

Republic of the Philippines
Province of Cagayan
City of Tuguegarao



Office of the Secretary to the Sanggunian

July 22, 2019

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

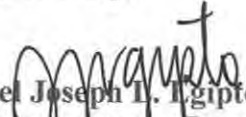
Madam:

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 June 25, 2019, to wit:

- **CITY ORDINANCE NO. 26-2019** – The New Local Investments and Incentives Code of Tuguegarao City
- **CITY ORDINANCE NO. 30-2019** – An Ordinance Updating and Amending for the said purpose the Zoning Ordinance of Tuguegarao City, Cagayan

Thank you.

Yours truly,


Joel Joseph I. Egipito, Ph.D.
Secretary to the Sanggunian

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Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao



SEVENTH CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE 135th REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON JUNE 25, 2019, 9:00 A.M., TUESDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)

ABSENT:

Hon. Imogen Claire M. Callangan	Sangguniang Panlungsod Member (on Official Time)
Hon. Mary Marjorie P. Martin-Chan	-do- (on Vacation Leave)

CITY ORDINANCE NO. 30-2019

AN ORDINANCE UPDATING AND AMENDING FOR THE SAID PURPOSE THE ZONING ORDINANCE OF TUGUEGARAO CITY, CAGAYAN

Be it ordained/enacted by the Sangguniang Panlungsod of Tuguegarao.

WHEREAS, the implementation of Comprehensive Land Use Plans would require the enactment of regulatory measures to translate the planning goals and objectives into reality and an integrated Zoning Ordinance is one such regulatory measure which is an important tool for the implementation of the comprehensive land use plan;

WHEREAS, the Local Government Code authorizes local government units to enact zoning ordinances subject to and in accordance with existing laws;

WHEREAS, this integrated Zoning Ordinance is one such regulatory measure which is an important tool for the implementation of the approved Comprehensive Land Use Plan;

NOW, THEREFORE, the Sangguniang Panlungsod of Tuguegarao in a session assembled hereby adopts the following integrated Zoning Ordinance.

**ARTICLE I
 TITLE OF THE ORDINANCE**

SECTION 1. TITLE. This Zoning Ordinance shall be known as the amended integrated Zoning Ordinance (ZO) of the Tuguegarao City, Cagayan and shall hereinafter be referred to as the Zoning Ordinance or ZO.

ARTICLE II AUTHORITY AND PURPOSE

SECTION 2. AUTHORITY. This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, Republic Act 7160, Sections 447, 448 and 458 a.2 (7-9) dated 10 October 1991, "Authorizing the City, through the Sangguniang Panglunsod, to adopt a Zoning Ordinance subject to the provisions of existing laws" and in accordance with related laws such as, but not limited to, Commonwealth Act 141, Republic Act 8550 Fisheries Code, Presidential Decree 705 Forestry Code, Presidential Decree 1067 Water Code, Presidential Decree 1096 National Building Code and Executive Order No. 72.

SECTION 3. PURPOSES. The ZO is enacted for the following purposes:

1. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the City of Tuguegarao;
2. Guide, control and regulate the growth and development of public and private lands in Tuguegarao City in accordance with its Comprehensive Land Use Plan (CLUP);
3. Provide the proper regulatory environment to maximize opportunities for creativity and innovation, and make ample room for development within the framework of good governance and community participation; and
4. Enhance the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the City and promote the orderly and beneficial development of the same.

SECTION 4. GENERAL ZONING PRINCIPLES. These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. 105-2019 dated June 03, 2019, as follows:

1. The Ordinance reflects the City's vision to be "*The Premier Smart Ibanag City*", a resilient and environmentally sustainable city with an empowered populace in collective action to uphold the principles of human dignity, equality and equity, actively working towards a diversified yet strong, vibrant and investment friendly economy, a richer cultural identity having the best peace and order situation in Northern Luzon, and taking pride of its action;
2. The local government unit recognizes that any land use is a use by right, provided however that the exercise of such right shall be subject to the review standards of this Ordinance;
3. The Ordinance gives the free market the maximum opportunity to spur the City's development within a framework of environmental integrity and social responsibility;
4. The Ordinance has been designed to encourage the evolution of high-quality developments rather than regulating against the worst type of projects;
5. The Ordinance has been crafted in a manner that is fully responsive to the ever-changing conditions that the City continually faces;
6. The Ordinance functions as a tool for informed decision-making on the part of land use administrators by way of providing specific criteria to judge the acceptability of developments;
7. The Ordinance provides a direct venue for community empowerment where the stakeholders become involved especially in critical development decisions; and,
8. The regulations in the Zoning Ordinance are considered as land use management tools that are necessary to provide a clear guidance to land development in order to ensure the community's common good.

ARTICLE III DEFINITION OF TERMS

The definition of the terms used in this 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 Department of Human Settlement and Urban Development (DHSUD). The words, terms and phrases enumerated hereunder shall be understood to have the corresponding meanings indicated as follows:

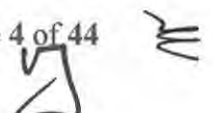
1. **Absolute Majority Vote** - means that the "in favor" votes represent more than 50 percent of the valid votes. This is also called the 50% + 1 vote.
2. **Accessory Use** - those that are customarily associated with the Principal Use application (such as a garage is accessory to a house).

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3. **Actual Use** – the purpose for which the property is principally or predominantly utilized by the person in possession of the property.
4. **AFMA** – shall refer to the Agriculture and Fisheries Modernization Act of 1997 or RA 8435.
5. **Agricultural Activity** – per the Comprehensive Agrarian Reform Law of 1988 (RA 6657), means the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry or fish, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.
6. **Agricultural Land** – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.
7. **Agricultural Land Use Conversion** – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.
8. **Agricultural Zone (AGZ)** – an area within a City intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations... (AFMA)
9. **Agri-Industrial Zone (AgIndZ)** – an area within a city intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.
10. **Agri-Processing Activities** – the processing of raw agricultural and fishery products into semi-processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products. (AFMA)
11. **Agro-Forestry** – land management which combines agricultural crops with tree crops and forest plants and/or animals simultaneously or sequentially and applies management practices which are compatible with the cultural patterns of the local population.
12. **Allowable Uses** – uses that conform to those allowed in a specific zone.
13. **Ancestral Lands** – land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs...” (IPRA)
14. **Base Flood Elevation** – the elevation to which floodwater is expected to reach during flood events as calculated by the regional office of the DPWH.
15. **Base Zones** – the primary zoning classification of areas within the city and that are provided with a list of allowable uses and regulations on building density and bulk, among others.
16. **Billboards Overlay Zone (BB-OZ)** – an area in the city designated for the regulated placement of billboards.
17. **Buffer/Greenbelt Zone (B/GZ)** – an area within the city that are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/ nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.
18. **Building Height Limit (BHL)** - per the National Building Code, this is “the maximum height to be allowed for buildings/ structures...and shall be generally measured from the established grade line to the topmost portion of the proposed building/structure. If applicable, the BHL may be subject to clearance requirements of the Civil Aviation Authority of the Philippines (CAAP) or the concerned military/security authorities.” BHL is expressed as the number of allowable storeys/floor above established grade and/ or meters above highest grade.
19. **Cemetery/Memorial Park Zone (C/MP-Z)** – an area in the city intended for the interment of the dead.

20. **Certificate of Non- Conformance** – the certificate issued to owners of non-conforming uses as provided in this Zoning Ordinance.
21. **Central Business District (CBD)** - areas designated principally for trade, services and business purposes.
22. **Class "A" Slaughterhouse/Abattoir** – those with facilities and procedures of minimum adequacy that the livestock and the fowls slaughtered therein are suitable for distribution and sale only within the city where the slaughterhouse is located.
23. **Commercial-1 Zone (C1-Z)** – a low density commercial area within the city intended for neighborhood or community scale trade, service and business activities.
24. **Commercial-2 Zone (C2-Z)** – a medium to high density commercial area within the city intended for trade, service and business activities performing complementary/supplementary functions to the CBD.
25. **Commercial-3 Zone (C3-Z)** – a high density commercial area within the city intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and require metropolitan level development planning and implementation. High rise hotels, sports stadium or sports complexes area are also allowed in this zone. This zone may also be called the Central Business District (CBD).
26. **Commercial Garage** – a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.
27. **Compatible Uses** – different uses capable of existing harmoniously within a zone, e.g. residential and parks and playground uses subject to the conditions stipulated in the Zoning Ordinance.
28. **Comprehensive Land Use Plan (CLUP)** - a technical document embodying specific proposals and strategies for guiding, regulating growth and/or development that are implemented through the Zoning Ordinance. The main components of the Comprehensive Land Use Plan in this usage are the land use plan and sectoral studies including Demography, Ecosystems Analysis (Terrestrial and Coastal), and Special Area Studies such as Climate Change Adaptation, Disaster Risk Reduction and Management, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.
29. **Comprehensive Development Master Plan (CDMP)** – a unitary development plan/site plan that permits flexibility in planning/urban design, building/structure siting, complementary of building types and land uses, usable open spaces for general public uses services and business activities and the preservation of significant land features (NBC) and may also be referred to as a Master Development Plan.
30. **Conflicting Uses** – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.
31. **Conforming Use** – a use that is in accordance with the zone regulations as provided for in the Ordinance.
32. **Easement** – open space imposed on any land use/activities sited along waterways, fault lines, road-rights-of-way, cemeteries/memorial parks, utilities and the like.
33. **Established Grade** – the finish ground level of a proposed development which shall be determined according to the provisions of the latest edition of the National Building Code.
34. **Ecotourism** – a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors. (Tourism Act and DENR AO2013-19 Guidelines on Ecotourism Planning and Management in Protected Areas)
35. **Ecotourism Overlay Zone (ETM-OZ)** – an area in the city intended for ecotourism uses.



36. **Environmentally Constrained Areas** – areas prone to natural hazards such as those related to weather, hydrologic and geologic disturbances. These hazards cover those that are weather and water-related, earthquake-induced, volcanic and erosion-related.

37. **Environmentally Critical Areas (ECA)** – areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 1981, as follows:

- a. All areas declared by law as national parks, watershed reserves, wildlife reserves and sanctuaries;
- b. Areas set aside as aesthetic potential tourist spots;
- c. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna);
- d. Areas of unique historic, archaeological or scientific interests;
- e. Areas which are traditionally occupied by cultural communities or tribes;
- f. Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.);
- g. Areas with critical slopes;
- h. Areas classified as prime agricultural lands;
- i. Recharge areas of aquifers;
- j. Water bodies characterized by one or any combination of the following conditions:
 1. tapped for domestic purposes;
 2. within the controlled and/or protected areas declared by appropriate authorities; and,
 3. which support wildlife and fishery activities.
- k. Mangrove areas characterized by one or any combination of the following conditions:
 1. with primary pristine and dense young growth;
 2. adjoining the mouth of major river systems;
 3. near or adjacent to traditional productive fry or fishing grounds;
 4. which act as natural buffers against shore erosion, strong winds and storm floods; and,
 5. on which people are dependent on their livelihood.
- l. Coral reef characterized by one or any combination of the following conditions:
 1. with 50% and above live coralline cover;
 2. spawning and nursery grounds of fish; and,
 3. which acts as natural breakwater of coastlines.

