

**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

October 17, 2014

**Dr. Rosalinda P. Callang**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan, Province of Cagayan  
Capitol Hills, Tuguegarao City

SANGGUNIANG PANLALAWIGAN  
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**Madam:**

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measures enacted by the Sangguniang Panlungsod on September 17, 2014 and September 23, 2014, specifically:

1. **CITY ORDINANCE NO. 008-2014 – “AN ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL ZONE CERTAIN LANDHOLDINGS COVERED BY TCT NOS. T-110087, T-165-677, T-165678, T-165679, T-171200, T-T-22608, T-22607 AND T-52533 WITH AN AREA OF 136,305 SQUARE METERS LOCATED AT CARIG SUR, TUGUEGARAO CITY”.**
2. **CITY ORDINANCE NO. 009-2014 – “AN ORDINANCE REZONING FROM RESIDENTIAL ZONE TO COMMERCIAL ZONE PARCELS OF LANDS COVERED BY LOT NO. 1-A: TCT-032-2012004461/LOT NO. 1-B: TCT-032-20144001426/LOT NO. 1-C: TCT-032-20141106/LOT NO. 3-A: TCT-032-2014001108/LOT NO. 3-B: TCT-032-2014001109/LOT NO. 3-C: TCT-032-2014001110//LOT NO. 3-D: TCT NO. 032-20141111/LOT NO. 4: TCT-032-2014000411/LOT NO. 5-D-1-A: T-111486/LOT NO. 5-D-1-B: T-148458/LOT NO. 5-D-1-C: T-148459/LOT NO. D-1-D: T-148460/LOT NO. D-1-E: T-148461/LOT NO. 5-D-1-F: T-148462/LOT NO. 5-D-1-G: T-148463/LOT NO. 5-D-1-H: T-148464/LOT NO.5-D-1-I: T-148465/LOT NO. 5-D-2: TCT-032-2014001107/LOT NO. 6: TCT-032-2014000964/LOT NO. 7: TCT-032-2014000400/LOT NO. 8: TCT-032-2014000399/LOT NO. 9: T-111488/LOT NO. 10: T-11148/LOT NO.11: TCT-032-2012004463/LOT NO. 12: TCT-032-2012004462 WITH AN AREA OF 12.1313 HECTARES, LOCATED AT CARITAN NORTE, TUGUEGARAO CITY”.**
3. **CITY ORDINANCE NO. 010-2014 – “AN ORDINANCE ESTABLISHING AN EDUCATIONAL ASSISTANCE PROGRAM FOR PERSONNEL OF THE LOCAL GOVERNMENT UNIT OF TUGUEGARAO CITY AND PROVIDING FUNDS THEREFOR”.**
4. **CITY ORDINANCE NO. 011-2014 – “AN ORDINANCE REQUIRING RESTAURANTS, CANTEENS, CAFETERIAS, FAST FOOD CHAINS, CATERERS AND OTHER RELATED FOOD SERVICES TO INCLUDE HALF RICE IN THEIR MENU LIST”.**

Thank you.

Yours truly,

  
**Joel Joseph L. Egipito, Ph. D.**  
Secretary to the Sangguniang Panlungsod

Republic of the Philippines  
PROVINCE OF CAGAYAN  
City of Tuguegarao

**SIXTH CITY COUNCIL**

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION  
OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN  
HELD ON SEPTEMBER 17, 2014, 2:00 P.M., WEDNESDAY,  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Rosauro G. Resuello	Sangguniang Panlungsod Member
Hon. Ronald S. Ortiz	-do-
Hon. Perla C. Tumaliuan	-do-
Hon. Noel A. Mora	-do-
Hon. Jude T. Bayona	-do-
Hon. Loreto B. Valdepeñas	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Estelita U. Dayag	-do-
Hon. Aurora A. Ave	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Hilario Larry S. Ting	-do-

ABSENT:

Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
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**CITY ORDINANCE NO. 08-2014**

**AN ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL ZONE CERTAIN LANDHOLDINGS COVERED BY TCT NOS. T-110087, T-165-677, T-165678, T-165679, T-171200, T-22608, T-22607 AND T-52533 WITH AN AREA OF 136,305 SQUARE METERS LOCATED AT CARIG SUR, TUGUEGARAO CITY**

Sponsor:	<b>Hon. Kendrick S. Calubaquib</b>
Co-Sponsors:	<b>Hon. Ronald S. Ortiz</b> <b>Hon. Loreto B. Valdepeñas</b> <b>Hon. Anthony C. Tuddao</b>

**WHEREAS**, cities or municipalities are vested with the authority to reclassify agricultural lands and provide manner for their utilization pursuant to Section 20 of RA 7160, otherwise known as the Local Government Code of 1991;

**WHEREAS**, Camella Homes, represented by Engr. Michael F. Favorito, has applied for reclassification from agricultural zone to residential zone of parcels of lands located at Carig Sur, Tuguegarao City;

