

CHAPTER 6

TOOLS FOR PLAN IMPLEMENTATION



Republic of the Philippines
Province of Davao del Sur
Municipality of Hagonoy

OFFICE OF THE SANGGUNIANG BAYAN

17th LEGISLATIVE COUNCIL

30TH REGULAR SESSION
March 31, 2014



REVIEWED

PURSUANT TO THE PROVISIONS OF RA 7160
BY AUTHORITY OF THE SANGGUNIANG BAYAN

(Authorized Signatory/In-charge Internal Rules of Procedures)
REFERENCE RESOLUTION NO. 10-377 DATE 9/9/2014

SPONSORED BY: HON. GONZALO M. PALAMOS, JR.,ME
Co-Sponsors : Hon. Sheryll C. Gayud, Hon. Raymundo M. Alalong, Sr.,
Hon. Dante C. Aznar, Hon. Teodulo L. Briones, Hon. Benjamin A. Cuico &
Hon. Marcelino M. Martinez

RESOLUTION NO. 33-14

Maria Luisa C. Villahermosa
MARIA LUISA C. VILLAHERMOSA
SECRETARY TO THE SANGGUNIANG

“RESOLUTION ENACTING AN ORDINANCE REVISING THE ZONING REGULATION OF THE MUNICIPALITY OF HAGONUY, DAVAO DEL SUR AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH”.

WHEREAS, the implementation of the Comprehensive Land Use Plan would require the enactment of a regulatory statute to translate its plans and objectives into reality and a Zoning Ordinance is one such regulatory measure which is important for the implementation of the comprehensive land use plan;

WHEREAS, the Local Government Code of 1991 authorizes Local Government Units (LGUs) to enact Zoning Ordinance subject and in accordance with existing laws;

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

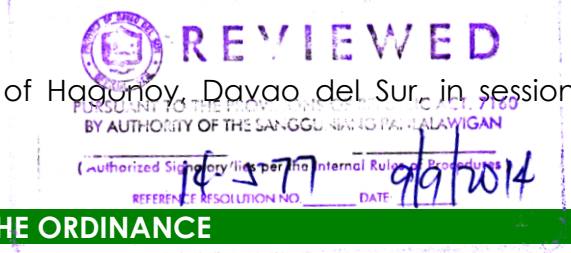
NOW THEREFORE, BE IT:

RESOLVED, as it is hereby resolved, to enact as it is hereby enacted, an ordinance which reads as:

**MUNICIPAL ORDINANCE NO. 01
Series of 2014**

"AN ORDINANCE REVISING THE ZONING REGULATION OF THE MUNICIPALITY OF HAGONUY, DAVAO DEL SUR AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH".

Be it ordained by the Sangguniang Bayan of Hagonoy, Davao del Sur, in session assembled:



ARTICLE I: TITLE OF THE ORDINANCE

Section 1. Title of the Ordinance. This Ordinance shall be known as the Comprehensive Zoning Ordinance of the Municipality of Hagonoy, Davao del Sur 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 RA 7160 otherwise known as the Local Government Code of 1991 specifically Section 447 a.2 (vii-ix), and in conformity with EO No. 72

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

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

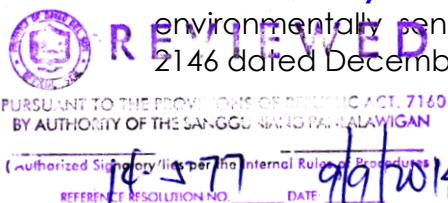
Section 4. General Zoning Principle. This Zoning Regulations is based on the approved General and Urban Land Use Plans as per Resolution No. 49-12 dated February 22, 2012 of Hagonoy, Davao del Sur.


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ARTICLE III: DEFINITION OF TERMS

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

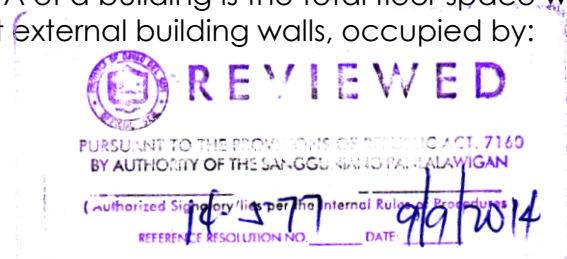
1. **Agricultural Zone (AGZ)** - an area within the municipality intended for cultivations/fishing and pastoral activities e.g. fishing, farming, cultivation of crops, goat/cattle raising, etc.
2. **Agro-Industrial Zone (AIZ)** - an area within the municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, mango, etc.
3. **HLURB/Board** – shall mean the Housing and Land Use Regulatory Board.
4. **Buffer Area** - these are yards, parks or open space intended to separate incompatible elements or use to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structure area allowed.
5. **Built-up Area** - a contiguous grouping of ten (10) or more structures.
6. **Central Business District** - shall refer to areas designated principally for trade, services and business purposes (Commercial 1 Zone).
7. **Certificate of Non-Conformance** - certificate issued to owners of 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 capable of existing together harmoniously e.g. residential use and parks and playground.
9. **Comprehensive Land Use Plan (CLUP)** - a document embodying specific proposals for guiding and regulating growth and/or development. The main components of the Comprehensive Land Use Plan in this usage are the sectoral studies i.e. Demography, Socio-Economic, Infrastructure and Utilities, Local Administration and Land Use.
10. **Conflicting Uses** - uses or land activities with contrasting characteristics sited adjacent to each other e.g. residential units adjacent to industrial plants.
11. **Conforming Use** - a use which is in accordance with the zone classification as provided for in this Ordinance.
12. **Easement** - open space imposed on any land use/activities sited along waterways, road-right-of-ways, cemeteries/memorial parks and utilities.
13. **Environmentally Critical Areas** – refers to those areas which are environmentally sensitive and are listed in Presidential Proclamation No. 2146 dated December 14, 1981.



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14. **Environmentally Critical Projects** – refers to those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation No. 2146 dated December 14, 1981.
15. **Exception** - a device which grants a property owner relief from certain provisions of a Zoning Ordinance where because of the specific use would result in particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
16. **Floor Area Ratio or “FAR”** - is the 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 are 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 is the absolute level of density that the transportation and other utility networks can support. (Refer to Annex B-F).
17. **Forest Zone (FZ)** - an area within the municipality intended primarily for forest purposes.
18. **General Commercial Zone (GCZ)** - an area within the municipality for trading/services/business purpose.
19. **General Institutional Zone (GIZ)** - an area within the municipality principally for general types of institutional establishments e.g. government offices, schools, hospitals/clinics, academic/research, convention centers.
20. **General Residential Zone (GRZ)** - an area within the municipality principally for dwelling/housing purposes.
21. **General Zoning Map** - a duly authenticated map delineating the different zones in which the whole municipality is divided.
22. **Gross Floor Area (GFA)** – The GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:

- Office Areas;
- Residential Areas;
- Corridors;
- Lobbies;
- Mezzanine;
- Vertical penetrations, which shall mean stairs, fire escapes elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls;
- Rest Rooms or Toilets;
- Machine Rooms and Closets;
- Storage Rooms and Closets;
- Covered Balcony and Terrace;
- Interior walls and Columns, and other interior Features; But Excluding,




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

23. Heavy Industrial Zone (I 3) - a subdivision of an area principally for the following types of industries:

- highly pollutive/non-hazardous
- highly pollutive/hazardous
- highly pollutive/extremely hazardous
- pollutive/ extremely hazardous
- non-pollutive/extremely hazardous



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24. Innovative Design - introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development (PUD) Newtown, etc.

25. Light Industrial Zone - a subdivision of an area principally for the following types of industries:

- non-pollutive/non-hazardous
- non-pollutive/hazardous

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26. 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.

27. Low Density Commercial Zone - an area within the municipality principally for trade, services and business ordinarily referred to as the Central Business District.

28. Medium Industrial Zone - an area within the municipality principally for the following types of industries:


- pollutive/non-hazardous
- pollutive/hazardous

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

30. 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.

31. Non-Conforming Use - existing non-conforming use/establishment in an area allowed to operate inspite of the non-conformity to the provisions of the Ordinance subject to the conditions stipulated in this Zoning Ordinance.

