) to harmonize the design and construction of new ones with the design of these historic structures.

Allowable Uses

- For declared houses of ancestry, allowable uses shall be limited to:
 - Single-detached residential
 - Museum
 - Shops, offices, restaurants, craftsmen’s workshops and retail outlets (only at the ground floor)
- For new construction, allowable uses shall be as provided in the base R-1 Zones.



Building Density and Bulk Regulations

The following regulations supersede those provided in the base R-1 zone:

- For declared houses of ancestry:
 - The height and floor area of the existing building shall not be altered.
- For new construction:
 - BHL: Building height limit for buildings within the buffer zone shall not be more than the roof apex of the declared heritage structure (Guidelines, Policies and Standards for the Conservation and Development of Historic Centers/Heritage Zones, NHCP 2012)

Building/Structure Design Regulations

- For declared houses of ancestry:

Repair and renovation works, to include building and landscape, shall ensure that the original architectural design at the interior and exterior are maintained.

The size and appearance of business and other signs shall be made to blend with the period design of the house.

- For new construction:

Designs, to include building and landscape, shall be made similar to the period designs of the declared houses of ancestry.

Other Regulations

- The gathering of natural and historical artifacts shall be subject to the provisions of RA 10066.

Section 13.3. Ecotourism Overlay Zone (ETM-OZ)

Objective

- 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:



- Accommodation facilities;
- Boardwalks;
- Dining facilities;
- Dive shops/Diving lesson establishments;
- Water-oriented recreation/sports rental equipment shops;
- Tourism-oriented retail shops (e.g. souvenirs, clothes, etc.); and
- Foreign exchange shops/establishments.

Building Density and Bulk Regulations

- Ecotourism facilities such as resorts should have heights of no greater than (6) meters from highest grade to roof apex line.
- The minimum setback of buildings from the inland foreshore line is seven (7) meters.
- The maximum building footprint shall be (75) % of the total lot area.

Building/Structure Design Regulations

- Ecotourism facilities such as hotels, resorts, should be made of light indigenous materials.
- Designs should conform to the applicable standards of the Department of Tourism.
- Only single-detached or duplex structures shall be allowed.
- The freeboard elevation of buildings shall be 600mm measured from the outermost building line facing the foreshore to the building's finish floor line.
- Buildings on stilts are encouraged.
- Electrical appliances should be raised with a minimum height of 600mm from each building's finish floor line.
- The use of impermeable paving materials outside of building envelopes shall not be allowed.
- Only picket fences made of wood or bamboo and with heights no greater than 600mm shall be allowed.
- The use of firewalls along property lines shall not be allowed.

Section 14. Zoning Incentives

Density bonuses, such as through allowable building height increases, may be provided as incentives for projects that use CCA/DRRM technology or innovations, i.e. use of solar panels, rainwater harvesting, smart urban drainage systems, green architecture building systems.



Similar incentives may also be given to projects that provide wider setbacks, increased ground level open spaces, provides public infrastructure or conserve heritage sites.

Article VI

General Regulations

Section 15. Height Regulations

Notwithstanding the Building Height provisions of this ordinance, building heights should also conform to the height restrictions and requirements of the Civil Aviation Authority of the Philippines (CAAP).

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 CAAP.

Section 16. Area Regulations

Area regulations in all zones shall conform to the applicable minimum requirements of existing laws, codes and regulations such as:

1. PD 957, "Subdivision and Condominium Buyers' Protective Law" and its revised implementing rules and regulations;
2. Batas Pambansa 220, "Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects" and its revised implementing rules and regulations;
3. RA 7279 – Urban Development and Housing Act;
4. PD 1096 – National Building Code;
5. PD 1185 – Fire Code;
6. PD 856 – Sanitation Code;
7. RA 6541 – Structural Code;
8. Batas Pambansa 344 – Accessibility Law;
9. Rules and Regulations – HLURB Town Planning and Zoning Program;
10. CA 141 or Public Land Act – public lands, including foreshore and reclaimed lands;
11. PD 705 or Revised Forestry Code – forestlands;
12. PD 1076 or Water Code of the Philippines – inland and coastal waters, shorelines and riverbank easements;
13. RA 6657 or Comprehensive Agrarian Reform Law – agrarian reform lands;



14. RA 7279 or Urban Development and Housing Act (UDHA) – socialized housing and settlements development;
15. RA 7586 or National Integrated Protected Areas Act – protected areas in both land and seas;
16. RA 7942 or Philippine Mining Act – mining areas;
17. RA 8371 or Indigenous People’s Rights Act (IPRA) – ancestral lands;
18. RA 8435 or Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural lands;
19. RA 8550 or Revised Fisheries Code – City waters and coastal zones;
20. RA 9593 or Philippine Tourism Act – tourism zones and estates;
21. RA 9729 or Philippine Climate Change Act, as amended;
22. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas;
23. RA 100121 or Disaster Risk Reduction and Management Act – disaster-prone and geo-hazard areas; and
24. Other relevant guidelines promulgated by the national agencies concerned.

Section 17. 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 within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to easements 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.

Mandatory five-meter easement on both sides of earthquake fault traces on the ground identified by PHIVOLCS.

As required by the City Government, road widening and road construction program as well as other projects that may later on be identified.

Section 18. Buffer Regulations

A buffer of four (4) meters (or as declared by the LGU) shall be provided along entire boundary length between two or more conflicting zones/sub-zones allocating two (2) meters from each side of the zone/sub-zone boundary. Such



buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

Section 19. 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 on rear lots, access yard requirements and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

Section 20. Advertising, Billboards and Business Signs

No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put up for public view without locational clearance from the Zoning Administrator/Zoning Officer. Locational clearance for such signs or billboards may be granted only when the same is appropriate for the permitted use for a zone and the size thereof is not excessive, taking into account the bulk or size of the building or structure and the business practices or usages of the locality and the same shall in no case obstruct the view of any scenic spot.

Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area. No sign should project to public property unless expressly allowed by the Zoning Administrator Zoning Officer. Temporary signs and billboards for not more than two months may be allowed by the Zoning Officer/Administrator upon payment of corresponding fees to the City. The permit for such sign shall indicate the location, size, slope, contents and type of construction.

It shall be unlawful to maintain an obsolete sign by reason of discontinuance of business, service or activity for more than 60 days there from.

Article VII

Performance Standards

Section 21. 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 22. Environmental Conservation and Protection Standards

It is the intent of the ZO to protect the natural resources of the City. 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. City and industrial wastewater effluents shall not discharge 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; and
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.

Section 23. 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 City shall not be prematurely re-classified. Requests for re-classification 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 RA 7160, Authorizing Cities and Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses.

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

Section 24. Network of Green and Open Spaces

The City 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:

1. All residential, commercial, industrial and mixed-use subdivisions, in compliance with the rules and regulations of PD 1216, PD 953, PD 957 and BP 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 PD 957, BP 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 25. Site Development Standards

The City consider 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 area/slots 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 area/slots 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 26. 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 systems 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.



Section 27. Green Building Designs and Regulations

Regulations related to climate change adaptation and mitigation shall be imposed to residents and the business sector to address climate change impacts; contribute to water sufficiency and energy efficiency; promote the protection and stability of the natural environment; and other concerns. These regulations shall apply to entirely new buildings such as:

- a. residential buildings with total floor area greater than 20,000 sqm;
- b. office buildings with total floor area greater than 10,000 sqm;
- c. mixed-use buildings with total area greater than 10,000 sqm;
- d. educational buildings with total floor area greater than 5,000 sqm;
- e. retail buildings with total floor area greater than 15,000 sqm
- f. Hotel buildings;
- g. Hospital buildings;
- h. Government buildings;

Green building aims at improving building performance in the following areas:

- a. Energy Efficiency
- b. Water Efficiency
- c. Materials and Waste Management
- d. Site Sustainability
- e. Indoor Environmental Quality

Energy Efficiency

- a. Purpose. Energy Efficiency requires the adoption of efficient practices, designs, methods and technology that reduce energy consumption resulting in cost savings as well as reduced consumption of non-renewable energy.
- b. The applicant/project shall comply with the list of measures indicated in the table below.

TABLE OF ENERGY EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
BUILDING ENVELOPE						
Air tightness and vapor barrier	Required	Required	Required	Required	Exempt	Required
Window to Wall Ratio and Solar Heat Gain Coefficient of Glass	Required	Required	Required	Required	Required	Required
Operable windows	Required	Exempt	Required	Exempt	Required	Required
EFFICIENCY OF MECHANICAL SYSTEM						
Energy Efficiency of Air-conditioning Equipment	Required	Required	Required	Required	Required	Required
Variable Speed Drives and High Efficiency Motors	Required	Required	Required	Required	Required	Required



TABLE OF ENERGY EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
Enthalpy Recovery of Exhaust Air	Required	Required	Required	Required	Exempt	Exempt
Ceiling Fans or Wall Fans	Exempt	Exempt	Exempt	Required	Required	Required
EFFICIENCY OF ELECTRICAL SYSTEM						
Daylight controlled lighting system	Required	Required	Required	Exempt	Exempt	Required
Lighting Power Density	Required	Required	Required	Required	Required	Required
Occupancy Sensors	Required	Exempt	Required	Exempt	Required	Required
Lifts and Escalator Efficiencies	Required	Required	Required	Required	Required	Required

Water Efficiency

- a. Purpose. Water Efficiency requires the adoption of efficient practices, design, materials, fixtures, equipment and methods that reduce water consumption resulting in cost savings as well as reduced consumption of potable water and maximize use thru re-use and re-cycling.
- b. The applicant/project shall comply with the list of measures indicated in the table below:

TABLE OF WATER EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
Water efficient fittings (including low flow taps and W/C flushes)	Required	Required	Required	Required	Required	Required
Rain-water harvesting	Required	Required	Required	Required	Required	Required
Water recycling for cooling towers	Exempt	Required	Exempt	Required	Exempt	Exempt

Materials and Waste Management

- a. Purpose. Materials Efficiency requires the adoption of efficient waste management practices and use of materials that are environment friendly and locally available.
- b. The applicant/project shall comply with the list of measures indicated in the table below:

TABLE OF MATERIALS EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
MRF (waste segregation and collection)	Required	Required	Required	Required	Required	Required

Indoor Environmental Quality

- a. Purpose. Indoor Environmental Quality (IEQ) requires the adoption of design, construction and operation practices that take into consideration the improvement of the occupant's health, productivity, safety and quality of life.



b. The IEQ measures listed in the table below must be complied with.

TABLE OF IQ MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
Designated smoking area Required/Ordinance No. (if any please specify) and please indicate which type of building applies) and other indoor environment quality applicable ordinances.	Required /per Smoke Free Ordinance No. 2011-09	Required /per Smoke Free Ordinance No. 2011-09	Required /per Smoke Free Ordinance No. 2011-09	Required/ per Smoke Free Ordinance No. 2011-09	Exempt	Required/ per Smoke Free Ordinance No. 2011-09
Designation of pantry or area for staff dining	Required	Exempt	Exempt	Required	Required	Required

Site Sustainability

- a. Purpose. Site sustainability requires the adoption of design, construction and operation practices that minimize the impact of buildings on ecosystems and water resources.
- b. The site sustainability measure below must be complied with.

