

Republic of the Philippines
Province of Cagayan
City of Tuguegarao

OFFICE OF THE SECRETARY TO THE SANGGUNIAN

June 02, 2015

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

SANGGUNIANG PANLALAWIGAN
RECEIVED
DATE: 6/3/15
BY: JLD 9:00 AM
TUGUEGARAO, CAGAYAN

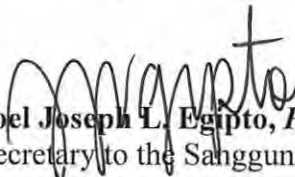
Madam:

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measure enacted by the Sangguniang Panlungsod on May 26, 2015.

CITY ORDINANCE NO. 06-2015 – “CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL USE TO RESIDENTIAL USE OF LOT NO. 25-C-2-K-3-D-1, TCT NO. T-128288, COVERING AN AREA OF 1,000 SQUARE METERS, LOCATED AT CAGGAY, TUGUEGARAO CITY”

Thank you.

Yours truly,


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

Attachment: a/s

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 MAY 26, 2015, 9:00 A.M., TUESDAY,
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Engelbert C. Caronan, Jr.	City Vice Mayor, Regular Presiding Officer
Hon. Bienvenido C. De Guzman II	Sangguniang Panlungsod Member
Hon. Rosauro G. Resuello	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Noel A. Mora	-do-
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Estelita U. Dayag	-do-
Hon. Aurora A. Ave	-do-
Hon. Hilario Larry S. Ting	-do-

ABSENT:

Hon. Perla C. Tumaliuan	Sangguniang Panlungsod Member
Hon. Loreto B. Valdepeñas	-do-
Hon. Anthony C. Tuddao	-do-

CITY ORDINANCE NO. 06-2015

**CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL USE TO RESIDENTIAL USE
OF LOT NO. 25-C-2-K-3-D-1, TCT NO. T-128288, COVERING AN AREA OF
1,000 SQUARE METERS, LOCATED AT CAGGAY, TUGUEGARAO CITY**

**Sponsors: Hon. Kendrick S. Calubaquib
Hon. Ronald S. Ortiz
Hon. Loreto B. Valdepeñas
Hon. Anthony C. Tuddao**

**Co-Sponsors: Hon. Engelbert C. Caronan, Jr.
Hon. Bienvenido C. De Guzman II
Hon. Rosauro G. Resuello
Hon. Noel A. Mora
Hon. Jude T. Bayona
Hon. Estelita U. Dayag
Hon. Aurora A. Ave
Hon. Hilario Larry S. Ting**

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

WHEREAS, Ms. Amelia D. Micor has applied for reclassification of parcels of land from agricultural use to residential use, located at Caggay, Tuguegarao City;

WHEREAS, the applicant has complied with the requirements provided by R.A. 7160, otherwise known as the Local Government Code of 1991, and other applicable laws, rules, regulations, and submitted the following documents:

1. Letter Request of Ms. Amelia D. Micor for reclassification
2. Letter Indorsement of the City Mayor, Hon. Engelbert C. Caronan, Jr., to the Sixth City Council
3. Special Power of Attorney for Ms. Leonita Micor to act as the representative of the applicant in her application for reclassification
4. Vicinity Map
5. Certified True Copy of Title
6. Copy of Tax Declaration
7. 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, 2012, ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003 dated March 7, 2003
8. Certification from the CPDCO Zoning Officer that the total agricultural area of Tuguegarao City is 5891.47 hectares as per approved HLURB/SP Resolution No. 080, dated March 07, 2003 of which 82.3131 hectares has been reclassified to non-agricultural uses
9. Office of the City Agriculturist Inspection Report on actual/existing land use
10. NIA Certification
11. MARO Certification that subject lots are not tenanted
12. Deed of Absolute Sale of registered parcel of land

WHEREAS, the documents in support to the application for the reclassification of stated land which are contained in Committee Report No. 029-2015, 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 Sixth City Council in session assembled;

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 R.A. 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 of land 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 one.
- 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 land covered by Lot No. 25-C-2-k-3-d-1, TCT No. 128288, covering an area of 1,000 square meters, located at Caggay, Tuguegarao City.

SECTION 3. RECLASSIFICATION: The aforementioned parcels of land described in Section 2 hereof are hereby reclassified from agricultural use to residential use.

SECTION 4. REPEALING CLAUSE: City Ordinances or City 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 any objection from the Body, **CITY ORDINANCE NO. 06-2015** was **UNANIMOUSLY APPROVED**.

