



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 57th REGULAR SESSION OF THE 8th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON December 16, 2014.

<u>OFFICERS/MEMBERS</u>	<u>POSITION</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OB</u>	<u>OL</u>
Hon. Michael F. Morpos	Mun. Vice Mayor	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Francisco D. Gumban	SB Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Agustin M. Adapon, Sr.	SB Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Reynante G. Borling	SB Member	<u> </u>	<u> </u>	<u> l </u>	<u> </u>
Hon. Roger M. Pacalioga	SB Member	<u> </u>	<u> l </u>	<u> </u>	<u> </u>
Hon. Corazon J. Mandao	SB Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Lars Christian C. Tangalin	SB Member	<u> </u>	<u> </u>	<u> l </u>	<u> </u>
Hon. Bernaldo P. Degenion	SB Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Nilo B. Ledesma	SB Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>
Hon. Jerson L. Cabahug	Ex- Officio Member	<u> l </u>	<u> </u>	<u> </u>	<u> </u>

MUNICIPAL ORDINANCE NO. 15, S. 2014

AN ORDINANCE REVISING THE ZONING REGULATIONS OF THE MUNICIPALITY OF DUMINGAG AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.

Be it enacted by the Sangguniang Bayan of Dumingag, Zamboanga del Sur.

WHEREAS, the implementation of Comprehensive Land Use Plans would require the enactment of regulatory measures to translate its planning goals and objectives into reality and a Zoning Ordinance is one such regulatory measure which is 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 the existing laws;

WHEREAS, the local governments are mandated to mainstream disaster risk reduction and climate change in development processes such as policy formulation, socioeconomic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, energy, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing;

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

NOW THEREOF, the Sangguniang Bayan of Dumingag, in a session assembled, hereby adopts the following Zoning Ordinance.

**ARTICLE I
TITLE OF ORDINANCE**

Section 1. Title of the Ordinance.

This ordinance shall be known as the Comprehensive Zoning Ordinance of the Municipality of Dumingag and shall be referred to as the Ordinance.

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ARTICLE II AUTHORITY AND PURPOSE

Section 2. Authority.

This ordinance is enacted pursuant to the provisions of the New Local Government Code, RA 7160 Sections 458 a.2 (7-9) and 447 a.2 (7-9) dated 10 October 1991, "Authorizing the Municipality through the Sangguniang Bayan to adopt Zoning Ordinance subject to the provisions of existing laws", and in conformity with E.O. No. 72.

Section 3. Purposes.

This ordinance is enacted for the following purposes:

1. Guide, control and regulate future growth and development of Dumingag, Zamboanga del Sur in accordance with its Comprehensive Land Use Plan.
2. Protect the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the locality and promote the orderly and beneficial development of the same.
3. Promote and protect the health, safety peace and comfort, convenience and general welfare of the inhabitants in the locality.
4. Ensure the protection and sustainability of the environment taking into consideration climate change adaptation in synergy with disaster risk reduction and management, principles of biodiversity, and preservation of historical and cultural heritage, in all development processes.

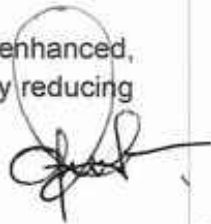
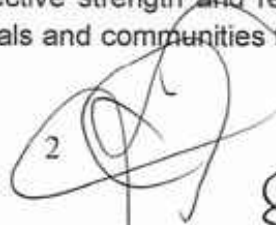
Section 4. General Zoning Principles.

This zoning regulation is based on the approved Land Use Plans as per Resolution No.1 dated December 9, 2014 for the Municipality of Dumingag, Zamboanga del Sur.

ARTICLE III DEFINITION OF TERMS

The definition of technical terms used in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, Water Code, Philippine Environmental Code, Climate Change Act of 2009, Disaster Risk Reduction and Management of 2010 and other Implementing Rules and Regulations, promulgated by the HLURB. The words, terms and phrases enumerated hereunder shall be understood to have the meaning corresponding indicated as follows.

1. **Agricultural Zone (AZ)** – an area within the municipality intended for cultivation and pastoral activities, e.g. farming, cultivation of crops, goat/cattle raising, etc.
2. **Agro-Industrial Zone (AIZ)** – an area within a municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, abaca, rubber, falcate, etc.
3. **Buffer Area** – these are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.
4. **Capacities** - refers to individual and collective strength and resources that can be enhanced, mobilized and accessed, to allow individuals and communities to shape their future by reducing disaster risk.



5. **Capacity Assessment** – identifies capacity needed to address the nature of hazard and capacity needed to address the degree of vulnerability of the element at risk.
6. **Certificate of Non-Conformance** – certificate issued to owners of all uses existing prior to the approval of the Zoning Ordinance, which does not conform in a zone as per provision of the said Ordinance.
7. **Climate Change** - Climate change is a long-term change in the statistical distribution of weather patterns over periods of time that range from decades to millions of years. It may be a change in the average weather conditions or a change in the distribution of weather events with respect to an average, for example, greater or fewer extreme weather events. Climate change may be limited to a specific region, or may occur across the whole Earth.
8. **Compatible Use** – uses or land activities capable of existing with others harmoniously, e.g. residential use, and parks and playground.
9. **Component Municipalities** – municipalities, which do not meet the requirement of highly urbanized municipalities, shall be considered component cities of the province in which they are located. If a component municipality is located within the boundaries of two or more provinces such as municipality shall be considered component of the province of which it used to be a municipality. (RA 7160).
10. **Comprehensive Land Use Plan (CLUP)** – a document embodying specific proposal for guiding, regulating growth and/or development. The main components of the Comprehensive Land Use Plan in this usage are the sectoral studies, i.e. Demography, Socio-Economic, Infrastructure and Utilities, Local Administration and Land Use.
11. **Conflicting Uses** – uses or land activities with contrasting characteristics sited adjacent to each other, e.g. residential units adjacent to industrial plants.
12. **Conforming Use** – a use, which is in accordance with the zone classification as provided for in the ordinance.
13. **Disaster Risk Analysis** – is the process of consolidating the findings of hazard, vulnerability and capacity assessments and drawing conclusions and recommendations for disaster risk reduction
14. **Easement** – open space imposed on any land use/activities sited along waterways, road-right-of-ways, cemeteries/memorial parks and utilities.
15. **Environmentally Critical Areas** – refer to those areas which are environmentally sensitive and are listed in presidential proclamation 2146 dated December 14, 1981.
16. **Environmentally Critical Projects** – refer to those projects, which have high potential for negative environmental impacts and are listed in presidential proclamation 2146 dated December 14, 1981.
17. **Exception** – a device which grants a property owner relief from certain provisions of a Zoning Ordinance where because of the specific use would result in a hardship upon the particular owner, as distinguished from a mere inconvenience or a desire to make more money.
18. **Floor Area Ratio or FAR** – is the ratio between the gross floor area of the building and the area of the lot on which it stands, determined by dividing the gross floor area and the area of the lot. The gross floor area of any building should exceed the prescribed floor area ratio (FAR) multiplies 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.

19. **Forest Zone** – an area within a municipality intended primarily for forest.
20. **General Commercial Zone (GCZ)** – an area within a municipality for trading/services/business purposes.
21. **General Institutional Zone (GIZ)** – an area within a municipality principally for general types of institutional establishments, e.g. government offices, schools, hospitals/clinics academic/research, convention centers.
22. **General Residential Zone (GRZ)** – an area within a municipality principally for dwelling/housing purposes.
23. **General Zoning Map** – a duly authenticated map delineating the different zones in which the whole municipality is divided.
24. **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, 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 drive ways, including vertical penetration in parking floors where no residential or office units are present, and covered areas for calling towers, overhead watertanks, laundry areas and cages, wading and swimming pools or jacuzzis, gardens, courts or plazas.

25. **Hazard Assessment** – identifies the most likely natural or human-made hazard or threat to the community, and seeks to understand its nature and behavior.
26. **HLURB/BOARD** – shall mean the Housing and Land Use Regulatory Board.
27. **Innovative Design** – introduction and/or application of new/creative designs and techniques in development projects, e.g. Plan Unit Development (PUD), Newtown, etc.
28. **Light Industrial Zone (I-1)** – a subdivision of an area principally for the following types of industries:
- Non-pollutive /Non-hazards
 - Non-pollutive/Hazardous
29. **Locational Clearance** – a clearance issued to a project that is allowed under the provisions of this Zoning Ordinance as well as other standards, rules and regulations on land use.