TABLE OF SITE SUSTAINABILITY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
A minimum of fifty percent of the required unpaved area shall be devoted to vegetation planted with species indigenous to the entire region	Required	Required	Required	Required	Required	Required

**Article VIII
Mitigating Devices**

Section 28. Deviation

Variations 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 exist:

- 1. Variations (deviation from applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards)

Variance may be allowed provided that proposals satisfy all of the following provisions:

- a. Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner of the property due to physical



conditions of the property (topography, shape, etc.), which is not self-created.

- b. The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
- c. 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.
- d. That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the public health, safety or welfare.
- e. The variance will be in harmony with the spirit of this Ordinance.

2. Exceptions (deviations from Allowable Use provisions)

Exceptions may be allowed provided that proposals satisfy all of the following conditions:

- a. 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.
- 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 properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like.
- d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

Section 29. Procedures for Evaluating Variances and/or Exceptions

The procedure for evaluating applications for Variances and/or Exceptions is as follows:

1. The project proponent shall file a written application for Variance and/or Exception with the LZBA citing the section(s) 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. 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 agents. 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 IX

Administration and Enforcement

Section 30. Approved Zoning Maps

The Approved City Zoning Maps, printed in standard color codes and with minimum dimensions of 1.20m x 1.20m, shall be posted at the following offices:

- Office of the Mayor
- Office of the Zoning Administrator
- City Planning and Development Office
- City Assessor's Office
- City Engineer's Office
- City Agrarian Reform Office
- City Agriculture Office
- City Environment Office

Zoning maps for each barangay shall be posted at respective barangay halls for public information and guidance of barangay officials. These should similarly be printed in standard color codes and minimum dimensions of 1.20m x 1.20m.



Section 31. Locational Clearance

All owners/developers shall secure Locational Clearance from the Zoning Administrator Zoning Officer or, in cases of Variances and/or Exceptions, from the LZBA prior to conducting any activity or construction on their property/land. This will include property land located in Forest Lands, Special Economic Zones and other areas administered by national and special agencies, except for facilities for national security as certified by the Department of National Defense.

Section 32. Projects of National Significance

Based on established national standards and priorities, the HLURB shall continue to issue locational clearances for projects considered to be of vital and national or regional economic or environmental significance. Unless otherwise declared by the NEDA Board, all projects shall be presumed locally-significant. (Para. 2 Section 3a, of EO 72)

Section 33. Major and/or Innovative Projects

The Zoning Administrator/Zoning Officer or the LZBA, as the case may be, may seek the assistance of the HLURB or external consultants in the evaluation of proposed Major and/or Innovative Projects such as seaports, airports, oil depots, reclamation areas, shopping malls, special economic zones, tourism enterprise zones, and the like.

Section 34. Subdivision Projects

All owners and/or developers of subdivision projects shall, in addition to securing a Locational Clearance, be required to secure a Development Permit pursuant to the provisions of PD 957 and its Implementing Rules and Regulations or BP 220 and its Implementing Rules and Regulations and in accordance with the procedures laid down in EO 71, Series of 1993.

Proposed subdivision projects shall prepare their respective Deed Restrictions to include, among others, regulations pertaining to allowable uses within their project sites. The list of allowable uses within subdivisions shall be within the list of allowable uses within the Zone. Proof of compliance of future projects with the provisions of the Deed Restrictions for the said subdivision shall form part of the requirements for Locational Clearance.



Section 35. Planned Unit Development Projects

Proposed Planned Unit Developments (PUD) projects shall be accompanied by Comprehensive Development Master Plans (CDMPs) showing, at the minimum, proposed land uses, building density and bulk, road network layout, road and sidewalk section details, and master layouts of all utilities such as those for potable water, storm drainage, sewerage, power supply, telecommunication and solid waste management.

CDMPs shall also be provided with Deed Restrictions where, upon approval of the Zoning Administrator/Zoning Officer or LZBA, as the case may be, proof of compliance of future projects on the said PUD site shall form part of the requirements for Locational Clearance.

Section 36. Environmental Compliance Certificate

No Locational Clearance shall be issued to proposals covered by the EIS System unless the requirements of ECC have been complied with.

Section 37. Building Permit

No Building Permit shall be issued by the City Building Official without a valid Locational Clearance in accordance with the integrated ZO.

Section 38. Business Permit

The Business and Licensing Division shall require a Locational Clearance for new developments except for projects indicated in the approved development plan in subdivisions with preliminary approved locational clearance.

Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 39. Occupancy Permit

No Occupancy Permit shall be issued by the Local Building Official without certification from the Zoning Administrator/Zoning Officer that the building has complied with the conditions stated in the Locational Clearance.

Section 40. Validity of Locational Clearance

Upon issuance of an LC, the grantee thereof shall have one year within which to commence or undertake the use, activity or development covered by such



clearance on his property. Non-use of LC 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.

Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 41. Notice of Non-Conformance

Upon approval of this Ordinance, the Zoning Administrator/Zoning Officer shall immediately issue Notices of Non-Conformance to existing non-conforming uses, buildings or structures. The said Notice of Non-Conformance shall cite provisions of this Ordinance to which the existing use, building or structure does not conform to. The same Notice shall also inform the owner of said non-conforming use, building or structure of the conditions for the continued use of the same as provided in the following section.

It may also provide conditions by which the non-conforming use can reduce its non-conformity.

