



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
 Municipality of Piñan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD ON SEPTEMBER 7, 2016 AT ITS SESSION HALL

Present:

Honorable Louida P. Belangoy	Municipal Vice-Mayor Presiding Officer
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Rommel I. Gudmalin	Sangguniang Bayan Member
Honorable Deogracias T. Cimafranca	Sangguniang Bayan Member
Honorable Saturnino P. Sorronda	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Glecerio Y. Redillas, Jr.	Sangguniang Bayan Member
Honorable Alfred E. Palconayo	Sangguniang Bayan Member
Honorable Loreto C. Bagatua	Sangguniang Bayan Member
Honorable Nestor E. Protacio	Ex-Officio Sangguniang Bayan Member (LigangmgaPunong Barangay- President)

Absent: None

MUNICIPAL ORDINANCE NO. 16-006-A

Series of 2016

AN ORDINANCE ENACTING THEREVISED ZONING REGULATIONS FOR THE MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENTS THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH

Be it enacted by the Sangguniang Bayan of Piñan, Zamboanga del Norte in a session duly assembled, that:

WHEREAS, the implementation of the Comprehensive Land Use Plan (CLUP) would require the enactment of regulatory measures to translate the planning goals and objectives into reality; and responsive Zoning Ordinance is one regulatory measures which is an important tool for the implementation of the Comprehensive Land Use Plan;

REPUBLIC OF THE PHILIPPINES
 PROVINCE OF ZAMBOANGA DEL NORTE
 OFFICE OF THE SANGGUNIANG BAYAN/LALAWIGAN
 PIÑAN
 APPROVED PER SP RES. NO. 23, S. 2016
 DATE: September 24, 2016
 MR. [Signature] LEGADOS
 SECRETARY

Whereas, Article 41 (a) (b) of the Implementing Rules and Regulations of the Local Government Code of 1991, provides that subject to applicable laws, regulations and rules, the municipality shall prepare its Comprehensive Land Use Plan enacted through Zoning Ordinance. The requirements for food production, human settlements, industrial expansion and ecological balance shall be considered in the preparation of CLUP and other plans be the primary and dominant basis for future use of local resources and for reclassification of agricultural lands;

Whereas, the Local Government Unit (LGU) is further mandated to mainstream Disaster Risk Reduction and Climate Change in development processes such as policy formulation, socio-economic 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 Revised Zoning Ordinance of the municipality is one of the many regulatory measures which is an important instrument for the continued implementation of the approved Revised Comprehensive Land Use Plan;

Wherefore, the Sangguning Bayan of Piñan in a session assembled hereby adopts the following Revised Zoning Ordinance:

ARTICLE I

TITLE OF THE ORDINANCE

SECTION 1. TITLE OF THE ORDINANCE: This Ordinance shall be known as the **REVISED MUNICIPAL COMPREHENSIVE ZONING ORDINANCE** of the Municipality of Piñan, Zamboangadel Norte and shall be referred to as the **Zoning Ordinance**.

ARTICLE II

AUTHORITY AND PURPOSE

SECTION 2. AUTHORITY: This Ordinance is enacted pursuant to the provisions of Republic Act 7160, otherwise known as the Local Government Code of 1991, 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 Republic Act 7270 and E.O. No. 72.

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

1. Guide, control and regulate future growth and development of the Municipality in accordance with this Comprehensive Land Use Plan.
2. Enhance the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the locality and promote the orderly and beneficial development of the same.
3. Promote and protect the health, safety, peace, comfort, convenience and the general welfare of the local residents in the municipality.

SECTION 4. GENERAL ZONING PRINCIPLE: This zoning regulation was based on the approved Comprehensive Land Use Plan duly approved through Resolution No. 2016-116 dated September 5, 2016 of the Municipality of Piñan, Province of Zamboanga del Norte.

ARTICLE III
DEFINITION OF TERMS

SECTION 5. TECHNICAL TERMS USED: The definition of terms used in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, Water Code, Philippine Environmental Code and other implementing Rules and Regulations, promulgated by the HLURB. The words, terms and phrases enumerated hereunder shall be understood to have the meaning corresponding indicated as follows:

1. **Agricultural Zone (AGZ)** – an area within a municipality intended for cultivation/fishing and pastoral activities e.g. fish, farming, and cultivation of crops, goat/cattle raising, etc.
2. **Agro-Industrial Zone (AIZ)** – an area within a municipality intended primarily for integrated farming operations and related product processing activities such as plantation for rubber, bananas, pineapple, sugar and other farm products.
3. **HLURB/BOARD** – shall mean the HOUSING AND LAND USE REGULATORY BOARD.

4. **Buffer Area** – these are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.
5. **Built-Up Area** – a contiguous grouping of ten (10) or more structure.
6. **Central Business District** – shall refer to areas designated principally for trade services and business purposes (Commercial Zone)
7. **Certificate of Non-Conformance** – Certificate issued to owners of all uses existing prior to the approval of the Zoning Ordinance, which do not conform in a zone as per provision of the said Ordinance.
8. **Compatible Use** – uses or land activities capable of existing together harmoniously e.g. residential use, and parks and playground.
9. **Comprehensive Land Use Plan (CLUP)** – a document embodying specific proposal for guiding, regulating growth and/or development. The main components of this document are the following; **Volume I: The Land Use Plan, Volume II: The Zoning Ordinance, and Volume III: The Sectoral Studies.**
10. **Conflicting Uses** – uses or land activities with contrasting characteristics sites adjacent to each other e.g. residential units adjacent to industrial plants.
11. **Conforming Use** – a use that is in accordance with the zone classification as provided for in the Ordinance.
12. **Geo-hazards and Disaster Risk Areas** – refers to areas prone to landslide, floods and other natural calamity occurrence.
13. **Easement** – open space imposed on any land/activities sited along waterways, road-right-of-ways, cemeteries/memorial parks and utilities.
14. **Environmentally Critical Areas** – refers to those areas which are environmentally sensitive and listed in Presidential Proclamation 2146 dated December 14, 1981.
15. **Environmentally Critical Projects** – refers to those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation 2146 dated December 14, 1981.

16. **Exception** – a device, which grants a property owner relief from certain provisions of a Zoning Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
17. **Flood Overlay Zone (FLD-OZ)** – an area of the municipality identified as prone to flooding and where specific regulation are provided to minimize it negative development.
18. **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.
19. **Forest Zone (FZ)** – an area within a municipality intended primarily for forest purposes.
20. **Commercial Zone (CZ)** – an area within a municipality for trading/services/business purposes.
21. **Institutional Zone (IZ)** – an area within a municipality principally for general types of institutional establishments e.g. government offices, schools, hospital/clinics, academic/research, convention centers.
22. **Residential Zone (RZ)** – an area within a municipality principally for dwelling/housing purposes.
23. **General Zoning Map (GZM)** – a duly authenticated map delineating the different zones in which the whole city/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, elevators shaft, flues, pipe shafts, vertical ducts and the like, and their enclosing walls;
- * Restrooms and Closets;
- * 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 Cooling Towers, Overhead Water Tanks, Roof Decks, Laundry Areas and Cages, Wading or Swimming Pools, Whirlpools or Jacuzzis or Plazas.

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

26. Innovative Design – introduction and/or application of new/creative designs and techniques in development projects e.g. PLANNED UNIT DEVELOPMENT (PUD), New Town, etc.

27. Industrial Zone– a subdivision of an area principally for the following types of industries:

- * NON-POLLUTIVE/NON-HAZARDOUS
- * NON-POLLUTIVE/HAZARDOUS

28. Local Authorities – refers to the Local Zoning Board of Adjustment and Appeals (LZBAA), Local Zoning Review Committee (LZRC), the SangguniangPambarangay and the Sangguniang Bayan.

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. **Commercial Zone (CZ)** – an area within a municipality principally for trade, services and business activities ordinarily referred to as the Central Business District.
31. **Residential Zone (RZ)** – an area within a municipality principally for dwelling/housing purposes with a density of 20 dwelling units and below per hectare.
32. **Mitigating Device** – a means to grant relief in complying with certain provisions of the Ordinance.
33. **New Town** – shall refer to a town deliberately planned and built which provides, in addition to houses, employment, shopping, education, recreation, culture, and other services normally associated with a city or town.
34. **Non-Conforming Use** – existing non-conforming uses/establishments in an area allowed to operate in spite of the non-conformity to the provisions of the Ordinance subject to the conditions stipulated in this Zoning Ordinance.
35. **Parks and Recreation Zone (PRZ)** – an area designed for diversion/amusements and for the maintenance of ecological balance of the community.
36. **Planned Unit Development (PUD)** – it is a land development scheme wherein project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complementary of building types and land uses, usable open spaces and the preservation of significant natural land features.
37. **Rezoning** – A process of introducing amendments to or a change in the text and maps of the Zoning Ordinance. It also includes amendments or change in view of reclassification under Section 20 of RA 7160.
38. **Rural Area** – area outside of designated urban area.
39. **Setback** – the open space left between the building and lot/property lines.
40. **Socialized Housing Zone (SHZ)** – shall be used principally for Socialized Housing/Dwelling purposes for the underprivileged and Homeless as defined in RA 7279.

41. **Special Institutional Zone (SIZ)** – an area within the municipality 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.
42. **Tourist Zone (TZ)** – are sites within the municipality endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.
43. **Urban-use Area** – a contiguous grouping of ten (10) or more structures.
44. **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 percent (50%) of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes (include NSO definition).
45. **Urban Zoning Map**– a duly authenticated map delineating the different zones into which the urban area and its expansion area are divided.
46. **Urbanizable Land**–are designated as suitable for urban expansion by virtue of land use studies conducted.
47. **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 convenience or a desire to make more money.
48. **Warehouse**– refers to a storage and/or depository of those in business of performing warehouse services for others, for profit.
49. **Water Zone (WZ)** – are bodies of water within the municipalities, which include rivers, streams, lakes and seas except those, included in other zone classification.
50. **Zone District**– an area within a municipality for specific land use as defined by manmade or natural boundaries.