32. **Parks and Recreation Zone** - an area designated for diversion/amusements and for the maintenance of ecological balance of the community.
33. **Planned Unit Development (PUD)** - it is a land development scheme wherein project site comprehensively planned as an entity via unitary plan which permits flexibility in planning/design, building, setting, complementarily of building types and land uses, usable open spaces and the preservation of significant natural land features.
34. **Rezoning** – a process of introducing amendments to or a change in the text and maps of the Zoning Ordinance. It also includes amendment or change in view or reclassification under Section 20 of RA 7160.
35. **Rural Area** - area outside the designated urban area.
36. **Setback** - the open space left between the building and lot lines.
37. **Socialized Housing Zone (SHZ)** - shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279.
38. **Special Institutional Zone (SIZ)** - an area within the municipality principally for particular type of institutional establishments e.g. welfare homes, orphanages, home for the aged, rehabilitation and training centers, military camps/reservation/training grounds, etc.
39. **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.
40. **Urban Areas** - include all barangays or portion(s) of which comprising the Poblacion, Central Business Districts (CBD) and other built-up areas including the urbanizable land in and adjacent to said areas where at least more than fifty (50%) of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade services and business purposes.
41. **Urban Zoning Map** - a duly authenticated map delineating the different zones into which the urban area and its expansion area are divided.
42. **Urbanizable Land** - area designated as suitable for urban expansion by virtue of land use studies conducted.
43. **Variance** - a Special Locational Clearance which grants a property owner relief from certain provision of Zoning Ordinance where, because of the particular, physical surrounding, shape of topographical conditions of the property, compliance on height, area, setback, bulk and/or density would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
44. **Warehouse** - refers to storage and/or depository of those in business of performing warehouse services for profit.
45. **Water Zone** - are bodies of water within municipalities which include rivers, streams, lakes, and seas except those included in the zone classification.


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46. **Zone/District** - an area within the municipality for specific land use as defined by manmade or natural boundaries.
47. **Zoning Administrator/Zoning Officer** - a municipal government employee responsible for the implementation/enforcement of the Zoning Ordinance in a community.
48. **Zoning Ordinance** - a local measure which embodies regulations affecting land use.

ARTICLE IV: ZONE CLASSIFICATION

Section 5. Zoning Districts. To effectively carry out the provisions of this Ordinance, the municipality is hereby divided into the following zones or districts as shown in the official zoning maps.

A. URBAN LAND USE

1. Residential Zone
2. Commercial Zone
3. Institutional Zone
4. Industrial Zone
5. Agricultural Zone
6. Agro-Industrial Zone
7. Forest Zone
8. Special Uses



B. GENERAL LAND USE

1. Built-up area
2. Agricultural Zone (AGZ)
3. Agro-Industrial Zone (IZ)
4. Quarry Site
5. Fish Ponds
6. Utilities (Solar Energy Generation)
7. Special Uses (cemetery, landfill, cockpit)
8. Coastal Zone:
 - a. Rehabilitation (Mangrove) Zone
 - b. Marine Protected Area Zone
 - c. Mariculture Zone
 - d. Seagrass Zone
 - e. Recreational/Tourism Zone
 - f. Economic (Docking) Zone
 - g. Estuary Zone
 - h. Multiple Fishing Zone


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Section 6. Zoning Maps. It is hereby adopted as an integral part of this Ordinance, the Official Zoning Maps for urban areas and for the whole municipality (General), wherein the designation, location and boundaries of the district/zones herein established are shown and indicated.

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

I. URBAN ZONE CLASSIFICATION

A. Residential Zones

a.1 Poblacion

a. Block 1 Bounded on the north by T. Ronda St., up to the junction of S. Ronda and S. Maravillas Sts. On the east, by S. Maravillas St. on the south, and F. Manalo St. on the west, except the areas allocated for institutional uses.

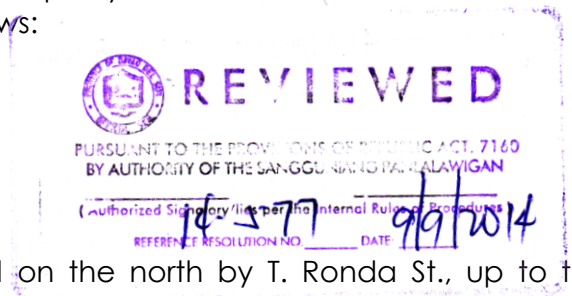
b. Block 2 Bounded on the north by the irrigation canal, by the Holy Cross of Hagonoy on the east, by T. Ronda St. on the north and by R. Sacedon St. on the west.

c. Block 3 Bounded by R. Avillon St. on the north, by L. Diez St. on the east, by the irrigation canal on the south, and by R. Sacedon St. on the west.

d. Expanded Residential Zones:

Block 4 Bounded on the east by irrigation canal, on the north by Sacub boundary, on the south by Mahayahay-Lapulabao boundary, and extended to Mahayahay on the west by five (500) hundred meters.

Block 5 The block of five (500) hundred meters strip along the Doneza-Deluaao Street from the property of F. Junsay Sr. to the junction at Hagonoy Crossing.




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a.2 Guihing

- a. Block 1 Bounded on the north by the Padada (Hagonoy) River, by the National Highway on the east, by the barangay road on the west, and the Tologan road on the south except those areas identified for other non-agricultural uses as indicated on the zoning map.
- b. Block 2 Bounded by the Guihing-Aplaya provincial road on the north, to the GADECO Packing House No. 2 on the east, by the Hilda Subdivision boundary road on the south, and the National Highway on the east except those areas identified for other non-agricultural uses as identified in the zoning map.

a.3 All Other Residential Areas

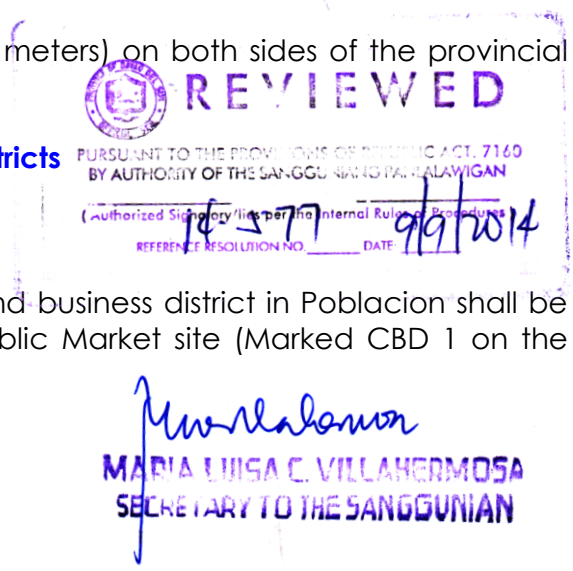
All other residential areas will follow the linear development pattern along the road network in both Poblacion and Guihing. In rural barangays the distance shall be limited to five (500) hundred meters radius from the center of the barangays with the barangay hall as focal points.

- a.3.1 One lot deep (30 meters) on both sides of the barangay roads.
- a.3.2 Two lot deep (60 meters) on both sides of the municipal streets.
- a.3.3 Two lot deep (60 meters) on both sides of the provincial road.