X-X-X


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sangguniang Panlungsod

ATTESTED:


HON. ENGELBERT C. CARONAN, JR.
City Vice Mayor
Presiding Officer

APPROVED:


HON. JEFFERSON P. SORIANO
City Mayor
Date approved: 6/1/2015

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Republic of the Philippines
Province of Cagayan
TUGUEGARAO CITY

SIXTH CITY COUNCIL

COMMITTEE REPORT No. 029-2015

April 15, 2015

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

OTHERS PRESENT:

JOEL JOSEPH L. EGIPTO, Ph.D. - Secretary to the Sanggunian

RESOURCE PERSONS:

Engr. Rommel B. Iquin	-City Assessor's Office Representative
Mr. Gilbert Z. Quinan	- Zoning Officer II, CPDCO
Engr. Rommel B. Calubaquib	-City Engineering Office Representative
Evangeline P. Calubaquib, DPA	- City Agriculturist
Ms. Fernanda M. Catuaan	- City Agriculture's Representative
Ms. Maria G. Adducul	- City Agriculture's Representative
Mrs. Leonita Micor	- Proponent Attorney-in-Fact

SUBJECT:

Indorsement of City Mayor, Hon. Engelbert C. Caronan, on the letter of Ms. Amelia D. Micor, requesting for the reclassification of her property from agricultural use to residential use located at Caggay, Tuguegarao City with an area of 1,000 square meters.

FOR THE PRESIDING OFFICER:

The Committee on Land Use, Zoning, Planning and Subdivision Approval of the 6th City Council to which the request for the reclassification of lots from Agricultural Use to Residential Use 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 on April 10, 2015 to discuss the request of Ms. Amelia D. Micor for the reclassification of her property from Agricultural Use to Residential Use.
2. 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.
3. The members of the Committee on Land Use, Zoning, Planning and Subdivision Approval, together with the Technical Working Group and the proponent conducted a site inspection on April 10, 2015. 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 April 15, 2015 held at Caggay, Barangay Hall, Tuguegarao City, Cagayan. The same was attended by Barangay Officials, residents of Barangay Buntun, and LGU Employees.
5. The Committee met for the final consideration of the application for reclassification.

FINDINGS:

DOCUMENTS SUBMITTED:

1. Letter Request of Ms. Amelia D. Micor for reclassification.
2. Letter Indorsement of City Mayor, Hon. Engelbert C. Caronan, Jr. to the Sixth City Council.
3. Special Power of Attorney for Ms. Leonita Micor to act as representative to the applicant to apply for reclassification.
4. Vicinity Map.
5. Certified True Copy of Title.
6. Copy of Tax Declaration.
7. 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, 2012, ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003, dated March 7, 2003.
8. Certification from the CPDCO Zoning Officer that the total agricultural area of Tuguegarao City is 5891.47 hectares as per approved HLURB/SP Resolution No. 080, dated March 07, 2003, of which 82.3131 hectares has been reclassified to non-agricultural uses.
9. Office of the City Agriculturist Inspection Report on the actual/existing land use.
10. NIA Certification.
11. MARO Certification that subject lot is not tenanted.
12. Deed of Absolute Sale of registered parcel of land.

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 reclassification of the subject lots to be in order.

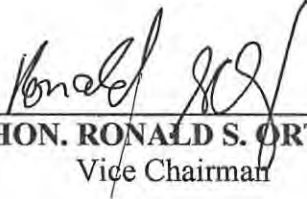
RECOMMENDATION:

The Committee, after taking into account all the above findings, favorably recommends the enactment of a city ordinance approving the application of Ms. Amelia D. Micor, requesting for the reclassification of parcel of land from agricultural use to residential use, covered by Lot No.25-C-2-K-3-D-1, TCT No. T-128288, covering an area of 1,000 sq. m., located at Caggay, Tuguegarao City. (Attached herewith is the draft ordinance)

Respectfully submitted:



HON. KENDRICK S. CALUBAQUIB
Chairman



HON. RONALD S. ORTIZ
Vice Chairman



HON. LORETO B. VALDEPEÑAS
Member

INSPECTION REPORT

APRIL 12, 2015

NATURE OF APPLICATION : Application for Reclassification from
Agricultural Zone to Residential Zone

NAME OF APPLICANT : MS. AMELIA D. MICOR

LOCATION : Caggay, Tuguegarao City

LOT NO/S. : Lot No. 25-C-2-K-3-D-1 T-128288

TOTAL AREA : 0.1000 hectares

APPROVED LAND USE 2001-2005: AGRICULTURAL ZONE

Approved Land Uses of adjacent properties:

North : Agricultural Zone
East : Agricultural Zone
South : Agricultural Zone
West : Residential Zone

Dominant Existing Land Uses of adjacent properties:

North : Idle Land
East : Idle Land
South : Idle Land
West : Residential (Remedios Heights Subdivision)


SITE INSPECTION FINDINGS

Date of Inspection: April 10, 2015, 10:40 A.M.

1. The subject lot is idle during the time of inspection.
2. The subject lot is adjacent to a residential subdivision (Remedios Heights Subdivision)
3. On the southwest side of the periphery was the site of the Regional Government Center.

SUBMITTED BY:


ENGR. ROMMEL B. IQUIN
Inspectorate Team Member


NOLASCO B. DELA CRUZ
Inspectorate Team Member


GILBERT Z. QUINAN
Inspectorate Team Member


ENGR. ROMMEL B. CALUBAQUIB
Inspectorate Team Member