Proponents of Projects within ECAs are required to submit Initial Environmental Examinations to DENR Regional Offices. They may later be required by the DENR to submit an EIS, if necessary.

38. **Environmentally Critical Projects (ECP)** – those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation 2146 dated December 14, 1981, as follows:

- a. Heavy industries
 1. non-ferrous metal industries;
 2. iron and steel mills;
 3. petroleum and petro-chemical industries including oil and gas; and
 4. smelting plants.
- b. Resource extractive industries
 1. major mining and quarrying projects; and
 2. forestry projects such as logging, major wood processing, introduction of fauna (exotic animals) in public/private forests, forest occupancy, extraction of mangroves and grazing.
 3. fishery projects (dikes for/and fishpond development projects)
- c. Infrastructure projects
 1. major dams;
 2. major power plants (fossil-fuelled, nuclear-fuelled, hydroelectric or geothermal);
 3. major reclamation projects, and
 4. major roads and bridges.
- d. Golf course projects

Proponents of ECPs are required to submit an EIS to the Environmental Management Bureau (EMB) of the DENR.

39. **Environmental Impact Statement (EIS) System** – pursuant to PD 1586 of 1978, refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the



significance of the effects of physical developments on the quality of the environment. Projects that fall within the purview of the EIS System include:

- a. Environmentally Critical Projects
- b. Projects located in Environmentally Critical Areas

40. **Exception** – a device which grants a property owner relief from certain provisions of the Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
41. **Fisheries Code** – shall refer to the Philippine Fisheries Code of 1998 (RA 8550).
42. **Fish Pond** - a land-based facility enclosed with earthen or stone material to impound water for growing fish. (Fisheries Code).
43. **Flood Overlay Zone (FLD-OZ)** – an area in the city that has been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.
44. **Flood Protection Elevation** – the minimum elevation to which developments are required by this Ordinance to be elevated, with reference to the Base Flood Elevation, in order to be flood proofed.
45. **Floor Area Ratio or “FAR”** – the ratio between the gross floor area of a building and the area of the lot on which it stands, determined by dividing the gross floor area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed floor area ratio (FAR) multiplied by the lot area. The FAR of any zone should be based on its capacity to support development in terms of the absolute level of density that the transportation and other utility networks can support.
46. **Forest** – either natural vegetation or plantation of crops mainly of trees, or both, occupying a definable, uninterrupted or contiguous area exceeding but not less than one hectare with tree crown covering at least ten per cent (10%) of the areas, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is a stand dominated by trees whose structure, functions and dynamics have been largely the result of natural succession process. A natural forest is classified as either 1) primary or virgin forest which has not never been subjected to significant human disturbance, or has not been significantly affected by the gathering of forest products such that its natural structure, functions and dynamics have not undergone any major ecological change; or 2) secondary or residual forest that maybe classified into either degraded or productive type (DENR DAO No. 99-53).
47. **Forest Buffer Sub-Zone (FB-SZ)** – an area within the Forest Zone of a municipality which are “outside the boundaries and immediately adjacent to designated protected areas that need special development control in order to prevent or minimize harm to the protected area. (NIPAS Act)
48. **Forest Lands** – include the public forest, permanent forest or forest reserves, and forest reservations.” (PD 1559. Further Amending PD 705, otherwise known as the Revised Forestry Code of the Philippines, 1978)
49. **Forest Reservation** – forest lands which have been reserved by the President of the Philippines for any specific purpose or purposes. (Forestry Code)
50. **Forest Zone (FZ)** – an area within the city which is intended primarily for forest purposes. This includes Forest Lands and areas outside of Forest Lands that are declared for forest purposes by this Ordinance.
51. **Forestry Code** – refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.
52. **General Commercial Zone (GC-Z)** – an area within the city intended for trading/services/ business purposes.
53. **General Institutional Zone (GI-Z)** – an area within the city intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/research and convention centers.

54. **General Residential Zone (GR-Z)** – an area within the city intended principally for dwelling/ housing purposes.
55. **Grazing Land Sub-Zone (GZ-SZ)** – "refers to that portion of the public domain which has been set aside, in view of the suitability of its topography and vegetation, for raising of livestock." (Revised Forestry Code, DENR DAO No. 99-36)
56. **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:
- a. Office areas
 - b. Residential areas
 - c. Corridors
 - d. Lobbies
 - e. Mezzanine
 - f. Vertical penetrations, which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts and the like, and their enclosing walls
 - g. Rest rooms or toilets
 - h. Machine rooms and closets
 - i. Storage rooms and closets
 - j. Covered balconies and terraces
 - k. Interior walls and columns, and other interior features
- But excluding:
- l. Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present
 - m. 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.
57. **Heritage Act** – shall mean the National Cultural Heritage Act of 2009 or RA 10066.
58. **Heritage Overlay Zone (HTG-OZ)** – an area in the city that refers "to historical, anthropological, archaeological, artistic geographic areas and settings that are culturally significant to the country, as declared by the National Museum and/or the National Historic Institute." (Heritage Act)
59. **Historic Center** – 1) historic zone, district, core, precinct, town, legacy zone, heritage area, zone or town; 2) a designated area with historical and other special significance, consisting of buildings or group of buildings and their environs that collectively contribute to the area's importance and character; 3) a place where a significant event in history occurred; 4) any town, district or ancient settlement site with specific history and/or cultural significance. Historic centers are sometimes called living museums, outdoor museums or museum preserves. Whether inhabited or uninhabited, historic centers are preservation areas. (Heritage Act)
60. **Industrial-1 Zone (I1-Z)** – an area within the city intended for light manufacturing or production industries that are:
- a. non-pollutive/non-hazardous; and,
 - b. non-pollutive/hazardous
61. **Industrial-2 Zone (I2-Z)** – an area within the city intended for medium intensity manufacturing or production industries that are:
- a. pollutive/non-hazardous; and,
 - b. pollutive/hazardous.
62. **Industrial-3 Zone (I3-Z)** – an area within the city intended for heavy manufacturing or production industries that are:
- a. highly pollutive/non-hazardous
 - b. highly pollutive/hazardous
 - c. highly pollutive/extremely hazardous
 - d. pollutive/extremely hazardous
 - e. non-pollutive/extremely hazardous

63. **Industrial Forest Plantation Sub-Zone (IFP-SZ)** – an area within the Forest Zone of a city that “refers to any tract of land planted mainly to timber producing tree species including rubber and/or non-timber species such as rattan and bamboo primarily to supply the raw material requirements of forest based industries, among others.” (DENR DAO No. 99-53)
64. **Inland Fishery** – the freshwater fishery and brackish water fishponds. ((Fisheries Code)
65. **Innovative Design** – introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development.
66. **IPRA** – shall mean the Indigenous Peoples Rights Act of 1997 (Republic Act 8371).
67. **Landslide Overlay Zone (LSD-OZ)** – an area in the city that has been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.
68. **Local Zoning Board of Appeals (LZBA)** – a local special body created by virtue of this Ordinance mandated to, among others, handle appeals for Variances and Exceptions.
69. **Locational Clearance (LC)** – a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.
70. **Locational Clearance (Variance) (LC-V)** – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Variance provision of this Ordinance.
71. **Locational Clearance (Exception) (LC-E)** – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Exception provision of this Ordinance.
72. **Mining Act** – shall refer to the Philippine Mining Act of 1995 or RA 7942.
73. **Military Reservation Sub -Zone (MR-SZ)** – an area within the Forest Zone of the city which “refers to land of the public domain which has been proclaimed by the President of the Philippines for military purposes such as Airbase, Campsite, Docks and Harbors, Firing Ranges, Naval Base, Target Range, Wharves, etc.” (NSCB)
74. **Mitigating Device** – a means to grant relief in complying with certain provisions of the Ordinance such as, but not limited to, those pertaining to use, building bulk and density and performance standards.
75. **City Fishing Sub-Zone (CF-SZ)** – an area within the Waters Zone of the city where only fishing, as defined in the Fisheries Code, is allowed.
76. **NIPAS Act** – shall refer to the National Integrated Protected Areas System Act of 1992 or RA 7586.
77. **Non-Conforming Use** – uses existing prior to the approval of this Zoning Ordinance that are not in conformity with its provisions but are allowed to operate subject to the conditions of this Zoning Ordinance.
78. **Non-NIPAS Areas** – areas yet unproclaimed by law, presidential decree, presidential proclamation or executive order as part of the NIPAS Areas. Per the National Physical Framework Plan, these areas should be given equal importance, as in NIPAS Areas, in terms of conservation and protection. These include:
- a. Reserved second growth forests;
 - b. Mangroves;
 - c. Buffer strips;
 - d. Freshwater swamps and marshes; and
 - e. Unproclaimed watersheds.
79. **Notice of Non -Conformance** – notice issued to owners of all uses existing prior to the approval of the Ordinance which do not conform to the provisions herein provided.
80. **Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAAD)** – per AFMA, refers to agricultural areas identified by the Department of Agriculture in coordination with the National Mapping and Resource Information Authority in order to ensure the efficient utilization of

land for agriculture and agro-industrial development and promote sustainable growth. The NPAAAD covers the following:

- a. All irrigated areas;
 - b. All irrigable lands already covered by irrigation projects with firm funding commitments;
 - c. All alluvial plain land highly suitable for agriculture whether irrigated or not;
 - d. Agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises;
 - e. Highlands or areas located at an elevation of 500 meters or above and have the potential for growing semi-temperate and high-value crops;
 - f. All agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation; and
 - g. Mangrove areas and fish sanctuaries.
81. **Official Zoning Map** – a duly authenticated map delineating the different zones into which the whole city is divided.
82. **Open Space (OS)** – as used in this Ordinance, an area where permanent buildings shall not be allowed and which may only be used as forest, buffer/greenbelts, parks and playgrounds.
83. **Overlay Zones (OZ)** – a “transparent zone” that is overlaid on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations.
84. **Parks and Recreation Zone (PR-Z)** – an area in the city designed for diversion/amusements and for the maintenance of ecological balance.
85. **Planned Unit Development (PUD)** – a land development scheme wherein the project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complementarity of building types and land uses, usable open spaces and the preservation of significant natural land features.
86. **Production Agricultural Sub-Zone (PDA-SZ)** – an area within the Agricultural Zone of cities that are outside of NPAAAD and declared by the City for agricultural use.
87. **Production Forest** – an area within the city which are “forestlands tended primarily for the production of timber. These are areas below 50% in slope and less than 1,000 meters in elevation. This includes natural and man-made forests.” (DENR DAO 95-15)
- Forest lands available for timber and agro-forestry production, range lands for grazing and other forest lands special uses. (FM Technical Bulletin No.5 as cited in ITTD PD 222/03 Rev.1)
88. **Protected Areas** – areas declared as belonging to the NIPAS System per NIPAS Act. These areas are those that have been designated or set aside pursuant to a law, presidential decree, presidential proclamation or executive order. These include:
- a. Strict nature reserves;
 - b. Natural parks;
 - c. National monuments;
 - d. Wildlife sanctuary;
 - e. Protected landscapes and seascapes;
 - f. Resource reserves;
 - g. Natural biotic areas; and
 - h. Other categories established by law, conventions or international agreements which the Philippine Government is a signatory
89. **Protection Agricultural Sub-Zone (PTA-SZ)** – an area within the Agricultural Zone of cities/municipalities that include the NPAAAD which are “agricultural areas identified by the Department (Agriculture) through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth.”