**WHEREAS**, the applicant has complied with the requirements provided in RA 7160, otherwise known as the Local Government Code of 1991, and other applicable laws, rules and regulations;

**WHEREAS**, the documents in support to the application for the reclassification of stated lands which are contained in Committee Report No. 041-2014, duly adopted and approved in session by the Sangguniang Panlungsod, are found to be in order and shall form part of this ordinance;

**NOW THEREFORE**, be it **ORDAINED** by the 6<sup>th</sup> City Council in session assembled:



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**SECTION 1. DEFINITION OF TERMS:**

- A. **AGRICULTURAL LAND** – refers to land use devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land (Section 3 (c) of RA No. 6657).
- B. **AGRICULTURAL ZONE** – refers to an area within the city devoted primarily for agricultural purposes.
- C. **LAND USE** – refers to the manner of utilization including its allocation, development and management.
- D. **RECLASSIFICATION OF AGRICULTURAL LAND** – refers to the act of specifying how agricultural land shall be utilized for non-agricultural uses such as residential, industrial and commercial, as embodied in the land use plan. It also includes the reversion of non-agricultural lands to agricultural lands.
- E. **RESIDENTIAL ZONE** – refers to an area within the city intended principally for dwelling/housing purposes.
- F. **ZONING ORDINANCE** – refers to a local measure which embodies regulations affecting land use.

**SECTION 2. COVERAGE.** Parcels of Agricultural Lands registered under the name of Camella Homes covered by TCT Nos. T-110087, T-165677, T-165678, T-165679, T-171200, T-22608, T-22607 and T-52533, with an area of 136,305 square meters, located at Carig Sur, Tuguegarao City.

**SECTION 3. RECLASSIFICATION.** The aforementioned parcels of lands described in Section 2 hereof are hereby reclassified from agricultural to residential zones.

**SECTION 4. REPEALING CLAUSE.** City Ordinances or Resolutions which are inconsistent with the provisions of this City Ordinance are hereby modified or repealed accordingly.

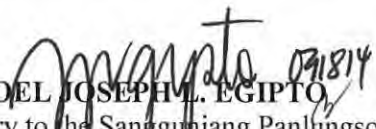
**SECTION 5. SEPARABILITY CLAUSE.** Should any section or provision of this City Ordinance be declared as unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

**SECTION 6. EFFECTIVITY.** This City Ordinance shall take effect immediately upon approval.

On motion of Hon. Kendrick S. Calubaquib and without objection from the Body, **CITY ORDINANCE NO. 08-2014** was UNANIMOUSLY APPROVED.

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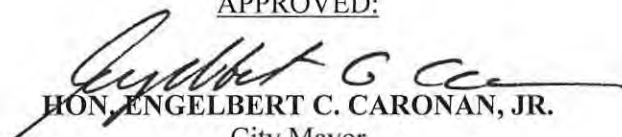
I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH M. EGIPTO**  
Secretary to the Sangguniang Panlungsod

ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor  
Presiding Officer

APPROVED:

  
**HON. ENGELBERT C. CARONAN, JR.**  
City Mayor  
Date approved: 10/17/14

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Republic of the Philippines  
Province of Cagayan  
TUGUEGARAO CITY

**6<sup>TH</sup> CITY COUNCIL**

**COMMITTEE REPORT No. 041-2014**

July 4, 2014

**Submitted by: COMMITTEE ON LAND USE, ZONING, PLANNING AND  
SUBDIVISION APPROVAL**

**PRESENT:**

**HON. KENDRICK S. CALUBAQUIB** - Chairman  
**HON. RONALD S. ORTIZ** - Vice Chairman  
**HON. LORETO B. VALDEPEÑAS** - Member

**RESOURCE PERSONS:**

Atty. Honorio Eduardo B. Reyes III - City Legal Officer  
Engr. Rommel B. Iquin - City Assessor's Office Representative  
Engr. Manolo M. Barreo - CPDCO Representative  
Engr. Gilbert E. Quinan - CPDCO -Zoning Officer II  
Engr. Odelyne C. De Leon - City Engineering Office Representative  
Engr. Perlita B. Calubaquib - Engr. II- DPWH  
Ms. Angelita S. Asco - City Agriculture Office Representative  
Engr. Genard Cugana - Camella Homes, Representative

**SUBJECT:**

Indorsement of City Mayor, Hon. Jefferson P. Soriano, on the letter of Camella Homes, represented by Engr. Michael F. Favorito, Technical Head, Communities Isabela Incorporated, requesting for the reclassification from agricultural zone to residential zone of certain parcels of land covered by TCT Nos. T-110087, T-165677, T-165678, T-165679, T-171200, T-22608, T-22607, and T-52533, containing an area of 136,305 square meters, located at Carig Sur, Tuguegarao City.