Section 42. Existing Non-Conforming Uses, Buildings and Structures

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 to the provisions of the integrated ZO, provided:

1. That no such non-conforming use shall be expanded 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 of land where such non-conforming use exists 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. A vacant/idle building or structure may not be used for non-conforming activity;
4. That any non-conforming building/structure 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;



5. That should such non-conforming portion of any building/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 use maybe moved to displace any conforming use;
7. That no such non-conforming use and/or structure may be expanded or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
8. That should such use and/or structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the zone in which it is moved or relocated;
9. That such non-conforming use and/or structure should not cause nuisance effects to its neighborhood, such as but not limited to pollution of whatever form (air, noise, land, water, etc.), undesirable traffic (whether vehicular or pedestrian) and the like and should further not pose health and safety hazards and as further provided in the Performance Standards provision of this Ordinance; and
10. The owner of a non-conforming use and/or structure shall program the phase-out and relocation within ten (10) years from the effectivity of this Ordinance.

Section 43. 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 44. Qualifications of the Zoning Administrator/Zoning Officer

The Zoning Administrator/Zoning Officer must comply with the requirements of RA No. 10587, also known as the Environmental Planning Act of 2013.

Section 45. 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, and Section 7 of Executive Order No. 648 dated 07 February 1981, the Zoning Administrator shall perform the following:

1. Enforcement

- a. Act on all applications for Locational Clearance;



- b. Issuance of Notice of Non-Conformance to owners/operators of uses, buildings or structures that is non-conforming to the applicable provisions of this Ordinance;
- c. Monitor on-going/existing projects and issue Notices of Violation and Show Cause Order to owners, developers, or managers of projects that are in violation of the provisions of the integrated ZO;
- d. Coordinate with the Philippine National Police (PNP) for enforcement of all orders and processes issued in the implementation of this Ordinance; and
- e. Coordinate with the City Fiscal and/or City Legal Officer for other legal actions/remedies relative to the foregoing.

2. Planning

Coordinate with the Regional Office of the HLURB regarding proposed amendments to the integrated ZO prior to adoption by the Sangguniang Panglungsod.

Section 46. Complaints and Oppositions

A complaint for violation of any provision of the integrated ZO or any clearance or permit issued pursuant thereto shall be filed with the LZBA.

Oppositions to applications for Locational Clearance, Variance or Exception shall be treated as a complaint and shall likewise be filed with the LZBA.

Section 47. Functions and Responsibilities of the Local Zoning Board of

Appeals

There is hereby created an LZBA which shall perform the following functions and responsibilities:

1. Act on applications of the following nature:
 - a. Variances
 - b. Exceptions
 - c. Non – Conforming Uses
 - d. Complaints and Oppositions to Applications
2. Act on appeals on Grant or Denial of Locational Clearance by the Zoning Administrator Zoning Officer.
3. Act on appeals regarding the non-conformity of existing uses, buildings or structures to the applicable provisions of this Ordinance.
4. Decisions of the LZBA shall be carried by an absolute majority vote (50% + 1) of its members.



Section 48. Appeals to LZBA Decisions

Decisions of the LZBA shall be appealable to the HLURB.

Section 49. Composition of the Local Zoning Board of Appeals (LZBA)

The LZBA shall be composed of the following members:

1. City Mayor as Chairman
2. SP Committee Chairperson on Land Use/Zoning (If said committee is non-existent, the SB may elect a representative)
3. City Legal Officer
4. City Assessor
5. City Engineer
6. City Planning and Development Coordinator (if other than the Zoning Administrator/Zoning Officer)
7. City Community 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 City Planning and Development Office shall serve as the Secretariat to the LZBA.

The LZBA may invite resource persons in support of the performance of its functions.

Section 50. Review of the Zoning Ordinance

The Local Zoning Review Committee (LZRC) is hereby created under the City Development Council, to review the integrated ZO considering the CLUP, 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 City-wide land use implications;
4. Petition for re-zoning/re-classification with City-wide implications; and
5. Increasing number of applications/issuances invoking Variances and Exceptions.

Section 51. Composition of the Local Zoning Review Committee (LZRC)

The Local Zoning Review Committee shall be composed of the following:



1. Sangguniang Panglungsod Chairperson on Land Use/Zoning (or equivalent committee)
2. City Planning and Development Coordinator
3. City Zoning Administrator/Zoning Officer
4. City Assessor
5. City Legal Officer
6. City Engineer
7. City Community Environment and Natural Resources Officer/Disaster Risk Reduction and Management Officer
8. City Agriculturist
9. City Agrarian Reform Officer
10. President, Association of Barangay Captains
11. Three (3) Private Sector Representatives such as from Local Chamber of Commerce, local housing industry, federation of homeowner's associations, and academe.
12. Two (2) non-government and civil society organization representatives.

The City Planning and Development Office shall serve as the Secretariat to the LZRC.

The LZRC may invite resource persons in support of the performance of its functions.

Section 52. Functions of the Local Zoning Review Committee

The Local Zoning Review Committee shall have the following functions:

1. Review the Zoning Ordinance for the following purposes:
 - a. Determine amendments or revisions necessary in the Zoning Ordinance because of changes that might have been introduced in the Comprehensive Land Use Plan.
 - b. 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.
2. Recommend to the Sangguniang Panglungsod necessary legislative amendments on the needed changes in the integrated ZO as a result of the review conducted.
3. Coordinate with HLURB of the recommended changes to the integrated ZO as a result of its review.



Section 53. Amendments to the integrated ZO

Changes in the integrated ZO, as a result of the review by the LZRC shall be treated as an amendment, provided that any proposed amendment to the Zoning Ordinance or provisions thereof shall be subject to public hearing and shall be carried out through a three-fourths vote of the Sangguniang Panglungsod.