90. **Protection Forest** – an area within the city that are “forestlands outside NIPAS obtained essentially for their beneficial influence on soil and water in particular and the environment in general.” (DENR DAO 95-15)

Areas wholly or partially covered with woody vegetation managed primarily for its beneficial effects on water, climate, soil, aesthetic value and preservation of genetic diversity. (FMB Technical Bulletin No.5 as cited in ITTD PD 220/03 Rev.1)

91. **Quarry Sub-Zone (Q-SZ)** – an area within the Mineral Land Zone that are “declared by the Director of Mines and Geosciences Bureau as having “quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass.” (Mining Act)
92. **Quarrying** – “the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land” (Mining Act).
93. **Reclassification of Agricultural Lands** – “the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial and commercial as embodied in the CLUP.” (LGC and MC 54)
94. **Residential-1 Zone (R1-Z)** – an area within the city intended for low density residential use. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.
95. **Residential-2 Zone (R2-Z)** – an area within the city intended for medium density residential use. Per the National Building Code, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.
96. **Residential-3 Zone (R3-Z)** – an area within the city intended for medium to high density residential use. Per the National Building Code, R3 Zone is characterized mainly by low-rise or medium-rise residential buildings for exclusive use as multi-family dwellings with mixed housing types.
97. **Rezoning** – a process of introducing amendments to or changes in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.
98. **Scenic Corridor Overlay Zone (SCD-OZ)** – an area in the city that has high scenic vistas and where specific regulations are provided in order to ensure that these vistas are preserved for the enjoyment of the general public.
99. **Socialized Housing** – refers to housing programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA)
100. **Socialized Housing Zone (SH-Z)** – an area in the city designated for socialized housing projects.
101. **Special Institutional Zone (SI-Z)** – an area in the city intended principally for particular types of institutional establishments e.g. welfare homes, orphanages, homes for the aged, rehabilitation and training centers, military camps/reservation/bases/training grounds, etc.
102. **Strategic Agriculture and Fisheries Development Zone (SAFDZ)** – “areas within the NPAAAD identified for production, agro-processing and marketing activities to help develop and modernize, with the support of government, the agriculture and fisheries sectors in an environmentally and socio-culturally sound manner.” (AFMA)
103. **Sustainable Urban Drainage System (SUDS)** – a low impact system intended to drain surface water run-off through a series of collection, storage and cleaning stages before it is released back into the environment.
104. **Tourism Act** – shall mean the Tourism Act of 2009 or RA 9593.
105. **Tourism Zone** – sites within the city endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

106. **Tree Farm** – “refers to any tract of forest land purposely and extensively planted to trees of economic value for their fruits, flowers, leaves, barks or extractives, but not for the wood thereof.” (Forestry Code)
107. **UDHA** – shall mean the Urban Development and Housing Act of 1992 or RA 7279.
108. **Utilities, Transportation and Services Zone (UTS-Z)** – an area in the city designated for “a range of utilitarian/functional uses or occupancies characterized mainly as a low-rise or medium-rise building/structure for low to high intensity community support functions, e.g. terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, solid waste handling facilities and the like.” (NBC)
109. **Variance** – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
110. **Warehouse** – a storage and/or depository of those in business of performing warehouse services for others, for profit.
111. **Water Code** – shall mean the Water Code of the Philippines (Presidential Decree 1067).
112. **Yard** – as defined in the National Building Code, this is “the required open space left between the outermost face of the building/ structure and the property lines, e.g. front, rear, right and left side yards. The width of the yard is the setback.”
113. **Zone/Sub-Zone** – an area within the city for specific land use as defined by manmade or natural boundaries.
114. **Zoning Administrator/Zoning Officer** – a city government employee responsible for the implementation/enforcement of the Zoning Ordinance.
115. **Zoning Certificate** – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.

ARTICLE IV ZONE CLASSIFICATIONS

SECTION 5. DIVISION INTO ZONES OR SUB-ZONES. To effectively carry out the provisions of this Ordinance, the city is hereby divided into the following zones or districts as shown in the Official Zoning Maps. (Pls. refer to Annex 1 and Annex 2 for appropriate color codes of the zones)

SECTION 6. BASE ZONES. The following are designated as Base Zones:

1. Forest Zone (FZ)
2. Agricultural Zone (AGZ)
 - a. Protection Agricultural Sub-Zone (PTA-SZ)
 - b. Production Agricultural Sub-Zone (PDA-SZ)
3. Agri- Industrial Zone
4. Municipal Waters Zone (WZ)
5. Mineral Land Zone (MLZ)
 - a. Quarry Sub-Zone (Q-SZ)
6. Residential-1 Zone (R1-Z)
7. Residential-2 Zone (R2-Z)
8. Residential-3 Zone (R3-Z)
9. Socialized Housing Zone (SH-Z)
10. Commercial-1 Zone (C1-Z)
11. Commercial-2 Zone (C2-Z)
12. Commercial-3 Zone (C3-Z)
13. Industrial-1 Zone (I1-Z)
14. General Institutional Zone (GI-Z)

15. Special Institutional Zone (SI-Z)
16. Parks and Recreation Zone (PR-Z)
17. Cemetery/Memorial Park Zone (C/MP-Z)
18. Utilities, Transportation, and Services Zone (UTS-SZ)
19. Others- Landfill

SECTION 7. OVERLAY ZONES. The following are designated as Overlay Zones:

1. Flood Overlay Zone (FLD-OZ)
2. Heritage Overlay Zone (HTG-OZ)

SECTION 8. ZONING MAPS. It is hereby adopted as an integral part of this Ordinance the duly authenticated and Official Zoning Maps of the city showing location and boundaries of the Base Zones, Sub-Zones and Overlay Zones herein established (refer to Annex 2 for Tuguegarao City Zoning Map).

SECTION 9. ZONE BOUNDARIES. The locations and boundaries of the abovementioned various zones into which the City has been subdivided are identified and specified as follows:

RESIDENTIAL ZONE

Note: Areas in Atulayan Sur, Carig Sur, Leonarda, Linao East, Pengue-Ruyu and Tanza affected by flight path need a Height Clearance from the Air Transportation Office (ATO).

DENSITY RESIDENTIAL

R-1 LOW DENSITY RESIDENTIAL

Approximately 813.63 hectares in the following barangays:

Bagay	81.50 has.
Capatan	55.80 has.
Cataggaman Pardo	73.50 has.
Cataggaman Viejo	46.70 has.
Dadda	37.70 has.
Gosi Norte	33.70 has.
Gosi Sur	35.90 has.
Larion Alto	58.83 has.
Larion Bajo	38.80 has.
Libag Norte	60.30 has.
Libag Sur	57.90 has.
Linao Norte	45.10 has.
Linao West	83.40 has.
Namabbalan Norte	38.90 has.
Namabbalan Sur	22.90 has.
Tagga	42.70 has.

T O T A L 813.63 has.

R-2 MEDIUM DENSITY RESIDENTIAL

Approximately 1,652.60 hectares in the following barangays:

Atulayan Norte	83.90 has.
Atulayan Sur	69.40 has.
Carig Norte	160.50 has.
Caritan Norte	29.50 has.
Caggay	447.70 has.
Carig Sur	203.80 has.
Cataggaman Nuevo	118.90 has.
Centro 01	4.00 has.
Centro 05	3.50 has.
Centro 09	4.30 has.
Centro 10	8.00 has.
Balzain East	30.00 has.
Leonarda	54.20 has.
Linao East	83.40 has.
Pengue-Ruyu	77.80 has.
Tanza	19.10 has.

Annafunan East	74.40 has.
Annafunan West	55.40 has.
Buntun	36.40 has.
Pallua Norte	57.20 has.
Pallua Sur	31.20 has.
TOTAL	1,652.60 has.

R-3 HIGH DENSITY RESIDENTIAL

It is approximately 224.00 hectares which comprises the barangays of:

Caritan Centro	0.30 has.
San Gabriel	94.70 has.
Ugac Norte	44.60 has.
Ugac Sur	84.40 has.
TOTAL	224.00 has.

NOTE: No structure shall be erected along the river bank and strictly NO BUILD ZONE along waterways.

Development will be allowed in identified flood prone areas provided that appropriate resilient technology is applied and Two (2)-Storey Building is highly recommended.

The roads in residential subdivision should be aligned to existing roads to allow access and connectivity.

SOCIALIZED HOUSING ZONE

A Socialized Housing Zone was identified in Barangay Cataggaman Pardo and allotted residential area in the New Sites Development with an approximate area of 25 hectares.

COMMERCIAL ZONE

C-1 (COMMERCIAL DISTRICT 1)

- a. Consisting of fourteen (14) adjoining blocks
 - Bounded on the North by Arellano Street;
 - Bounded on the South by Lecaros Street;
 - Bounded on the East by Rizal Street;
 - Bounded on the West by Mabini Street
- b. East of the Central Business District in Capatan and Libag Norte (Capatan-Libag Norte Junction), and Libag Sur having an approximate area of 1.80, and 4.40, and .300 hectares respectively.
- c. A proposed commercial zone with an approximate area of 20 hectares at the Proposed New Site Development Project in Barangay Buntun.

C-2 (COMMERCIAL DISTRICT 2) – Medium Density Commercial

- a. Consisting of six (6) adjoining blocks
 - Bounded on the North by Luna Street;
 - Bounded on the South by Arellano Street;
 - Bounded on the East by Del Rosario Street;
 - Bounded on the West by Mabini Street.
- b. A 50-meters strip east of Rizal Street
 - Bounded on the Northwest by National Road;
 - Bounded on the Northeast by Residential Area;
 - Bounded on the South by Gomez Street.
- c. One-Lot depth from College Avenue
 - Bounded on the Northwest by Institutional Area;
 - Bounded on the East by Tuguegarao Bagay Road;
 - Bounded on the South by Institutional Area.
- d. A rectangular block in Caritan Sur
 - Bounded on the Northwest by Borja St;
 - Bounded on the Northeast by Fermin St;
 - Bounded on the Southwest by City Road (Caritan-Linao Road);
 - Bounded on the Southeast by College Avenue.