51. **Zoning Administrator/Zoning Officer**– a municipal government employee responsible for the implementation/enforcement of the Zoning Ordinance in a community.
52. **Zoning Ordinance**– a legal measure which embodies regulations affecting land use.
53. **Overlay Zone** – “a transparent zone” that is overlain on Basic Zone or another Overlay Zone that provide additional set (or layers) of regulations.

ARTICLE IV ZONE CLASSIFICATIONS

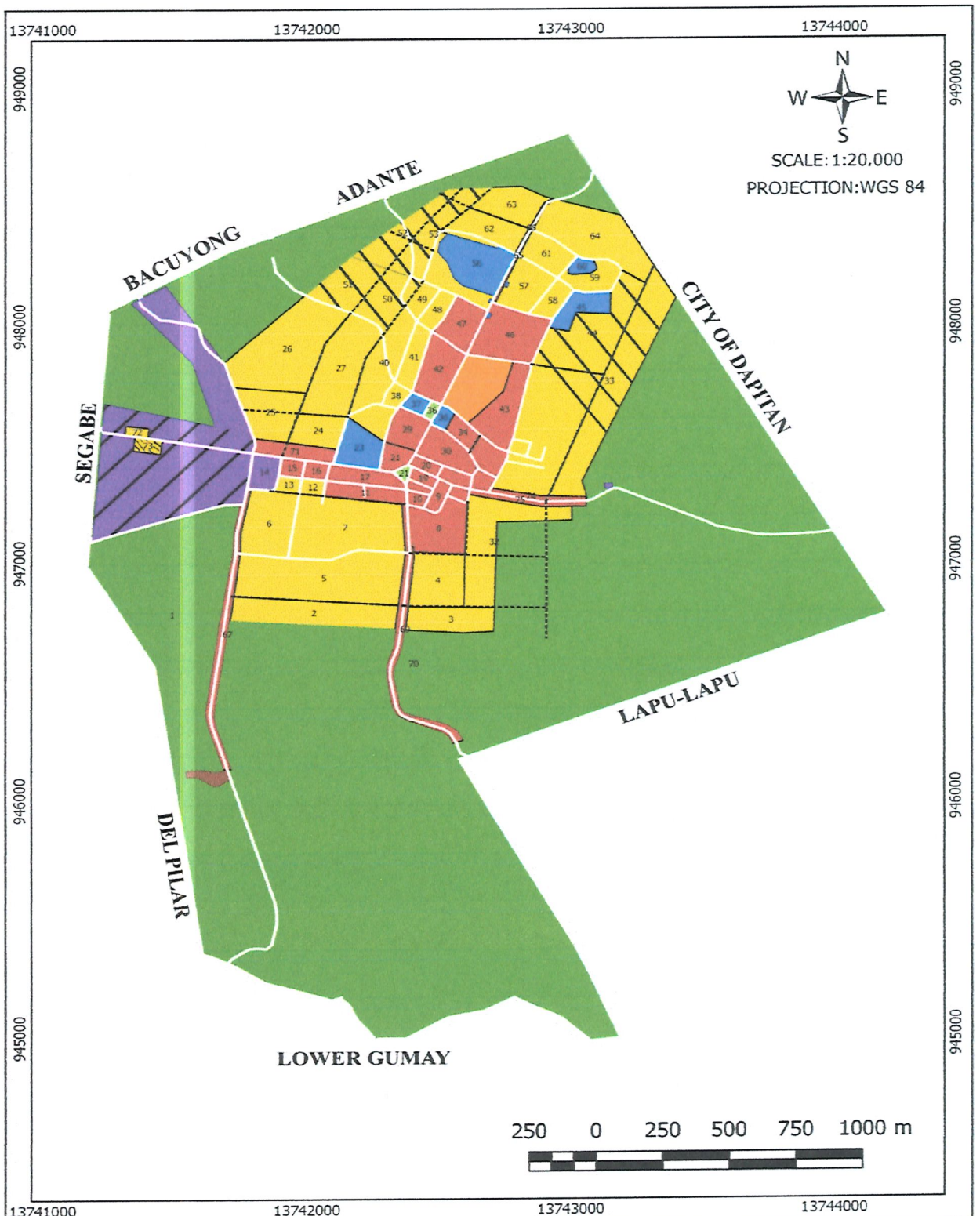
SECTION 6.DIVISION INTO ZONES OR DISTRICTS: To effectively carry out the provisions of the Ordinance, municipality is hereby divided into the following zones or districts as shown in the Official Zoning Maps.


1. General Residential Zone (GRZ)
2. Socialized Housing Zone (SHZ)
3. General Commercial Zone (GCZ)
4. General Industrial Zone (GIZ)
5. General Institutional Zone (IZ)
6. Agricultural Zone (AGZ)
7. Agro-Industrial Zone (AIZ)
8. Forest Zone (FZ)
9. Parks and other Recreation Zone (PRZ)
10. Tourist Zone (TZ)
11. Other Uses (OU)e.g. (Landfill, Cemetery & Quarry Sites)

SECTION 7.OVERLAY ZONE. The following designated as Overlay Zone

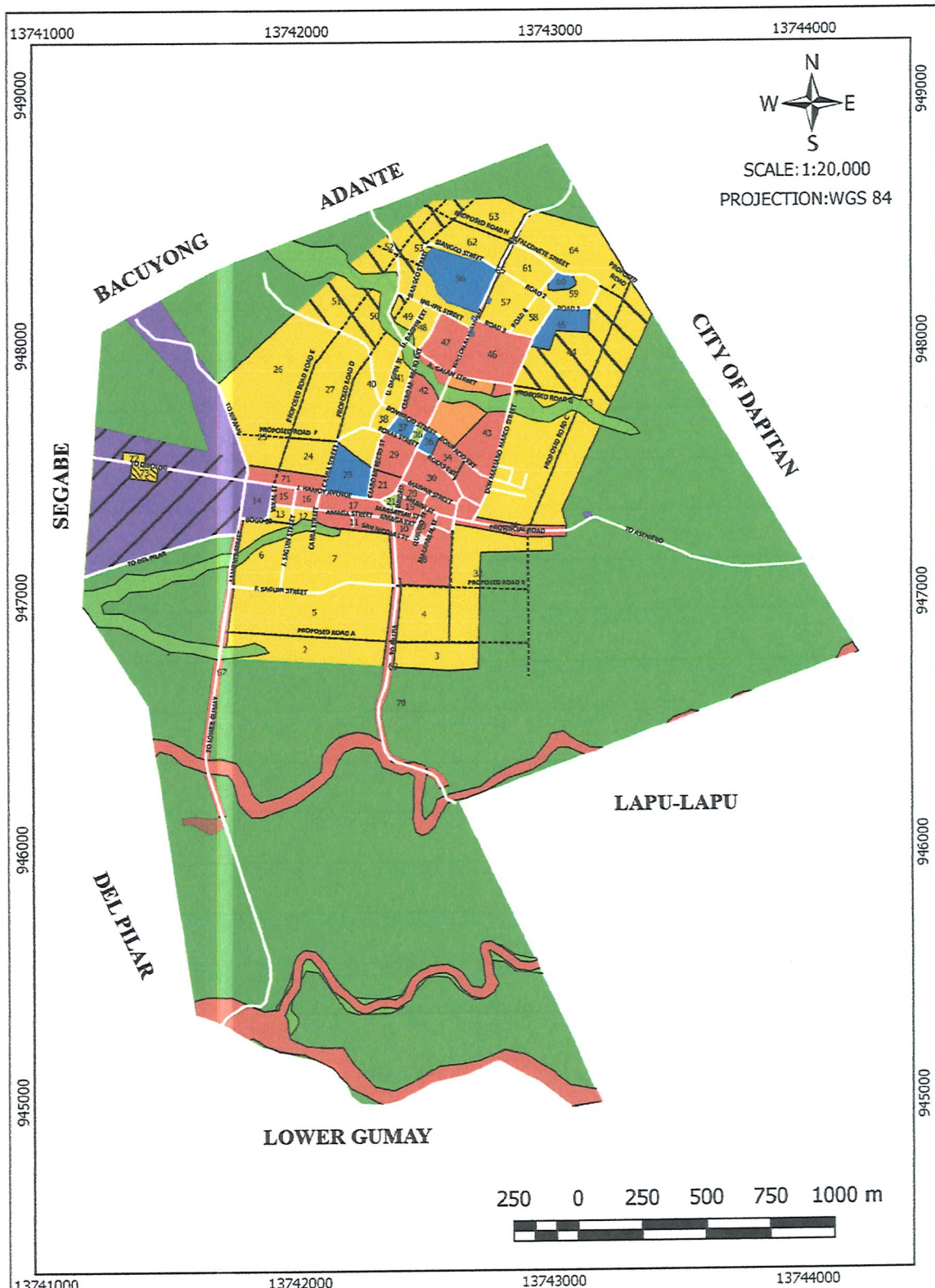
1. Flood Overlay Zone (FLD-OZ)
2. Landslide Overlay Zone (LSD-OZ)


SECTION 8. ZONING MAPS: It is hereby adopted as an integral part of this Ordinance, the Official Zoning Maps for urban areas and for the whole municipality (General), wherein the designation, location and boundaries of the districts/zones herein established are shown and indicated. Such Official Maps shall be signed by the Local Chief Executive and duly authenticated by the SangguniangBayan.