30. **Low Density Commercial Zone (C-1)** - an area within a municipality principally for trade, services and business activities ordinarily referred to as the Central Business District.
31. **Low Density Residential Zone (R-1)** - an area within a municipality principally for dwelling/housing purposes with a density of twenty (20) dwelling units and below per hectare
32. **Medium Density Commercial Zone (C-2)** - an area within a municipality with quasi trade business activities and service industries performing complementary/supplementary functions to principally commercial zone (CBD).
33. **Medium Density Residential Zone (R-2)** - an area within a municipality principally for dwelling/housing purposes with a density of twenty-one (21) to sixty-five (65) units per hectare.
34. **Medium Industrial Zone (I-2)** - an area within a municipality principally for the following types of industries:
- Pollutive /Non-hazardous
 - Pollutive/Hazardous
35. **Mitigating Device** - a means to grant relief in complying with certain provision of the ordinance.
36. **Non-Conforming Use** - existing non-conforming uses/establishments in an area allowed to operate in spite of the non conformity to the provision of the Ordinance subject to the conditions stipulated in this Zoning Ordinance.
37. **Parks and Recreation Zone (PRZ)** - an area designated for diversion/amusements and for the maintenance of ecological balance of the community.
38. **Planned Unit Development (PUD)** - it is a land development scheme wherein project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building sitting, complementary of building types and land uses, usable open spaces and the preservation of the significant natural land features.
39. **Rezoning** - a process of introducing amendments to or a change in the texts and maps of the Zoning Ordinance. It also includes amendment or change in view or reclassification under Section 20 of RA 7160.
40. **Rural Area** - area outside of the designated urban area.
41. **Setback** - the open space left between the building and the lot lines.
42. **Socialized Housing Zone (SHZ)** - shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279.
43. **Special Institutional Zone (SIZ)** - an area within a municipality principally for particular types of institutional establishments, e.g. welfare homes, orphanage, home for the aged, rehabilitation and training centers, military camps, reservation/bases/training grounds, etc.
44. **Tourist Zone (TZ)** - are sites within the municipalities endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.
45. **Urban Area(s)** - include all barangay(s) or portion(s) of which comprising the Central Business District (CBD) and other built-up areas including the urbanizable land in and adjacent to said areas and where at least more than fifty (50%) of the population are engaged in non-agricultural

activities. CBD shall refer to the areas designated principally for trade, services and business purposes.

46. **Urban-use Area** – a contiguous grouping of ten (10) or more structures.

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

48. **Urbanizable Land** – are designated as suitable for urban expansion by virtue of land use studies conducted.

49. **Variance** – a specific locational clearance which grants a property owner relief from certain provisions of Zoning Ordinance where, because of the particular, physical surrounding, shape or topographical conditions of the property, compliance on height, area, setback, bulk/and or density would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

50. **Vulnerability** – the degree of exposure of elements (people or thing) at risk to the hazard. People's lives and health are usually directly at risk from the destructive effects of the hazard. Their livelihood may also be at risk because of the destruction of assets they depend on, e.g. buildings, crops, livestock or equipment.

51. **Vulnerability Assessment** – identifies what elements are at risks and measures the degree of vulnerability of element at risk to a hazard.

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

53. **Water Zone (WZ)** – are bodies of water within the municipalities, which include rivers, streams, lakes and seas except those, included in other zone classification.

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

55. **Zoning Administrator/Zoning Officer** – a municipal government employee responsible for the implementation/enforcement of the Zoning Ordinance in a community.

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

ARTICLE IV ZONE CLASSIFICATIONS

Section 5. Division into Zones or Districts.

To effectively carry out the provision of this Ordinance, the municipality is hereby divided into the following zones or districts as shown in the Official Zoning Maps.

- General Residential Zone (GRZ)
- Socialized Housing Zone (SHZ)
- Low Density Residential Zone (R-1)
- Medium Density Residential Zone (R-2)
- General Commercial Zone (GCZ)
- Low Density Commercial Zone (C-1)
- Medium Density Commercial Zone (C-2)
- Light Industrial Zone (I-1)
- Medium Industrial Zone (I-2)

- o General Institutional Zone (GIZ)
- o Special Institutional Zone (SIZ)
- o Parks and other Recreation Zone (PRZ)
- o Historical or Heritage Zone (HZ)
- o Agricultural Zone (AZ)
- o Agro-Industrial Zone (AIZ)
- o Forest Zone (FZ)
- o Tourist Zone (TZ)
- o Water Zone (WZ)

SUMMARY OF TOTAL AREA, LOCATION AND TECHNICAL DESCRIPTIONS OF URBAN AND URBANIZABLE ZONES

CARIDAD EXPANSION (COVERED LOTS)

LOT No. H-V - 39324, 5207, 5208, 5209, 5210, 5134, 5214, 5215, 5023, all of PLS-61

**TIE LINE: FROM BLLM NO. 51 OF PLS-61 AURORA PUBLIC LAND SUBDIVISION
TO CORNER 1 N. 79 deg 39' E., 4,151.75 meters**

hence:

1 - 2	S. 34 deg 27' W.	376.10 m.
2 - 3	N. 43 deg 39' W.	248.27 m.
3 - 4	N. 34 deg 24' E.	62.97 m.
4 - 5	N. 45 deg 37' W.	494.28 m.
5 - 6	N. 45 deg 37' W.	121.00 m.
6 - 7	S. 44 deg 23' W.	86.72 m.
7 - 8	N. 56 deg 20' W.	109.54 m.
8 - 9	N. 36 deg 58' E.	413.19 m.
9 - 10	N. 48 deg 59' E.	310.51 m.
10 - 11	S. 44 deg 31' E.	99.81 m.
11 - 12	N. 49 deg 07' E.	100.56 m.
12 - 13	S. 44 deg 49' E.	136.75 m.
13 - 14	S. 50 deg 59' E.	235.11 m.
14 - 15	S. 44 deg 01' E.	150.80 m.
15 - 16	N. 02 deg 52' W.	15.53 m.
16 - 17	N. 44 deg 55' E.	100.00 m.
17 - 18	N. 46 deg 54' E.	100.00 m.
18 - 19	S. 43 deg 32' E.	202.40 m.
19 - 20	N. 46 deg 40' E.	194.40 m.
20 - 21	S. 43 deg 21' E.	50.00 m.
21 - 22	S. 46 deg 40' W.	394.26 m.
22 - 23	S. 45 deg 20' W.	9.86 m.
23 - 1	S. 50 deg 14' W.	416.81 m.

point of beginning containing an
area of **795,042.13 SQ.M. or 79.50
HECTARES**

BOUNDARY DESCRIPTION

Bounded on the North East along lines 12 to 21 by Agricultural Land, portion of Barangay Caridad, on the South East along lines 21 to 2 by Road/Control Line, on the South West along lines 2 to 8 by Existing Barangay Road, and on the North East lines 8 to 12 by Existing Urban Land Use Area, portion of the Barangay Caridad.

UPPER LANDING EXPANSION (COVERED LOTS)

LOT Nos. 5189, 5188, 5201, 5202, 5223, 5200, 5199, 5198, 5228, 5229, 5230, all of PLS-61

TIE LINE:

FROM BLLM #51, PLS-61 OF AURORA PUBLIC LAND SUBDIVISION TO CORNER
 "1" N. 31 deg 42' E.; 3,568.75 m.

hence:

1-2	S. 42 deg 45' E.	256.68 m.
2-3	S. 43 deg 29' E.	10.45 m.
3-4	S. 43 deg 27' E.	353.04 m.
4-5	S. 42 deg 52' E.	253.78 m.
5-6	S. 48 deg 10' W.	406.80 m.
6-7	S. 47 deg 52' W.	11.28 m.
7-8	S. 43 deg 32' W.	396.96 m.
8-9	N. 42 deg 04' W.	369.30 m.
9-10	S. 30 deg 46' W.	412.38 m.
10-11	S. 46 deg 08' W.	10.32 m.
11-12	N. 42 deg 04' W.	252.20 m.
12-13	N. 45 deg 46' W.	10.48 m.
13-14	N. 41 deg 21' W.	291.04 m.
14-15	N. 41 deg 36' W.	249.57 m.
15-16	N. 48 deg 43' E.	10.15 m.
16-17	N. 27 deg 08' E.	432.68 m.
17-18	N. 65 deg 14' E.	399.80 m.
18-19	N. 42 deg 14' E.	11.45 m.
19-20	N. 56 deg 16' E.	394.02 m.
20-1	S. 43 deg 05' E.	254.30 m.

point of beginning containing an
 area of 1,215,412.668 SQ.M. or
 121.54 HECTARES

BOUNDARY DESCRIPTION

Bounded on the North East along line 20 to 5 by Agricultural Land, on the South East along line 5 to 8 by Existing Urban Land Use Area, on the South West along line 8 to 10 by Existing Urban Land Use Area and 10 to 15 by Barangay Lower Landing, and on the North West 15 to 20 by Agricultural Land portion of Barangay Upper Landing.