- e. A 100-meters strip on the Northwestern side of College Avenue (Caritan Sur)
Bounded on the Northeast by Tuguegarao Bagay Road (former CCT-Bagay Road);
Bounded on the West and Northwest by Institutional Areas;
Bounded on the South by College Avenue
- f. Four (4) adjoining trapezoidal block in Caritan Centro
Bounded on the Northwest by Circumferential Road 2 (Diversion Road);
Bounded on the Northeast by Campos St;
Bounded on the Southeast by City Road (Caritan Linao Road);
Bounded on the Southwest by Borja and Campos Streets
- g. On the Eastern side of the National Road (Balzain Highway) at Balzain East with an approximate area of 24.1 hectares.
- h. A 20.0 meters strip on the western side of Macapagal Road with a total length of 755 linear meters.
- i. The whole stretch of Balzain West with an approximate area of 19.30 hectares to exclude the Institutional Zone (University of Cagayan Valley).
- j. A 50-meters strip on the western side of Mabini Street not to include Saint Paul University and University of Saint Louis.
- k. A 100-meters strip both ways of Diversion Road-Circumferential Road-2.
- l. A 100 meters strip on the western side of the National Road (Carig Sur) starting from Linao-Carig Road which is approximately 900 lineal meters.
- m. A 50 meters strip on both sides of Linao-Carig Road near the boundary of Carig Sur and Linao East having an approximate area of 5.47 hectares.
- n. Southwest of the Regional Government Center at Carig Sur having an approximate area of 1.30 hectares.
- o. South of Enrile Boulevard at Carig Sur having an approximate area of 2.00 hectares.
- p. North of Enrile Boulevard at Carig Sur between City Hall and Provincial Capitol having an approximate area of 6.00 hectares.
- q. In front of Provincial Capitol at Caggay both sides of National Road up to the edge of Regional Command having an approximate area of 10.40 hectares.
- r. In front of Regional Command and southern portion of national Highway having an area of 0.500 hectares.
- s. 50 meters strip both sides of the National Road starting from the tip of Northeast Elementary School up to the boundary of Peñablanca.
- t. A 100-meters strip both ways of Luna Street starting from Mabini Street up to Triangle (Ugac-Pallua Road) not to include the existing Institutional Area (Tuguegarao West Central Elementary School)
- u. A 200-meter strip on the northern side of Luna Street Extension in Buntun starting from the Circumferential Road 2 up to the Buntun-Pallua Road.
- v. A triangular block in Ugac Norte having an approximate area of 38.76 hectares excluding Institutional Zone (St. Paul Hospital)
Bounded on the West by Diversion Road
Bounded on the Northeast by Ugac-Pallua Road
Bounded on the South by Luna Street Extension
- w. Along Cabalza Street Boundary of Barangays Atulayan Sur and Pengue-Ruyu having an approximate area of 1.30 and 0.455 hectares respectively.
- x. Areas along National Road at Barangays Larion Alto, Larion Bajo, Capatan, Libag Norte, Libag Sur, Gosi Sur, Tagga and Namabalan Norte and having an approximate area of 8.1, 4.60, 2.2, 0.30, 0.38, 0.7, and 0.6 hectares, respectively.
- y. The Vargas Cockpit in Barangay Pengue-Ruyu having an approximate area of 2.8371 hectares.
- z. The Chateau Leonor in Barangay Caggay having an approximate area of 1.50 hectares.

C-3 (COMMERCIAL DISTRICT 3)

- a. Covering the Barangays of Centro 3,4,7 and 8

Bounded on the Northwest by College Avenue;
Bounded on the Northeast and East by Rizal Street;
Bounded on the south by Luna Street;
Bounded on the West by Mabini Street.
- b. Consisting six (6) adjoining blocks in Centro 06 not to include Peoples General Hospital and Tuguegarao East Central School.



Bounded on the North by Luna Street;
Bounded on the South by Arellano Street;
Bounded on the East by Rizal Street;
Bounded on the West by Del Rosario Street.

- c. SM Downtown along corners Luna Street and Mabini Street at Ugac Sur with an approximate area of 1.60 hectares.
- d. Robinsons Place at Barangays Tanza and Leonarda with an approximate area of 5.84 hectares.
- e. Proposed SM City at Barangays Caritan Norte and Caritan Centro with an approximate area of 19.47 hectares.

Noise pollutive activities like videoke bars, entertainment establishments and other similar activities operating within a contiguous residential area shall submit and conform to the Pollution Clearance issued by the Department of Environmental and Natural Resources.

All Videoke Bars are regulated and should be located on the western portion of Macapagal Avenue. Gasoline Stations likewise are prohibited on the Central Business District including Balzain East and West.

INDUSTRIAL ZONE

1-1 Light Industrial Zone

- a. Only Non-Pollutive and Non-Hazardous Industrial Activities shall be allowed in Tuguegarao City
- b. All pollutive activities like vulcanizing shops, welding shops, car wash stations, gasoline stations, grains tradings and other similar activities are not allowed to operate within the Central Business District. All such existing activities within the Central Business District are given five (5) years to relocate as a reasonable period of time to recoup their investment.

Larion Alto

- 1. On the southeast portion of the National Grid Corporation of the Philippines with an approximate area of 6.1 hectares.
- 2. On the southern portion of Maharlika Highway with an approximate area of 0.600 hectares.

Capatan

- 1. On the northern portion of Capatan-Libag Road with an approximate area of 0.600 hectares.

Centro 01

- 1. On the southwestern boundary of the barangay and northern portion of Pinacanauan Na Tuguegarao with an approximate area of 1.50 hectares.

Centro 05

- 1. On the northern portion of Pinacanauan Na Tuguegarao Road with an approximate area of 1.00 hectares

Buntun

- 1. On the western portion of Buntun-Cataggaman Road with an approximate area of 3.70 hectares.

Cataggaman Pardo

- 1. On the western portion of Buntun-Cataggaman Road with an approximate area of 11.00 hectares.

GENERAL INSTITUTIONAL ZONE

- a. The Regional Government Center site located northeast of the Central Business District in Carig Sur, approximately 51.78 hectares.
- b. The Cagayan State University Campus in Carig Sur, approximately 16.72 hectares.
- c. The DOH/TESDA/NFA Institutional Area in Carig Norte, approximately 4.70 hectares.
- d. The Provincial Capitol site in Caggay, approximately 12.62 hectares.
- e. Northwest of the Central Business District in Caritan Sur (CSU-Caritan Campus and the Tuguegarao North Central School), approximately 4.80 hectares.
- f. Northwest of the Central Business District in Ugac Norte (St. Paul University Philippines, CNHS, Land Bank, DPWH, DA, DOST, etc), approximately 25.6 hectares.
- g. The St. Paul Hospital in Ugac Norte, approximately 1.4 hectares.
- h. The University of Cagayan Valley (UCV) in Balzain West, approximately 6.8 hectares.
- i. The Tuguegarao Central School in Ugac Sur, approximately 2.5 hectares.
- j. The University of St. Louis Tuguegarao in Ugac Sur and Caggay with an approximate area of 3.80 hectares and 5.41 hectares, respectively.
- k. Northwest of the Central Business District, in Linao Elementary School, the Linao National High School, approximately 1.7 hectares.
- l. Southwest of the Central Business District, the Cataggaman National High School, approximately 1.20 hectares.
- m. Southeast of the Central Business District in Gosi Sur, the Gosi National High School, approximately 1.50 hectares.
- n. East of the Central Business District in Larion Alto, the National Grid Corporation (formerly National Power Corporation) compound, approximately 6.50 hectares.
- o. The Eastern part of the Central Business District in Centro 6 and Centro 10, the Institutional Area (Tuguegarao East Central School, Peoples General Hospital, Saint Peter's Cathedral, and Archbishop Residence), approximately 3.0 hectares.
- p. The Elementary Schools in the different barangays are already considered to be part of the Existing and Proposed Settlement Area.
- q. A proposed institutional area for Health Establishments/Educational Facilities/Religious Facilities/Government/Public Services Office with an approximate area of 8 hectares of the Proposed New Sites Development Project.

SPECIAL INSTITUTIONAL ZONE

- a. An existing Military Camp Regional PNP Headquarters in Caggay having an approximate area of 32.52 hectares.
- b. An existing Military Camp Provincial PNP Headquarters in Centro 05 having an approximate area of 1 hectare.

PARKS AND OPEN SPACES ZONE

- a. On the Northeast of Regional Center in Carig Sur, the existing Baggayan Park which is approximately 5.0 hectares.
- b. The existing Rizal's Park in Centro 10 having an approximate area of 0.50 hectares.
- c. The legal easements along rivers and creeks measure approximately 72.08 hectares. Easements are 3 meters wide in urban areas, 20 meters wide in Agricultural Areas and 40 meters in Forest Areas.
- d. A proposed park inside the New Sites Development Project with an approximate area of 11 hectares will be constructed.
- e. All establishments along National Highway, City Roads and Central Business District (Centro 1 to 10 including Balzain East and West) are mandated to develop their own landscaping.
- f. Rows of trees beyond the setbacks are to be planted along National Highway and City Roads.
- g. All barangays are mandated to develop their own parks and playgrounds.
- h. Rows of trees are to be planted along riverbanks.
- i. Presidential Decree 1216 (1977) should be strictly implemented to all residential subdivisions. It requires subdivision owners to provide roads, alleys, sidewalks and reserved open space for parks or recreational use equivalent to 30% of the total area of the subdivision projects.

UTILITIES ZONE

- a. North of the Central Business District in Barangay Pengue-Ruyu is the Tuguegarao Airport, approximately 6.30 hectares.
- b. Pengue-Ruyu, Caritan Sur, Caritan Centro, Caritan Norte and Atulayan Sur
 - A proposed viaduct road along the creek which starts at Balzain Bridge up to Diversion Road with an approximate length of 1.249 lineal meters.
- c. Carig Sur, Linao Norte, Linao West, Annafunan West, Bagay, Pallua Norte, Pallua Sur,
 - A 20-meter wide Four Lanes Proposed West Diversion Road starting from Carig Sur National Road up to the Bagay-Pallua Road with an approximate length of 9,130 lineal meters.
- d. Buntun:
 - A proposed 10-meter wide road connecting the proposed Western Diversion Road and City Road (Cataggaman Pardo) having an approximate length of 1300 lineal meters.
 - A proposed 25-meter wide major road (R-1) which will directly link the Diversion Road (C-2) (Gunnacao Road) at Cataggaman Pardo having an approximate length of 1,163.269 lineal meters for the New Sites Development Project.
 - A proposed 25-meter wide major road (R-2) which will directly bisect the center of the New Sites Development Project from the Cataggaman-Buntun Road and ends at the former Old NIA Road at Ugac Sur having an approximate length of 1,845.60 lineal meters.
 - A proposed 17-meter wide secondary road (R-3) which will be classified as the distribution road that will link the National Road passing through the proposed commercial area to the Gunnacao Road having an approximate length of 1,245.72 lineal meters.
 - An existing Gunnacao Road (R-4) proposed for improvement and upgrading, 17-meter wide considering that the proposed new roads will link directly to these roads having an approximate length of 1,674.44 lineal meters.
 - An existing road (R-5) proposed for improvement and upgrading, 17 meters wide considering that the proposed existing road will link directly to these roads having an approximate length of 1,086.11 lineal meters.
 - A proposed 17-meter wide road (R-6) which will directly link R-7, R-2, R-8 and R-4 having an approximate length of 887.47 lineal meters.
 - A proposed 17-meter wide road (R-7) which will directly link R-1, R-6, R-3 having an approximate length of 825.42.
 - A proposed 17-meter wide road (R-8) which will directly link R-1, R-6 and R-3 having an approximate length of 806.74.
- e. Cataggaman Pardo
 - A proposed 10-meter wide road connecting proposed major road (R-1) and City Road (Cataggaman Road) having an approximate length of 1,350 lineal meters.
- f. Larion Bajo
 - A proposed 12-meter wide road connecting Bartolome Extension (Caggay) farm to market road (Larion Bajo) traversing Pincauan River having an approximate length of 900 lineal meters.