 REPUBLIC OF THE PHILIPPINES PROVINCE OF ZAMBOANGA DEL NORTE MUNICIPALITY OF PIÑAN MUNICIPAL PLANNING AND DEVELOPMENT OFFICE	ZONING MAP												
	LEGEND: <table border="0" style="width: 100%;"> <tr> <td> AGRICULTURAL</td> <td> RESIDENTIAL</td> </tr> <tr> <td> AGRO-INDUSTRIAL</td> <td> SOCIALIZED HOUSING</td> </tr> <tr> <td> COMMERCIAL</td> <td> TOURIST AREA</td> </tr> <tr> <td> INDUSTRIAL</td> <td> ROAD NETWORK</td> </tr> <tr> <td> INSTITUTIONAL</td> <td> PROPOSE ROAD</td> </tr> <tr> <td> PARKS AND OPEN SPACE</td> <td></td> </tr> </table>		AGRICULTURAL	RESIDENTIAL	AGRO-INDUSTRIAL	SOCIALIZED HOUSING	COMMERCIAL	TOURIST AREA	INDUSTRIAL	ROAD NETWORK	INSTITUTIONAL	PROPOSE ROAD	PARKS AND OPEN SPACE
AGRICULTURAL	RESIDENTIAL												
AGRO-INDUSTRIAL	SOCIALIZED HOUSING												
COMMERCIAL	TOURIST AREA												
INDUSTRIAL	ROAD NETWORK												
INSTITUTIONAL	PROPOSE ROAD												
PARKS AND OPEN SPACE													
Checked/Review:	Approved:												
ENGR. ROSALIE J. MORANDARTE MPDC	CECILIA J. CARREON Municipal Mayor												

HAZARD MAP
Flood Overlay Zone



 REPUBLIC OF THE PHILIPPINES PROVINCE OF ZAMBOANGA DEL NORTE MUNICIPALITY OF PIÑAN MUNICIPAL PLANNING AND DEVELOPMENT OFFICE	URBAN HAZARD MAP	
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Checked/Reviewed:	Approved:	
ENGR. ROSALIE J. MORANDARTE MPDC	CECILIA J. CARREON Municipal Mayor	

SECTION 9. ZONING BOUNDARIES: The location and boundaries of the above mentioned various zones into which the municipality has been divided are hereby identified and specified as follows:

A. RESIDENTIAL ZONE

Urban Residential Areas (Poblacion):

- a. All areas of the Resettlement Housing/Home Lot Subdivision covered by the Department of Agrarian Reform;
- b. Those areas identified by Local Authorities for the purpose of Socialized Housing;
- c. Other areas along road network identified by Local Authorities as Residential Zone.

Block 2, 5, 6, 7, Starting point corner of Bogo Street towards East a line is drawn measuring approximately 290 meters; turn right northwest a line is drawn approximately 510 meters parallel to national highway going to Mutia; turn left southwest a line is drawn measuring approximately 330 meters; turn right a line is drawn towards North measuring approximately 420 meter until it reaches the point of beginning.

Blocks 3, 4, 32 Starting from a point along the Southeast 200 meters depth of national highway going to Mutia, a line is drawn 330 linear meters south of the proposed road "A" turn right southeast of the proposed road "C" having a distance of 270 meters ;turn right a line is drawn parallel to the proposed road "C" towards the Northeast at a distance of 410 lineal meters, turning right Northeast a line is drawn to touch the centerline of the proposed road "C" having a distance of 210; turn right along the "proposed road "C" Northeast a line is drawn approximately 50 lineal meters along the "proposed road "C"; turning right a line is drawn parallel to the Provincial road to Aseniero Dapitan City approximately 300 meters to proposed road "B"; turn right Northwest a line is drawn approximately 220 meters along the proposed road "B";turn right Northwest a line is drawn towards the National Highway having a distance of 150 meters to meet the point of beginning.

- Blocks 12, 13 The blocks bounded on the North by Amaga Street having a distance of 170 meters more or less; on the East by Camia Street having a distance of 55 meters more or less; on the South by a proposed road Bogu Extension, 170 meters more or less; on the West by Yakal Street having a distance of 60 meters more or less;
- Blocks 24, 25 The blocks bounded on the North by the propose road "D" having a distance of 370 meters; turn right by Roxas Street on the East having a distance of 180 meters; turn right by the National Highway to Polanco on the South having a distance more 220 meters more or less; 200 meters more or less Southwest along Barangay road of Poblacion South to Bacuyong to meet the point of beginning.
- Block 26 Starting from a point along the centerline of A. Bonifacio Extension and propose road "E" a line is drawn along the centerline of A. Bonifacio Extension towards the Northwest at a distance of 230 lineal meters, turning left towards the Southwest, a line is projected to touch the centerline of the road leading to Barangay Adante having a distance of more or less 450 meters; turning right towards the Southeast direction along the centerline of the road leading to Barangay Adante up to the centerline of the propose road "F" having a distance of 180 meters more or less and road leading to Barangay Adante, turning left toward the East up to its the junction with the proposed road "E"; turning left towards the North along the centerline of the propose road "E" 450 meters more or less to meet the point of beginning.
- Block 27 The block bounded by A. Bonifacio street Extension on the North having a distance of 190 meters more or less; by the East by the propose road "D" with a distance of 320 meters more or less; on the South by the propose road "F" having a distance of 190 meters more or less; andby propose road "E" on the West having a distance of 430 more or less.
- Block 38, 39, 40,
41, 48, 49 The blocks bounded by Ipil-ipil Street on the North, by CM Recto Extension on the East, by a creek on the South; by Roxas street and proposed road "D" and Camia Street on the West.

Block 31 The blocks bounded by a proposed road "G" having a distance 240 meters more or less on the North; by a proposed road "C" having a distance of 430 meters more or less on the on the East;, by the provincial road going to Aseniero, Dapitan City having a distance of 170 meters more or less on the South; by Mariano Marcos street having a distance of 480 meters more or less West.

B. SOCIALIZED HOUSING (RESIDENTIAL)

Blocks 33,44 The block bounded on the North by a proposed road " G"; on the East by the propose road "C" towards the Northeast direction of a distance of 410 lineal meters; turning left Northwest, a line is drawn along the propose road extension of F. Falconete street at a distance of 210 lineal meters, turning left Southeast, a line measuring 40 lineal meters is drawn, turning right towards the West, a line measuring 50 lineal meters is drawn touching the line of "G"; turning left towards the left, a line measuring 60 lineal meters is drawn towards the Southeast; turning left towards the Southeast and along road "G" a line is drawn at a distance of 110 lineal meters; turning left towards the Northeast. A line measuring 240 lineal meters is drawn along the road "G"; turning right towards the Southwest, a line is measuring 100lineal meters is drawn;turning right towards the Southwest direction a 50 lineal meters line is drawn; turning left towards Southwest again, a line measuring 120 lineal meters is drawn; turning right towards the Northwest, a line is drawn to touch the line of Don Mariano Marcos Street, turning left, turning right Southeast, a line is drawn measuring 700 lineal meters up to the propose road "C"; turning right and along the road "C", a line measuring 190 lineal meters is drawn; turning right towards the Northwest, a line is drawn along T. Falconete Street up to its junction to meet the point of beginning.

Blocks 50, 51, 52,
53, 54, 55 Starting from the point along the Northern junction of Ipil-ipil Street along A. Bonifacio Street and road going to Barangay Adante at a distance of 400 lineal meters; turning right towards the North East, a line measuring 590 line is drawn, turning right towards the Southeast, a line measuring 420 lineal meters is drawn touching the line of Ipil-ipil street turning right towards theSouthwest, a line is drawn along Ipil-ipil street to meet the point of beginning.

1. Rural Residential Areas (Barangays):

- a. All existing residential areas in all barangays of the municipality not classified for other use.
- b. The proposed expansion is a 100-meter strip in both sides along local roads within the Agricultural Zone not classified to other land uses, especially the Forest Zone and is not a disaster risk area.

C. COMMERCIAL ZONE

1. Urban Commercial Area (Poblacion):

- a. The existing Municipal Public Market Area of the Local Government Unit;
- b. All areas along national 100 meters depth both sides

2. Rural Commercial Area (Barangays):

- a. The existing Municipal Public Market Area, including Barangay Del Pilar, Segabe and the Calican properties as proposed for expansion;
- b. The existing Barangay (Teresita) Public Market Area.
- c. All Barangay Markets within the property of the Barangay LGU;
- d. Other areas having high potential of economic activities to be identified by the Local Authorities.
- e. All areas along national highway/provincial/barangay roads 25 meters in width both sides.

Block 8, 9,10,18,19 The blocks bounded by A. Mabini street and Provincial road to Aseniero, Dapitan City on the North having a distance of 300 meters more or less; by the provincial road to Mutia on the West 280 meters more or less; by the propose extension of F. Saguin Street 300 meters more or less on the South; and a distance of 220 meters more less by the propose road "B" on the East.

Block, 11,15,16,17 The area bounded on the North by the national highway to Polanco having a distance of 390 meters more or less; on the Northeast by the junction of the National Highway to Polanco and Mutia having a distance of 130 meters more or less; on the south by the propose extension of Bogo street having a distance of 280 metersmore or less; and by Camia Street on the Southwest having a distance of 50 meters; turn left Southwest towards Amaga street having a distance of 170 meters more or less; turn right West towards Yakal street.

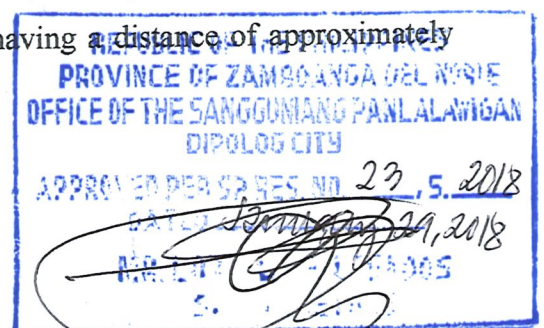
Block 22, 29 The area bounded by Roxas extension on the North having a distance of 130 meters more or less; by C. M Recto on the West having a distance of 240 meters more or less;; by the junctions of the National highway to Barcelona having a distance of 70 meters more or less Southeast; and by the National highway to Barcelona having a distance of 180 meters East.

Block 20, 30, 34 The block bounded on the Northeast by A. Bonifacio street having a distance measuring approximately 300 meters; on the East by Don Mariano Marcos street having a distance of 200 meters more or less; on the south by the provincial road to Aseniero having a distance of approximately 350 meters; on the West by the National Highway to Barcelona, having a distance of 170 meters more or less except the area designated as Institutional Zone.

Block 42,47 The area bounded on the North by Isaias Udal (Ipi-ipil) street having a distance measuring 170 meters more or less ; by C.M.Recto Extension on the West having a distance of approximately 510 meters; and a distance of 350 meters or less by A. Bonifacio Extension to the South and by National Highway to Barcelona on the East having a distance of 500 meters more or less.