LIBERTAD EXPANSION (COVERED LOTS)

LOT Nos. 5216, 5237, 5238, 5239, 5240, 5255, 5256, 5257, 5258, 5259, 5294, 5295, 5434, 5435, 5467, all of PLS-61

TIE LINE:

FROM BLLM #5, PLS-61 OF AURORA PUBLIC LAND SUBDIVISION TO CORNER
 "1" N. 68 deg 59' E.; 2,913.40 m.

hence:

1-2	S. 42 deg 59' E.	249.61 m.
2-3	S. 47 deg 17' E.	335.63 m.
3-4	S. 56 deg 18' E.	243.10 m.
4-5	S. 43 deg 44' E.	249.37 m.
5-6	S. 47 deg 35' E.	244.67 m.
6-7	S. 43 deg 39' E.	246.44 m.
7-8	S. 43 deg 35' W.	403.99 m.
8-9	N. 48 deg 03' W.	371.81 m.
9-10	S. 47 deg 20' W.	10.28 m.
10-11	S. 44 deg 35' W.	440.13 m.
11-12	N. 45 deg 17' W.	412.71 m.
12-13	N. 43 deg 51' W.	259.02 m.
13-14	N. 42 deg 51' W.	253.53 m.

14 - 15	N. 46 deg 07' W.	405.31 m.
15 - 16	N. 52 deg 29' W.	247.88 m.
16 - 17	N. 43 deg 39' E.	253.95 m.
17 - 18	N. 43 deg 05' W.	245.18 m.
18 - 19	N. 44 deg 42' E.	385.80 m.
19 - 20	N. 25 deg 58' E.	10.39 m.
20 - 1	N. 48 deg 20' E.	473.09 m.

point of beginning containing an
area of **1,651,985.77 SQ.M.** or
165.198 HECTARES

BOUNDARY DESCRIPTION

Bounded on the North East along lines 2 to 7 by Barangay Caridad, on the South East, along lines 7 to 12 by portion of Barangay Libertad, on the South West, along lines 12 to 18 by Barangay New Basak, and on the North West along lines 18 to 19 & 19 to 1 by Barangay New Basak & San Pablo, respectively.

The proposed roads of 10.00 meters wide every adjacent mother lots at 5.00 meters wide each lot is embodied in this zone.

NEW BASAK EXPANSION (COVERED LOTS)

BLOCK - 1 5260, 5261, 5289, 5290, 5291, 5292, 5293, 5298, 5299, 5300, 5301, 5302, 5303, all of PLS-61.

TIE LINE:

**FROM BLLM #51 PLS-61 OF AURORA PUBLIC LAND SUBDIVISION TO CORNER
1 = N.64 deg 48'E. 1,921.25 m.**

1 - 2	N. 45 deg 17' E.	394.78 m.
2 - 3	S. 40 deg 54' E.	248.65 m.
3 - 4	S. 46 deg 51' E.	10.56 m.
4 - 5	S. 43 deg 45' E.	249.286 m.
5 - 6	S. 44 deg 42' W.	385.80 m.
6 - 7	S. 44 deg 15' E.	250.43 m.
7 - 8	S. 43 deg 39' E.	253.91m.
8 - 9	S. 52 deg 29' E.	247.88 m.
9 - 10	S. 46 deg 07' W.	405.31 m.
10 - 11	S. 42 deg 51' E.	253.53 m.
11 - 12	S. 43 deg 52' E.	259.02 m.
12 - 13	S. 47 deg 38' W.	10.33 m.
13 - 14	S. 46 deg 32' W.	93.78 m.
14 - 15	S. 46 deg 32' W.	20.00 m.
15 - 16	N. 37 deg 11' W.	70.57 m.
16 - 17	N. 71 deg 05' W.	88.94 m.
17 - 18	N. 77 deg 15' W.	79.56 m.
18 - 19	N. 42 deg 13' W.	35.66 m.
19 - 20	N. 29 deg 02' W.	91.50 m.
20 - 21	N. 48 deg 41' W.	32.20 m.
21 - 22	S. 22 deg 08' W.	99.85 m.
22 - 23	N. 63 deg 27' W.	46.32 m.
23 - 24	N. 19 deg 34' W.	43.62 m.
24 - 25	S. 50 deg 56' W.	57.61 m.
25 - 26	S. 4 deg 41' E.	15.44 m.
26 - 27	N. 65 deg 05' W.	110.73 m.
27 - 28	N. 44 deg 59' E.	76.35 m.
28 - 29	N. 71 deg 01' W.	35.65 m.
29 - 30	S. 37 deg 51' W.	98.92 m.
30 - 31	N. 39 deg 53' W.	26.45 m.
31 - 32	N. 36 deg 27' W.	66.70 m.
32 - 33	N. 59 deg 02' W.	67.55 m.

33 - 34	N. 26 deg 01' W.	61.93 m.
34 - 35	N. 55 deg 20' W.	31.00 m.
35 - 36	N. 31 deg 51' W.	42.30 m.
36 - 37	N. 21 deg 05' E.	115.40 m.
37 - 38	N. 17 deg 29' E.	41.76 m.
38 - 39	S. 60 deg 11' W.	32.02 m.
39 - 40	N. 49 deg 21' W.	100.68 m.
40 - 41	N. 86 deg 05' W.	60.78 m.
41 - 42	S. 29 deg 59' W.	90.90 m.
42 - 43	S. 74 deg 01' W.	15.00 m.
43 - 44	N. 26 deg 58' W.	67.12 m.
44 - 45	N. 29 deg 15' W.	79.67 m.
45 - 46	N. 74 deg 06' W.	102.09 m.
46 - 47	S. 24 deg 06' W.	54.37 m.
47 - 48	S. 70 deg 32' W.	80.57 m.
48 - 49	N. 58 deg 30' W.	63.98 m.
49 - 50	N. 73 deg 12' W.	67.39 m.
50 - 51	N. 17 deg 05' W.	116.71 m.
51 - 52	N. 74 deg 42' W.	15.69 m.
52 - 53	N. 45 deg 43' W.	83.23 m.
53 - 54	N. 73 deg 12' W.	18.04 m.
54 - 55	N. 33 deg 41' W.	15.24 m.
55 - 56	N. 30 deg 55' W.	89.73 m.
56 - 57	S. 79 deg 57' W.	34.41 m.
57 - 58	N. 62 deg 51' W.	113.616 m.
58 - 59	N. 11 deg 10' E.	107.56 m.
59 - 60	N. 46 deg 56' E.	596.37 m.
60 - 61	N. 42 deg 29' E.	10.17 m.
61 - 1	N. 47 deg 33' E.	100.10 m.

point of beginning containing an
area of **1,456,858.535 SQ.M. or**
145.68 HECTARES
including Industrial Zone Proposed
Area of **201,300,953 SQ.M. or**
20.13 HECTARES

BOUNDARY DESCRIPTION

North East and South East, along lines 2 to 15 by Barangay Boundary of Libertad, on the South West, along lines 15 to 59, by Dumingag River, and on the North West, along 59 to 1 and 1 to 2 by Barangay Lower Landing.

NEW BASAK EXPANSION (COVERED LOTS)

BLOCK - 2 4981, 4982, 4985, 5441, 5469, 5470, all of BLLM #51, PLS-61 OF AURORA PUBLIC LAND SUBDIVISION

TIE LINE:

From BLLM #51, PLS-61 OF AURORA PUBLIC LAND SUBDIVISION TO CORNER "1",
S. 65 deg 32' E. 1,524.44 m.

hence:

1 - 2	N. 42 deg 51' W.	256.30 m.
2 - 3	N. 42 deg 18' W.	253.93 m.
3 - 4	N. 44 deg 26' W.	10.01 m.
4 - 5	N. 38 deg 15' E.	160.08 m.
5 - 6	N. 38 deg 15' E.	20.00 m.
6 - 7	S. 39 deg 27' E.	11.25 m.
7 - 8	S. 42 deg 52' E.	24.30 m.
8 - 9	N. 85 deg 9' E.	12.06 m.
9 - 10	N. 44 deg 35' E.	78.10 m.
10 - 11	S. 20 deg 49' E.	121.71 m.
11 - 12	S. 73 deg 38' E.	79.94 m.