B. Commercial and Business Districts

b.1 Poblacion

The commercial and business district in Poblacion shall be the proposed Public Market site (Marked CBD 1 on the Zoning Map).



b.2 Guihing

The commercial and business district in Guihing shall be the area within the two (200) meter radius from the barangay public market (Marked CBD 2 on the Zoning Map)

C. Institutional Areas

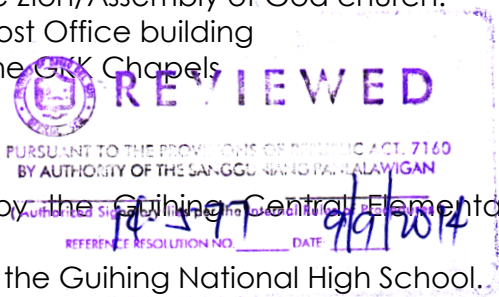
The institutional areas in both the Poblacion and Guihing urban center shall be:

c.1 Poblacion

- c.1.1 The area occupied by the municipal building complex.
- c.1.2 The area occupied by the National Irrigation Administration – Padada River Irrigation System’s Office and compound.
- c.1.3 The area occupied by the Rudinas Clinic and Hospital.
- c.1.4 The area occupied by the Hagonoy Central Elem. School.
- c.1.5 The area occupied by the Holy Cross of Hagonoy.
- c.1.6 The area occupied by the San Isidro Labrador Parish church.
- c.1.7 The area occupied by the Poblacion Barangay Hall.
- c.1.8 The area occupied by the Iglesia ni Cristo church.
- c.1.9 The area occupied by the Zion/Assembly of God church.
- c.1.10 The area proposed for Post Office building
- c.1.11 The area occupied by the GKK Chapels

c.2 Guihing

- c.2.1 The area occupied by the Guihing Central Elementary School.
- c.2.2 The area occupied by the Guihing National High School.
- c.2.3 The area occupied by the Guihing Barangay Hall.
- c.2.4 The area occupied by the Guihing Catholic Church
- c.2.5 The area occupied by the Iglesia ni Cristo church
- c.2.6 The area occupied by the Seventh Day Adventist church.
- c.2.7 The area occupied by the Southern Baptist church
- c.2.8 The area occupied by the Rural Health Center
- c.2.9 The area occupied by the GKK Chapels



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D. Sports and Recreation

d.1 Poblacion

The portion of the municipal plaza occupied by the municipal gymnasium.

d.2 Guihing

d.2.1 The portion of the barangay plaza occupied by the barangay gymnasium.

d.2.2 The portion of Hilda Sub-division occupied by the Aurelio C. Reginaldo Gymnasium.

E. Urban Agricultural Zone

All other areas in Poblacion and Guihing not specifically provided and land uses not identified for non-agricultural uses are considered as agricultural zone.

F. Urban Agro-Industrial Zone

f.1 Poblacion

f.1.1 One lot deep (30 meters) on both sides of the Poblacion-Sinayawan road outside of five (500) hundred meter radius from the municipal hall.

f.1.2 One lot deep (30 meters) on both sides of the Poblacion-Lapulabao road outside of the five (500) hundred meter radius from the municipal hall.

f.2 Guihing

The agro-industrial zone of the municipality shall be the area located in barangay Guihing occupied by:

f.2.1 The Davao Sugar Central Company Mill site and the adjoining areas used for structures and accessories such as the treatment ponds and truckyard.

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- f.2.2 The proposed techno park of the Guihing Agricultural Development Corporation's banana plantation at Guihing (Lot Numbers 3107-B-3-A, 3107-B-3-C, 3107-B-3-F, 3107-B-3-G, 3107-B-3-B, 3107-B-3-D, 3107-B-3-E, 3107-B-3-H, 3106-B-, 5372-B-2-A, TCT No. T-20016, 5373, 5372-B-2-C).

II. GENERAL ZONE CLASSIFICATION

A. Built-Up Areas

- a.1 Built-Up Areas (BUAs) are those areas which comprise the barangay centers where residential, commercial, Institutional, infrastructure facilities and utilities are clustered. Except Guihing and Poblacion which are considered urban barangays, San Guillermo has the biggest BUA of 30 hectares, Hagonoy Crossing and Sinayawan with 10 hectares each. BUA in other rural barangays shall be around five hectares and to be clustered around barangay halls or schools as focal points.

B. Agro-Industrial

- b.1 The 1,000 meter strip area comprising the First Davao Consolidated Joint Ventures Inc. or formerly Christensen Plantation Company, bounded on the north by the Sinayawan-Leling Provincial Road, on the east by the national highway, on the south by the Padada (Hagonoy) River and on the west by barangay Hagonoy Crossing.
- b.2 The area occupied by the Mindanao Estate Corporation (now Lorenzo and Sons Ventures, Incorporated, Lot No. 5372-B-1, TCT No. T-7361)
- b.3 The area occupied by the Mindanao Ventures Plantation Incorporated at Paligue and Tologan.

C. Mining and Quarrying Zone

- c.1 The whole stretch of the Padada (Hagonoy) River of fifty (50 meters) strip along its center bed two (2) kilometers upstream of the Guihing Bridge up to the municipal boundary of Bulatukan River and the municipal boundary of Miral River at New Quezon for sand and gravel.



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- c.2 The portion of the two-hectare school site of Lapulabao Elementary School for mountain mix materials.
- c.3 The portion of the four-hectare proposed municipal cemetery site at the boundaries of Poblacion, Mahayahay, and Sacub for mountain mix materials.

D. Fishpond Zone

A coastal strip of one thousand (1,000) meters wide on the average along the coast from the municipal boundary on the north at Balutakay to Leling, Aplaya, and up to the municipal boundary on the south at Paligue.

E. Parks and Wildlife Sanctuary

The Bawing Hill at Paligue and the Bawing Hill at Poblacion shall be developed and preserved as parks and wildlife sanctuary.

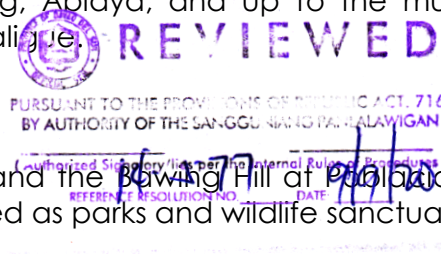
Ten (10) meters both sides of the Padada (Hagonoy), Balutakay, Bulatukan, and Miral river banks shall be protected and planted to trees to serve as buffer zones.

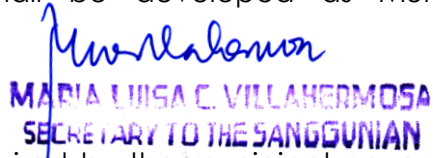
F. Garbage Disposal Zone (Landfill/Dumpsite)

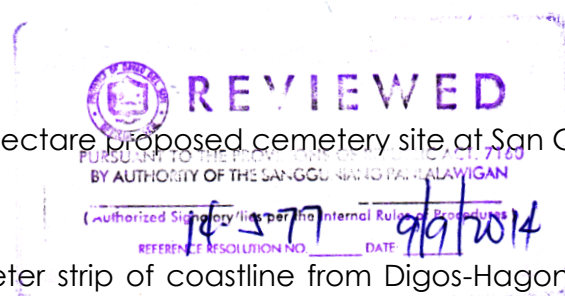
A strip of about a hectare mini-canyon portion of the proposed municipal cemetery site shall be developed as Municipal Garbage Disposal dumpsite.

G. Cemetery Zone

- g.1 A four-hectare site acquired by the municipal government on the boundaries of Poblacion, Sacub, and Mahayahay shall be developed as municipal cemetery site for Poblacion and its immediate environs.
- g.2 A two-hectare site at Guihing-Aplaya boundary donated by the Lapanday Group of Companies within their plantation shall be maintained and further develop into a municipal cemetery for Guihing and its immediate environs.
- g.3 A one-hectare cemetery site at Lanuro.




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g.4 A one-hectare proposed cemetery site at San Guillermo.

H. Coastal Zone

A fifty(50) meter strip of coastline from Digos-Hagonoy boundary at Balutakay down to the Hagonoy-Padada boundary at Paligue.

I. Tourism and Recreational Zone

- a. The area occupied by the Hagonoy Cockpit at Balutakay.
- b. The strip of coastal area in Bolingo, Balutakay and Leling Beach Resorts at Leling

Section 8. Interpretation of Zone Boundary. In the interpretation of the boundaries for any of the zones indicated of 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 lines, such lot lines shall be construed to be the boundaries.
3. Where zone boundaries are so indicated that they approximately parallel to the center lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance there from as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
4. Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary shall be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following shorelines shall be construed to follow shorelines and the event of change in the shorelines, shall be construed as moving with the actual shorelines.
5. Where a lot of one ownership as of record at the effective date of this Ordinance is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.