Block 43, 46 The area bounded on the North by Road 3 having a distance of more or less 250 meters; turn right by Don Mariano Marcos on the east having a distance of approximately 500 meters; turn left by A. Bonifacio street on South having a distance of 470 meters more or less; and by National Highway to Barcelona by the west having a distance of more or less 530 meters.

Block 57 The area bounded on the North by Road 2, 200 meters more or less; turn right a line is drawn measuring 250 meters more or less Northeast to touch the centerline of Road 3; turn left south along Road 3 having a distance of 200 meters more or less; and by the National Highway leading to Barcelona by the west having a distance of approximately 260 meters.



- Block 65, 66 The area measuring 100 meters depth both sides of the National Highway leading to Barcelona bounded on the North by Barangay San Nicolas, Dapitan City; on the South by T. Falconete and Siangco Streets.
- Block 68, 67 The area measuring 50 meters depth both sides of F. Samonte Street leading the Provincial road to Lower Gumay.
- Block 71 The area measuring 100 meters depth along National Highway leading the Polanco.
- Block 74, 75 The areas measuring 50 meters depth along the Provincial road to Aseniero until it reaches the boundary lines of Barangay Aseniero, Dapitan City except an area identified as Agro-Industrial Zone.

D. INSTITUTIONAL ZONE

1. Urban Institutional Areas (Poblacion):
 - a. A parcel of land at located the junction of Don Mariano Marcos Street and Provincial road going to Aseniero, having an area of 1,000 sq. meters (Barangay Hall of North Poblacion)
 - b. The Local Government Compound is bounded by C.M. Recto, A. Bonifacio and Roxas Street.
 - c. Department of Agrarian Reform bounded by Magsaysay Street and Amaga Street.
 - d. A parcel of land bounded by C.M. Recto Street and National Highway, and stretch southeast which comprises the of Piñan Central School campus.
 - e. A parcel of land bounded by Don Mariano Marcos and T. Falconete Street which comprises the Piñan National High School campus.
 - f. A parcel of land bounded by Jose Saguin Street, F. Saguin Street and road going to Lower Gumay which comprises the Piñan Immaculate Heart Parish compound.
 - g. A parcel of land bounded by Ipil-Ipil Street, Sianco Street and National Highway which comprises the ZANECO Compound.
 - h. A parcel of land bounded by A. Bonifacio Street, Roxas Street and National highway which comprises the MHO, PNP & MCTC compound.

- i. A parcel of land bounded by CM Recto, Bonifacio Street, Camia Street and National Highway comprises the Municipal Building, Municipal Gym, Fire Station and other government Offices compound.
- j. All areas to be determined by Local Authorities through the issuance of variance and/or exception for the purpose.

2. Rural Institutional Areas:

- a. All areas owned by the Barangay Local Government Units utilized for the delivery of basic services;
- b. All areas owned by the Department of Education, both the elementary and secondary levels;
- c. All areas occupied by the Military as camp and detachment.
- d. All areas owned by the Diocese of Dipolog and all properties of other religious denominations and religious sects.
- e. All areas to be determined by Local Authorities through the issuance of variance and/or exception for the usage of institutional establishment.

Block 23 The block bounded by Roxas Street on the West having a distance of 130 meters more or less, by the provincial road to Polanco on the South having a distance of approximately 115 meters; by C.M. Recto Street on the East having a distance of 120 meters more or less and a distance of 130 meters more or less following the course of a creek on the North. (Piñan Central Elementary School)

Block 35 The block bounded by A. Bonifacio Extension on the Northeast having a distance of 50 meters more or less; by the National Highway to Barcelona on the West having a distance of approximately 70 meters; and by Roxas Extension on the South having a distance of 50 meters; turn right East a line is drawn 50 meters more or less of the National highway to Barcelona. (Health, ABC, Police, MCTC Offices)

Block 37 The block bounded by A. Bonifacio Extension on the North having distance of 165 meters more or less; by C.M. Recto Street on the West having a distance of approximately 70 meters; by Roxas street on the South having a distance of 55 meters more or less; and by Adante Avenue on the East having a distance of approximately 70 meters. (Municipal Building);

- Block 45 Starting from a point along the junction of Road 2 and Don Mariano Marcos street, a line is drawn following the centerline of Don Mariano Marcos street towards the Southern direction and a distance of 200 meters; turning left towards the Southeastern direction at a distance of 100 meters; turning left towards the Northeastern direction at a distance of 125 meters; turning right towards the Northeast direction at a distance of 50 lineal meters; turning left Northeast at a distance of 100 meters to touch the centerline of Road 2; turning left towards the Southeast, a line is drawn following the centerline of Road 2 to meet the point of beginning. (Piñan National High School).
- Block 56 The area bounded by Siangco Street on the North having a distance of 300 meters more or less; by the National Highway leading to Barcelona on the East having a distance of approximately 240 meters; by Isaias Udal (Ipil-ipil) street on the South having a distance of 150 meters more less; and by Siangco street on the Northwest having a distance of approximately 180 meters. (ZANECO)
- Block 60 The block bounded by T. Falconete Street on the North having a distance of approximately 100 meters; by Road 4 on the west measuring 30 meters more or less; 40 meters depth from T. Falconete street running 100 meters along T. Falconete from its junction with Road 4. (PDH)

E. PARKS AND OPEN SPACES

All areas to be identified by Local Authorities for the purpose of Buffer Zones, Easements, Playgrounds, Greenbelts, Eco-Parks and the like which will delineate different spatial usage.

- Blocks 36 The block bounded on the North by A. Bonifacio Extension having a distance measuring approximately 15 meters; by Adante Avenue on the West having a distance of 50 meters; by Roxas Street on the South having a distance of approximately 15meters; and by the National Highway leading to Barcelona on the East having a distance of 40 meters more or less. (Kiosk);
- Block 21 The triangular open space situated at the junction of the National Highway to Polanco, the National highway leading to Barcelona and the National Highway to Mutia with an area of approximately 1,500 square meters. (Ubay Triangle);

F. INDUSTRIAL ZONE

1. Urban Industrial Areas (Poblacion):

- a. Part of Poblacion South, Poblacion North outside 100 meters radius from a residential area and basic institutional establishment (e. g. Government Centers and Offices, Schools, Day Care & feeding centers and chapels/churches), provided it is not classified as prime agricultural area;

2. Rural Industrial Zone (Barangays): Industrial establishments shall be outside the 100 meter radius from a residential area and basic institutional establishment, like Barangay Hall, Health Stations, Schools, Day Care & Feeding Centers, Church/chapels, and other related establishments. Provided, it is not classified as a non-convertible agricultural area.

- a. Barangay Lapu-lapu
- b. Barangay Segabe;
- c. Barangay Adante

INDUSTRIAL ZONE

Starting from a point along the junction of the propose road "F" and the existing road of Barangay Adante, a line is projected at a distance of 1,800 lineal meters towards the Northwest direction; turning left at right angle at distance of 200 lineal meters; turning left at right angle toward the Southeast direction up to the imaginary line of an agro-industrial block situated 200 lineal meters North from the centerline of the Polanco; turning left towards the left and along the imaginary line of the agri-industrial block to meet the point of beginning.

G. AGRI-INDUSTRIAL ZONE

1. Urban Agro-Industrial Area (Poblacion)

- a. Barangay Segabe;
- b. Barangay Lower Gumay;
- c. Other properties to be identified by Local authorities, provided, it is outside the 100 meter radius from residential and institutional zone.

2. Rural Agro-Industrial Area (Barangays)

- a. Barangay Segabe;
- b. Barangay Lower Gumay;
- c. Areas to be identified by Local Authorities outside the 100 meter radius from residential and institutional zone.

AGRI-INDUSTRIAL ZONE

Starting from a point along the junction of the National Highway to Polanco and Samonte Street a line is drawn to along the centerline of Samonte Street up to corner of Samonte Street and Provincial road to Calican; turning right towards the West along the centerline of F. Samonte Street towards the South up to its junction with the existing Provincial Road to Calican following the centerline of the Provincial road to Calican” at a distance of 610 lineal meters; turning right toward the West. A line is projected parallel to the National Highway to Polanco up to the boundary lines of Barangay Segabe with the Poblacion; turning right towards the Northern direction, a line following the boundary of lines of Barangay Segabe with the Poblacion up to the centerline of the National Highway to Polanco; following the barangay boundary line to Segabe and Poblacion towards the Northern direction at a distance of 200 lineal meters; turning right towards the Eastern direction a line is drawn parallel to the National Highway to Polanco up to the centerline of the existing road to Barangay Adante; turning right towards the Southern direction and along the centerline of the said road up to its junction with the National Highway to Polanco, turning left towards the Eastern direction, a line is drawn along the centerline of National highway to Polanco to meet the point of beginning.

The area measuring 200 meters depth along the Provincial road to Aseniero, Dapitan City until it reaches the boundaries of Piñan and Dapitan City.

OTHERS

All areas left un-appropriated to any other land uses (i.e. residential, commercial, institutional, parks and openspaces, industrial and agro-industrial) within the zoned area are hereby declared as agricultural zone, as indicated in the Zoning Map.

SECTION 10. INTERPRETATION OF THE ZONE BOUNDARY: In the interpretation of the boundaries for any of the zones indicated on the Zoning Map, the following rules shall apply:

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

3. Where zone boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance there from as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
5. Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line shall be deemed to be 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 ownership, as of record at the effective date of this Ordinance, is divided by a zone boundary lines, 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 as one-lot-deep, said depth shall be construed to be the average lot depth of the lots involved within each particular municipal block. Where, however, any lot has a depth greater than said average, the remaining portion of said lot shall be construed as covered by one-lot-deep zoning district provided 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 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 V
ZONE REGULATIONS

SECTION 11. GENERAL PROVISION:

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

Allowable Uses

The uses enumerated in the succeeding sections are neither exhaustive nor all-inclusive. The LOCAL ZONING BOARD OF APPEALS (LZBBA) shall, subject to the requirements of the Mitigating Device Provision of this Ordinance, and allow other uses not enumerated hereunder provided that they are COMPATIBLE with the uses expressly allowed.