Any amendment shall take effect only after approval and authentication by HLURB or Sangguniang Panlalawigan.

Section 54. Violation and Penalty

Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine not exceeding the latest HLURB Schedule of Fees and Fines 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 55. Supplementary Effect of Other Laws and Decrees

The provisions of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letters of instruction 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 the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

Section 56. Non-Diminution of National Standards

The rules and standards provided in this ZO shall conform to the rules and standards provided by national agencies and shall not in any way diminish those that have been set by national laws and regulations.

Section 57. Consistency between National and Local Plans, Programs and Projects

Plans, programs and projects of national agencies that will be implemented within the locality, shall as much as practicable, be consistent with the provisions of the ZO.



Section 58. 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 59. 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 60. Effectivity Clause

This Zoning Ordinance takes effect upon approval by the Sangguniang Panlalawigan (SP) Housing and Land Use Regulatory Board (HLURB) and after compliance with the publication requirements of the Local Government Code.

Approved this ___ day of _____, 2016 in San Pablo City.

APPROVED BY:

Hon. Angelita E. Yang
City Vice-Mayor

Hon. Justin Colago
Councilor

Hon. Karla Monica Adajar
Councilor

Hon. Rondel Diaz
Councilor

Hon. Enrico Galicia
Councilor

Hon. Diosdado Biglete
Councilor

Hon. Eduardo Dizon
Councilor

Hon. Arnel C. Ticzon
Councilor

Hon. Elsie Pavico
Councilor

Hon. Napoleon C. Calatraba
Councilor

Hon. Fernando A. See
Councilor



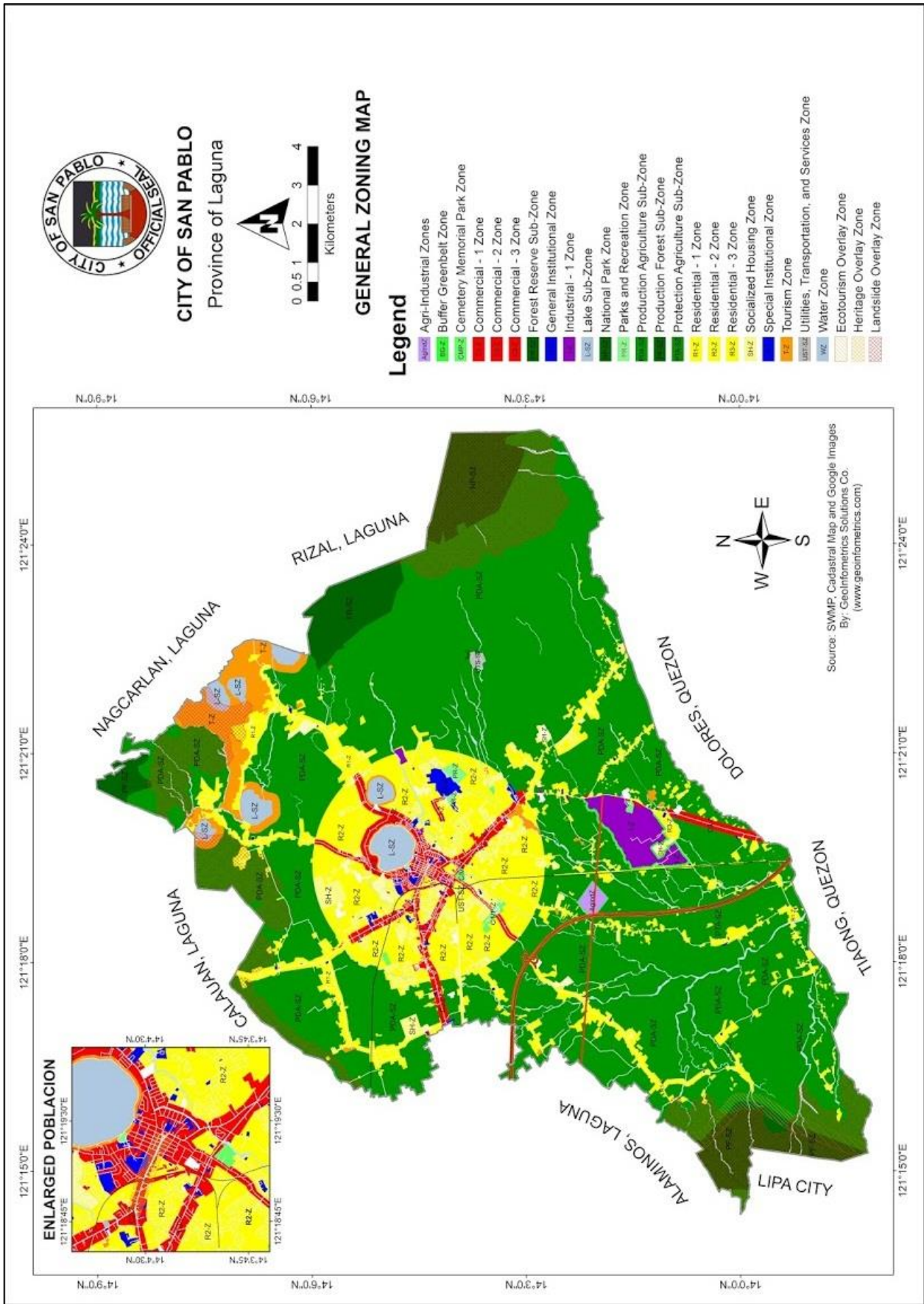
Hon. Gener B. Amante
Councilor

ATTESTED BY:

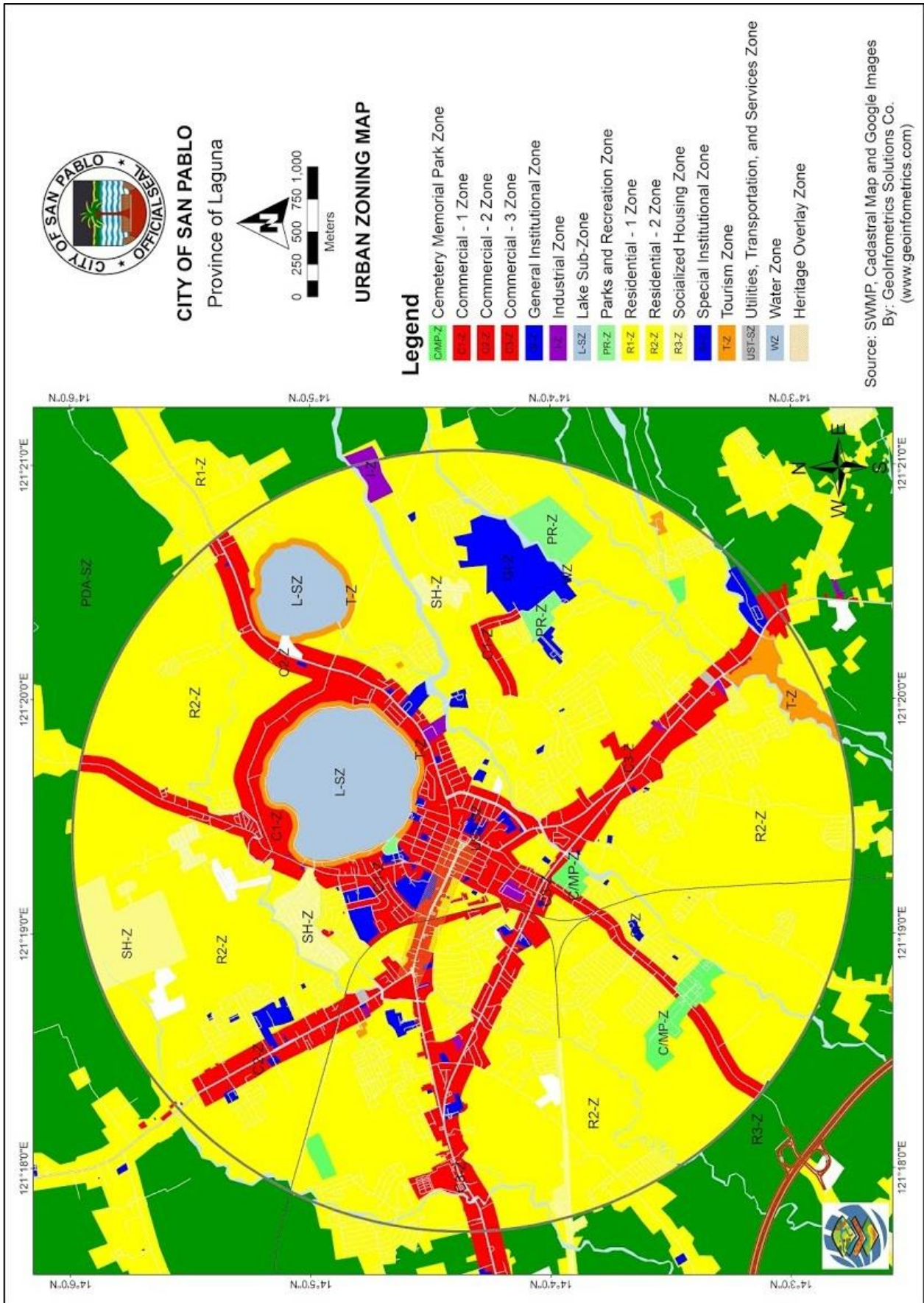
Mrs. Elenita D. Capuno
Sangguniang Panglungsod Secretary

APPROVED BY:

Hon. Loreto S. Amante
City Mayor



Annex 1. Zoning Map of San Pablo City, Laguna



Annex 2. Urban Zoning Map of San Pablo City, Laguna



Annex 3. Joint HLRB, DAR, DA, DILG Memorandum Circular

March 21, 1995

JOINT HLRB, DAR, DA, DILG MEMORANDUM CIRCULAR

PRESCRIBING THE GUIDELINES TO IMPLEMENT MC 54 (THE AUTHORITY OF CITIES AND MUNICIPALITIES TO RECLASSIFY LANDS WITHIN THE LIMITS PRESCRIBED BY SECTION 20 OF RA 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991)

SECTION 1. *Legal Basis*

1.1 Title 1 Chapter 2, Sec. 20 of RA 7160, otherwise known as the new Local Government Code of 1991 cites the authority of a city or municipality to reclassify agricultural lands and provide for the manner of their utilization or disposition, to wit:

"Section 20. Reclassification of Lands – (a) a city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization and disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned: Provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:"

- (1) For highly urbanized and independent component cities, fifteen percent (15%);
- (2) For component cities and first to third class municipalities, ten percent (10%);
- (3) For fourth to sixth class municipalities, five percent (5%);

Provided, further, that agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered sixty-six hundred fifty-



seven (RA No. 6657), otherwise known as “The Comprehensive Agrarian Reform Law”, shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 63 of said Act.

1.2 Section 20.c. – also specifies that “The local government units shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources: Provided, That the requirements for food production, human settlements, and industrial expansion shall be taken into consideration in the preparation of such plans”.

1.3 Moreover, Rule V Article 36 of the Rules and Regulations Implementing the Local Government Code of 1991 cites the approved zoning ordinance as requirement for reclassification, to wit:

“A City or Municipality may reclassify agricultural lands through an ordinance enacted by the sanggunian after conducting public hearings for the purpose provided there exists an approved zoning ordinance implementing it comprehensive land use plans”.