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

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

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(Authorized Signatory/ies per the Internal Rules and Procedures)
REFERENCE RESOLUTION NO. 18-577 DATE 9/9/2014

ARTICLE V: ZONE REGULATIONS

Section 9. General Provision. The uses enumerated in the succeeding sections are not exhaustive nor all-inclusive. The Local Zoning Board of Adjustment and Appeal (LZBAA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

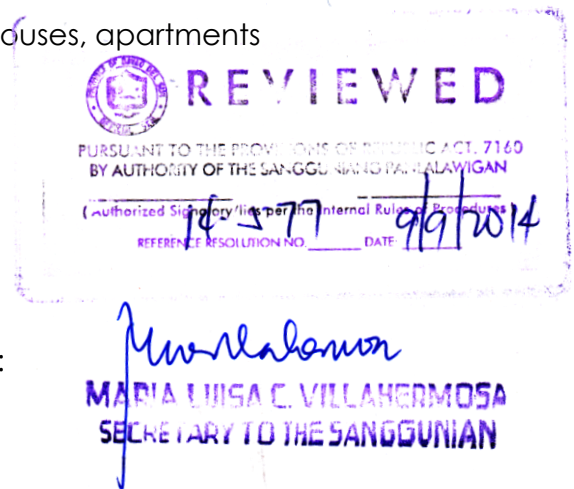
Allowance for further uses shall be based on the intrinsic qualities of the land and socio-economic potential of the locality with due regard to the maintenance of the essential qualities of the zone.

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

Section 10. Use Regulations in General Residential Zone (GRZ). A GR zone shall be used principally for dwelling/housing purposes so as to maintain peace and quiet of the area within the zone. The following are the allowable uses:


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1. Detached family dwelling
2. Multi-family dwelling e.g. row-houses, apartments
3. Residential condominium
4. Apartment
5. Homotel
6. Pension House
7. Hotel apartment or apartel
8. Dormitory
9. Boarding House
10. Branch libraries and museums
11. Customary accessory uses like:
 - a. Servants quarter
 - b. Private garage
 - c. Guard house
12. Home occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running as sari-sari store and the like provided that:
 - a) The number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner;
 - b) There shall be no change in the outside appearance of the building premises;
 - c) No home occupation shall be conducted in any customary accessory uses cited above;
 - d) No traffic 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 met off the street and in a place other than the required front yard;
 - e) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off premises.
13. Home Industry Classified as cottage industry provided that:
 - a) Such home industry shall not occupy more than thirty per cent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - b) Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
 - c) Such shall consider same provisions as enumerated in letter c, d and e number 12, home occupation, this section;



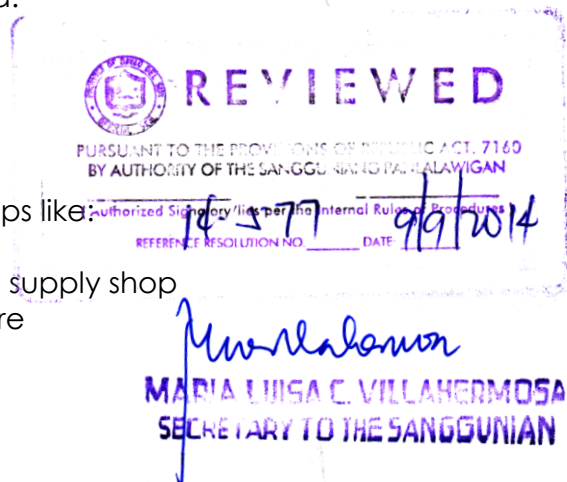
14. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - a. Swimming pool
 - b. Pelota court
15. Nursery/Elementary School
16. High School
17. Vocational School
18. Sports Club
19. Religious Use
20. Multi-purpose hall/barangay hall
21. Clinic, nursing and convalescing home, health center
22. Plant nurseries

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

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

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

1. Office like:
 - a. Office building
 - b. Office condominium
2. General retail stores and shops like:
 - a. Department store
 - b. Bookstore and office supply shop
 - c. Home appliance store
 - d. Car shop
 - e. Photo shop
 - f. Flower Shop
3. Food market and shops like:
 - a. Baker and bake shop
 - b. Wine store
 - c. Grocery
 - d. Supermarket
4. Personal service shop like:
 - a. Beauty parlor
 - b. Barber shop



- c. Sauna bath and massage clinic
- d. Dressmaking and tailoring shops
5. Recreational center/establishments like:
 - a. Movie house/theater
 - b. Play court e.g. tennis court, bowling lane, billiard hall
 - c. Swimming pool
 - d. Day and night club
 - e. Stadium, coliseum, gymnasium
 - f. Other sports and recreational establishment
6. Restaurants and other eateries
7. Short term special education like:
 - a. Dancing schools
 - b. School for self defense
 - c. Driving schools
 - d. Speech clinics
8. Storerooms but only as may necessary for the efficient conduct of the business
9. Commercial condominium (with residential units in upper floors)
10. Commercial housing like:
 - a. Hotel
 - b. Apartment
 - c. Apartel
 - d. Boarding house
 - e. Dormitory
 - f. Pension house
 - g. Club house
 - h. Motel
11. Embassy/consulate
12. Library museum
13. Filling Station/service station
14. Clinic
15. Vocational/technical school
16. Convention Center and related facilities
17. Messengerial service
18. Security agency
19. Janitorial service
20. Bank and other financial institutions
21. Radio and television station
22. Building garage, parking lot
23. Bakery and baking of bread, cake, pastries, pies and other similar perishable products
24. Custom dressmaking shop
25. Custom tailoring shop
26. Commercial and job printing



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

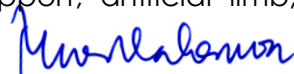


Section 12. Use Regulation in Light Industrial Zone (I-1). An I-1 zone shall be for non-pollutive/non-hazardous and non-pollutive/hazardous manufacturing/processing establishments. Enumerated below are the allowable uses:



a. Non-Pollutive/Non-Hazardous Industries

1. Drying fish
2. Biscuit factory - manufacture of biscuits, cookies, cracker and other similar dried bakery products
3. Doughnut and hopia factory
4. Manufacture of macaroni, spaghetti and vermicelli and other noodles
5. Other bakery products not elsewhere classified (n.e.c)
6. Life belts factory
7. Manufacture of luggage, handbags, wallets and small leather goods
8. Manufacture of miscellaneous products of leather and leather substitute and n.e.c.
9. Manufacture of shoes except rubber and plastic wood
10. Manufacture of slipper and sandal except rubber and plastic
11. Manufacture of footwear parts except rubber and plastic
12. Printing publishing and allied industries and those in n.e.c.
13. Manufacture or assembly of typewriters, cash registers, weighing duplicating and accounting machine
14. Manufacture or assembly of electronic data processing machinery and accessories
15. Renovation and repair of office machinery
16. Manufacture or assembly of miscellaneous office machines and those in n.e.c.
17. Manufacture of rowboats, bancas, sailboats
18. Manufacture of animal drawn vehicles
19. Manufacture of children vehicles and baby carriages
20. Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
21. Manufacture of measuring and controlling equipment, plumb bomb, rain gauge, taxi meter, thermometer, etc.
22. Manufacture or assembly of surgical, medical, dental equipment and medical furniture
23. Quick freezing and cold packaging for fish and other seafoods
24. Quick freezing and cold packaging for fruits and vegetables
25. Popcorn/rice factory
26. Manufacture of medical/surgical supplies: adhesive tapes antiseptic dressing, sanitary napkins, surgical gauge, etc.
27. Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc)