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

Building Regulations

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

SECTION 12. REGULATIONS IN BASE ZONE.

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

SECTION 12.1. USE REGULATIONS IN GENERAL RESIDENTIAL ZONE (GRZ):

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

- Single -detached family dwelling
- Semi-detached Family dwelling e.g. row-houses, apartments, duplex

- Residential condominiums
- Apartments
- Hometels
- Pension Houses
- Hotel Apartment or Apartelle
- Dormitories
- Boarding Houses
- Customary accessory uses like:
 - Servants quarters
 - Private garages
 - Guard houses
- Home occupation for the practice of one's profession or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - The number of profession engaged in such business/industry shall not exceed five (5) inclusive of the owner.
 - There shall be no change in the outside appearance of the building premises;
 - No home occupation shall be deducted in any customary accessory use cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in 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 the required front yard;
 - No requirement or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odor and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver causes fluctuations in line voltage of the premises.
- Home Industry Classified as cottage industry provided that:
 - Such home industry shall not occupy more than THIRTY PERCENT (30%) of the floor area of the dwelling unit. There shall be no change or alternation in the outside appearance of the dwelling unit and shall not be hazardous or nuisance.

- Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI).
- Such shall consider same provisions as enumerated in letters c, d and e number 12- Home Occupations, this section.
- Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - Swimming pool
 - Pelota court
 - Others
- Nursery/Elementary School
- High School
- Vocational School
- Sports Club
- Religious Use
- Multi-Purpose Hall/Barangay Hall
- Clinic, Nursing and Convalescing Home, Health Center
- Plant nurseries

SECTION 12.2. USE REGULATIONS IN SOCIALIZED HOUSING ZONE (SHZ): A SHZ shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279.

Allowable uses:

- All uses allowed according to the provisions of BP220

Building Regulations

- Applicable provisions of BP 220

SECTION 12.3. 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:

- Office like:
 - Office building
 - Office condominium

- General retail stores and shops like:
 - Department store
 - Bookstores and Office Supply Shops
 - Home Appliances Stores
 - Car Shops
 - Photo Shops
 - Flower Shops
- Food Markets and Shops like:
 - Bakery and Bakeshops
 - Wine Stores
 - Groceries
 - Supermarkets
- Personal Service Shops like:
 - Beauty parlors
 - Barbershops
 - Sauna Bath and Massage Clinics
 - Dressmaking and Tailoring Shops
- Recreational Center/Establishments like:
 - Movie Houses/Theaters
 - Play Courts e.g. Tennis Courts, Bowling Lanes, Billiard Halls
 - Swimming Pools
 - Day and Night Clubs
 - Stadiums, Coliseums, Gymnasiums
 - Other Sports and Recreational Establishments
- Restaurants and other eateries
- Short term special education like:
 - Dancing school
 - School for self defense
 - Driving schools
 - Speech clinics
- Storerooms but only as may be necessary for the efficient conduct of the business.
- Commercial Condominiums (with residential units in upper floors)

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- Commercial housing like:
 - Hotels
 - Apartments
 - Apartelle
 - Boarding Houses
 - Dormitories
 - Pension Houses
 - Club Houses
 - Motels
 - Embassies/Consulates
 - Libraries/Museums
 - Service Stations
 - Clinics
- Vocational/Technical Schools
- Convention Centers and related facilities
- Messengerial Services
- Security Agencies
- Janitorial Services
- Banks and other financial facilities
- Radio and Television Stations
- Building Garage, Parking Lots
- Bakery and baking of bread, cake, pastries and other similar perishable products
- Costumes Dressmaking Shops
- Costumes Tailoring Shops
- Commercial and Job Painting
- Typing and Photo Engraving Services
- Repair of Optical Instruments and Equipment, and Cameras
- Repair of Clocks and Watches
- Manufacture of Insignia, Badges and similar emblems except metal
- Transportation Terminals/Garages with and without repair
- Repair shops like:
 - House Appliances Repair Shops
 - Motor Vehicles and Accessory Repair Shops
 - Home Furnishing Shops
 - Printing/Publishing

- Machinery Display Shops/Centers
- Gravel and Sand
- Lumber/Hardware
- Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
- Printing and Publishing of books and pamphlets, Printing of cards and stationary
- Manufacture of signs and advertising display(except printed)
- Chicharon Factory
- Manufacture of Wood Furniture including upholstered
- Manufacture of Rattan Furniture including upholstered
- Manufacture of Box Beds and Mattresses
- Welding Shops
- Machine Shops service operation (repair/rebuilding, or custom job orders)
- Medium scale junk shops
- Repair of Motorcycles
- Lechon or whole pig roasting
- Biscuit Factory-manufacture or biscuits, cookies, crackers and other similar dried bakery products.
- Doughnut and Hopia Factory
- Other bakery products, not elsewhere classified (n.e.c.)
- Repacking of food products, e.g. fruit, vegetables, sugar and other related products
- Plant nursery
- Funeral Parlors, Mortuaries and Crematory services, and Memorial Chapels
- Parking lots, garage facilities
- Other commercial activities not elsewhere classified

SECTION 12.4. USE REGULATIONS IN GENERAL INDUSTRIAL ZONE

(I1): An I1 zone shall non-pollutive/hazardous manufacturing/processing establishments. Enumerated below are the allowable uses:

- d. Non-Pollutive/Non Hazardous
- e. Non-Pollutive/Hazardous
- f. Other Support Services and Facilities

Allowable uses

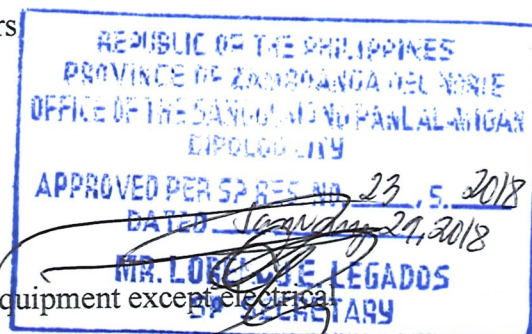
A. Non-Pollutive/Non Hazardous

- Drying fish
- Biscuit factory-manufacture of biscuits, cookies, crackers, and other similar dried bakery products
- Doughnut and hopia factory
- Manufacture of macaroni, spaghetti and vermicelli and other noodles
- Other bakery products not elsewhere classified (n.e.c.)
- Life belts factory
- Manufacture of luggage, handbags, wallets and small leather goods.
- Manufacture of miscellaneous products of leather substitute and n.e.c.
- Manufacture of shoes except rubber, plastic and wood
- Manufacture of slippers and sandals except rubber and plastic
- Manufacture of footwear parts except rubber and plastics
- Printing, publishing and allied industries and those n. e. c.
- Manufacture or assembly of type writers, cash register, 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, sailboat
- Manufacture of animal drawn vehicles
- Manufacture vehicles and baby carriages
- Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
- Manufacture of assembly of surgical, medical, dental equipment, plump bomb, rain gauge, taxi meter, thermometer, etc.
- Manufacture of assembly of surgical, medical, dental equipment and medical furniture
- Quick freezing and cold packaging for fish and other sea foods
- 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 (abnormal supporter, ankle supports, arch supports, artificial limb, kneecap supporters, etc.
- Manufacture of photographic equipment and accessories
- Manufacture 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 plastics)
- 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, pencil and other office and artist materials
- Manufacture of umbrella and canes
- Manufacture of buttons except plastics
- 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 printing)
- Small- scale manufacture of ice cream
- Manufacture and canning of ham, bacon and native sausage
- Poultry processing and canning
- Large-scale manufacture of ice cream
- Corn mill/rice mill
- Chocolate and hopia factory
- Candy factory
- Chewing gum factory
- Peanuts and other nuts factory
- Other chocolate and confectionery products
- Manufacture of flavoring extracts
- Manufacture of food products i.e.(vinegar, vetsin)

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- Manufacture of fishmeal
- Oyster shell grading
- Manufacture of medical and pharmaceutical preparations
- Manufacture of stationary, art goods, cut stone and marble products
- Manufacture of abrasive products
- Manufacture of miscellaneous non-metallic mineral products
- Manufacture of cutlery, except table flatware
- Manufacture of hand tools
- Manufacture of general hardware
- Manufacture of miscellaneous cutlery hand tools and general hardware i.e.
- Manufacture of household metal furniture
- Manufacture of office, store and restaurant metal furniture
- Manufacture of metal blinds, screens and shades
- Manufacture of miscellaneous furniture and fixture primarily of metal i.e.
- Manufacture of fabricated structural iron and steel
- Manufacture of architectural and ornamental metal works
- Manufacture of boilers, tanks and other structural sheet metal works
- Manufacture of metal cans, boxes and containers
- Manufacture of other structural products i.e.
- Manufacture of stamped coated and engraved metal products
- Manufacture of fabricated wire and cable products
- Manufacture of heating, cooking and lighting equipment except electrical
- Sheet metal works generally manual operation
- Manufacture of other fabricated metal products except machinery and equipment
- Manufacture of assembly of agricultural machinery and equipment
- Native plows and harrow factory
- Repair of agricultural machinery
- Manufacture or assembly of service industry machines
- Manufacture or assembly of elevators and escalators
- Manufacture or assembly of sewing machines
- Manufacture or assembly of cooking ranges
- Manufacture or assembly of water pumps
- Refrigeration industry
- Manufacture or assembly of other machinery and equipment except electrical
- Manufacture and repair of electrical apparatus



- Manufacture and repair of electrical cable and wires
- Manufacture of electrical cables and wires
- Manufacture of other electrical industrial machinery and apparatus i.e.
- Manufacture or assembly of electric equipment radio and television, tape recorders, stereo
- Manufacture or assembly of radio and television transmitting, signaling and detection equipment
- Manufacture or assembly of telephone and telegraphic equipment
- Manufacture of other electronic and apparatus i.e.
- Manufacture of industrial and commercial electrical appliances
- Manufacture of household cooking, heating and laundry appliances
- Manufacture of other electrical appliances i.e.
- Manufacture of electric lamp fixtures
- Slaughterhouse/abattoir (Class A & AA)