12 - 13	S. 55 deg 17' E.	66.58 m.
13 - 14	N. 67 deg 04' E.	86.25 m.
14 - 15	N. 23 deg 34' E.	45.31 m.
15 - 16	S. 81 deg 19' E.	83.88 m.
16 - 17	S. 30 deg 20' E.	83.36 m.
17 - 18	S. 23 deg 25' E.	76.38 m.
18 - 19	N. 86 deg 24' E.	29.52 m.
19 - 20	N. 25 deg 57' E.	87.27 m.
20 - 21	S. 42 deg 01' E.	61.99 m.
21 - 22	S. 22 deg 08' W.	102.60 m.
22 - 23	N. 43 deg 01' E.	28.00 m.
23 - 24	S. 24 deg 31' W.	153.61 m.
24 - 25	S. 18 deg 20' E.	48.79 m.
25 - 26	S. 69 deg 26' E.	48.46 m.
26 - 27	S. 22 deg 42' E.	56.17 m.
27 - 28	S. 58 deg 56' E.	69.39 m.
28 - 29	S. 36 deg 07' E.	99.97 m.
29 - 30	S. 50 deg 51' E.	20.00 m.
30 - 31	N. 39 deg 26' E.	101.93 m.
31 - 32	S. 72 deg 22' E.	18.82 m.
32 - 33	S. 44 deg 06' W.	72.68 m.
33 - 34	S. 56 deg 10' E.	129.23 m.
34 - 35	N. 4 deg 01' E.	25.00 m.
35 - 36	N. 52 deg 30' E.	36.99 m.
36 - 37	S. 20 deg 43' E.	28.44 m.
37 - 38	S. 47 deg 30' E.	67.40 m.
38 - 39	N. 32 deg 30' E.	47.69 m.
39 - 40	N. 30 deg 42' E.	61.23 m.
40 - 41	S. 30 deg 42' E.	119.48 m.
41 - 42	N. 26 deg 35' E.	43.18 m.
42 - 43	S. 77 deg 27' E.	73.81 m.
43 - 44	S. 68 deg 09' E.	84.99 m.
44 - 45	S. 30 deg 02' E.	84.22 m.
45 - 46	N. 66 deg 51' E.	97.80 m.
46 - 47	S. 13 deg 13' E.	47.42 m.
47 - 48	S. 31 deg 30' E.	65.76 m.
48 - 49	S. 57 deg 12' E.	41.84 m.
49 - 50	S. 00 deg 03' W.	164.24 m.
50 - 51	S. 74 deg 04' W.	97.63 m.
51 - 52	N. 58 deg 00' W.	77.42 m.
52 - 53	N. 88 deg 10' W.	63.95 m.
53 - 54	S. 62 deg 38' W.	199.92 m.
54 - 55	S. 60 deg 48' W.	180.28 m.
55 - 56	S. 87 deg 52' W.	103.29 m.
56 - 57	N. 42 deg 25' W.	20.00 m.
57 - 58	N. 42 deg 25' W.	166.46 m.
58 - 59	N. 42 deg 39' W.	257.74 m.
59 - 60	N. 42 deg 11' W.	596.37 m.
60 - 1	N. 43 deg 26' W.	255.45 m.

point of beginning containing an
area of **828,234.19 SQ.M. or**
82.82 HECTARES

BOUNDARY DESCRIPTION

Bounded on the North East, along lines 6 to 48 by Dumingag River; on the South East, along lines 48 to 56 by Dipolo River; on the South West, along lines 56 to 4 by Road part of Barangay New Basak; and on the North West, along lines 4 to 6 by Barangay Boundary of Barangay Lower Landing.

The proposed roads of 10.00 meters wide every adjacent mother lots at 5.00 meters wide each lot is embodied in this zone. Twenty (20) meters from Rivers/Creeks Edge are intended for Tree Planting as Bank Protection/Buffer Zone.

LOWER LANDING EXPANSION (COVERED LOTS)

BLOCK - 1 LOT Nos. 5288, 5287, 5286, 5285, 5284, 5281, 5283, 5382, 5267, 5268, all of PLS-61

TIE LINE:

FROM BLLM #51, PLS-61 OF AURORA PUBLIC LAND SUBDIVISION TO CORNER "1"
N. 64 deg 48' E. 1,921.25 m.

hence:

1 - 2	S. 47 deg 33' W.	400.01 m.
2 - 3	S. 42 deg 29' W.	10.17 m.
3 - 4	S. 46 deg 56' W.	596.37 m.
4 - 5	N. 42 deg 01' W.	135.88 m.
5 - 6	N. 17 deg 09' W.	84.77 m.
6 - 7	S. 47 deg 11' W.	102.25 m.
7 - 8	N. 20 deg 25' W.	68.82 m.
8 - 9	N. 45 deg 32' E.	76.37 m.
9 - 10	Due East	77.50 m.
10 - 11	N. 49 deg 21' E.	60.63 m.
11 - 12	N. 02 deg 57' W.	242.82 m.
12 - 13	N. 20 deg 16' W.	17.35 m.
13 - 14	N. 40 deg 45' W.	55.33 m.
14 - 15	N. 37 deg 50' E.	115.96 m.
15 - 16	N. 30 deg 58' W.	79.04 m.
16 - 17	N. 02 deg 24' W.	109.98 m.
17 - 18	N. 17 deg 07' W.	68.45 m.
18 - 19	N. 87 deg 15' W.	61.74 m.
19 - 20	N. 44 deg 13' W.	94.68 m.
20 - 21	N. 38 deg 33' W.	90.67 m.
21 - 22	N. 75 deg 52' W.	72.30 m.
22 - 23	S. 73 deg 32' W.	7.32 m.
23 - 24	S. 35 deg 14' W.	125.73 m.
24 - 25	N. 74 deg 19' W.	51.67 m.
25 - 26	S. 17 deg 11' W.	66.46 m.
26 - 27	S. 77 deg 19' W.	19.74 m.
27 - 28	N. 30 deg 19' W.	30.57 m.
28 - 29	S. 38 deg 39' W.	104.59 m.
29 - 30	N. 23 deg 24' W.	10.95 m.
30 - 31	N. 67 deg 13' W.	86.98 m.
31 - 32	N. 27 deg 33' W.	10.42 m.
32 - 33	N. 59 deg 16' W.	123.92 m.
33 - 34	N. 12 deg 21' W.	256.43 m.
34 - 35	N. 52 deg 14' E.	21.54 m.
35 - 36	N. 85 deg 29' E.	104.15 m.
36 - 37	N. 46 deg 36' W.	249.58 m.
37 - 38	N. 49 deg 15' E.	10.77 m.
38 - 39	N. 51 deg 56' E.	46.90 m.
39 - 40	N. 40 deg 41' E.	435.51 m.
40 - 41	S. 41 deg 36' E.	249.57 m.
41 - 42	S. 41 deg 21' E.	291.04 m.
42 - 43	S. 45 deg 46' E.	10.48 m.
43 - 44	S. 44 deg 05' W.	414.12 m.
44 - 45	S. 42 deg 13' E.	230.70 m.
45 - 46	S. 43 deg 17' E.	252.72 m.
46 - 47	S. 44 deg 08' E.	269.92 m.
47 - 48	S. 44 deg 28' E.	249.74 m.

48 - 1

S. 43 deg 31' E.
 point of beginning containing an
 area of 1,461,375.02 SQ.M. or
 146.13 HECTARES
 including Industrial Zone of
 162,042.70 SQ.M. or 16.20
 HECTARES
 and Commercial Zone of
 210,854.97 SQ.M. or 21.08
 HECTARES.

249.34 m.

BOUNDARY DESCRIPTION

Bounded on the North East 40 to 45 by Barangay Upper Landing and 45 to 1 by Barangay San Pedro, South East, along line 1 to 4 by Barangay New Basak and on the south West, along line 4 to 34 by Dumingag River and on the North West, along line 34 to 40 by Agricultural Area portion of Barangay Lower Landing.