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28. Manufacture of photographic equipment and accessories
29. Manufacture or assembly of optical instruments
30. Manufacture of eyeglasses and spectacles
31. Manufacture of optical lenses
32. Manufacture of watches and clocks
33. Manufacture of pianos
34. Manufacture of string instruments
35. Manufacture of wind and percussion instruments
36. Manufacture or assembly of electronic organs
37. Manufacture of sporting gloves and mitts
38. Manufacture of sporting balls (not rubber or plastic)
39. Manufacture of gym and playground equipment
40. Manufacture of sporting tables (billiards, pingpong, pool)
41. Manufacture of other sporting and athletic goods, n.e.c.
42. Manufacture of toys and dolls except rubber and mold plastic
43. Manufacture of pens, pencils, and other office and artist materials
44. Manufacture of umbrella and canes
45. Manufacture of buttons except plastics
46. Manufacture of brooms, brushes and fans
47. Manufacture of needles, pens, fasteners and zippers
48. Manufacture of insignia, badges and similar emblems (except metal)
49. Manufacture of signs and advertising displays (except printed)
50. Small-scale manufacture of ice cream



b. Non-Pollutive/Hazardous Industries

1. Manufacture of house furnishing
2. Textile bag factories
3. Canvass bags and other canvass products factory
4. Jute bag factory
5. Manufacture or miscellaneous textile goods, embroideries and weaving apparel
6. Manufacture of fiber batting, padding and upholstery filling except choir
7. Men's and boy's garment factory
8. Women's and girls' and ladies garment factory
9. Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories
10. Manufacture of raincoats and waterproof outer garments except jackets
11. Manufacture of miscellaneous wearing apparel except footwear and those in n.e.c

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12. Manufacture of miscellaneous fabricated mill work and those in n.e.c
13. Manufacture of wooden cane containers
14. Sawali, nipa and split cane factory
15. Manufacture of bamboo, rattan and other cane baskets and wares
16. Manufacture of cork products
17. Manufacture of wooden shoes, shoe lace and other similar
18. Manufacture of miscellaneous wood products and those in n.e.c
19. Manufacture of miscellaneous furniture and fixture except primarily of metals and those in n.e.c.
20. Manufacture of paper stationery, envelopes and related articles
21. Manufacture of dry ice
22. Repacking of industrial products e.g. paints, varnishes and other related products.

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

a. Pollutive/Non-Hazardous Industries

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



22. Manufacture of household metal furniture
23. Manufacture of office, store and restaurant metal furniture
24. Manufacture of metal blinds, screens and shades
25. Manufacture of miscellaneous furniture and fixture primarily of metal n.e.c
26. Manufacture of fabricated structural iron and steel
27. Manufacture of architectural and ornamental metal works
28. Manufacture of boilers, tanks and other structural sheet metal works
29. Manufacture of other structural products n.e.c
30. Manufacture of metal cans, boxes and containers
31. Manufacture of stamped coated and engraved metal products
32. Manufacture of fabricated wire and cable products
33. Manufacture of heating, cooking and lighting equipment except electrical
34. Sheet metal works generally manual operation
35. Manufacture of other fabricated metal products except machinery and equipment n.e.c
36. Manufacture or assembly of agricultural machinery and equipment
37. Native plow and harrow factory
38. Repair of agricultural machinery
39. Manufacture or assembly of service industry machines
40. Manufacture or assembly of elevators and escalators
41. Manufacture or assembly of sewing machines
42. Manufacture or assembly of cooking ranges
43. Manufacture or assembly of water pumps
44. Refrigeration industry
45. Manufacture or assembly of other machinery and equipment except electrical n.e.c.
46. Manufacture and repair of electrical apparatus
47. Manufacture and repair of electrical cables and wires
48. Manufacture of electrical cables and wires
49. Manufacture of other electrical industrial machinery and apparatus n.e.c
50. Manufacture or assembly of electric equipment radio and television, tape recorders, stereo
51. Manufacture or assembly of radio and television transmitting, signaling and detection equipment
52. Manufacture or assembly of telephone and telegraphic equipment
53. Manufacture of other electronic equipment and apparatus n.e.c
54. Manufacture of industrial and commercial electrical appliances
55. Manufacture of household cooking, heating and laundry appliances
56. Manufacture of other electrical appliances n.e.c
57. Manufacture of electric lamp fixtures



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b. Pollutive/Hazardous Industries

1. Flour mill
2. Cassava flour mill
3. Manufacturing of coffee
4. Manufacturing of unprepared animal feeds, other grain milling n.e.c
5. Production of prepared feeds for animals
6. Cigar and Cigarette factory
7. Curing and redrying tobacco leaves
8. Miscellaneous processing tobacco leaves n.e.c
9. Weaving hemp textile
10. Jute spinning and weaving
11. Miscellaneous spinning and weaving mills, n.e.c
12. Hosiery mill
13. Underwear and outwear knitting mills
14. Fabric knitting mills
15. Miscellaneous knitting mills, n.e.c
16. Manufacture of mats and mattings
17. Manufacture of carpets and rugs
18. Manufacture of cordage, rope and twine
19. Manufacture of related products from abacca, sisal, henequen
hemp, cotton, paper etc.
20. Manufacture of linoleum and other surfaced coverings
21. Manufacture of artificial leather, oil cloth and other fabrics except
rubberized
22. Manufacture of coir
23. Manufacture of miscellaneous textile, n.e.c
24. Manufacture of rough lumber, unworked
25. Manufacture of worked lumber
26. Resawmills
27. Manufacture of veneer, plywood and hardwood
28. Manufacture of doors, windows and sashes
29. Treating and preserving of wood
30. Manufacture of charcoal
31. Manufacture of wood and cane blinds, screens and shades
32. Manufacture of containers and boxes of paper and paper boards
33. Manufacture of miscellaneous pulp and paper products, n.e.c
34. Manufacture of perfumes cosmetics and other toilet preparation
35. Manufacture of waxes and polishing preparations
36. Manufacture of candle
37. Manufacture of inks
38. Manufacture of miscellaneous chemical products, n.e.c
39. Tire retreating and rebuilding



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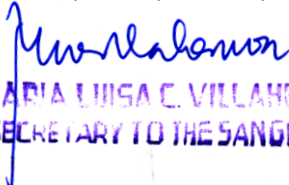
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40. Manufacture of rubber shoes and slippers
41. Manufacture of industrial and moulded rubber products
42. Manufacture of plastic footwear
43. Manufacture of plastic furniture
44. Manufacture of other fabricated plastic products, n.e.c
45. Manufacture of table and kitchen articles
46. Manufacture of pottery, china and earthen ware, n.e.c
47. Manufacture of flat glass
48. Manufacture of glass containers
49. Manufacture of miscellaneous glass and glass products, n.e.c
50. Manufacture of clay bricks, clay tiles and hollow clay tiles
51. Manufacture of miscellaneous structural clay products, n.e.c.
52. Manufacture of structural concrete products
53. Manufacture of asbestos products
54. Manufacture of engines and turbines except motor vehicles, marine and Aircraft
55. Manufacture of metal cutting, shaving and finishing machinery
56. Manufacture of wood working machinery
57. Manufacture, assembly, rebuilding, repairing of food and beverage making machinery
58. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
59. Manufacture, assembly, rebuilding, repairing of paper industry machinery
60. Manufacture, assembly, rebuilding, repairing of printing, trade machinery and equipment
61. Manufacture of rice mills
62. Manufacture of machines for leather and leather products
63. Manufacture of construction machinery
64. Manufacture of machines for clay, stove and glass industries
65. Manufacture, assembly, repair, rebuilding of miscellaneous special Industrial machinery and equipment, n.e.c
66. Manufacture of dry cells, storage battery and other batteries
67. Boat building and repairing
68. Ship repairing industry, and dry dock yards, shipways
69. Miscellaneous ship building and repairing , n.e.c
70. Manufacture of locomotives and parts
71. Manufacture of railroad and street cars
72. Manufacture or assembly of automobiles, cars, buses, trucks and trailers




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73. Manufacture of wood furniture including upholstered
74. Manufacture of rattan furniture including upholstered
75. Manufacture of box beds and mattresses

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

a. Highly Pollutive/Non-Hazardous Industries

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

b. Highly Pollutive/Hazardous Industries

1. Vegetable oil mills, including coconut oil
2. Manufacturing of refines cooking oil and margarine
3. Manufacture of fish, marine and other animal oils
4. Manufacture of vegetable and animal oils and fats, n.e.c
5. Sugar cane milling (centrifugal and refined)