Non-Pollutive/Hazardous Industries

- Manufacture of house furnishing
- Textile bag factories
- Canvass bags and other canvas products factory
- Jute bag factory
- Manufacture of miscellaneous textile goods, embroideries and weaving apparel
- Manufacture of fiber batting, padding and upholstery filling except choir.
- Men's and boy's garment factory
- Women's girl's and ladies' garment factory
- Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories
- Manufacture of raincoats and waterproof garments excepts jackets
- Manufacture of miscellaneous wearing apparel except footwear and those n.e.c.
- Manufacture of wooden and cane containers
- Manufacture of miscellaneous and waterproof outer footwear and those n.e.c.
- 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
- Repacking of industrial products e.g. paints varnishes and other related products

C. Pollutive/Hazardous Industries

- Flourmill
- Cassava flourmill
- Manufacturing of coffee
- Manufacturing of unprepared animal feeds, other grain milling i.e.
- Production prepared feeds for animals
- Cigar and cigarette factory
- Curing and retrying tobacco leaves
- Miscellaneous processing tobacco leaves i.e.
- Weaving hemp textile
- Jute spinning and weaving mills, i.e.
- Miscellaneous spinning and weaving mills, i.e.
- Hosiery mill
- Underwear and outwear knitting mills
- Fabric knitting mills
- Miscellaneous knitting mills i.e.
- Manufacture of mats and matting
- Manufacture of carpets and rugs
- Manufacture of cordage, rope and twine
- Manufacture of related products from abaca, sisal, henequen, hemp, cotton, paper,
- Manufacture of linoleum and other surfaced covering
- Manufacture of artificial leather, oil clothe and other fabric except rubberized
- Manufacture of coir
- Manufacture of miscellaneous textile i.e.
- Manufacture of rough lumber, un-worked
- Manufacture of worked lumber
- Re-sawmills
- Manufacture of veneer, plywood and hardwood
- Manufacture of doors, windows and sashes

- Treating and preserving of wood
- Manufacture of charcoal
- Manufacture of wood and cane blinds screens and shades
- Manufacture of containers and boxes of paper and paperboards
- Manufacture of miscellaneous pulp and paper products, i.e.
- Manufacture of perfumes cosmetics and other toilet preparations
- Manufacture of waxes and polishing preparation
- Manufacture of candles
- Manufacture of inks
- Manufacture of miscellaneous chemical products, i.e.
- Tire retreating and rebuilding
- Manufacture of rubber shoes and slippers
- Manufacture of industrial and molded rubber products
- Manufacture of plastic footwear
- Manufacture of plastic furniture
- Manufacture of any fabricated plastic products, i.e.
- Manufacture of table and kitchen articles
- Manufacture of pottery, china and earthenware, i.e.
- Manufacture of flat glass
- Manufacture of glass containers
- Manufacture of miscellaneous glass products, i.e.
- Manufacture of clay bricks, clay tiles and hollow clay tiles
- Manufacture of miscellaneous structural clay products, i.e.
- Manufacture of structural concrete products
- Manufacture of asbestos products
- Manufacture of engines and turbines except motor vehicles, marine and aircraft
- Manufacture of metal cutting, shaving and finishing machinery
- Manufacture of wood working machinery
- Manufacture, assembly, rebuilding, repairing of food and beverage making machinery
- Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
- Manufacture, assembly, rebuilding, repairing of paper industry machinery
- Manufacture, assembly, rebuilding, repairing of printing, trade machinery and equipment
- Manufacture of rice mills
- Manufacture of machines for leather and leather products

- Manufacture of construction machinery
- Manufacture of machines for clay stove and glass industries
- Manufacture, assembly, rebuilding of miscellaneous special industrial machinery and equipment, i.e.
- Manufacture of dry cells, storage battery and other batteries
- Boat building and repairing
- Ship repairing industry, dock yards, dry dock, shipways
- Miscellaneous ship building and repairing, i.e.
- Manufacture of locomotives and parts
- Manufacture or assembly of automobiles, cars, buses, trucks and trailers
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Highly Pollutive/Non-Hazardous Industries
- Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharon
- Butter and cheese processing plants
- Natural fluid milk processing (pasteurizing, vitaminizing, bottling of natural animal milk and cream related products)
- Other dairy products, n.e.c.
- Canning and preserving of fruits and fruit juices
- Canning and preserving of vegetable and vegetables juices
- Canning preserving of vegetable sauces
- Miscellaneous canning and preserving of fruits and vegetables, n.e.c.
- Fish canning
- Soya (Patis) factory
- Bagoong factory
- Manufacture of desiccated coconut
- Manufacture of starch and its products
- Manufacture of wines from juices of local fruits
- Manufacture of instant beverages, and syrup
- Other non-alcoholic beverages, i.e.
- Other slathering, preparing and preserving meat products, i.e.
- Other processing, preserving and canning of meat products i.e.
- Slaughterhouses/Abattoirs (All classes; AAA, AA, & A).

- Non-Pollutive/Hazardous Industries
- Vegetable oils mills, including coconut oil
- Manufacturing refines cooking oil and margarine
- Manufacture of fish, marine and other animal oils
- Manufacture of vegetable and animal oils and fats, n.e.c
- Distilled, rectified and blended liquors, n.e.c.
- Cotton textile mill
- Bleaching and drying mills
- Manufacture of narrow fabrics
- Tanneries and leather finishing plants
- Pulp mill
- Paper and paperboard mills
- Manufacture of fiberboard
- Manufacture of inorganic slats and compounds
- Manufacture of soap and cleaning preparation
- Manufacture of lime and limekilns
- Manufacture of plaster
- Products of iron and steel foundries
- Manufacture of non-ferrous foundry products

D. Highly Pollutive/Extremely Hazardous Industries

- Manufacture of industrial alcohols
- Other basic industrial chemicals, n.e.c.
- Manufacture of fertilizers
- Manufacture of pesticide
- Petroleum refineries
- Manufacture of reclaimed, blended and compound petroleum products
- Manufacture of miscellaneous products of petroleum and coal, i.e.

E. Pollutive/Extremely Hazardous Industries

- Manufacture of paints
- Manufacture of varnishes, shellac and strains
- Manufacture of paint removers
- Manufacture of other paint products
- Manufacture of matches

- Manufacture of processed natural rubber not in rubber plantation
- Manufacture of miscellaneous rubber products, i.e.
- Manufacture of miscellaneous rubber products, i.e.

E. Non-Pollutive/Extremely Hazardous Industries

- Manufacture of compressed and liquefied gases.

SECTION 12.5 USE REGULATIONS IN GENERAL INSTITUTIONAL ZONE(GIZ):

In GI Zone, the following uses shall be allowed:

- Government center to house national, regional or local offices in the area
- Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of high learning
- General hospitals, medical centers, multi-purpose clinic
- Scientific, cultural and academic centers and research except nuclear, radioactive, chemical and biological warfare facilities
- Convention centers and related facilities
- Religious structure e.g. church, seminary and convents
- Museums
- Student housing e.g. dormitories, boarding house

SECTION 12.6 USE REGULATIONS IN SPECIAL INSTITUTIONAL ZONE (SIZ):

In SI Zones, the following uses shall be allowed:

- Welfare homes, orphanage, boys and girls town, home for the aged and the like
- Rehabilitation and vocational training center for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
- Military camps/reservation/bases and training grounds
- Penitentiary and correctional institution

SECTION 12.7 USE REGULATIONS IN PARKS AND RECREATION ZONE (PRZ):

The following uses shall be allowed in Parks and Recreational Zones:

- Parks/garden
- Resort areas, e.g. beaches, including accessory uses

- Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheaters and swimming pools
- Golfs course, ball courts, racetracks and similar uses
- Memorial/shrines monuments, kiosks and other park structure
- Sports club
- Underground parking structures/facilities

SECTION 12.8. USE REGULATIONS FOR AGRICULTURAL ZONES (Agri): The following uses shall be permitted:

- Cultivation, raising and growing of staple crops such as rice, corn, root crops, tubers, vegetables and the like.
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Servi-culture, mushroom culture, fishing and fish culture, snake culture, crocodile farm, monkey raising and the like.
- Customary support facilities such as palay dryers and rice threshers and storage barns and warehouses.
- Ancillary dwelling units/farmhouse for tillers and laborers
- Agricultural research and experimentation facilities such as breeding station, fish farms, nurseries, demonstration farms, etc.
- Pastoral activities such as goat rising and cattle fattening
- Home occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running a sari-sari tore and the like provided that:
 - Number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner,
 - There shall be no change in the outside appearance of the building premises;
 - No home occupation shall be conducted in any customary accessory cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected
 - In residential neighborhood and any need for parking generated by the conduct of such home occupation
 - Shall be met off the street in a place other than the required front yard.

- No equipment or process shall be used in such occupation, which creates noise, vibration, glare fumes, and odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or receiver or causes fluctuations in line voltage of the premises.
 - Home industry classified a cottage industry e.g. mat weaving, pottery making, food preservation, etc. provided that:
 - a. Such home industry shall not occupy more than thirty (30%) of floor area of the dwelling unit. There shall be no change or alternation in the outside appearance of the dwelling unit shall be a hazard or nuisance;
 - Allotted capitalization shall not be exceed the capitalization as set by the Department of Trade and Industry (DTI);
 - Such shall consider same provisions as enumerated in letters c, d and e of the Home Occupation, this section.
- 10. Backyard rising of livestock and fowl provided that;
 - For livestock - a maximum of 10 heads
 - For fowl – a maximum of 500 birds
- 11. Slaughterhouse/Abattoirs (Class A)

SECTION 12.9 USE REGULATIONS IN AGRI-INDUSTRIAL ZONE (AIZ): In AI Zones the following uses shall be permitted:

- All uses allowed in agriculture
- Rice/corn mills (single pass)
- Drying cleaning, curing and preserving of meat and its by products and derivatives
- Drying, smoking and airing of tobacco
- Flour mill
- Cassava flour mill
- Manufacture of coffee
- Manufacture of unprepared animal feeds, other grain milling, i.e.
- Production of prepared feeds foe animals
- Cigar and Cigarette factory
- Curing and re-drying tobacco leaves
- Miscellaneous processing tobacco leaves, i.e.