AREA TERMINAL

- g. Buntun
 - On the northern portion of Cagayan-Apayao Road with an approximate area of 3.441 hectares.
- h. Capatan
 - On the southern portion of Capatan-Libag Road in between a commercial area with an approximate area of 2.40 hectares
- i. Leonarda
 - On the eastern portion of Maharlika Highway beside Shakey's with an approximate area of 2.0 hectares.



- On the eastern portion of National Highway at Barangay Leonarda the Victory Liner Terminal with an approximate area of 0.372 hectares.
- j. San Gabriel
- On the eastern portion of Diversion Road with an approximate area of 0.541 hectares.
- k. Pengue-Ruyu
- On the Northern portion of Diversion Road the Florida Bus Terminal with an approximate area of 1.964 hectares.

Cagelco 1 Sub-Station

- l. Caritan Norte
- In front of Caritan Elementary School with an approximate area of 0.138 hectares.

Note: The area of proposed roads and other area terminals are already included in the proposed residential/settlement area.

Proposed International Airport

- m. Libag Norte, Libag Sur, Gosi Norte, Gosi Sur and Tagga
- A proposed 3.1 kilometers length International Airport at the eastern barangays with an approximate area of 64.81 hectares which includes Runway, Parks and Open Spaces and Institutional areas.

AGRICULTURAL ZONE

It has an approximate area of 4,105.15 hectares and situated mostly in the eastern barangays. About 647.20 hectares of Agricultural Land are classified under the Network of Protected Area for Agricultural and Agro-Industrial Development (NPAAD) and are non-negotiable for conversion to land uses than agriculture and agro-industry.

AGRO INDUSTRIAL ZONE

- A. East of the Central Business District in Capatan and Libag Norte (Slaughterhouse and Livestock Market). It has an approximate area of 8.0 hectares.
- B. West of Forest Reserve on the southern portion of Barangay Namabbalan Norte having an approximate area of 28.87 hectares.

FOREST RESERVE ZONE

- a. The forest reserve which is identified by the Department of Environment and Natural Resources is approximately 947 hectares and is situated within the Eastern part of the city which comprised the barangays of Larion Alto, Libag Norte, Libag Sur, Gosi Norte, Gosi Sur, Dadda, Tagga, Namabbalan Norte and Namabbalan Sur, which is categorized as Tree Farms, Tree Parks, Pasture Leases, Integrated Social Forestry (ISF) Projects, SIFMA and Reforestation Project.

RIVERS/CREEKS ZONE

About 1,021.10 hectares are rivers/creeks.

CEMETERY/MEMORIAL PARKS ZONE

- a. On the Northeast of the Central Business District, the existing Chinese Cemetery in Barangay Leonarda which is approximately 5.30 hectares.
- b. On the North of the Central Business District, the existing Catholic Cemetery and Sanctuary of Peace having a total approximate area of 14.00 hectares.
- c. On the West of the Central Business District, the existing Cataggaman Cemetery in Barangay Cataggaman Pardo which is approximately 2.40 hectares.

- d. On the Southeast of the Central Business District, the existing Dadda Cemetery in Barangay Dadda which is approximately 4.00 hectares.
- e. The Tuguegarao City Memorial Park in Atulayan Sur having an approximate area of 4.80 hectares.

LANDFILL/DUMPSITE ZONE

The existing Landfill/Dumpsite in Northern part of the City in Barangay Carig Norte having an approximate area of Ten (10.00) hectares programmed to be developed as a Sanitary Landfill by the City Government.

SPECIAL ECONOMIC ZONE

- a. An Agro-Industrial in Barangays Capatan, Libag Norte and Namabbalan Norte having an approximately area of 4.30, 2.50, 28.87 hectares, respectively.
- b. An Economic Retirement Park and IT Park at Caggay having an approximate area of 16.40 hectares.
- c. A Riverine Recreation at Barangays Centro 09, Centro 10 and Balzain East with an approximate area 22.10, 5.30, and 5.20 hectares, respectively.
- d. An Economic Zone at Barangay Carig Norte adjacent to Sanitary Landfill with an approximate area of 352.00 hectares.

FLOOD OVERLAY ZONE

For population/residential areas highly vulnerable to flood – 228.24 hectares; It covers portion of Barangays Annafunan East, Balzain East, Balzain West, Capatan, Larion Bajo, Linao East, Linao Norte, Linao West and Pallua Norte.

For Urban areas highly vulnerable to floods - 150.64 hectares; It covers part of barangay Annafunan East, Annafunan West, Balzain East, Balzain West, Buntun, Capatan, Gosi Norte, Gosi Sur, Larion Bajo, Linao East, Linao Norte, Pallua Norte and Tagga. For critical facilities highly vulnerable to flood - 17.59 hectares. For lifeline facilities highly vulnerable to flood - 7.54 kilometers.

CULTURAL HERITAGE OVERLAY ZONE

The area occupied by the St. Peter Metropolitan Cathedral, the “Horno” Spanish Port at Centro 09, the War Memorial at the entrance of Bonifacio St. and San Jacinto Church near St Paul University.

SECTION 10. INTERPRETATION OF ZONE BOUNDARIES. The following rules shall apply in the interpretation of the boundaries indicated on the Official Zoning Map:

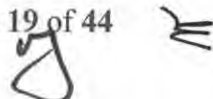
Where zone boundaries are so indicated that they approximately follow the center of streets or highway, the streets or highways right-of-way lines shall be construed to be the boundaries.

Where zone boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries.

Where zone boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance therefrom 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.

Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.

Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should 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 such shorelines and in the event of change in the shorelines, shall be construed as moving with the actual shorelines.



Where a lot of one ownership, as of record 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.

Where zone boundaries are indicated by Lot Parcels or said to be one-lot deep, this should mean that the said zone boundaries are defined by the parcellary subdivision existing at the time of the passage of this Ordinance.

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

ARTICLE V ZONE REGULATIONS

SECTION 11. GENERAL PROVISIONS. Zone regulations refer to Use and Building Regulations as described below:

Allowable Uses

The uses enumerated in the succeeding sections are not exhaustive nor all inclusive. The Local Zoning Board of Appeals (LZBA) may allow other uses subject to the requirements of the Mitigating Devices provision of this Ordinance.

Building Regulations

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

In certain zones, the design of buildings/structures may also be regulated by this Ordinance according to Building Height Limit in consonance with the NBC and to architectural design to ensure harmony with the desired character of the zone in consideration.

SECTION 12. REGULATIONS IN BASE ZONES. Base Zones refer to the primary zoning classification of areas within the city and that are provided with a list of allowable uses and regulations on building density and bulk, among others.

Section 12.1 Regulations in Forest Zone. The Forest Zone includes the Protection Forest and Production Forest. The following regulations shall be applied in accordance with the relevant provisions of the Revised Forestry Code, Revised Public Land Act of 1937, NIPAS Act of 1992, and specific proclamations of Forest Reservations and related issuances as well as with approved Forest Land Use Plan (FLUP), if any.

Section 12.2. Regulations in Agricultural Zone. The Agricultural Zone includes areas intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations... (AFMA). These include Protected Agricultural Areas (as defined by AFMA, CARL and related issuances) as well as Production Agricultural Areas as may be declared by cities/ municipalities.

Regulations shall be in accordance with AFMA, CARL, Republic Act No. 7160 or the Local Government Code of 1991 (LGC) and related issuances.

Section 12.2.1 Protection Agriculture Sub-Zone. Per the AFMA, these include the Network of Protected Areas for Agriculture and Agro-industrial Development (NPAAAD) which are "agricultural areas identified by the Department (Agriculture) through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth."

Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat and cattle raising
- Fishpond activities
- Backyard raising of livestock and fowl, provided that:
 - For livestock – maximum of 1 sow and 10 heads
 - For fowl – a maximum of 500 heads
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tenants, tillers and laborers
- Engaging in home businesses such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - 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 and in a place other than the required front yard; and
 - No equipment or process shall be used in such home occupation which creates noise, vibration, 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.
- Home Industry classified as cottage industry, provided that:
 - Such home industry shall not occupy more than thirty percent 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; and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.

Building Regulations

- When allowed, buildings and structures shall be designed, constructed and operated in accordance with the requirements of the NBC and with the provisions of this Ordinance.
- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.

Section 12.2.2 Production Agricultural Sub-Zone. These are areas that are outside of NPAAAD and declared by the City for agricultural use.

Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat raising and cattle fattening
- Fishpond activities
- Backyard raising of livestock and fowl, provided that:
 - For livestock – maximum of 1 sow and 10 heads
 - For fowl – a maximum of 500 heads
- Rice/corn mill (single pass such as cono mill)
- Rice/corn warehouses and solar dryers
- Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
- Plant nursery



- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns, and warehouses
- Ancillary dwelling units/farmhouses for tillers and laborers
- Engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - 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 and in a place other than the required front yard; and
 - No equipment or process shall be used in such home occupation which creates noise, vibration, 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.
 - Home Industry Classified as cottage industry provided that:
 - Such home industry shall not occupy more than thirty percent 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;
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.
- Class "A" slaughterhouse/abattoir

Building Regulations

- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.

Section 12.3. Regulations in Agri-Industrial Zone. These are areas within the City intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

Allowable Uses/Activities

- Rice/corn mills
- Rice/corn mill warehouses & solar dryers
- Agricultural and/or agri-industrial research & experimentation facilities
- Drying, cleaning, curing and preserving of meat and its by-products and derivatives
- Drying, smoking and airing of tobacco
- Flour mill
- Cassava flour mill
- Manufacture of coffee
- Manufacture of unprepared animal feeds and other grain milling
- Production of prepared feeds for animals
- Cigar and cigarette factory
- Curing and re-drying tobacco leaves
- Miscellaneous processing of tobacco leaves n.e.c.
- Weaving hemp textile
- Jute spinning and weaving
- Manufacture of charcoal
- Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
- Butter and cheese processing plants
- Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
- Other dairy products n.e.c.
- Canning and preserving of fruits and fruit juices

- Canning and preserving of vegetables and vegetable juices
- Canning and preserving of vegetable sauces
- Miscellaneous canning and preserving of fruit and vegetables n.e.c.
- Fish canning
- Patis factory
- Bagoong factory
- Processing, preserving and canning of fish and other seafood n.e.c.
- Manufacture of desiccated coconut
- Manufacture of starch and its products
- Manufacture of wines from fruit juices
- Vegetable oil mills, including coconut oil
- Muscovado sugar mill
- Cotton textile mill
- Manufacture/processing of other plantation crops e.g. pineapple, bananas, etc.
- Other commercial handicrafts and industrial activities utilizing plant or animal parts and/or products as raw materials
- Other accessory uses incidental to agri-industrial activities
- Sugarcane milling (centrifugal and refined)
- Sugar refining
- Customary support facilities such as palay dryers, rice threshers and storage barns, and warehouses
- Ancillary dwelling units/farmhouses for landowners, tenants, tillers and laborers
- Class "A" slaughterhouse/abattoir
- Class "AA" slaughterhouse/abattoir

Building Density and Bulk Regulations

- The Building Height Limit is 15.00 meters above established grade as provided in the NBC.

