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

CITY ORDINANCE NO. 09-2014

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

Sponsor: Hon. Kendrick S. Calubaquib

Co-Sponsors: Hon. Ronald S. Ortiz

Hon. Loreto B. Valdepeńas Hon. Anthony C. Tuddao

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, Mrs. Cynthia Andrews Dominguez has applied for rezoning from residential zone to commercial zone of parcels of lands located at Caritan Norte, 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;

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WHEREAS, the documents in support to the application for the rezoning of parcels of lands which are contained in Committee Report No. 043-2014, duly adopted and approved in session by the Sangguniang Panlungsod, are found to be in order and shall form part of this ordinance;

WHEREAS, any complex development in the future shall be subject to the approval of the Sangguniang Panlungsod and the Committee on Land Use, Zoning, Planning and Subdivision Approval.

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

SECTION 1. DEFINITION OF TERMS:

- A. COMMERCIAL ZONE refers to an area within the city principally intended for business or commercial purposes.
- B. LAND USE refers to the manner of utilization of land including its allocation, development and management.
- C. **REZONING** refers to the process of altering land use of one zone to another zone.
- D. RESIDENTIAL ZONE refers to an area within the city intended principally for dwelling/housing purposes.
- E. ZONING ORDINANCE refers to a local measure which embodies regulations affecting land use.

SECTION 2. COVERAGE. Parcels of residential land area 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-11486/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-111487/LOT NO.11: TCT-032-2012004463/LOT NO. 12: TCT-032-2012004462, covering an area of 12.1313 hectares, located at Caritan Norte, Tuguegarao City.

SECTION 3. REZONING. The aforementioned parcels of lands described in Section 2 hereof are hereby rezoned from residential to commercial.

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. 09-2014 was UNANIMOUSLY APPROVED.

X-X-X

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

Secretary to the sangguniang Panlungsod

ATTESTED:

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

Date approved: 10/17/14

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Republic of the Philippines Province of Cagayan TUGUEGARAO CITY

6TH CITY COUNCIL

COMMITTEE REPORT No. 043-2014 August 18, 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:

Engr. Ma. Ines Bunagan - OIC- City Engineering Office Ms. Evangeline P. Calubaquib - City Agriculturist

Mr. Gilbert Quinan - Zoning Officer II, CPDCO

Engr. Perlita B. Calubaquib - Engr. II, DPWH

Engr. Rommel Iquin - City Assessor's Office Representative

Mr. Anthony Andrews - Proponent's Representative

SUBJECT:

Indorsement of City Mayor, Hon. Jefferson P. Soriano, on the request of Ms. Cynthia Andrews Dominguez for rezoning of lots from residential zone to commercial zone, covered by Lot No.1-A: TCT-032-2012004461/ Lot No.1-B: -TCT-0322014001426/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-111487/Lot No. 11: TCT-032-2012004463/Lot No. 12:TCT-032-2012004462 with an area of 12.1313 hectares, located at Barangay Caritan Norte, Tuguegarao City.

FOR THE PRESIDING OFFICER:

The Committee on Land Use, Zoning, Planning and Subdivision Approval of the 6th City Council to which the request of Ms. Cynthia Andrews Dominguez for the rezoning of lots from Residential Zone to Commercial 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:

 The Committee met to discuss the request of Ms. Cynthia Andrews Dominguez for the rezoning of the subject lots from Residential Zone to Commercial Zone.

- The Technical Working Group convened to assist the Committee on Land Use, Zoning, Planning and Subdivision Approval in the evaluation of the documents and other requirements submitted.
- The members of the Committee, 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.
- 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 August 18, 2014 held at Barangay Hall, Caritan Norte, Tuguegarao City, Cagayan. The same was attended by Barangay Officials, residents of Barangay Caritan Norte, and LGU Employees.
- 5. The committee convened for the final consideration of the application.

FINDINGS:

DOCUMENTS SUBMITTED:

- 1. Vicinity Map
- 2. Certified True Copy of Title
- 3. Copy of Tax Declaration
- 4. Blue Print of Lot Plan
- CPDCO Certification stating that the landholdings are classified as Residential per approved Comprehensive Land Use Plan: 2001-2005, and Zoning Ordinance No. 04 of the City of Tuguegarao dated October 11, 20012 ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003, dated March 7, 2003.
- 6. Department of Agriculture- RFU 02 Soil Test Result.
- 7. Inspection Report of the Office of the City Agriculture
- 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, 2003of which 68.6826 hectares has been reclassified to nonagricultural uses.
- 9. NIA Field Verification Report that the subject lots are not irrigable and not covered by any irrigation project.
- 10. Special power of Attorney for Ms. Cynthia Andrews Dominguez to act as representative of the registered owners applying for rezoning purposes.