LOWER LANDING EXPANSION (COVERED LOTS)

BLOCK - 2 LOT Nos. 5477, 5486, 5487, 5488, 5494, 5495, 5502, 5503, 5504, all of PLS-61

TIE LINE: N. 01 deg 26' E; 1680.35 m.

hence:

1 - 2	N. 61 deg 33' E.	22.95 m.
2 - 3	S. 57 deg 49' E.	148.37 m.
3 - 4	S. 12 deg 17' E.	261.15 m.
4 - 5	S. 55 deg 30' E.	121.60 m.
5 - 6	S. 26 deg 39' E.	12.13 m.
6 - 7	S. 74 deg 10' E.	90.51 m.
7 - 8	S. 22 deg 21' E.	102.08 m.
8 - 9	S. 29 deg 08' W.	133.64 m.
9 - 10	S. 36 deg 31' E.	41.17 m.
10 - 11	N. 48 deg 09' E.	56.73 m.
11 - 12	N. 18 deg 15' E.	64.41 m.
12 - 13	S. 75 deg 54' E.	46.35 m.
13 - 14	N. 35 deg 09' E.	129.62 m.
14 - 15	S. 73 deg 59' E.	70.70 m.
15 - 16	S. 41 deg 54' E.	47.69 m.
16 - 17	S. 36 deg 11' E.	50.46 m.
17 - 18	S. 43 deg 26' E.	85.10 m.
18 - 19	S. 85 deg 41' E.	65.22 m.
19 - 20	S. 41 deg 38' E.	61.74 m.
20 - 21	S. 04 deg 39' E.	103.13 m.
21 - 22	S. 31 deg 07' E.	74.41 m.
22 - 23	S. 36 deg 41' W.	119.35 m.
23 - 24	S. 32 deg 01' E.	61.40 m.
24 - 25	S. 04 deg 04' E.	77.00 m.
25 - 26	S. 00 deg 24' W.	156.11 m.
26 - 27	S. 39 deg 32' W.	31.30 m.
27 - 28	N. 88 deg 54' W.	83.13 m.
28 - 29	S. 38 deg 39' W.	104.59 m.
29 - 30	S. 18 deg 40' E.	99.05 m.
30 - 31	N. 53 deg 02' E.	96.08 m.
31 - 32	S. 18 deg 16' E.	56.00 m.
32 - 33	S. 43 deg 17' E.	136.80 m.
33 - 34	S. 11 deg 49' W.	103.90 m.
34 - 35	S. 49 deg 31' E.	16.19 m.
35 - 36	S. 63 deg 31' E.	111.42 m.
36 - 37	N. 77 deg 45' E.	34.18 m.
37 - 38	S. 24 deg 20' E.	86.42 m.
38 - 39	S. 38 deg 15' W.	20.00 m.
40 - 41	N. 43 deg 07' W.	501.11 m.

41 – 42	N. 43 deg 16' W.	255.16 m.
42 – 43	N. 43 deg 04' W.	252.24 m.
43 – 44	N. 42 deg 54' W.	247.89 m.
44 – 45	N. 77 deg 13' W.	255.51 m.
45 – 46	N. 36 deg 06' W.	9.50 m.
46 – 47	N. 42 deg 36' W.	406.43 m.
47 – 48	N. 41 deg 45' W.	251.50 m.
48 – 49	N. 54 deg 10' E.	550.70 m.
49 – 1	N. 40 deg 09' E.	179.88 m.

point of beginning containing an
area of **1,121,887.16 SQ.M.** or
112.18 HECTARES

BOUNDARY DESCRIPTION

Bounded on the East by Dumingag River 1 to 38 and with 38 to 40 by Road/Control Line, on the South West by Road/Control line 40 to 48 by Road /Control Line and on the North West by 48 to 1 by Agricultural Area portion of Barangay Lower Landing.

Section 6. Overlay Zones.

In addition to the identified zones within the municipality, overlay zones shall be designated to protect the health and safety of residents by preventing the creation or establishment of incompatible land uses. Overlay districts or zones shall include the following:

- a. Flood Overlay Zones
- b. Seismic Hazard Zones
- c. Biodiversity Overlay Zone

Other overlay zones shall be further identified and established when and where necessary.

ARTICLE V ZONING MAPS

Section 7. Zoning Maps.

It is hereby adopted as an integral part of this Ordinance, the official Zoning Map for the whole municipality wherein the designation, location and boundaries of the zones established are indicated.

The official zoning map shall be signed by the Municipal Mayor, the Vice Mayor as presiding officer of the Sangguniang Bayan and duly authenticated by the Sangguniang Panlalawigan/HLURB.

Section 8. Zone Boundaries.

The location and boundaries of the above mentioned various zones into which the municipality has been divided are hereby presented in Annex A.

Section 9. Interpretation of Zone Boundary.

In the interpretation of the boundaries for any of the zones indicated on the Zoning Map, the following rule shall apply:

1. Where zone boundaries are so indicated that they approximately follow the center of streets or highways, the street or highways right-of-ways lines, shall be construed to be the boundaries.
2. Where zone boundaries are so indicated that they approximately follow the lot lines, such lines shall be construed to be the boundaries.

3. Where zone boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of streets or highways, such zone boundaries shall be construed as being parallel thereto and at such a 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.
4. Where the boundary of zone follows approximately railroad line, such boundary shall be deemed to be the railroad right-of-way.
5. Where the boundary of zone follows a stream, lake or bodies of water, said boundary line shall be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of change in the shorelines, shall be construed as moving with the actual shorelines.
6. Where a lot of one's ownership, as of record at the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.
7. Where zone boundary is indicated one-lot-deep, said depth shall be construed to be the average lot depth of the lots involved within each particular city/municipality block. Where, however, any lot has a depth greater than said average, the remaining portion has an area less than fifty percent (50%) of the total area of the entire lot. If the remaining portion has an area equivalent to fifty percent (50%) or more of the total area of the lot then the average lot depth shall apply to the lot which shall become a lot divided and covered by two or more different zoning districts, as the case may be.

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

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

ARTICLE VI ZONE REGULATIONS

Section 10. General Provision.

The uses enumerated in the succeeding sections are not exhaustive or all-inclusive. The Local Zoning Board of Adjustment and Appeals (LZBAA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

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

Specific uses/activities for lesser density within a particular zone (R-1) may be allowed within the zone of higher density (R-2, R-3) but not vice versa, nor in another zone and its subdivisions (e.g. GC, C-1, C-2), except for uses expressly allowed in said zones, such that the cumulative effect of zoning shall be intra-zonal and not inter-zonal.

Section 11. Use Regulations in General Residential Zone (GRZ).

A GR zone shall be used principally for dwelling/housing purposes so as to maintain peace and quiet of the area within the zone. The following are the allowable uses:

1. Detached family dwelling
2. Multi-family dwelling e.g. row-houses, apartments
3. Apartment
4. Pension House
5. Dormitory
6. Boarding House
7. Libraries and museums
8. Customary accessory uses like:
 - a. Servants Quarter
 - b. Private Garage
 - c. Guard House
9. Home occupation for the practice of ones profession or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - a. The number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner;
 - b. There shall be no change in the outside appearance of the building premises;
 - c. No home occupation shall be conducted in any customary accessory uses cited above;
 - d. No traffic shall be generated by such home occupation which in greater volume than would 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 place other than required front yard;
 - e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interferences in any radio or television receiver or causes fluctuation in line voltage off the premises.
10. Home Industry Classified as cottage industry provided that:
 - a. Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance.
 - b. Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI)
 - c. Such shall consider same provisions as enumerated n letter c, d and e number 12, home occupation; this section.
11. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - a. Swimming Pool
 - b. Pelota Court
 - c. Others
12. Nursery/Elementary School
13. High School
14. Vocational School
15. Religious Use
16. Multi-purpose hall/barangay hall
17. Clinic, nursing and convalescing home, health center
18. Plant Nurseries

Section 12. Use Regulations in Socialized Housing Zone (SHZ).

An SHZ shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279. Allowable uses:

1. All uses allowed in General Residential Zone,

Section 13. Use Regulations in General Commercial Zone (GCZ).