Section 12.4 Regulations in City Waters Zone. Per Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the City Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the city which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters... (boundary delineation defined in the Fisheries Code).”

Regulations shall be in accordance with the Fisheries Code, Presidential Decree No. 1067 or the Water Code of the Philippines, Republic Act No. 9275 or the Philippine Clean Water Act of 2004 and related issuances.

Section 12.5. Regulations in Mineral Land Zone. The Mineral Land Zone (ML-Z) includes “any area where mineral resources are found” as provided in Republic Act No. 7942 or the Philippine Mining Act of 1995.

The following regulations shall be applied in accordance with the relevant provisions of the Philippine Mining Act, People’s Small- scale Mining Act, Revised Forestry Code, Revised Public Land Act of 1937, NIPAS Act of 1992, and related national and local issuances.

Section 12.6 Quarry Sub-Zone. In accordance with the Philippine Mining Act, these are areas declared by the Director of Mines and Geosciences Bureau as having “quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass.”

Allowable Uses/Activities

- Quarrying or the process of extracting, removing and disposing quarry resources found on or underneath the surface of private or public land.

Building Regulations

- Except for duly-approved small-scale mining-related structures, no other permanent buildings or structures are allowed.

- When allowed, buildings and structures shall be designed and constructed in accordance with the requirements of the governing authority, NBC and with the provisions of this Ordinance.

Section 12.7 Regulations in Residential-1 (R-1) Zone. An area within the city intended for low density residential use of 20 dwelling units per hectare. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.

Allowable Uses

- Single-detached dwelling units
- Semi-detached family dwelling units, e.g. duplex
- Residential Subdivisions approved per P.D. 957 standards
- Home occupation for the practice of one's profession such as offices of physicians, surgeons, dentists, architects, engineers, lawyers and other professionals, or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - The number of persons engaged in such business/industry shall not exceed five (5), inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - 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 and in a place other than the required front yard; and
 - No equipment or process shall be used in such home occupation which creates noise, vibration, 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.
- Home Industry classified as cottage industry, provided that:
 - Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - It shall be classified as non-pollutive/non-hazardous as provided in this integrated ZO;
 - Allotted capitalization shall not exceed the capitalization as set by the DTI; and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment/process under Home Occupation of this section.
- Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - Swimming pool
 - Tennis courts
 - Basketball courts
- Parks and Open Spaces
- Nursery/Elementary School
- Tutorial services
- Sports club
- Religious use
- Multi-purpose/Barangay hall
- Clinic, nursing and convalescing home, health center
- Plant nursery
- Customary accessory uses incidental to any of the principal uses provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes such as:
 - Servants quarters
 - Private garage
 - Guardhouse
 - Laundries
 - Non-commercial garages



- Houses for pets such as dogs, birds, rabbits and the like of not more than 4.00 sq.m. in floor area
- Pump houses
- Generator houses

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is three (3) as provided in the NBC.
- The Building Height Limit is 10.00 meters above highest grade as provided in the NBC.

Section 12.8 Regulations in Residential-2 (R-2) Zone. An area within the city intended for medium density residential use. Per the National Building Code, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.

Allowable Uses

- All uses allowed in R-1 Zone
- Apartments
- Boarding houses
- Dormitories
- Museums
- Libraries
- High School
- Vocational School

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is five (5) as provided in the NBC.
- The Building Height Limit is 15.00 meters above highest grade as provided in the NBC.

Section 12.9. Regulations in Residential-3 (R-3) Zone. An area within city intended for medium to high density residential. Per the National Building Code, R3 Zone is characterized mainly by low-rise or medium-rise residential buildings for exclusive use as multi-family dwellings with mixed housing types.

Allowable Uses

- All uses allowed in R-1 and R-2 Zones
- Residential condominiums
- Pension houses
- Hotel apartments or apartels
- Hotels
- Parking buildings (aboveground/ underground)

Building Regulations

- Per the relevant provisions of the NBC, PD 957 and this Ordinance.
- The number of allowable storeys/floors above established grade is twelve (12) as provided in the NBC
- The Building Height Limit is 36.00 meters above highest grade as provided in the NBC.

Section 12.10 Regulations in Socialized Housing Zone. An area within city designated to housing programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA)

Allowable Uses

- All uses allowed according to the provisions of BP 220.

Building Regulations

- Applicable provisions of BP 220.

Section 12.11 Regulations in Commercial-1 (C-1) Zone. A low density commercial area within the city intended for neighborhood or community scale trade, service and business activities.

Allowable Uses

- Retail stores and shops like:
 - Department stores
 - Bookstores and office supply shops
 - Art supplies and novelties
 - Home appliance stores
 - Car display and dealer stores
 - Photo shops
 - Flower shops
 - Curio or antique shops
 - Pet shops and aquarium stores
 - Jewelry shops
 - Consumer electronics such as cellular phones, cameras, laptops, home appliances and the like
 - Drugstores
- Food market and shops like:
 - Bakery, cake, pastry and delicatessen shops
 - Liquor and wine stores
 - Groceries
 - Supermarkets
 - Convenience stores
- Product showroom/display store
- Warehouse/storage facility for non-pollutive/non-hazardous finished products
- Personal service shops like:
 - Medical, dental, and similar clinics
 - Beauty parlor
 - Barber shop
 - Wellness facilities such as sauna, spa, massage and facial clinics
 - Dressmaking and tailoring shop
- Bayad centers
- Laundries
- Internet café and cyber stations
- Photo/video, lights & sounds services
- Catering services
- Event planners
- Water stations
- Courier services
- Security agencies
- Janitorial services
- Travel agencies
- Photo and portrait studios
- Repair shops like:
 - House furniture and appliances repair shops
 - Motor vehicles and accessory repair shops
 - Battery shops and repair shops
 - Bicycle repair shops
 - Repair shops for watches, bags, shoes, cellular phones, cameras, computers and the like
- Recreational centers/establishments like
 - Play courts e.g. tennis court, bowling lane, billiard hall
 - Swimming pool
 - Gymnasium
- Restaurants and other eateries
- Lotto terminals, off-fronton, on-line bingo outlets and off-track betting stations
- Parks, playgrounds, pocket parks, parkways, promenades and play lots



- Plant nurseries
- Vocational/technical school
- Special Education (SPED) school
- Short term special education like:
 - Dance schools
 - Schools for self-defense
 - Driving school
 - Speech clinics
 - Tutorial centers
- Embassies/consulates
- Libraries/museums
- Financial institutions/services like:
 - Banks
 - Stand-alone automated teller machines
 - Insurance
 - Foreign exchange
 - Money lending
 - Pawnshops
- Offices
- Parking lots/garage facilities
- Parking buildings (aboveground/underground)
- Auto repair, tire, vulcanizing shops and car wash
- Gasoline filling stations/services stations
- Engraving, photo developing and printing shops
- Printing, publication and graphics shops
- Manufacture of insignia, badges and similar emblems except metal
- Construction supply stores/depots
- Funeral parlors (Category II and Category III)
- Commercial housing like:
 - Hotel
 - Apartment
 - Apartel
 - Boarding house
 - Dormitory
 - Pension house
- All uses allowed R-1 Zones
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Parking lots/Building garage
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is three (3) as provided in the NBC
- The Building Height Limit is 10.00 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.12 Regulations in Commercial-2 (C-2) Zone. A medium to high density commercial area within the city intended for trade, service and business activities performing complementary/supplementary functions to the CBD.

Allowable Uses

- All uses allowed in C-1 Zone
- Wholesale stores
- Wet and dry markets
- Shopping centers, malls and supermarkets



- Recreational center/establishments like:
 - Movie house/theater
 - Stadium, coliseum
 - Tennis courts and sports complex
 - Billiard halls, pool rooms and bowling alleys
 - Sports clubhouses
 - Other sports and recreational establishments
- Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
- Exhibit halls
- Convention centers and related facilities
- Business Process Outsourcing services
- Radio and television stations
- Transportation terminals/garage with and without repair
- Display for cars, tractors, etc.
- Motorpool
- Hauling services and garage terminals for trucks, tow trucks and buses
- Auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft and aircraft sales yards
- Boat storage
- Vehicle emission testing center
- Machinery display shop/center
- Welding shops
- Machine shop service operation (repairing/rebuilding or custom job orders)
- Welding shop
- Medium scale junk shop
- Glassware and metal ware stores, household equipment and appliances
- Signboard and streamer painting and silk screening
- Printing/typesetting, copiers and duplicating services
- Recording and film laboratories
- Gravel and sand stores
- Lumber/hardware
- Paint stores without bulk handling
- Gardens and landscaping supply/contractors
- Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
- Lechon stores
- Chicharon factory
- Biscuit factory - manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Other bakery products not elsewhere classified (n.e.c.)
- Shops for repacking of food products e.g. fruits, vegetables, sugar and other related products
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Funeral parlors (all categories)
- Commercial condominium (with residential units in upper floors)
- Commercial housing like:
 - Motel
 - Condotel
- All uses allowed in R-1 and R-2 Zones

Building Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is six (6) as provided in the NBC
- The Building Height Limit is 18.00 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.13 Regulations in Commercial-3 (C-3) Zone. A high density commercial area within the city intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and

services that extend beyond local boundaries and requires metropolitan level development planning and implementation. High rise hotels, sports stadium or sports complexes area also allowed in this zone. This zone may also be called the Central Business District (CBD).