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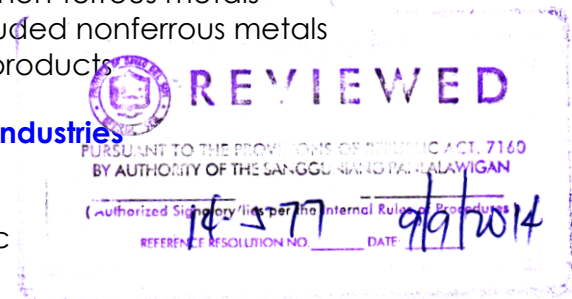
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6. Sugar refining
7. Muscovado sugar mill
8. Distilled, rectified and blended liquors, n.e.c
9. Cotton textile mill
10. Ramie textile mill
11. Rayon and other man made fiber textile mill
12. Bleaching and drying mills
13. Manufacture or narrow fabrics
14. Tanneries and leather finishing plants
15. Pulp mill
16. Paper and paperboard mill
17. Manufacture of fiberboard
18. Manufacture of inorganic salts and compounds
19. Manufacture of soap and cleaning preparations
20. Manufacture of hydraulic cement
21. Manufacture of lime and lime kilns
22. Manufacture of plaster
23. Products of blast furnaces, steel works and rolling mills
24. Products of iron and steel foundries
25. Manufacture of smelted and refined non-ferrous metals
26. Manufacture of rolled, drawn or a struded nonferrous metals
27. Manufacture of non-ferrous foundry products

c. Highly Pollutive/Extremely Hazardous Industries

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



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d. Pollutive/Extremely Hazardous Industries

1. Manufacture of paints
2. Manufacture of varnishes, shellac and stains
3. Manufacture of paint removers
4. Manufacture of other paint products

5. Manufacture of matches
6. Manufacture of tires and inner tubes
7. Manufacture of processed natural rubber mat in rubber plantation
8. Manufacture of miscellaneous rubber products, n.e.c

e. Non-Pollutive/Extremely Hazardous Industries

1. Manufacture of compressed and liquefied gases

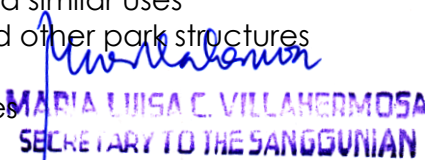
Section 15. Use Regulations in General Institutional (GIZ) Zone. In GI Zone, the following uses shall be allowed:

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



Section 16. Use Regulations in Parks and Recreation Zone (PRZ). The following uses shall be allowed in Parks and Recreation Zones:

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



Section 17. Use Regulations for Agricultural Zone (AGZ). In Agricultural Zone the following uses shall be permitted

1. Cultivation, raising and growing of staple crops such as rice, corn camote, cassava and the like



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2. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
3. Silviculture, mushroom culture, fishing and fish culture, snake culture crocodile farm, monkey raising and the like;
4. Customary support facilities such as palay dryers and threshers and storage barns and warehouses
5. Ancillary dwelling units/farmhouses for tillers and laborers
6. Agricultural research and experimentation facilities such as breeding stations, fishfarms, nurseries, demonstration farm, etc.
7. Pastoral activities such as goat raising and cattle fattening
8. Home occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - a) Number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner;
 - b) There shall be no change in the outside appearance of the building premises;
 - c) No home occupation shall be conducted in any customary accessory uses cited above;
 - d) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential 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;
 - e) No equipment or process shall be used in such occupation which creates noise, vibrations, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
9. Home industry classified as cottage industry e.g. mat weaving, pottery making, food preservation, etc. provided that:
 - a. Such home industry shall not occupy more than thirty (30%) per cent of floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - b. Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
 - c. Such shall consider same provisions as enumerated in letter c, d and e of Home Occupation, this section.
10. Backyard raising of livestock and fowl, provided that:


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

Section 18. Use Regulations in Agro-Industrial Zone (AIZ). In Agri-Industrial Zones the following shall be permitted:

1. All uses allowed in agriculture
2. Rice/corn mills (single pass)
3. Dry cleaning, curing and preserving of meat and its by products and derivatives
4. Drying, smoking and airing of tobacco
5. Flour mill
6. Cassava flour mill
7. Manufacture of coffee
8. Manufacture of unprepared animal feeds, other grain milling, n.e.c
9. Production of prepared feeds for animals
10. Cigar and cigarette factory
11. Curing and redrying tobacco leaves
12. Miscellaneous processing tobacco leaves, n.e.c
13. Weaving hemp textile
14. Jute spinning and weaving
15. Manufacture of charcoal
16. Milk processing plants (Manufacturing filled, reconstituted or recombined milk condensed or evaporated)
17. Butter and cheese processing plants
18. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
19. Other dairy products, n.e.c
20. Canning and preserving of fruits and fruit juices
21. Canning and preserving of vegetables and vegetable juices
22. Canning and preserving of vegetable sauces
23. Miscellaneous canning and preserving of fruit and vegetable n.e.c
24. Fish canning
25. Patis factory
26. Bagoong factory
27. Processing, preserving and canning of fish and other seafoods, n.e.c
28. Manufacture of dessicated coconut
29. Manufacture of starch and its products
30. Manufacture of wines from juices of local fruits
31. Vegetable oil mills, including coconut oil
32. Sugarcane milling (centrifugal and refines)
33. Sugar refining


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SECRETARY TO THE SANGGUNIANG

34. Muscovado sugar mill
35. Cotton textile mill
36. Manufacture/processing of other plantation crops e.eg pineapple, bananas, etc.
37. Other commercial handicrafts and industrial activities utilizing plant animal parts and/or products as raw materials, n.e.c
38. Other accessory uses incidental to agro-industrial activities

Section 19. Use Regulations in Forest Zone (FZ). No development use, or activity shall be allowed in Forest Zones unless consistent with the Department of Environment and Natural Resources(DENR) Development Regulations for Forest Zones and a Permit, Lease or License by the DENR for the following:

1. Contract Reforestation with Forest Land Management Agreement (FLMA)
2. Commercial Tree Plantation and Industrial Forest Plantation (ITP/IFP)
3. Integrated Social Forestry Programs (ISF)
4. Community-Based Forest Management
5. Reforestation Compliance by Forest Users by Temporary Lease Agreement
6. Reforestation Compliance by Pasture Lease Agreement
7. Ecological Revolution Programs (ECOREV)

Other allowable uses such as Mining, Infrastructure Development, Fishpond and Resettlement Purposes should be in consonance with the National Policies:

1. Mining

No extraction excavation or other mining activity shall be undertaken except in accordance with the Mining Code and its Implementing Rules and Regulations.

2. Fishpond Purposes

Fishing activities within the Forest Zone shall be undertaken pursuant to the Provisions of the Fisheries Code and its Implementing Rules and Regulations and the Revised Forestry Code of the Philippines as amended.



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3. Infrastructure and Resettlement

Infrastructure Development and Resettlement undertaken within Forest Zones shall be consistent with the Provisions of the Revised Forestry Code of the Philippines, as amended, and subject to an Environmental Impact Assessment, prior to the approval of such projects in order to determine their Environmental Impact and Social Acceptability.

Section 20. Use Regulations in Water Zone (WZ)

1. The utilization of the water resources for domestic and industrial uses shall be allowed provided it is in consonance with the development regulations of DENR, provisions of the Water Code, and revised Forestry Code of the Philippines,, as amended, and provided further that is subjected to an environmental impact assessment prior to approval of the use.
2. Other uses such as recreation, fishing and related activities, floatage/transportation and mining (e.g. off shore oil exploration) shall also be allowed provided it is in consonance with the provisions of the Water Code and the Revised Forestry Code of the Philippines, as amended.

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

Section 21. Regulations in Tourist Zone (TZ)

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

ARTICLE VI: GENERAL DISTRICT REGULATION

Section 22. Development Density. Permitted density shall be based on the zones capacity to support development.

A. Residential Zones

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

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

REVIEWED

PURSUANT TO THE PROVISIONS OF REPUBLIC ACT 7160
BY AUTHORITY OF THE SANGGUNIANG PAMALAWIGAN

(Authorized Signatory/In accordance with Internal Rules and Procedures)
REFERENCE RESOLUTION NO. 19-577 DATE 9/9/2014

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SECRETARY TO THE SANGGUNIANG

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

B. All Other Zone

There no fixed maximum density but should be based on the planned absolute level of density that is intended for each concerned zone based on the Comprehensive Land Use Plan.