A GC Zone shall be for business/trade/service uses. Within the zone the following types of establishment shall be allowed:

1. Offices like:

- a. office building
- b. office condominium

2. General retail stores and shops like:

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

3. Food markets and shops like:

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

4. Personal service shops like:

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

5. Recreational center/establishments like:

- a. movie houses/theater
- b. play court e.g. tennis court, bowling lane, billiard hall
- c. swimming pool
- d. stadium, coliseum, gymnasium
- e. other sports and recreational establishment

6. Restaurants and other eateries

7. Short term special education like:

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

8. Storerooms but only as may be necessary for the efficient conduct of the business

9. Commercial housing like:

- a. apartment
- b. apartel
- c. boarding house
- d. dormitory
- e. pension house/lodging house

10. Library/ museum

11. Filling Station/ service station

12. Clinic

13. Vocational/technical school

14. Convention Center and related facilities

15. Messengerial Service

16. Security agency

17. Janitorial services

18. Bank and other financial institutions

19. Radio and television station

20. Building garage, parking lot

21. Bakery and baking of bread, cake, pastries, pies, and other similar perishable products

22. Custom dressmaking shop
23. Custom tailoring shop
24. Commercial and job printing
25. Typing and photo engraving services
26. Repair of optical instruments and equipment and cameras
27. Repair of clocks and watches
28. Manufacture of insignia, badges and similar emblems except metals
29. Transportation terminals/garage with or without repair
30. Repair shops like:
 - a. house appliances repair shops
 - b. motor vehicles and accessory repair shops
 - c. home furnishing shops
31. Printing/publishing
32. Machinery display shop/center
33. Gravel and sand
34. Lumber/hardware
35. Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
36. Printing and publishing of books and pamphlets, printing cards and stationary
37. Manufacture of signs and advertising displays (except printed)
38. Chicharon factory
39. Manufacture of wood furniture including upholstered
40. Manufacture of rattan furniture including upholstered
41. Manufacture of box beds and mattresses
42. Welding shops
43. Machine shops service operation (repairing/rebuilding, or custom job orders)
44. Medium scale junk shop
45. Repair motorcycles
46. Lechon or whole pig roasting
47. Biscuit factory-manufacture of biscuits, cookies, crackers and other similar dried bakery products.
48. Doughnut and hopia factory
49. Other bakery products not elsewhere classified (n.e.c)
50. Repacking of food products e.g. fruits, vegetables, sugar and other related products
51. Plant nursery
52. Funeral parlors, mortuaries and crematory services and memorial chapels
53. Parking lots, garage facilities
54. Other commercial activities not elsewhere classified

Section 14. Use Regulations in General Institutional (GIZ) Zone.

In GI Zone, the following uses shall be allowed:

1. Government center to house, regional or local offices in the area.
2. Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning.
3. General hospitals, medical centers, multipurpose clinics
4. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities.
5. Convention centers and related facilities
6. Religious structures e.g. church, seminary, convents
7. Museums
8. Student housing e.g. dormitories, boarding house

Section 15. Use Regulation in Parks and Recreation Zone (PRZ).

The following uses shall be allowed in Parks and Recreation Zones;

1. Parks/gardens
 2. Resort Areas, e.g. mountain landscapes, including accessory uses
 3. Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheatres and swimming pools
 4. Golf courses, ball courts, race tracks and similar
 5. Memorial/shrines monuments, kiosks and other park structures
 6. Sports Club
-
1. All residential, commercial, industrial and mixed-use subdivisions are required to provide tree-planted strips along its internal roads having spacing of not more than ten (10) meters.
 2. Similar development with total contiguous land areas greater than ten (10) hectares are required to provide, in addition to the above, adequate landscaped forest parks for the use of the occupants and/or the general public.
 3. Residential compounds, regardless of total lot area, shall provide an open space for playground purposes. Where the residential compound is intended for less than ten (10) families, the setting aside of such area for playground purposes may be dispensed with, provided, that an open space may be used as part of the yard requirement for the compound. All designated open spaces shall not be converted to other uses.

Section 16. Use Regulations for Agricultural Zone (AGZ).

Agricultural zones shall be principally used for crop, livestock and poultry production. Permitted uses within Agricultural Zones are the following:

1. Cultivation, raising and growing of staple such as rice, corn, cassava and the like
2. Growing of diversified plants and trees, such as rubber, falcata, fruit and flower bearing trees, coffee, tobacco, etc.
3. Silviculture, mushroom culture and the like
4. Customary support facilities such as palay dryers and rice threshers and storage barns and warehouse
5. Ancillary dwelling units/farmhouse for tillers and laborers
6. Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
7. Pastoral services such as goat raising and cattle fattening
8. Home Occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - a. Number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner;
 - b. There shall be no change in the outside appearance of the building premises;
 - c. No home occupation shall be conducted in any customary accessory uses cited above;
 - d. No traffic shall be generated by such home occupation in greater volume than would be normally be expected in a residential neighborhood and any need for parking generated by the conduct of such occupation shall be met off the street in place other than required front yard;

- e. No equipment or process shall be used in such occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal sense and visual or audible interference in any radio or television receiver or causes fluctuation in line voltage off the premises.
9. Home industry classified as cottage industry e.g. mat weaving, pottery making, food preservation, etc. provided that:
- a. Such home industry shall not occupy more than thirty (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance.
 - b. Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DIT).
 - c. Such all consider same provisions as enumerated in letters c, d and e of Home Occupation, this section.
10. Backyard raising of livestock and fowl, provided that:
- a. For livestock – a maximum of 10 heads
 - b. For fowl – a maximum of 200 birds

Section 17. Use Regulations in Agri-Industrial Zone (AIZ).

In Agr.-I Zones, the following uses shall be permitted:

1. All uses allowed in agricultural
2. Rice/corn mills (single pass)
3. Drying, cleaning, curing and preserving of meat and its by products and derivatives
5. Flour mill
6. Cassava flour mill
7. Manufacture of coffee
8. Manufacture of unprepared animals feeds, other grain milling, n.e.c.
9. Production of prepared feeds for animals
13. Weaving hemp textile
14. Jute spinning and weaving
15. Manufacture of charcoal
16. Milk processing plants (manufacture filled, reconstituted or recombined milk, condensed or evaporated)
17. Butter and cheese processing plants
18. Natural fluid milk processing (pasturing, homogenizing, vitamin, bottling of natural animal milk and cream related products)
19. Other dairy products, n.e.c
20. Canning and preserving of fruits juices
21. Canning and preserving of vegetables and vegetable juices
22. Canning and preserving of vegetable sauces
23. Miscellaneous canning and preserving of fruit and vegetables, n.e.c
24. Manufacture of desiccated coconut
25. Manufacture of starch and its products
26. Manufacture of wines from juices of local fruits
27. Vegetable oil mills, including coconut oil
28. Manufacture/processing of other plantation crops e.g. pineapple, bananas, etc.
29. Other commercial handicrafts and industrial activities plant or animal parts and/or products as raw materials, n.e.c
30. Other accessory uses incidental to agri-industrial activities.

Section 18. Use Regulations in Forest Zone (FZ).

The various land uses within forestlands must complement each other to promote balance between ecological and economic concerns (e.g., biological diversity and timber production) and to optimize benefits.

The management of forests and forestlands is a shared responsibility between and among the national government, the local governments, the private sector, and local communities.

1.1 Protection forests

1.2 Within the Forest Protection Zones, the following activities are prohibited:

1.2.1 Cutting of trees

1.2.2 Kaingin farming

1.2.3 Other unsustainable agricultural practices

1.3 Production forests

Within the Forest Production Zones, the following activities are permitted:

1.4 planting of trees

1.5 agro-forestry

1.6 Other activities such as fishpond, infrastructure and resettlement

Permitted uses within the designated Forest Zones shall be in conformity with the approved sustainable forest management plans and other provisions of the Memorandum of Agreement (MOA) forged between the Department of Environment and Natural Resources and the LGU.

Section 19. Use Regulations in Water Zone (WZ).

The following use zones should be established based on the best available information on existing resource users, use patterns, and development potential:

1. Protection Zone
2. Production Zone
3. Eco-Tourism Zone

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

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

Section 20. Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs).

The rights of ownership and possession of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains shall be recognized and protected in conformity with RA 8371 known as "The Indigenous Peoples Rights Act of 1997".

Section 21. Regulations in Tourist Zone (TZ).

No Tourism project or tourism related activities shall be allowed in tourist zone unless developed or undertaken in accordance with the Department of Tourism (DOT) guidelines and standards (and granted approval by the tourism estate of DOT, subject to an environmental impact and vulnerability assessment.

Section 22. Use Regulations in Historical or Heritage Zones (HZ).

A Heritage zone shall be used primarily for areas containing historical or heritage structures that deserve special consideration for preservation and enhancement due to the contribution they make to the municipality's collective understanding of its historical development and cultural heritage.