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

After considering the inspection made, the documents submitted and the Inspection Report of the Technical Working Group, the Committee on Land Use, Zoning, Planning and Subdivision Approval, finds the request for the rezoning of the subject lots 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 Ms. Cynthia Andrews Dominguez for rezoning of parcels of land from residential zone to commercial zone, covered by Lot No.1-A: TCT-032-2012004461/ Lot No.1-B: -TCT-0322014001426/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-111487/Lot No. 11: TCT-032-2012004463/Lot No. 12:TCT-032-2012004462 with an area of 12.1313 hectares located at Barangay Caritan Norte, Tuguegarao City.

The Committee further recommends that any complex development in the future shall be subject to the approval of the Sangguniang Panlungsod and the Committee on Land Use, Zoning, Planning and Subdivision Approval.

Respectfully submitted:

HON. KENDRICK S. CALUBAQUIB
Chairman

HON. RONALD S. ORTIZ Vice Chairman

Member



Republic of the Philippines PROVINCE OF CAGAYAN

Tuguegarao City

December 16, 2014

SANGGUNIANG PANLALAWI

HON, BIENVENIDO C. DE GUZMAN II

City Vice Mayor Tuguegarao City

Dear Hon. De Guzman:

We are furnishing your esteemed Office a copy of RESOLUTION NO. 2014 - 8 - 303 of the Sangguniang Panlalawigan of Cagayan entitled: "RESOLUTION APPROVING ORDINANCE NO. 08 AND 09, S-2014 OF THE CITY OF TUGUEGARAO, CAGAYAN."

For your information and guidance.

Thank you.

Very truly yours,

PONCE-CALLANG, DPA Secretary to the Sangguniang Panlalawigan

GAA/ppl

Ord. no. 09-2014 - Regioning - Cynthia Ordines Domingues



SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE PROVINCIAL BOARD HELD ON WEDNESDAY, DECEMBER 03, 2014 AT THE SESSION HALL OF THE SANGGUNIANG PANLALAWIGAN, PROVINCIAL CAPITOL, TUGUEGARAO CITY.

PRESENT:

Hon. Maria Olivia B. Pascual, Member/Temporary Presiding Officer

Hon. Ramon C. Nolasco, Member

Hon. Melvin K. Vargas, Jr., Member

Hon. Vilmer V. Viloria, Member

Hon. Alexander S. Daguna, Member

Hon. Mila Perpetua C. Lauigan, Member

Hon. Winnoco R. Abraham, Member

Hon. Christian R. Guzman, Member

Hon. Napoleon G. Sacramed, Member

Hon. Vicente G. Pagurayan, Member

ON OFFICIAL BUSINESS:

Hon. Leonides N. Fausto, Vice Governor/ Regular Presiding Officer

ON OFFICIAL TIME:

Hon. Romeo S. Garcia, Member

Hon. Karen Kaye T. Turingan, Member

ABSENT:

NONE

RESOLUTION NO. 2014 - 8 - 303

RESOLUTION APPROVING ORDINANCE NO. 08 AND 09, S-2014 OF THE CITY OF TUGUEGARAO, CAGAYAN

Joint Report of the Committee on Laws, Revisions, Ordinances and Legal Matters and the Committee on Planning and Development on Ordinance No. 08 and 09, s-2014 of the City of Tuguegarao, Cagayan, recommending favorable review thereof subject to the observations and recommendations stated therein.

ADOPTED and APPROVED by the Sangguniang Panlalawigan.

On motion of Hon. Mila Perpetua C. Lauigan, duly seconded, be it

RESOLVED, as it is hereby resolved, to approve Ordinance No. 08 and 09, s-2014 of the City of Tuguegarao, Cagayan, entitled: "An Ordinance Reclassifying from Agricultural

Zone to Residential Zone Certain Land Holdings Covered by TCT Nos. T-110087, T-165-677, T-165678, T-165679, T-171200, T-22608, T-22607, T-52533 with an Area of 136,305 Square Meters Located at Carig Sur, Tuguegarao City, Cagayan" and "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-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-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, Cagayan", with the attached joint report of the Committee on Laws, Ordinances, Revisions and Legal Matters and the Committee onPlanning and Development, as adopted and which forms an integral part of this Resolution, a copy of which is hereby transmitted to that City, for their information and reference.

CARRIED.

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.