- Weaving hemp textile
- Jute spinning and weaving
- Manufacture of charcoal
- Milk processing plants (Manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
- Butter and cheese processing plants
- Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural milk and cream related products)
- Other dairy products, i.e.
- Canning and preserving of fruits and fruit juices
- Canning and preserving of vegetables and vegetable juices
- Canning and preserving of vegetable sauces
- Miscellaneous canning and preserving of fruit and vegetables n.e.c.
- Fish canning
- Patis factory
- Bagoong Factory
- Processing, preserving and canning fish and other sea foods n.e.c.
- Manufacture of dessicated coconut
- Manufacture of starch and its products
- Manufacture of wines from juices of local fruits
- Vegetable oil mills, including coconut oil
- Sugarcane filling (centrifugal and refines)
- Sugar refining
- Mascovado sugar mill
- Cotton textile mill
- Manufacture processing of other plantation crops e.g. pineapple, bananas, etc.
- Other commercial handicrafts and industrial activities utilizing plant or animal parts and/or products as raw materials, n.e.c.
- Other accessory uses incidental or agro-industrial activities
- Processing of rubber latex and lumps
- Slaughterhouse/Abattoirs (AA & A)

SECTION 12.10 USE REGULATION IN FOREST ZONES (FZ): No development use, activity shall be allowed in Forest Zones unless consistent with the Department of Environment and Natural Resources, DENRO 9 Development Regulation for Forest Zones and Permits, lease or Licenses is issued by the DENR for the following:

- Contact Reforestation with Forest Land Management Agreement (FLMA);
- Commercial Tree Plantation and Industrial Forest Plantation (ITP/IFP);
- Integrated Social Forestry Programs (ISF);
- Community-Based Forest Management;
- Reforestation compliance by forest users by Temporary Lease Agreement;
- Reforestation compliance by Pasture Lease Agreement;
- Ecological Revolution Program (ECOREV).

Other allowable uses such as mining, infrastructure development, fishpond and resettlement purposes should be in consonance with the National Policies as enumerated below:

- MINING – no extraction/excavation other than mining activity shall be undertaken except in accordance with the Mining Code and its Implementing Rules and Regulation.
- FISHPOND PURPOSES – fishing activities within Forest Zone shall be undertaken pursuant to the provisions of the Fisheries Code and its Implementing Rules and Regulations, and the Revised Forestry Code of the Philippines as amended.
- INFRASTRUCTURES AND RESETTLEMENT – infrastructure development and resettlement within Forest Zone shall be undertaken pursuant to the provisions of the Revised Forestry Code of the Philippines as amended, subject to an Environmental Impact Assessment and social acceptability.

SECTION 12.11 USE REGULATIONS IN TOURIST ZONE (TZ): No tourism projects or tourism related activities shall be allowed in Tourist Zones unless developed or undertaken in accordance with the Department of Tourism (DOT) Guidelines and Standards, and duly approved by the Sangguniang Bayan and confirm by the Department of Tourism.

SECTION 13. USE REGULATIONS IN OVERLAY ZONES (OZ):

A “transparent zone” that is overlain on top of the Base 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 building/structures design that are deemed necessary to achieve the objectives of the Overlay Zone.

SECTION 13.1. FLOOD OVERLAY ZONE (FLD-OZ). Flood Overlay Zone regulations are applied in areas that have been identified in the CLUP as flood prone. The objective of the Flood Overlay Zone is to protect lives and properties from destructive effects of flood.

Allowable Uses shall be as provided in the respective Base Zone, subject to the following additional regulations:

➤ Building Density and Buffer Regulations

- Maximum allowable of Percentage of Site Occupancy(MAPSO)-
- Unpaved Surface Area (USA)

➤ Building /Structure Design Regulations

Building shall be made flood proof through any or combination of the following means:

- Raising the lowest floor line at or above the Flood Protection Elevation(FPE) as determined by the DPWH either through fill or using stilts;
- Providing roof decks that can be use for evacuation purposes;
- Building utility connections such as those for electricity, potable water and sewage shall be located at elevation higher than the Flood Protection Elevation
- Natural drainage pattern shall not be altered and;
- Use sustainable urban drainage system to include rain water storage tanks, green roofs, etc that can decrease the flow and make use of storm water run-off.

ARTICLE VI
GENERAL REGULATIONS

SECTION 14. 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' Protection Law and its revised implementing rules and regulations
2. BP 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 7972- 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. BP 144 – Accessibility Law
9. Rules and Regulations- HLURB Town Planning and Zoning Program
10. Plumbing Code
11. Executive Order No.648
12. Other relevant guidelines promulgated by the national agencies concerned.

SECTION 15. HEIGHT REGULATIONS: Building height must conform to the Height Restrictions and Requirement of the Air Transportation Office (ATO), the Civil Aviation Authority of the Philippines (CAAP), as well as the requirement of the National Building Code, the Structural Code, as well as all laws, ordinances, design standards, rules and regulations related to land development and building construction and other various safety codes.

ALL OTHER ZONES – There is no fixed building height limits except to those prescribed by the Air Transportation Office (ATO) and other Government regulations. Within these zones, building heights shall be on the prescribed floor area ratio (FAR).

SECTION 16. EXEMPTION FROM HEIGHT REGULATIONS: Exemption from the imposition of height regulation in residential zones are the following; towers, church steeples, water tanks and other utilities and such other structures not covered by the height regulation of the nation building Code and/or the Air Transportation Office.

SECTION 17. ROAD SETBACK REGULATIONS: The following road setback regulations from property line shall be applied:

ROAD SETBACK

ZONING CLASSIFICATION	MAJOR THOROUGHFARE 30m & above	SECONDARY ROAD	TERTIARY ROAD 6m & below
	National Highways, Diversion/ Circumferential Roads, & Railways	Provincial and Sub-National Roads	Local Roads
Residential	10 meters	10 meters	3 meters
Commercial	20 meters	20meters	7 meters
Industrial	30 meters	25 meters	10 meters
Agricultural	20 meters	20 meters	7 meters
Agro-Industrial	30 meters	25 meters	10 meters
Institutional	20 meters	20 meters	10 meters
Parks & Recreation	10 meters	10 meters	3 meters
Forest	30 meters	25 meters	10 meters

Source: Department of Public Works and Highways

SECTION 18. EASEMENT: Pursuant to the provisions of the Water Code:

1. The bank of rivers and streams, and the shores of the seas and lakes throughout their entire length and within a zone of THREE (3) METERS in Urban Areas; TWENTY (20) METERS in Agricultural Areas; and FORTY (40) METERS in Forest Areas, along their margins, are subject to Easement for Public Use in the interest of Recreation, Navigation, Floatage, Fishing and Salvage.

NO PERSON SHALL BE ALLOWED to stay in these zones longer than what is necessary for space of recreation, navigation, floatage, fishing or salvage or to build structure of any kind.

SECTION 19. BUFFER REGULATIONS: A BUFFER of 3 METERS SHALL BE PROVIDED along entire boundary length between two or more conflicting zones allocating 1.5 meters from each side of the district boundary. Such buffer strip should be opened and not encroached upon by any building or structure and should be a part of the yard or open space.

SECTION 20. SPECIFIC PROVISIONS IN THE NATIONAL BUILDING CODE:

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

ARTICLE VII

INNOVATIVE TECHNIQUES

SECTION 21. INNOVATIVE TECHNIQUES OR DESIGNS: For projects that introduces flexibility and creativity in design or plan such as BUT NOT LIMITED to Planned Unit Development, Housing Projects covered by the New Town Development under RA 7279, BLISS Commercial Complexes, etc., the Zoning Administrator/Zoning Officer shall on grounds of innovative development techniques forward applications to HLURB for appropriate action, unless the Local Government Units concerned has the capacity to process the same.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

SECTION 22. 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 Locational Clearance shall be issued by the HLURB pursuant to EO 72.

SECTION 23. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC): Notwithstanding to the issuance of Locational Clearance under Section 37 of this Ordinance, No Environmentally Critical Areas shall commenced Development or Operate unless the requirement of Environmental Compliance Certificate (ECC) have been complied with.

SECTION 24. SUBDIVISION PROJECTS: All owners and/or developers of Subdivision Projects shall in addition to securing a Locational Clearance under Section 37 of this Ordinance 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 in the case of Socialized Housing Projects in accordance with the procedures laid down in EO 71, series of 1993.

ARTICLE IX
MITIGATING DEVICES

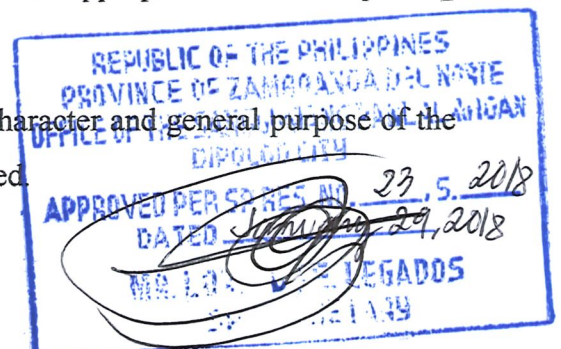
SECTION 25. DEVIATION: The Local Zoning Board of Adjustment and Appeals (LZBAA) may allow exception, variances or deviations from the provisions of this ordinance only when the following terms and conditions exist

1. Variance

- a. The property is unique and different from other properties in the adjacent locality and because of its uniqueness; the owner cannot obtain a reasonable return on the property.
- b. Conforming to the provision of the Ordinance will cause undue hardship on the part of the owner or occupant of the property due to physical conditions of the property (topography, shape, etc.) which is not self-created.
- c. The proposed variances are the minimum deviation necessary to permit reasonable use of the property.
- d. The variance will not alter the physical character of the district or zone where the property for which the variance is sought is located, and will not substantially or permanently injure the use of the other properties in the same district or zone.
- e. That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the Public Health, Safety or welfare.
- f. The variance will be in harmony with the spirit of this Ordinance.