Subject to the limitations or restrictions imposed by other codes, ordinances or laws, the following uses shall be permitted within the historical or heritage areas/sites:

- a. Place of Religious worship
- b. Park, playground, sports/field court, garden
- c. Parking structure
- d. Public utility facility (low-medium scale operations of a public transport stop/waiting shed, loading/unloading bay)
- e. Convenience/retail store
- f. Restaurant, canteen or food-serving establishment
- g. Office
- h. Bank, finance
- i. Library, museum, exhibit area, art gallery
- j. Convention, Meetings facility
- k. Auditorium/Theater/entertainment facility
- l. Specialty school/training facility
- m. Apartments/residential inn/condominium
- n. College/University, cultural/educational center
- o. Fire/security station
- p. Utility installation for use of zone/lot occupants

The following are the general restrictions within the historical or heritage areas/sites:

- a. Any demolition, repair, renovation, restoration, construction of any buildings or structures without prior consultation, clearance and approval by the Sangguniang Bayan upon the recommendation of the Municipal Planning and Development Office
- b. Any building or a use which is not compatible with the essential character of the historical or heritage area/site; and
- c. Billboards and huge signages

Conditional Use Permit: The LZBAA upon the recommendation of the Municipal Planning and Development Office, may grant a conditional use permit for the construction of buildings or accessory structures provided that the new buildings or buildings to be renovated sandwiched between historic or heritage structures must be compatible in terms of architectural design and height of structure with the existing heritage building

Non-Conforming Uses: Non conforming uses prior to the effectivity of these rules shall continue to exist as long as they do not constitute nuisance or hazard to the health and safety of the community. The said non-conforming uses shall be subject to the restrictions stipulated under the Section 39 of this Ordinance pertaining to Non-Conforming Uses.

ARTICLE VII GENERAL DISTRICT REGULATION

Section 23. Development Density.

Permitted density shall be based on the allowed density stipulated within the zone/s.

The maximum density should be based on the planned absolute level of density intended for each district or zone based on the Comprehensive Land Use Plan

Decision to reduce land use density must not impair on the rights of the property/land owner. The Zoning Officer's decision on allowed density must be balanced with public safety considerations especially if the proposed development is to be located within hazard prone areas.

The Zoning Officer's initial evaluation of the proposed development is grounded on the intent or objective to ensure that the proposed development meets the building code standards to reduce the vulnerability of individuals, buildings and structures to hazards such as flooding, storm surge, or wind damage.

Section 24. Flood Hazard Overlay Zone.

All development, including new construction, additions, substantial improvements shall:

No encroachments on floodways shall be done unless a registered professional certifies that the proposed development will not result in any increase in flood levels.

All new construction and additions to any residential or nonresidential structure shall have the lowest floor, together with attendant utility and sanitary facilities, elevated to no lower than [one to three] feet above the base flood elevation

All utilities, including electrical, heating, ventilation, plumbing, air conditioning, and other service facilities, including ductwork, shall be elevated or made of flood resistant materials up to [one to three] feet above base flood elevation, and designed and located to prevent water from entering or accumulating within the components during conditions of flooding.

All new buildings and additions to existing buildings must be constructed on foundations that are approved by a licensed professional engineer, or

Where new or replacement water and sewer systems, including on-site systems, are proposed in a flood hazard area the applicant shall provide the zoning officer and the building official with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems to avoid contamination during periods of flood

Structures must be constructed using materials that are resilient to flood damage.

Any development within the overlay zone shall not contribute to the increase of flood levels especially during flood events.

Development activities must be sited and designed to minimize disruption to shorelines and their banks.

Section. 25. Height Regulations.

Unless otherwise stipulated in this ordinance, building or structure height regulations shall be imposed on the following zones:

1. Residential Zones

Low Density Residential Zone – no building or structure whether public or private shall be higher than 10 meters above the highest natural grade of the property;

Medium Density Residential Mixed (R-2MXD) – no building or structure whether public or private shall be higher than twenty one (21) meters above the highest natural grade line in the property or front sidewalk (main entry) level; mid-rise dwelling is four (4) to seven (7) storeys.

Exempted from the imposition of height regulations in the residential zones are towers, church steeples, water tanks, and other utilities and such other structures not covered by the height regulations of the National Building Code and/or the Air Transportation Office.

A height limit of 5 floors or 25 meters shall be allowed for structures that abuts a declared historical or heritage site/area.

Section 26. Area Regulations.

Area regulations in all zones shall conform to the minimum requirement of the existing codes such as:

- a. P.D. 957- the "Subdivision and Condominium Buyer's Protective Law" and its revised implementing rules and regulations
- b. B.P. 220- "Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects" and its revised implementing rules and regulations.
- c. P.D. 1096-National Building Code
- d. Fire Code
- e. Sanitation Code
- f. Plumbing Code
- g. Structural Code
- h. Executive Order No. 648
1. Other relevant guidelines promulgated by the national agencies concerned.

Section. 27. Road Setback Regulation.

The following road setback regulations shall be applied:

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

Source: DPWH

Section 28. Easement.

Pursuant to the provisions of the Water Code: The banks of rivers and streams and the shores of the seas and lakes throughout length and 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 easement of public use in the interest of recreation, navigation, float age, fishing and salvage.

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

Natural waterways shall be assigned as a green easement that is landscaped or planted with grass, ornamentals and trees and free of permanent structures. Should there be a change in the existing shoreline or banks of the rivers, the easement shall be construed as moved and adjusted with the actual riverbanks or shorelines.

Section 29. Buffer Regulations.

A minimum buffer of 3 meters shall be provided along entire boundary length between two or more conflicting zones (allocation 1.5. meters) *allocating equal distances* from each side of the district boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

The developer of a more intense use shall provide the required buffer to protect a lesser intense/density use.

Section 30. Specific Provisions in the National Building Code.

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

ARTICLE VIII INNOVATIVE TECHNIQUES

Section 31. Innovative Techniques or Designs.

For projects introduce flexibility and creativity in design or plan such as but not limited to Planned Unit Development, housing projects covered by New Town Development under R.A. 7279, BLISS Commercial Complexes, etc., the Zoning Administrator/Zoning Officer shall on ground of innovative development techniques forward application to HLURB for appropriate action, unless the local government units concerned has the capacity to process the same.

ARTICLE IX MISCELLANEOUS PROVISIONS

Section 32. Projects of National Significance.

Projects may be declared by the NEDA Board as projects of national significance pursuant to Section 3 of EO 72. When a project is declared by the NEDA Board as a project of national significance the national clearance shall be issued by HLURB pursuant to EO 72.

Section 33. Environmental Compliance Certificate (ECC).

Notwithstanding the issuance of the Locational Clearance under Section 35 of this Ordinance, no environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements of ECC have been complied with.

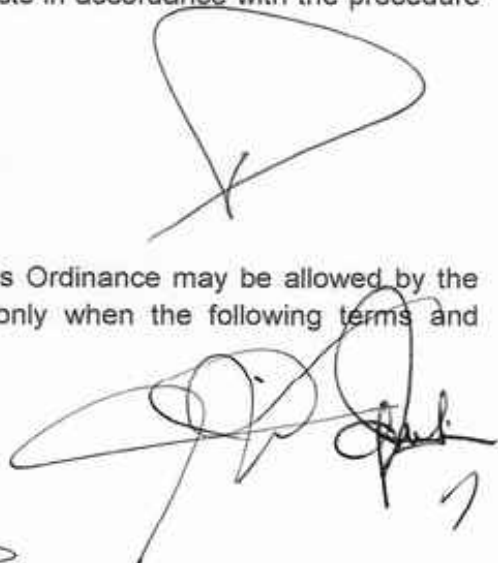
Section 34. Subdivision Projects.

All owners and/or developers of the subdivision projects shall be addition to securing a Locational Clearance under Section 33 of this ordinance be required to secure a development permit pursuant to provision of PD 957 and its Implementing Rules and Regulations or BP 220 and its Implementing Rules and Regulations in the case of socialized housing projects in accordance with the procedure laid down in EO 71, Series of 1993.

ARTICLE X MITIGATING DEVICES

Section 35. Deviation.

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



1. Variance

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

This condition shall include at least 3 of the following provisions;

- Compliance to the provision of this Ordinance will cause undue hardship on the part of the owner or occupant of the property due to physical conditions of the property (topography, shape, etc.) which is not self created.
- The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
- The variance will not alter the physical character of the district or zone where the property for the variance is sought is located, and will not substantially or permanently injure the use of the other properties in the same district or zone.
- That the variance will not weaken the general purpose of the ordinance and will not adversely affect the public health, safety or welfare.
- The variance will be in harmony with the spirit of this Ordinance.

2. Exceptions:

- a. The exceptions will not adversely affect the public health, safety or welfare and is in keeping with the general pattern of development of the community.
- b.) The proposed project shall support economic based activities provide livelihood, vital community services and facilities while the same time posing no adverse on the zone/community.
- c. The exception will not alter the essential character and general purpose of the district where the exception sought is located.

Section 36. Procedures for Granting Exceptions and Variances.