Section 23. Height Regulations. Building height must conform to the height restrictions and requirements of the Air Transportation Office as well as the requirements of the National Building Code, the Structural Code as well as laws, ordinances,, design standards rules and regulations related to land development and building construction and various safety codes.

Residential Zones

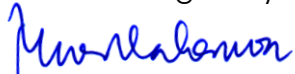
A.1 Low Residential Zones – in R-1 zone, no building or structure for human occupancy whether public or private shall be higher that ten (10) meters above highest natural grade line in the property or front sidewalk (main entry) level, low rise dwelling are up to three storeys;

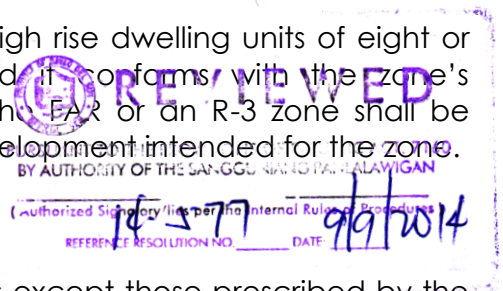
A.2 Medium Density Residential – in R-2 zone, no building or structure for human occupancy whether public or private shall be higher than twenty-one (21) meters above highest natural grade line in their property or front sidewalk (main entry) level; mid-rise dwellings are four to seven storeys;

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

All Other Zone

There is no fixed building height limits except those prescribed by the Air Transportation Office (ATO) and other government regulations within the zones, building height shall be based on the prescribed Floor Area Ratio (FAR) (refer to Annexes B-F for illustration on how Floor Area Ratio is used in a Zoning Plan).

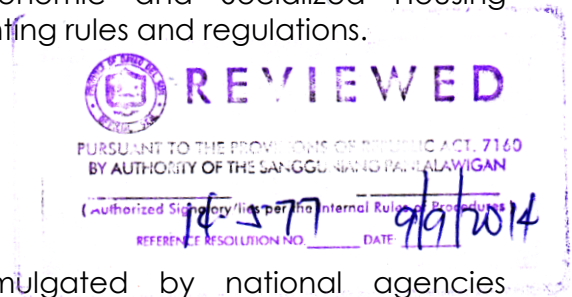

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SECRETARY TO THE SANGGUNIANG



Section 24. Exemptions from Height Regulation in R-1 and R-2. Exempted from the imposition of height regulations in residential zones are the following: towers, church steeples, water tanks and other utilities and such other structures not covered by the height regulations of the National Building Code and/or the Air Transportation Office (ATO).

Section 25. Area Regulations. Area regulation in all zones shall conform with the minimum requirement of the existing codes such as:

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



Section 26. Road Setback Regulations. The following road setback regulations shall be applied:

ROAD SETBACK *Maria Luisa C. Villahermosa*
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SECRETARY TO THE SANGGUNIANG

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



REVIEWED

PURSUANT TO THE PROVISIONS OF REPUBLIC ACT 7160
BY AUTHORITY OF THE SANGGUNIANG DALAWAGAN

(Authorized Signatory) (Date per the Internal Rules and Procedures)

REFERENCE RESOLUTION NO. 14-577

DATE: 9/9/2014

Section 27. Easement. Pursuant to the provisions of the Water Code: 1) the banks of the river 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 of public use in the interest of recreation, navigation, floatage, fishing and salvage.

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

Section 28. Buffer Regulations. A buffer of 3 meters shall be provided along entire boundary length between two or more conflicting zones allocating 1.5 meters from each side of the district boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

Section 29. Specific Provisions in the National Building Code. Specific provisions stipulated in the National Building Code (PD 1096) as amended thereto relevant to traffic generous, 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.

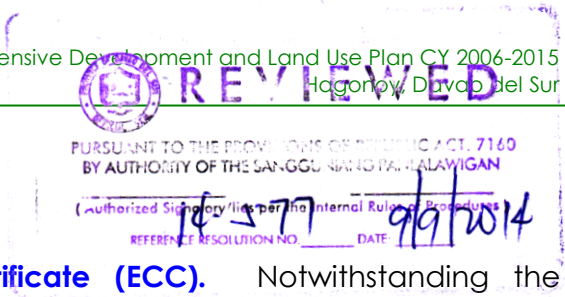
ARTICLE VII: INNOVATIVE TECHNIQUES

Section 30. Innovative Techniques or Designs. For projects that introduce flexibility and creativity in design or plan such as but not limited to Planned Unit Development, housing projects covered by New Town Development under RA 7279, BLISS Commercial Complexes, etc., the Zoning Administrator/Zoning Officer shall on grounds of innovative development techniques forward application to HLURB for appropriate action, Unless the local government units concerned has the capacity to process the same.

ARTICLE VIII: MISCELLANEOUS PROVISIONS

Section 31. Projects of National Significance. Projects may be declared by the NEDA board as projects of National Significance pursuant to Section 3 of E.O. No. 72 when a project is declared by the NEDA board as a project of National Significance the Locational Clearance shall be issued by the HLURB pursuant to E.O. 72.


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Section 32. Environmental Compliance Certificate (ECC). Notwithstanding the issuance of the Locational Clearance under Section 37 of this Ordinance no environmentally critical projects nor projects located in environmentally critical shall be commenced, developed or operated unless the requirements of ECC have been complied with.

Section 33. 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 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 No. 71, series of 1993.

ARTICLE IX: MITIGATING DEVICES

Section 34. Deviation. Exception, variances or deviations from the provisions of this Ordinance may be allowed by the Local Zoning Board of Adjustment and Appeals (LZBAA) only when the following terms and conditions exist:

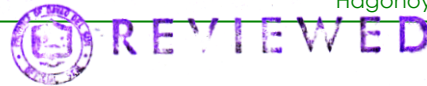
1. Variance

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

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

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



PURSUANT TO THE PROVISIONS OF REPUBLIC ACT 7160
BY AUTHORITY OF THE SANGGUNIANG PALARAWIGAN


(Authorized Signatory) _____ DATE: 9/9/2014
REFERENCE RESOLUTION NO. 14-577

2. Exceptions

- a. The exception will not adversely affect the public health, safety and welfare and is in keeping with general pattern of development in the community
- b. The proposed project shall support economic based activities/provide livelihood, vital community services and facilities while at the same time posing 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 35. Procedures for Granting Exceptions and Variances. The procedure for the granting of exception and/or variance is as follows:

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


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SECRETARY TO THE SANGGUNIANG

REVIEWED
PURSUANT TO THE PROVISIONS OF REPUBLIC ACT 7160
BY AUTHORITY OF THE SANGGUNIANG PANLALAWIGAN
(Authorized Signatory/In accordance with the Internal Rules and Procedures)
REFERENCE RESOLUTION NO. 18-577 DATE 9/9/2014

ARTICLE X: ADMINISTRATION AND ENFORCEMENT

Section 36. Locational Clearance. All owners/developers shall secure Locational Clearance from the Zoning Administrator/Zoning Office or in cases of Variance and Exemptions, from the Local Zoning Board of Adjustment and Appeals (LZBAA) prior to conducting of any activity or construction on their property/land.

Section 37. Building Permit. No building permit shall be issued by the Local Building Officer without a valid Locational Clearance in accordance with this Ordinance.

Section 38. Non-Use of Locational Clearance. Upon issuance of a Locational Clearance. The grantee thereof shall have one year within which to commence or undertake the use, activity or development covered by such clearance on his property. Non-use of said clearance within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his project without applying for new clearance.