1.4 The abovementioned condition is further re-affirmed by Article 41 as follows:

“The comprehensive land use plans shall be the primary and dominant basis for future use of local resources and for reclassification of agricultural lands”.

SECTION 2. *Definition of Terms*

2.1 Agricultural land refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land (Section 3(c), RA No. 6657).

2.2 Conversion is the act of changing the current use of a piece of agricultural land into some other use.

2.3 Reclassification of agricultural lands is the act of specifying how agricultural lands shall be utilized for non-agricultural uses, such as residential, industrial, and commercial, as embodied in the land use plan. It also includes the reversion of non-agricultural lands to agricultural use.

2.4 Comprehensive Development Plan refers to a document embodying specific proposals for guiding, regulating growth and/or development. Its main components are the sectoral plans, i.e., socio-economic, infrastructure, local administration, land use plan.



- 2.5 Comprehensive Land Use Plan refers to a plan which includes a land use map, the factors indicating the socially desired mix of land uses and a set of policies to guide future development.
- 2.6 Zoning is the delineation/division of a city/municipality into functional zones where only specific land uses are allowed. It directs and regulates the use of all lands in the community in accordance with an approved or adopted land use plan for the city/municipality. It prescribes setback provisions, minimum lots sizes, building heights and bulk.
- 2.7 Zoning Ordinances are local legal measures which embody regulations affecting land use.
- 2.8 Private Agricultural Lands are lands devoted to or suitable to agriculture, as defined in RA No. 6657 and owned by natural or juridical persons, or by government in its proprietary capacity.

SECTION 3. *Rationale for Reclassification*

LGU's may apply for reclassification of agricultural lands for any of the following reasons:

- 3.1 In view of their requirement for additional areas for urban expansion and human settlements to accommodate the current and projected increase in population and socio-economic activities;
- 3.2 If actual urban growth and expansion has veered from the approved land use plan thereby requiring the need to reclassify lands along the actual direction of development;
- 3.3 Significant National Projects as certified by NEDA require areas not previously covered in the land use plan.

SECTION 4. *Scope and Limitations*

- 4.1 Cities and Municipalities qualified to apply for reclassification are those with Comprehensive Land Use Plans (CLUPs) approved by HLRB or the Sangguniang Panlalawigan after 01 January 1989.
- 4.2 Cities and Municipalities with CLUP's not falling within the above mentioned categories, must update their CLUP's incorporating proposals for reclassification;
- 4.3 Agricultural lands may only be reclassified as stated in Sections 1 (b) (1) and (2) of Memorandum Circular 54, to wit:

“(b) Agricultural lands may be reclassified in the following cases:

- 1.1 When the land ceases to be economically feasible and sound for agricultural purposes as certified by the Regional Director of the Department of Agriculture (DA), in accordance with the standards and guidelines prescribed for the purpose; or
- 1.2 Where the locality has become highly urbanized and where the land will have greater economic value for residential, commercial



or industrial purposes as certified by the local government unit concerned. The city/municipality concerned should notify the DA, HLRB, DTI, DOT and other concerned agencies on the proposed reclassification of agricultural lands furnishing them copies of the report of the local development council including the draft ordinance on the matter for their comments, proposals and recommendations within seven (7) days upon receipt”.

4.4 Agricultural lands that may not be reclassified are as follows:

- a. Agricultural lands distributed to agrarian reform beneficiaries;
- b. Agricultural lands already issued a notice of coverage or voluntarily offered for coverage under CARP; and
- c. Agricultural lands identified under AO 20, s. 1972 as non-negotiable for conversion.

SECTION 5. *Requirements for Reclassification*

HLRB regional offices shall serve as the coordinating agency for the issuance of the certification:

5.1 The local government unit (LGU) through the City Development Council (CDC) or the Municipal Development Council (MDC) as the case maybe shall submit to the HLRB the proposal for reclassification together with the following requirements:

- a. Application or Reclassification (4 copies, See Reclassification Form “A”);
- b. Map indicating the proposed lands to be reclassified, location and proposed utilization. Map scale shall be 1:20,000 or larger (4 copies)
(The smallest parcel to be reclassified should be distinctly identifiable)
- c. SB/SP resolution proposing reclassification and stating that the locality has become highly urbanized and the land will have a greater economic value for residential, commercial or industrial purposes.
- d. Brief textual report on specific changes (4 copies):
 - d.1 Proposed land use allocation and utilization of lands to be reclassified;
 - d.2 Total land area of proposed reclassification;
 - d.3 Specific portion of the land use plan which will be amended/revised due to the reclassification proposal.
- e. Copy of revised Comprehensive Land Use Plan/Zoning Ordinance incorporating reclassification proposal and specifying the manner



- of utilization and disposition of the proposed land to be reclassified.
- f. Draft SB/SP ordinance citing the proposed reclassification and certifying that the locality requires land for urban expansion to accommodate the increase in population and economic value for residential, commercial, or industrial purposes;
- g. Certification that LGU has conducted public hearings with attached list of attendance;
- h. DA Certifications (to be processed in one (1) month) (Reclassification Form "B").
 - h.1 Certification from the Department of Agriculture's regional Land Use Technida Working groups and the Regional Director;
 - h.1.1 the total area existing agricultural lands in LGU concerned based on the approved Comprehensive Land Use Plan/ZO prior to this application for reclassification;
 - h.1.2 that such lands are not classified as non-negotiable for conversion or reclassification under AO 20 (1992); or
 - h.1.3 that the land ceases to be economically feasible and sound for agricultural purposes (optional if 5.1.c has been complied with)
- i. DAR Certification (to be processed in one (1) month) (Reclassification Form "C")
 - i.1 Certification from the Department of Agrarian Reform's Regional Center for Land Use Policy, Planning and Implementation (RCLUPPI) indicating that such lands are not distributed or covered by Notice of Acquisition under CARP;
 - i.2 Certification from the Regional Director recommending grant of request for reclassification specifying location, lot numbers, OCTs/TCTs and TD Nos. and the corresponding area and land owners.
- j. Copy of LGU letter notifying the DTI and DOT that a certain number of has. of land are proposed for reclassification for tourism and industrial purposes, if applicable.