Allowable Uses

- All uses allowed in C-1 and C-2 Zones
- All uses allowed in R-3, R-4 and R-5 Zones
- Regional shopping malls/centers

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The number of allowable storeys/floors above established grade is sixty (60) as provided in the NBC
- The Building Height Limit is 180.00 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.14 Regulations in Industrial-1 (I-1) Zone. An area within the city intended for light manufacturing or production industries that are:

- a. non-pollutive/non-hazardous; and
- b. non-pollutive/hazardous

Allowable Uses

Non-Pollutive/Non-Hazardous Industries

- Drying fish
- Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Manufacture of macaroni, spaghetti, vermicelli and other noodles
- Other bakery production not elsewhere classified (n.e.c.)
- Life belts factory
- Manufacture of luggage, handbags, wallets and small leather goods
- Manufacture of miscellaneous products of leather and leather substitute and n.e.c.
- Manufacture of shoes except rubber, plastic and wood
- Manufacture of slipper and sandal except rubber and plastic
- Manufacture of footwear parts except rubber and plastic
- Printing, publishing and allied industries and those n.e.c.
- Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines
- Manufacture or assembly of electronic data processing machinery and accessories
- Renovation and repair of office machinery
- Manufacture or assembly of miscellaneous office machines and those n.e.c.
- Manufacture of rowboats, bancas and sailboats
- Manufacture of animal-drawn vehicles
- Manufacture of children vehicles and baby carriages
- Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
- Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, thermometer, etc.
- Manufacture or assembly of surgical, medical, dental equipment and medical furniture
- Ice plants and cold storage buildings
- Quick freezing and cold packaging for fish and other seafoods
- Quick freezing and cold packaging for fruits and vegetables
- Popcorn/rice factory
- Manufacture of medical/surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
- Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.)
- Manufacture of photographic equipment and accessories
- Manufacture or assembly of optical instruments

- Manufacture of eyeglasses and spectacles
- Manufacture of optical lenses
- Manufacture of watches and clocks
- Manufacture of pianos
- Manufacture of string instruments
- Manufacture of wind and percussion instruments
- Manufacture or assembly of electronic organs
- Manufacture of sporting gloves and mitts
- Manufacture of sporting balls (not of rubber or plastic)
- Manufacture of gym and playground equipment
- Manufacture of sporting tables (billiards, pingpong, pool)
- Manufacture of other sporting and athletic goods n.e.c.
- Manufacture of toys and dolls except rubber and mold plastic
- Manufacture of pens, pencils and other office and artist materials
- Manufacture of umbrella and canes
- Manufacture of buttons except plastic
- Manufacture of brooms, brushes and fans
- Manufacture of needles, pens, fasteners and zippers
- Manufacture of insignia, badges and similar emblems (except metal)
- Manufacture of signs and advertising displays (except printed)
- Small-scale manufacturing of ice cream
- Dairies and creameries
- Warehouse/Storage facility for non-pollutive/non-hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Non-Pollutive/Hazardous Industries

- Manufacture of house furnishing
- Textile bag factories
- Canvass bags and other canvass products factory
- Jute bag factory
- Manufacture of miscellaneous textile goods, embroideries and weaving apparel
- Manufacture of fiber batting, padding and upholstery filling except coir
- Men's and boys' garment factory
- Women's and girls' and ladies' garments factory
- Manufacture of hats, gloves, handkerchiefs, neckwears and related clothing accessories
- Manufacture of raincoats and waterproof outer garments except jackets
- Manufacture of miscellaneous wearing apparel except footwear
- Manufacture of miscellaneous fabricated mill work and those n.e.c.
- Manufacture of wooden and cane containers
- Sawali, nipa and split cane factory
- Manufacture of bamboo, rattan and other cane baskets and wares
- Manufacture of cork products
- Manufacture of wooden shoes, shoe laces and other similar products
- Manufacture of miscellaneous wood products and those n.e.c.
- Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.
- Manufacture of paper stationery, envelopes and related articles
- Manufacture of dry ice
- Repackaging of industrial products e.g. paints, varnishes and other related products
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants]
- Warehouse/Storage Facility for non-pollutive/hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:

- Staff houses/quarters
- Offices
- Eateries/canteens
- Parking lots/garage facilities
- Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
- Pump houses
- Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.15 Regulations in General Institutional Zone. An area within the city intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/ research and convention centers.

Allowable Uses

- Government or civic centers to house national, regional or local offices in the area
- Police and fire stations
- Other types of government buildings
- Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
- Learning facilities such as training centers, seminar halls and libraries
- Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- Museums, exhibition halls and art galleries
- Convention center and related facilities
- Civic centers and community centers
- General hospitals, medical centers, specialty hospitals, medical, dental and similar clinics,
- Places of worship such as churches, mosques, temples, shrines, chapels
- Seminaries and convents
- Embassies/consulates
- Parking buildings
- Parks, playgrounds, pocket parks, parkways, promenades and playlots
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.16 Regulations in Special Institutional Zone. An area within the city intended principally for particular types of institutional establishments e.g. welfare homes, orphanages, homes for the aged, rehabilitation and training centers, military camps/reservation/bases/training grounds, etc.

Allowable Uses

- Welfare home, orphanages, boys and girls town, nursing homes, homes for the aged and the like

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- Rehabilitation and vocational training centers for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
- Military camps/reservations/bases and training grounds
- Jails, prisons, reformatories and correctional institutions
- Penitentiaries and correctional institutions
- Leprosaria
- Psychiatric facilities such as mental hospitals, mental sanitaria/asylums,
- Parks, playgrounds, pocket parks, parkways, promenades and playlots
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.18 Regulations in Parks and Recreation Zone. An area designed for diversion/amusements and for the maintenance of ecological balance in the community.

Allowable Uses

- Parks, playgrounds, pocket parks, parkways, promenades and playlots, gardens
- All types of resort complexes such as those providing accommodation, sports, dining and other leisure facilities
- Open air or outdoor sports activities and support facilities including low rise stadia, gyms, amphitheatres and swimming pools
- Ball courts, skating rinks and similar uses
- Memorial/Shrines monuments, kiosks and other park structures
- Sports clubs
- Parking structures/facilities
- Open space buffers and easements
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.20 Regulations in Cemetery/Memorial Park Zone. An area in a city intended for the interment of the dead.

Allowable Uses

- Memorial Parks

- Cemetery
- Columbarium
- Crematorium
- Ossuary
- Customary accessory uses such as crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking and toilet facilities

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- Subject to HLURB Rules and Regulations for Memorial Parks and Cemeteries and other applicable guidelines/standards of concerned agencies
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.21 Regulations in Utilities, Transportation and Services Zone. An area in the city designated for “a range of utilitarian/functional uses or occupancies, characterized mainly as a low-rise or medium-rise building/structure for low to high intensity community support functions, e.g. terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, solid waste handling facilities and the like.” (NBC)

Allowable Uses

- Bus and railway depots and terminals
- Port facilities
- Airports and heliport facilities
- All other types of transportation complexes
- Power plants (thermal, hydro, geothermal, wind, solar)
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants]
- Liquid and solid waste management facilities
- Climate monitoring facilities
- Telecommunication facilities such as cell (mobile) phone towers
- All other types of large complexes for public services
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Parking lots/garage facilities
 - Eateries/canteens
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is fifteen (15) meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.22 Tourism Zone. No tourism project or tourist related activities shall be allowed in Tourism Zones unless developed or undertaken in compliance with the Department of Tourism (DOT) Guidelines and Standards.

Allowable Uses

- Agri-tourism
- Resort areas, e.g. beach/mountain resort including accessory uses
- Theme parks
- Heritage and Historical Sites
- Other related activities such as tree parks and botanical gardens
- Tourism accommodation such as:

- Cottages
- Lodging inns
- Restaurants
- Home stays
- Souvenir shops
- Open air or outdoor sports activities
- Food production and processing activities such as vegetables, fruits and plantation crop and fish production to sustain tourism industry
- Parking areas

Section 13. Regulations in Overlay Zones. A “transparent zone” that is overlain on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations. These additional layers of regulations may pertain to additionally allowable uses, building density and bulk and building/structure design that are deemed necessary to achieve the objectives for the Overlay Zone.

Section 13.1. Flood Overlay Zone (FLD-OZ)

Allowable Uses

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

Building/Structure Design Regulations

- Buildings shall be made flood proof through any or combination of the following means:
 - Raising the lowest floor line at or above the Flood Protection Elevation (FPE) as determined by the DPWH either through fill or by using stilts;
 - Providing roof decks that can be used for evacuation purposes;
 - Building utility connections such as those for electricity, potable water and sewage shall be located at elevations higher than the FPE;
 - Natural drainage patterns should not be altered; and,
 - Using sustainable urban drainage systems (SUDS) to include rainwater storage tanks, green roofs, etc. that can decrease the flow and make productive use of storm water run-off.

Section 13.2 Heritage Overlay Zone (HTG-OZ)

- The HTG-OZ is applied in areas with historic centers/heritage zones, including heritage houses.
- The objectives are: 1) to preserve existing historic structures/sites; and 2) to harmonize the design and construction of new ones with the design of these historic structures/sites.

Allowable Uses

- Uses allowed under Rule II. Land Use Policies and Regulations of the *Guidelines, Policies and Standards for the Conservation and Development of Historic Centers/ Heritage Zones* by the National Historical Commission of the Philippines (NHCP) shall apply to sites that the NHCP or National Museum (NM) has declared Historic Centers or Heritage Zones, by virtue of RA 10066 (Heritage Act).
- For declared heritage houses, allowable uses shall be limited to:
 - Single-detached residential
 - Museum
 - Shops, offices, restaurants, craftsmen’s workshops and retail outlets (only at the ground floor)
- For new construction, allowable uses shall be as provided in the base R-1 Zones.

Building Density and Bulk Regulations

The following regulations supersede those provided in the base R-1 zone:

- For declared heritage houses:
 - The height and floor area of the existing building shall not be altered.

- For new construction:

BHL: Building height limit for buildings within the buffer zone shall not be more than the roof apex of the declared heritage structure (Guidelines, Policies and Standards for the Conservation and Development of Historic Centers/Heritage Zones, NHCP 2012)

Building/Structure Design Regulations

- Rule III. Building Requirements of the *Guidelines, Policies and Standards for the Conservation and Development of Historic Centers/Heritage Zones* by the National Historical Commission of the Philippines (NHCP) shall apply to sites that the NHCP or National Museum (NM) has declared Historic Centers or Heritage Zones, by virtue of RA 10066 (Heritage Act).
- For declared heritage houses:
 - Repair and renovation works, to include building and landscape, shall ensure that the original architectural design at the interior and exterior are maintained.
 - The size and appearance of business and other signs shall be made to blend with the period design of the house.

Section 14. Zoning Incentives. Density bonuses such as through allowable building height increases may be provided as incentives for projects that use CCA/DRRM technology or innovations, i.e. use of solar panels, rainwater harvesting, smart urban drainage systems, green architecture/building systems.

Similar incentives may also be given to projects that provide wider setbacks, increased ground level open spaces, provides public infrastructure or conserve heritage sites.

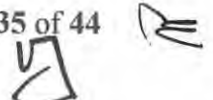
ARTICLE VI GENERAL REGULATIONS

Section 15. Height Regulations. Notwithstanding the Building Height provisions of this ordinance, building heights should also conform to the height restrictions and requirements of the Civil Aviation Authority of the Philippines (CAAP).

Exempted from the imposition of height regulations in residential zones are the following: towers, churches, steeples, water tanks and other utilities and such other structures not covered by the height regulations of the National Building Code and/or the CAAP.