ROSALINDA DE CALLANG, DPA

Secretary

Sangguniang Panlalawigan

ATTESTED:

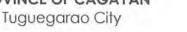
MARIA OLIVIA B. PASCUALIN

Provincial Board Member / Temporary Presiding Officer

Edna M/



Republic of the Philippines PROVINCE OF CAGAYAN





OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE ON LAWS, ORDINANCES, REVISIONS AND LEGAL MATTERS AND COMMITTEE ON PLANNING AND DEVELOPMENT

JOINT COMMITTEE REPORT

SUBJECT:

City Ordinance Nos. 08 and 09, series of 2014 of the Sangguniang Panlungsod of Tuguegarao City, Cagayan, respectively entitled: "An Ordinance Reclassifying from Agricultural Zone to Residential Zone Certain Land Holdings Covered by TCT Nos. T-110087, T-165-677, T-165678, T-165679, T-171200, T-22608, T-22607, T-52533 with an Area of 136,305 Square Meters Located at Carig Sur, Tuguegarao City, Cagayan" and "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, Cagayan"

FINDINGS:

While the Committees concede that the subject Ordinances were enacted pursuant to Republic Act 7160, otherwise known as the Local Government Code of 1991, which provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdiction, however the validity of such reclassifications depends on the full compliance to the following documents required under the following pertinent rules and regulations subject to Section 20(d) and Section 447(2)(x) of the Code, to wit:

Administrative Order No. 363

(1) Certification from the local HLURB specifying the total area of zoned agricultural lands in the local government concerned based on the approved Comprehensive Land Use Plan or Zoning Ordinance prior to the application for conversion;



Republic of the Philippines PROVINCE OF CAGAYAN Tuguegarao City



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

- (2) Certification from the DAR indicating that such lands are not distributed or covered by a Notice of Valuation under CARP;
- (3) Certification from DENR that the area applied for reclassification has been classified as alienable and disposable, and is not needed for forestry purposes in case the area applied for falls within public lands;
- (4) Certification of the Viability or Non Viability of Agricultural Land from the DA and that the land is not part of the area identified as non-negotiable for conversion or a certification as to whether the land is classified as highly restricted from conversion or not;

Memorandum Circular No. 54

- (1) A certification from DA indicating (i) the total area of existing agricultural lands in the LGU concerned; (ii) that such lands are not classified as non-negotiable for conversion or reclassification under AO 20 (1992); and (iii) that the land ceases to be economically feasible and sound for agricultural purposes in the case of Sec. 1 (b-1);
- (2) A Certification from the Department of Agrarian Reform (DAR) that the lot is not under the Comprehensive Agrarian Reform Program (CARP) of RA 6557;

DA Administrative Order No. 37

- (1) Notarized Application for Reclassification (Land Use Reclassification (LUR) Form No. 1);
- (2) True copy of the Original Certificate of Title (OTC);
- (3) One (1) copy each of sketch map, vicinity map and lot plan showing TCT Nos., Lot No., area per TCT and area applied for conversion duly reference points for the identification of the subject property applied for reclassification; and
- (4) Recent 5R photographs of the property to be duly certified as such by a member of DA-RLUTWG after the field investigation

As records before the Committees reveal, the afore-stated documents and certifications were not submitted. Hence, the Committees cannot rule on the adequacy of the required documents and certifications. Nevertheless, these Committees will now concede that the action of reclassification of agricultural lands is well within the authority of the Sangguniang Panlungsod.



Republic of the Philippines PROVINCE OF CAGAYAN Tuguegarao City





OFFICE OF THE SANGGUNIANG PANLALAWIGAN

RECOMMENDATION:

IN VIEW OF THE FOREGOING, the Committees respectfully recommend the APPROVAL of City Ordinance Nos. 08 and 09, series of 2014 of the Sangguniang Panlungsod of Tuguegarao City, Cagayan SUBJECT TO FULL COMPLIANCE WITH THE ABOVE-STATED CERTIFICATION REQUIREMENTS.

COMMITTEE ON LAWS, ORDINANCES, REVISIONS AND LEGAL MATTERS

CATABAY-LAUIGAN Chairman

HON. WINNOCO R. ABRAHAM Member

HON. VICENTE G. PAGURAYAN Member

HON. RAMON C. NOLASCO Member

COMMITTEE ON PLANNING AND DEVELOPMENT

HON. RAMON C. NOLASCO

Vice Chairman

HON. MARIA OLIVIA B. PASCUAL

Member

HON. KAREN KAYET) TURINGAN

Member

HON. VICENTE G. PAGURAYAN

Member