SECTION 6. Procedures for Reclassification

Step 1. Municipal Development Council/City Development Council Concerned:



- 1.1 Determines/checks if LGU has Comprehensive Land Use Plan (CLUP) approved after 01 January 1989.
 - a. if not, updates CLUP/ZO as per EO 72
 - b. is yes, proceed to 1.2
- 1.2 Identifies lands for reclassification and revises Land Use Plan/ZO delineating areas endorsed for reclassification (specifying the manner of utilization and disposition of the reclassified land).
- 1.3 Conducts public hearing presenting areas for reclassification.
- 1.4 Recommends/endorsees subject land for reclassification to the Sangguniang Bayan/Sangguniang Panglungsod for approval.

Step 2. Sangguniang Bayan/Sangguniang Panglungsod Concerned:

- 2.1 Passes a resolution certifying that the locality has become highly urbanized and the land will have greater economic value for residential, commercial or industrial purposes.
- 2.2 Notifies DOT and DTI that a certain number of has. are proposed for reclassification for tourism or industrial purposes, if applicable.
- 2.3 Secures required certification from the Regional Offices of DAR which shall issue the same in a period of one (1) month per agency.
 - 2.3.1 DA certification as per Section 5.1.h and Reclassification Form B;
 - 2.3.2 DAR certification as per Section i.1; i.2 and Reclassification Form C;
- 2.4 Receives favorable endorsement from DA and DAR
 - 2.4.1 Updates Land Use Plan and Zoning Ordinance delineating actual areas for reclassification as endorsed by both DA and DAR.
 - 2.4.2 Drafts an ordinance authorizing reclassification of subject lands.
 - 2.4.3 Prepares and submits all requirements (see Sec. 5.1.a to j) to HLRB for review and approval.

NB. If either DA or DAR does not issue a favorable endorsement for reclassification, identify, substitute lands favorable to both DA and DAR and/or limit reclassification to lands and or delineating lands without conflict.

(Substitute lands must undergo a public hearing, process and properly endorsed as per steps 1.1 to 1.4)

Step 3. HLRB Regional Office Concerned: one (1) month

- 3.1 Checks completeness of requirements as listed in Sec. 5 if complete proceed to 3.3;



- 3.2 If incomplete sends notice of deficiency to LGU concerned informing that the HLRB 30-day processing period is temporarily suspended until submission of complete requirements (Reclassification Form "D")
- 3.3 Reviews the application in accordance with EO 72 and;
 - a. Determines if the comprehensive land use plan and zoning ordinance specified the manner of utilization and disposition of the lands subject for reclassification; and
 - b. Checks if the limitation for the reclassification were complied with and determines if the percentage limitation of the proposed reclassification was based on the area of zoned agricultural lands per approved CLUP/ZO prior to application for reclassification as endorsed.
 - b.1 If the proposed area for reclassification is within the prescribed limit, grants approval of new request for reclassification as endorsed by DA, DAR and as delineated in the revised CLUP/ZO (Reclassification Form "F") (only for highly urbanized and independent component cities see list on Annex 2;
 - b.2 Evaluates and endorses application for reclassification to the Sangguniang Panlalawigan for approval (for all component cities and municipalities (1st to 6th class) (Reclassification Form "G").
 - b.3 If the proposed area for reclassification exceeds the prescribed limit, notifies LGU that their application exceeds the prescribed limit and was endorsed to NEDA for appropriate action. (Reclassification Form "E").
- 3.4 Authenticates all reclassification documents.
- 3.5 Prepares/transmits decision to LGU concerned, copy furnished DA and DAR.

SECTION 7. *Flow Chart* – the procedural flow chart of the reclassification activities as described in Section 6 is appended hereto as figure 1 and forms an integral part hereof.

SECTION 8. *Penalty Clause* – any violation of the provision of these guidelines shall be penalized in accordance with the penalty clause Section of the Implementing Rules and Regulations for RA 7160.

SECTION 9. *Separability Clause* – the provisions of these guidelines are hereby declared separable, and in the event any of such provisions are declared null and void, the validity of all provisions shall not be affected hereby.



SECTION 10. *Effectivity Clause* – *these guidelines shall take effect immediately upon its publication in at least two (2) national newspapers of general circulation.*

SECTION 11. *Transitory Provisions*

- 11.1 Cities and municipalities whose comprehensive land use plans were approved not earlier than 01 January 1989, which opted not to maximize percentage limitations at the time of application may only reclassify after five (5) years from the date of approval of the first reclassification.
- 11.2 All further reclassification after the prescribed limit shall require approval from the President.

Approved this 21st day of March 1995, Quezon City, Metro Manila.

(SGD.) RAFAEL M. ALUNAN III
Secretary, DILG

(SGD.) ERNESTO D. GARILAO
Secretary, DAR

(SGD.) ROBERTO D. SEBASTIAN
Secretary, DA

(SGD.) DIONISIO C. DE LA SERNA
Chairman, HUDCC