2. Exceptions

- a. The exception will not adversely affect the public health, safety and welfare and is in keeping the general pattern of development in the community.
- b. The proposed project shall support economic based activities, provided livelihood, vital community services and facilities while at the same time posing no adverse effect on the zone community.
- c. The exception will not adversely affect the appropriate use of adjoining property in the same district.
- d. The exception will not alter the essential character and general purpose of the district where the exception sought is located.



SECTION 26. PROCEDURES FOR GRANTING EXCEPTIONS AND VARIANCES:

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

A written application for an exception or variance shall be filed with the LOCAL ZONING BOARD OF APPEALS (LZBA) citing the section of this Ordinance under which the same is sought and stating the ground/s thereof.

1. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed projects) shall be posted at the project sites.
2. The LOCAL ZONING BOARD OF APPEALS shall conduct preliminary studies on the application.
3. A written affidavit of non-objection of the project by the owners of the properties adjacent to the projects shall be filed by the applicant with the LZBAA at least fifteen (15) days prior to the decision for exception/variance.

In case of objection, the LZBA shall hold public hearing.

4. 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.
5. The LZBA shall tender a decision within thirty (30)days from the filing of the application, exclusive of the spent for the preparation of written affidavit of non-objection and the public hearing in case of any objection to the granting of exception/variance.

ARTICLE X

ADMINISTRATION AND ENFORCEMENT

SECTION 27. LOCATIONAL CLEARANCE/CERTIFICATE OF ZONING COMPLIANCE/DECISION ON ZONING: All owners/developers shall secure LOCATIONAL CLEARANCE from the Zoning Administrator/ZONING OFFICER or in cases of VARIANCE and EXCEPTIONS, from the LOCAL ZONING BOARD OF APPEALS (LZBA) prior to conducting any activity or construction on the property/land. However, projects covered by HLURB Memorandum Circular No. 09, Series of 1987 and HSRC Executive Committee Resolution No. R-65, series of 1984, attached in this document as Annex B are exempted from securing Locational Clearances.

SECTION 28. BUILDING PERMIT: The LOCAL BUILDING OFFICIAL shall issue no Building Permit without a valid Locational Clearance, Variance or Exception in accordance with this Ordinance.

SECTION 29. BUSINESS PERMIT AND LICENSE: The MUNICIPAL TREASURER and the LICENSING OFFICER shall issue no Business Permit and License to business establishments without a valid Locational Clearance, Variance or Exception in accordance with this Ordinance.

SECTION 30. NON-USER OF LOCATIONAL CLEARANCE: Upon issuance of a Locational Clearance, the Grantee thereof SHALL have One Year within to commence or undertake the use, activity or development covered by such clearance on his property. No use of said period shall result in its Automatic Expiration and Cancellation, and the grantee shall not proceed with his project without applying for a NEW CLEARANCE.

SECTION 31. 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 SANGGUNING PANLALAWIGAN (SP). Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fines/penalty.

Upon approval of this Ordinance, the ZONING ADMINISTRATOR/ZONING OFFICER shall immediately NOTIFY Owners of known existing Non-Conforming Use to apply for a CERTIFICATE OF NON-CONFORMANCE.

SECTION 32. EXISTING NON-CONFORMING USES AND BUILDINGS: The lawful building, structure or land at the time of adoption or amendment of this Ordinance may be continued, although uses do not conform to the provision of this Ordinance, provided:

1. That no such non-conforming uses shall be enlarged or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part, to any other portion of the lot parcel or land where such non-conforming use exists at the time of the adoption of this Ordinance.

2. That no such non-conforming use that 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 under one ownership which has been damaged maybe reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.

That should such non-conforming portion of structure be destroyed by any means to an extent of more than fifty percent (50%) of this replacement cost at the time of destruction, it shall be reconstructed except in conformity with the provisions of the Ordinance.

5. That no such non-conforming use may be 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 may be altered to decrease its non-conformity.
7. That should such structure be moved for any reason to whatever distance, it shall thereafter conform the regulation of the district in which it is moved or relocated.

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

SECTION 33. 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 DESIGNATED/Appointed by the former in accordance with the existing Rules and Regulations.

SECTION 34. POWERS AND FUNCTIONS OF A ZONING ADMINISTRATOR/ZONING OFFICER:

Pursuant to the provisions of EO 72 in relation to Sec. 5, Paragraph a and d, and Section 7 of Executive Order No. 648, dated February 7,

1981. The Zoning Administrator/ZONING OFFICER shall perform the following functions, duties and responsibilities.

A. Enforcement

1. Act all locational clearances for all projects.

2. Issuance of Locational Clearances for projects conforming with the zoning regulations.
3. Recommend to the LOCAL ZONING BOARD OF APPEALS (LZBA) the grant or denial of applications for Variances and Exceptions and the issuance of Certificate of Non-conformance for non-conforming projects lawfully existing at the time of the adoption for the zoning ordinance, including clearances for repairs/renovations on non-conforming uses consistent with the guidelines thereto.
4. 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 the Zoning Ordinance and IF NECESSARY, pursuant to SEC. 3 of EO 72 and SEC. 2 of EO 71 refer subsequent actions thereon to the HLURB.
5. Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this ordinance.
6. Coordinate with the Municipal Attorney for other legal actions/remedies relative to the foregoing activities.

B. Planning

1. Coordinate with the Regional Office of the HLURB regarding proposed amendments to the Zoning Ordinance prior by the Sangguniang Bayan.

SECTION 35. ACTION ON COMPLAINTS AND OPPOSITIONS: A complaint for violations of any provisions of the Zoning Ordinance or of any Clearance or Permits issued pursuant thereto shall be filed with the LZBA. However, OPPOSITIONS to Application for Clearance, Variance or Exception shall be treated as a complaint and dealt with in accordance with the provisions of this Ordinance.

SECTION 36. FUNCTIONS AND RESPONSIBILITIES OF THE LOCAL ZONING BOARD OF APPEALS (LZBA): The LZBA is hereby created which shall perform the following functions and responsibilities:

A. Act on Applications of the following Nature:

1. Variances
2. Exceptions
3. Non-conforming use
4. Complaints and Opposition to Applications

C. Acts on APPEALS on GRANT or DENIAL of Locational Clearance by the Zoning Administrator/ZONING OFFICER.

The decisions of the Local Zoning Board of Appeals shall be appealable to the HLURB.

SECTION 37. COMPOSITION OF THE LOCAL ZONING BOARD OF APPEALS (LZBA):

1. Municipal Mayor as a Chairman
2. Municipal Legal Officer
3. Municipal Assessor
4. Municipal Engineer
5. A permanent staff from the Planning Office or its equivalent
6. Two (2) representatives of the private sector, nominated by their respective organizations and confirmed by the Municipal Mayor. In the event of non-availability of any of the officials enumerated above, the Sangguniang Bayan shall elect the number of its members as may be necessary to meet the total number above set forth, as representative.
7. Two (2) representatives from non-government organizations nominated by their respective organizations and confirmed by the Municipal Mayor, in the event of non-availability of any 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, the said committee shall be attached to the MUNICIPAL DEVELOPMENT COUNCIL.

SECTION 38. INTERIM PROVISION: Until such time that the LOCAL ZONING BOARD OF 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 39. REVIEW OF 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 the local development plans;
- b. Introduction of projects of national significance;
- c. Petition for rezoning;
- d. Other reasons which are appropriate for consideration.

SECTION 40. COMPOSITION OF THE LOCAL ZONING REVIEW COMMITTEE

(LZRC): The Local Zoning Review Committee shall be composed of sectoral experts. These are the Local Officials/Civic Leaders responsible for the operation, development and progress of all sectoral undertakings in the locality, e.g.

- a. Sangguniang Bayan Member, representing the Committee on Housing and Land Use as Chairman;
- b. Municipal Planning and Development Coordinator;
- c. Municipal Health Officer;
- d. Municipal Agriculturist;
- e. President, Liga ng mga Barangay;
- f. Municipal Engineer;
- g. Community Environment and Natural Resources Officer (CENRO);
- h. Municipal Agrarian Reform Officer (MARO);
- i. District School Supervisor;
- j. Three (3) Private Sector Representatives (Local Chamber of Commerce, Housing Industry and Homeowners Associations); and
- k. Two (2) NGO Representatives.

FOR PURPOSES OF POLICY AND PROGRAM COORDINATION, the LZRC shall be attached to MUNICIPAL DEVELOPMENT COUNCIL.

SECTION 41. 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 review conducted.
- C. Provide information to the HLURB that would be useful in the exercise of its functions.

SECTION 42. AMENDMENT TO THE ZONING ORDINANCE: Any changes introduce to this Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as an amendment. Provided, that any amendment to the Zoning Ordinance or provisions thereof shall be subject to public hearing and review evaluation of the Local Review Committee and shall be carried out through a resolution of three fourths (3/4) vote of the Sangguniang Bayan. Said amendments shall take effect only after approval and authentication by the HLURB or the SangguniangPanlalawigan.

SECTION 43. VIOLATION AND PENALTY: Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine NOT EXCEEDING TWOTHOUSAND FIVE HUNDRED PESOS (P 2,500.00) or an imprisonment for a period not exceeding six(6)months or both at the discretion of the Court.

In case of violation by corporation, partnership or association, the penalty shall be imposed upon the erring officers thereof.

SECTION 44. SUPPLEMENTARY EFFECTS TO OTHER LAWS AND DECREES: The provisions of this Ordinance shall be without prejudice to the application of others laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

SECTION 45. SEPARABILITY CLAUSE: Should any section or provisions of this Ordinance be declared by the Court to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole thereof other than the part so declared to be unconstitutional or invalid.

SECTION 46. REPEALING CLAUSE: All ordinances, rules and 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 47. EFFECTIVITY CLAUSE: This Ordinance shall take effect upon approval by the Sangguniang Panlalawigan.

-oOOo-

I HEREBY CERTIFY to the correctness of foregoing Municipal Ordinance.


MARIA CELESTE B. CANOY
Secretary to the Sanggunian Bayan

ATTESTED BY:


LOUIDA P. BELANGOY
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


CECILIA J. CARREON
Municipal Mayor

09-08-16