The procedure for granting of exception and/or variance is as follows:

1. A written application or variance shall be filed with the Local Zoning Board of Adjustment and Appeals (LZBAA) citing the section of this Ordinance under which the same is sought and stating the ground/s thereof.
2. Upon filing the application, a visible project sign (indicating the same and nature of the proposed project) shall be posted at the project site.
3. The Local Zoning Board of Adjustment and Appeals shall conduct preliminary studies on the application.
4. A written affidavit of non-objection of the project by the owners of the properties adjacent to the project shall be filed by the applicant with the LZBAA at least fifteen (15) days prior to the decision exception or variance.
5. In case of objection, the LZBAA shall hold public hearing.
6. At the hearing, any party may appear in person, or be represented by agent/s. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
7. The LZBAA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing in case of any objection of the granting of exception/variance.

**ARTICLE XI
ADMINISTRATION AND ENFORCEMENT**

Section 37. Locational Clearance.

All owners/developers shall secure Locational Clearance from the Zoning Administrator/Zoning Officer or in cases of variances and exemptions, from the Local Zoning Board of Adjustment and Appeals (LZBAA) prior to conducting any activity or construction on their property/land.

Section 38. Building Permit.

No building permit shall be issued by the Local Building Officer without a valid locational clearance in accordance with this Ordinance.

Section 39. Non-User of Locational Clearance.

Upon issuance of a Locational Clearance, the grantee thereof shall have one year within which to commence or undertake the use.

Section 40. Certificate of Non-Conformance.

A certificate of non-conformance shall be applied for by the owner of the structure or operator of the activity involved within six (6) months from the ratification of the zoning ordinance by the Sangguniang Panlalawigan (SP). Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fine/penalties.

Section 41. Existing Non-Conforming Uses and Building.

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

1. That no such non-conforming use shall be enlarged or extended to occupy a greater area of land that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part, to other any portion of the lot or parcel or land where such non-conforming use which exist at the time of the adoption of this Ordinance.
2. That no such non-conforming use, this has ceased operation for more than one (1) year be again revived as non-conforming use.
3. An idle/vacant structure may not be used for non-conforming activity.
4. That any non-conforming structure, or structure under one ownership which has been damaged maybe reconstructed and used as before provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.

That should such non-conforming portion of structure be destroyed by any means to an extant 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.

5. That no such non-conforming use maybe moved to displace any conforming use.
6. That no such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof maybe altered to decrease its non-conformity.

7. That should such structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the district in which it is moved or relocated.

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

Section 42. Responsibility for Administration and Enforcement.

This ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with the existing rules and regulations on the subject.

Section 43. Powers and Functions of a Zoning Administrator/Zoning Officer.

Pursuant to the provisions of EO 72 implementing RA 7160 in relation to Sec. 5, paragraph a and d, and Sec. 7 of Executive Order No. 648 dated 07 February 1981, the Zoning Administrator/Zoning Officer shall perform the following functions, duties and responsibilities.

I. Enforcement

- A. Act on all applications for locational clearances for all projects.

1. Issuance of locational clearance for projects conforming with zoning regulations.

2. Recommend to the Local Zoning Board of Adjustment and Appeals (LZBAA) the grant or denial of application for variances and exemptions and the issuance on Non-Conformance for non-conforming projects lawfully existing at the time of the adoption of the zoning ordinance, including clearances for repairs/renovations on non-conforming uses consistent with the guidelines thereof.

- B. Monitor on-going/existing projects within their respective jurisdictions and issue notices of violation and show cause order to owners, developers, or managers of projects that are violative of zoning ordinance and if necessary, pursuant to Sec. 3 of EO 72 and Sec. 2 of EO

71 refer subsequent actions thereon to the HLRB.

- C. Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this ordinance.

- D. Coordinate with the Fiscal/Municipal Attorney for other legal actions/remedies relative to the foregoing.

II. Planning

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

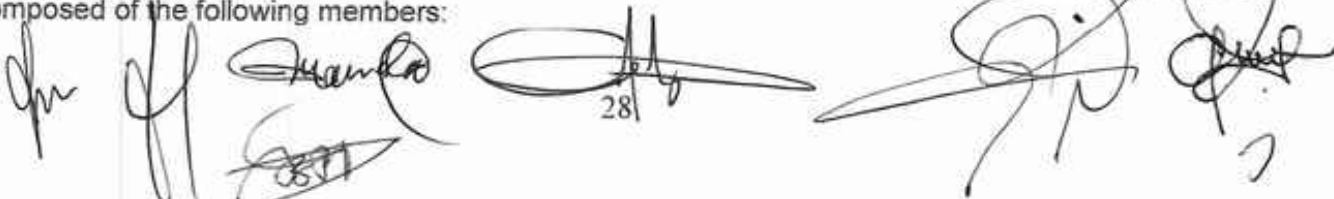
Section 44. Action on Complaints and Oppositions.

A complaint for violations of any provision of zoning ordinance or of any clearance or permits issued pursuant thereto shall be filed with the LZBAA.

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

Section 45. Composition of the Local Zoning Board of Adjustment and Appeals (LZBAA).

The Municipal Development Council shall create a sub-committee which shall act as the LZBAA composed of the following members:



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

For purposes of policy coordination, said committee shall be attached to the municipal development council.

Section 46. Functions and responsibilities of the Local Zoning Board of Adjustment and appeals.

There is hereby created a LZBAA which shall perform the following functions and responsibilities:

A. Act on applications of the following nature:

1. Variances
2. Exceptions
3. Non-conforming Uses
4. Complaints and opposition to application

B. Act on Appeals on grant or denial of Locational Clearance by the Zoning administrator/Zoning Officer.

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

Section 47. Interim provision.

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

Section 48. Review of the Zoning Ordinance.

The Municipality Development Council shall create a sub-committee, the Local Zoning Review Committee (LZRC) that shall review the Zoning Ordinance considering the Comprehensive Land Use Plan, as the need arises, based on the following reasons/situations:

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

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

The Local Zoning review Committee shall be composed of sectoral experts.

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

- a. Municipal Planning and Development Coordinator
- b. Municipal Health Officer
- c. Municipal Agriculturist
- d. President, Association of Barangay Captains
- e. Municipal Engineer
- f. Community/Municipal Environment and Natural Resources Officer (C/MENRO)
- g. Municipal Agrarian Reform Officer (MARO)
- h. District I School Supervisor
- i. District II School Supervisor
- j. Three (3) Private School Representatives (Local Chamber of Commerce, Housing industry and Home Owner's Association)
- k. Two (2) Representatives

For purposes of policy and program coordination, the LZRC shall be attached to the municipal development council.

Section 50. Functions of the Local Zoning Review Committee.

The Local Zoning Review Committee shall have the following powers and functions:

A. Review the Zoning Ordinance for the following purposes:

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

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

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

Section 51. Amendments of the Zoning Ordinance.

Changes in the Zoning Ordinance as a result of the review by the Local Zoning review Committee shall be treated as an amendments, provided that any amendments to the Zoning Ordinance or provisions thereof shall be subject to public hearing and review evaluation of the Local Zoning /review committee and shall be carried out through a resolution of **three fourths vote of the Sangguniang Bayan**. Said amendments shall take effect only after approval and authentication by HLRB or Sangguniang Panlalawigan.

Section 52. Violation and Penalty.

Any person who violates of the provisions of this Ordinance, shall, upon, conviction, be punished by fine not exceeding 2,500 pesos or an imprisonment for a period not exceeding six (6) months or both at the discretion of the Court. In Case of violation by a corporation, partnership or association the penalty shall be imposed upon the erring officers thereof.

Section 53. Suppletory Effect of Other Laws and Decrees.

The provisions of the Ordinance shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that the land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

Section 54. Separability Clause.

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

Section 55. 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 be impaired.

Section 56. Effectivity Clause.

This Ordinance shall take effect upon approval by the Sangguniang Panlalawigan.

Enacted: December 16, 2014



Jessyl B. Palon
JESSYL B. PALON
Secretary to the Sanggunian

CONCURRED:

Hon. Francisco D. Gumban

Hon. Agustin M. Adapon, Sr.

Hon. Reynante G. Borling

OB

Hon. Roger M. Pacalioga

Absent

Hon. Corazon J. Mandao

Hon. Lars Christian C. Tangalin

OB

Hon. Bernaldo P. Degenion

Hon. Nilo B. Ledesma

Hon. Jerson L. Cabahug

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED

MICHAEL F. MORPOS
Municipal Vice Mayor/Presiding Officer

APPROVED DEC 20 2014

NACIANCENO M. PACALIOGA, JR.
Municipal Mayor

not valid without Sanggunian seal