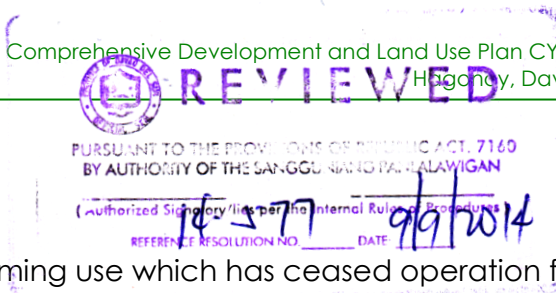
Section 39. Certificate of Non-Conformance. A certificate of Non-conformance shall be applied by the owner of the structure or operator of the activity involved within six (6) months from the ratification of the zoning ordinance by the or SANGGUNIANG PANLALAWIGAN(SP). Failure on the part of the owner to register/apply for a Certificate of Non-conformance shall be considered in violation of the Zoning Ordinance and is subject to fine/penalties.

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

Section 40. Existing Non-conforming Uses and Buildings. The lawful uses of any building structure or land at the time of adoption or amendment of this Ordinance may be continued, although such uses do not conform with the provision of this Ordinance provided:

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

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SECRETARY TO THE SANGGUNIANG



2. That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming uses.
3. An idle/vacant structure may not be used for non-conforming activity.
4. That any non-conforming structure or structures under one ownership which has been damaged may be reconstructed and used as before provided that such reconstruction is not more than fifty per cent (50%) of the replacement cost.
 - i. That should such non-conforming portion of structure be destroyed by any means to an extent of more than fifty per cent (50%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
5. That no such non-conforming use 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 to 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 use within ten (10) years from the effectivity of this Ordinance.

Section 41. Responsibility for Administration and Enforcement. This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with existing Rules and Regulations on the subject.

Section 42. Powers and Functions of a Zoning Administrator/Zoning Officer. Pursuant to the provisions of EO 72 implementing RA 7160 in relation to Sec. 5, Paragraph a and d, and Section 7 of Executive Order No. 648 dated 07 February 1981. The Zoning Administrator/Zoning Officer shall perform the following functions, duties and responsibilities.

I. Enforcement

- A. Act on all applications for locational clearances for all projects.
 1. Issuance of Locational Clearance for projects conforming with zoning regulations.


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SECRETARY TO THE SANGGUNIANG

2. Recommends to the Local Zoning Board of Adjustment and Appeals (LZBAA) the grant or denial of applications for variances and exemptions and the issuance of Certificate of Non-Conformance for non-conforming projects lawfully existing at the time of adoption of the zoning ordinance, including clearances for repairs/renovations on non-conforming uses consistent with the guidelines therefore.
- B. Monitor on-going/existing projects within the municipality and issue notices of violators and show cause order to owners, developers, or managers of projects are violative of zoning ordinance and if necessary, pursuant to Sec. 3 of EO 72 AND Sec. 2 of EO 71 refer to subsequent actions thereon to the HLURB.
 - C. Call and coordinate with the Philippine National Police for enforcement of all orders and process issued in the implementation of this ordinance.
 - D. Coordinate with the Municipal Attorney for other legal actions/remedies relative to the foregoing.

II. Planning

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

Section 43. Action on Complaints and Oppositions. A complaint for violations of any Provision of the Zoning Ordinance or of any Clearance or Permits issued pursuant thereto shall be filed with the LZBAA.

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

Section 44. Functions and Responsibilities of the Local Zoning Board of Adjustments and Appeals. There is hereby created a LZBAA which shall perform the following functions and responsibilities:

- A. Act on Applications of the following Nature:
 1. Variances
 2. Exceptions
 3. Non-Conforming Uses
 4. Complaints and Opposition to Applications

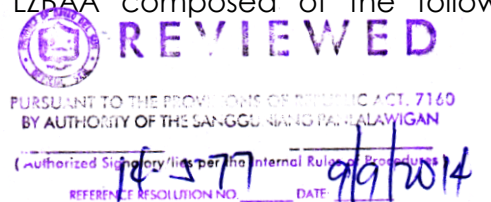

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SECRETARY TO THE SANGGUNIANG

- B. Act on Appeals on Grant or Denial of Locational Clearance by the Zoning Administrator/Zoning Officer.

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

Section 45. Composition of the Local Zoning Board of Adjustment and Appeals (LZBAA). The Municipal Development Council shall Create a Sub-Committee and shall act as the LZBAA composed of the following members:

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



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

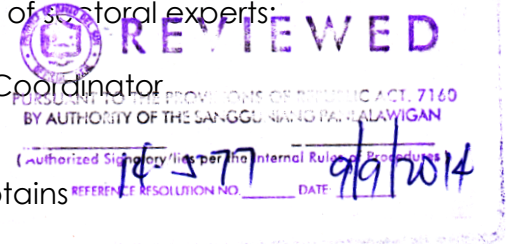
Section 46. Review of the Zoning Ordinance. The Municipal Development Council shall create a sub-committee, the Local Zoning Review Committee (LZRC) that shall review the Zoning Ordinance considering the Comprehensive Land Use Plan, as need arises, based on the following reasons/situations:


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SECRETARY TO THE SANGGUNIANG

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

Section 47. Composition of the Local Zoning Review Committee (LZRC). The Local Zoning Review Committee shall be composed of sectoral experts:

- a. Municipal Planning and Development Coordinator
- b. Municipal Health Officer
- c. Municipal Agriculturist
- d. President, Association of Barangay Captains
- e. Municipal Engineer
- f. Community Environment and Natural Resources Officer (CENRO)
- g. Municipal Agrarian Reform Officer (MARO)
- h. District School Supervisor




Three (3) Private Sector Representatives (Local Chamber of Commerce, Housing Industry and Homeowner's Association) Two (2) NGO Representatives.

For Purpose of Policy and Program Coordination, the LZRC shall be attached to the Municipal Development Council.

Section 48. 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 the local planning and development office the needed changes in the plan as a result of the review conducted.
- c. Provide information to the HLURB that would be useful in the exercise of its functions.


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SECRETARY TO THE SANGGUNIANG

Section 49. Amendments to the Zoning Ordinance. Changes in the Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as an amendment, provided that any amendment to the Zoning Ordinance or provisions thereof shall be subject to Public Hearing and Review Evaluation of the Local Zoning Review Committee and shall be carried out through a resolution of three fourths vote of the Sangguniang Bayan. Said amendments shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

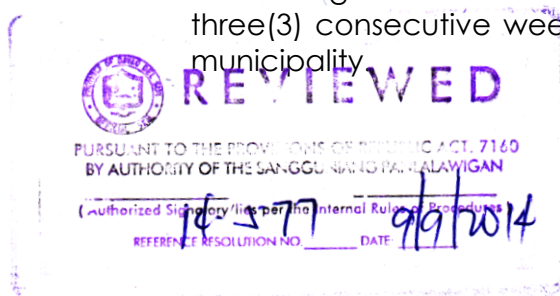
Section 50. Violation and Penalty. Any person who violates any of the provisions of this Ordinance, shall upon conviction, be punished by a fine not exceeding P2,500.00, or an imprisonment for a period not exceeding six (6) months, or both, at the discretion of the Court. In case of violation by a corporation, partnership or association the penalty shall be imposed upon the erring officers hereof.

Section 51. Suppletory Effect of Other Laws and Decrees. The provisions of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

Section 52. Separability Clause. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 53. Repealing Clause. All ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided, that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

Section 54. Effectivity Clause. This Ordinance after review by the Sangguniang Panlalawigan shall take effect on the day following the end of the three(3) consecutive weeks of posting in any conspicuous places of the municipality



Maria Luisa C. Villaneros
MARIA LUISA C. VILLANEROSA
SECRETARY TO THE SANGGUNIANG

ENACTED: March 31, 2014.

RESOLVED FURTHER, that copies of this Zoning Ordinance shall be furnished to the Sangguniang Panlalawigan, Capitol, Matti, Digos, Davao del Sur, for their proper review, and to all other government/private agencies concerned, likewise, for their information and guidance.

UNANIMOUSLY CARRIED.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ERLINDA T. LUBATON
Secretary to the Sanggunian

ATTESTED AND CERTIFIED TO BE
DULY ADOPTED AND APPROVED:

MYRNA D. RAUT
Municipal Vice Mayor
Presiding Officer



APPROVED:

Ret. Gen. FRANCO MAGNO CALIDA
Municipal Mayor


MARIA LUISA C. VILLAHERMOSA
SECRETARY TO THE SANGGUNIANG