**FOR THE PRESIDING OFFICER:**

The Committee on Land Use, Zoning, Planning and Subdivision approval of the 6<sup>th</sup> City Council to which the letter of Camella Homes, represented by Engr. Michael F. Favorito, for the reclassification of landholdings from Agricultural Zone to Residential Zone was referred, met and considered the same, and has the honor to report to the august Body in session with the following actions taken, findings and recommendations:

**ACTIONS TAKEN:**

1. The Committee met and deliberated on the merits of the application for reclassification of the subject landholdings from Agricultural Zone to Residential Zone;
2. The Technical Working Group convened to assist the Committee Land Use, Zoning, Planning and Subdivision Approval in the evaluation of the documents and other requirements submitted;

3. The members of the Committee Land Use, Zoning, Planning and Subdivision Approval, together with the Technical Working Group, and the proponent conducted a site inspection. An Inspection Report was submitted by the Technical Working Group. The same shall form part of the Committee Report; and
4. A Public Hearing under the auspices of the Committee on Land Use, Zoning, Planning and Subdivision Approval was conducted as required by law on July 4, 2014 held at the Barangay Hall of Barangay Carig Sur, Tuguegarao City, Cagayan. The same was attended by Barangay Officials, and constituents of Barangay Carig Sur, adjacent lot owners, and city employees.

**FINDINGS:**

**DOCUMENTS SUBMITTED:**

1. Photocopy of Titles
2. Tax Declaration
3. Tax Clearance.
4. Agreement to Purchase and Sell.
5. Office of the City Agriculturist Certification that upon concrete evaluation of the lots, result showed that the aforementioned lots are nutrient deficient and acidic and for the reason it is not suitable for agricultural and industrial crops.
6. CPDCO Certification stating that the landholdings are classified as Agricultural as per approved Comprehensive Land Use Plan: 2001-2005 and Zoning Ordinance No. 04 of the City of Tuguegarao dated October 11, 2002 ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003 dated March 7, 2003.
7. Soil Test Result.
8. DA Application for Land Use Reclassification.
9. Certification from the CPDCO Zoning Officer that the total agricultural area of Tuguegarao City is 5891.47 hectares as approved by the HLURB/SP Resolution No. 080 dated March 07, 2003.
10. Certificate of Environmental Compliance Commitment (ECC).
11. Certification from Office of the Punong Barangay of Barangay Carig Sur indicating that the Camella Cagayan Property was voluntarily vacated and waived the rights as tenants.
12. Certification from the Office of the Punong Barangay of Carig Sur that the said lot presently not tenanted and already vacated as requested by MELVIDA CAMAYANG, MARO of Department of Agrarian Reform, Tuguegarao City.
13. Special Power of Attorney for Engr. Michael F. Favorito to act as representative of Communities Isabela, Inc. to apply for reclassification purposes.
14. NIA Certifications that subject lots are not irrigable lands and not covered by irrigation project with firm funding commitment.
15. Vicinity Map.
16. Inspection Report conducted by Inspectorate Team.
17. Geotechnical Investigation Report of the Project Location.
18. MARO Certification that subject landholdings are not tenanted.
19. D.A. Certifications that the subject landholdings are not within the Strategic Agricultural and Fishery Development Zone (SAFDZ) and Network of Protected Agricultural Area for Development (NPAAD).

The applicant complied with the requirements mandated by the Local Government Code of 1991.

The Committee deliberated on the merits of the Memorandum from the City Legal Officer to the Sixth City Council through the Chairman of the Committee on Land Use, Zoning, Planning and Subdivision Approval relative to the report of the City Legal Office on the application for reclassification of the subject landholdings. (Copy of the Memorandum is hereto attached.)

Furthermore, the committee finds the proponent liable for payment of lawful penalties arising from unauthorized development based on HLURB Resolution No. 675 Series of 2000 as prescribed.

After considering the documents submitted, the Inspection Report of the Technical Working Group, Memorandum of the City Legal Officer to the Sixth City Council through the chairman of the committee relative to the report of the City Legal Office on the application for reclassification, public hearing, and the requirements submitted, the committee finds the request for the reclassification of the subject landholdings to be in order.

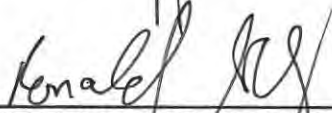
**RECOMMENDATION:**

The Committee, after taking into account all the above findings, favorably recommends the enactment of a city ordinance approving the application of Camella Homes, represented by Engr. Michael F. Favorito, requesting for the reclassification from agricultural zone to residential zone of parcels of land covered by covered by TCT Nos. T-110087, T-165677, T-165678, T-165679, T-171200, T-22608, T-22607, and T-52533, containing an area of 136,305 square meters, located at Carig Sur, Tuguegarao City, subject however to payment of lawful penalties. (Attached hereto is the draft ordinance)

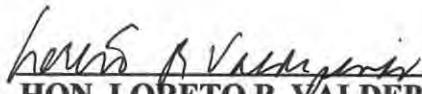
Respectfully submitted:



**HON. KENDRICK S. CALUBAQUIB**  
Chairman



**HON. RONALD S. ORTIZ**  
Vice Chairman



**HON. LORETO B. VALDEPEÑAS**  
Member