Section 16. Area Regulations. Area regulations in all zones shall conform to the applicable minimum requirements of existing laws, codes and regulations such as:

1. PD 957, "Subdivision and Condominium Buyers' Protective Law" and its revised implementing rules and regulations.
2. Batas Pambansa 220, "Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects" and its revised implementing rules and regulations.
3. RA 7279 – Urban Development and Housing Act;
4. PD 1096 – National Building Code
5. PD 1185 – Fire Code
6. PD 856 – Sanitation Code
7. RA 6541 – Structural Code
8. Batas Pambansa 344 – Accessibility Law
9. Rules and Regulations – HLURB Town Planning and Zoning Program
10. CA 141 or Public Land Act – public lands, including foreshore and reclaimed lands;
11. PD 705 or Revised Forestry Code – forestlands;
12. PD 1076 or Water Code of the Philippines – inland and coastal waters, shorelines and riverbank easements;
13. RA 6657 or Comprehensive Agrarian Reform Law – agrarian reform lands.
14. RA 7279 or Urban Development and Housing Act (UDHA) – socialized housing and settlements development;



15. RA 7586 or National Integrated Protected Areas Act – protected areas in both land and seas;
16. RA 7942 or Philippine Mining Act – mining areas;
17. RA 8371 or Indigenous People’s Rights Act (IPRA) – ancestral lands;
18. RA 8435 or Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural lands;
19. RA 8550 or Revised Fisheries Code – municipal waters and coastal zones;
20. RA 9593 or Philippine Tourism Act – tourism zones and estates
21. RA 9729 or Philippine Climate Change Act, as amended;
22. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas; and,
23. RA 100121 or Disaster Risk Reduction and Management Act – disaster-prone and geo-hazard areas.
24. Other relevant guidelines promulgated by the national agencies concerned.

Section 17. Easement. Pursuant to the provisions of the Water Code: 1) the banks of rivers and streams and the shores of the seas and lakes throughout their entire length 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 easements 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.

Mandatory five-meter easement on both sides of earthquake fault traces on the ground identified by PHIVOLCS.

As required by City Government, road widening and road construction program as well as other projects that may later on be identified.

Section 18. Buffer Regulations. A buffer of four (4) meters shall be provided along entire boundary length between two or more conflicting zones/sub-zones allocating two (2) meters from each side of the zone/sub-zone 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 19. Specific Provisions in the National Building Code. Specific provisions stipulated in the National Building Code (P.D. 1096), as amended thereto, relevant to traffic generators, advertising and business signs, erection of more than one principal structure, dwelling on rear lots, access yard requirements and dwelling groups which are not in conflict with the provisions of the Zoning Ordinance shall be observed.

Section 20. Advertising, Billboards and Business Signs. No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put up for public view without locational clearance from the Zoning Administrator/Zoning Officer. Locational clearance for such signs or billboards may be granted only when the same is appropriate for the permitted use for a zone and the size thereof is not excessive, taking into account the bulk or size of the building or structure and the business practices or usages of the locality and the same shall in no case obstruct the view of any scenic spot.

Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area. No sign should be installed to public property unless expressly allowed by the Zoning Administrator/Zoning Officer. Temporary signs and billboards for not more than two months may be allowed by the Zoning Officer/Administrator upon payment of corresponding fees to the City. The permit for such sign shall indicate the location, size, slope, contents and type of construction.

It shall be unlawful to maintain an obsolete sign by reason of discontinuance of business, service or activity for more than 60 days therefrom.

ARTICLE VII PERFORMANCE STANDARDS

Section 21. Application of Performance Standards. The following performance standards are intended to ensure land use and neighborhood compatibility. Proposed developments shall comply with the applicable performance standards which shall form part of the requirements for Locational Clearance.

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These standards are by no means exhaustive or all inclusive. The Local Zoning Board of Appeals (LZBA) may require other standards, when deemed necessary, to ensure land use and neighborhood compatibility.

These shall be enforced through the Implementing Guidelines that is made part of this ZO.

Section 22. Environmental Conservation and Protection Standards. It is the intent of the ZO to protect the natural resources of the city. In order to achieve this objective, all developments shall comply with the following regulations:

1. Views shall be preserved for public enjoyment especially in sites with high scenic quality by closely considering building orientation, height, bulk, fencing and landscaping.
2. Deep wells shall not be allowed unless a Water Permit is obtained from the National Water Resources Board.
3. Land use activities shall not cause the alteration of natural drainage patterns or change the velocities, volumes, and physical, chemical, and biological characteristics of storm water. Streams, watercourses, wetlands, lakes or ponds shall not be altered, re-graded, developed, piped, diverted or built upon.
4. All developments shall ensure that storm water runoff shall be controlled through appropriate storm water drainage system design.
5. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage;
6. The internal drainage systems of developments shall be so designed as not to increase turbidity, sediment yield or cause the discharge of any harmful substances that will degrade the quality of water. Water quality shall be maintained according to DENR's latest Revised Water Usage and Classification/Ambient Water Quality Criteria;
7. Municipal and industrial wastewater effluents shall not discharge into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters;
8. Development projects that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements of and approved by the DENR;
9. Floodplains shall not be altered, filled and/or built upon without proper drainage design and without proper consideration of possible inundation effects on nearby properties;
10. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures;
11. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke, gas or any other air polluting material that may have harmful effects on health or cause the impairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR's latest Air Quality Standards.
12. Development projects that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
13. Industrial processes/activities should not cause negative impacts to the environment. The Zoning Administrator/Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance.

Section 23. Agricultural Land Conservation and Preservation Criteria. Agricultural lands are recognized as valuable resources that provide employment, amenity and bio-diversity. All agricultural lands in the City shall not be prematurely re-classified. Requests for re-classification shall be evaluated on the merits of conditions prevailing at the time of application, compatibility with the CLUP and subject to the provisions of Memorandum Circular No. 54 Prescribing the Guidelines Governing Section 20 of RA 7160... Authorizing Cities and Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses.

Applications for agricultural land re-classification approved by the City shall be submitted to the HLURB/Sangguniang Panlalawigan for review and final approval.

Section 24. Network of Green and Open Spaces. The city intends to develop a network of green and open spaces as a way to minimize the occurrence of urban heat islands. Developments shall conform to the following provisions, as applicable:

1. All residential, commercial, industrial and mixed-use subdivisions, in compliance with the rules and regulations of PD 1216, PD 953, PD 957 and BP 220, are respectively required to provide tree-planted strips along their internal roads.
2. Similar developments shall also be required to provide landscaped tree parks that may be made part of the open space requirements mandated by PD 957, BP 220 and related laws, These mandated open spaces shall be classified as non-alienable public lands and non-buildable.
3. Roof decks of all buildings shall be landscaped, as applicable.
4. Parking lots having at least 20 car parking slots shall be:
 - a. Landscaped with suitable trees. The minimum height of trees at the time of securing an Occupancy Permit shall be 1.80 meters from the base to the crown.
 - b. 50% paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.

Section 25. Site Development Standards. The City considers it in the public interest that all projects are designed and developed in a safe, efficient and aesthetically pleasing manner. Site development shall consider the environmental character and limitations of the site and its adjacent properties. All project elements shall be in complete harmony according to good design principles and the subsequent development must be visually pleasing as well as efficiently functioning especially in relation to the adjacent properties and bordering streets.

Further, designs should consider the following:

1. The height and bulk of buildings and structures shall be so designed that it does not impair the entry of light and ventilation, cause the loss of privacy and/or create nuisances, hazards or inconveniences to adjacent developments.
2. Abutments to adjacent properties shall not be allowed without the neighbor's prior written consent which shall be required by the Zoning Administrator/Zoning Officer prior to the granting of a Locational Clearance;
3. The capacity of parking areas/lots shall be per the minimum requirements of the National Building Code. These shall be located, developed and landscaped in order to enhance the aesthetic quality of the facility. In no case shall parking areas/lots encroach into street rights-of-way.
4. Developments such as shopping malls, schools, places of worship, markets, sports stadia and the like which attract a significant volume of transportation such as PUVs and private vehicles shall provide adequate on-site parking for the same. These should also provide vehicular loading and unloading bays so that street traffic flow will not be impeded.
5. Buffers, silencers, mufflers, enclosures and other noise-absorbing materials shall be provided to all noise and vibration-producing operations. Noise levels shall be maintained according to levels specified in DENR's latest guidelines on the Abatement of Noise and Other Forms of Nuisance.
6. Glare and heat from any operation or activity shall not be radiated, seen or felt from any point beyond the limits of the property.
7. Fencing along roads shall be see-through. Side and rear fencing between adjacent lots (not facing a road) may be of opaque construction materials.

Section 26. Infrastructure Capacities. All developments shall not cause excessive requirements at public cost for public facilities and services. All developments shall exhibit that their requirements for public infrastructure (such as roads, drainage, water supply and the like) are within the capacities of the system/s serving them.

The Zoning Administrator shall require the following:

1. Drainage Impact Assessment Study - All development proposals in flood prone areas and all major proposals likely to affect the existing drainage regime including commercial-residential buildings or condominiums, shopping malls, public markets, schools, universities, residential and industrial, and other similar developments shall be required to submit Drainage Impact Assessment Studies. These should be prepared, signed and sealed by duly licensed Civil Engineers, Sanitary Engineers or Environmental Planners.
2. Traffic Impact Statement - Major, high intensity facilities such as commercial-residential buildings or condominiums having four floors and above, shopping malls, public markets, transportation terminals/garages, schools, universities, residential and industrial subdivisions,



cock fighting arenas, sports stadia and other similar developments shall be required to submit Traffic Impact Statements. Other traffic generating developments, as determined by the Zoning Administrator/Zoning Officer, shall be required to submit the same.

ARTICLE VIII MITIGATING DEVICES

Section 27. Deviation. Variances and/or Exceptions from the provisions of this Ordinance may be allowed by the Local Zoning Board of Appeals (LZBA) only when the following terms and conditions exist:

1. Variances (deviation from applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards)

Variance may be allowed provided that proposals satisfy all of the following provisions:

- a. Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner of the property due to physical conditions of the property (topography, shape, etc.), which is not self-created.
 - b. The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
 - c. The variance will not alter the intended physical character of the zone and adversely affect the use of the other properties in the same zone such as blocking-off natural light, causing loss of natural ventilation or encroaching in public easements and the like.
 - d. That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the public health, safety or welfare.
 - e. The variance will be in harmony with the spirit of this Ordinance.
2. Exceptions (deviations from Allowable Use provisions)

Exceptions may be allowed provided that proposals satisfy all of the following conditions:

- a. The exception will not adversely affect the public health, safety and welfare and is in keeping with the 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 no adverse effect on the zone/community.
- c. The exception will not adversely affect the appropriate use of adjoining properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like.
- d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

Section 28. Procedures for Evaluating Variances and/or Exceptions. The procedure for evaluating applications for Variances and/or Exceptions is as follows:

1. The project proponent shall file a written application for Variance and/or Exception with the LZBA citing the section(s) of this Ordinance under which the same is sought and stating the ground/s thereof.
2. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site. This sign shall be maintained until the LZBA has rendered a decision on the application.
3. The LZBA shall conduct preliminary studies on the application. These application papers shall be made accessible to the public.
4. A written affidavit of no objection to the project by the owners of the properties immediately in front of and abutting the project site shall be filed by the applicant with the LZBA within fifteen (15) days upon filing of application.
5. The LZBA shall hold public hearing(s) to be held in the concerned barangay.
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 LZBA 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(s).



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All expenses to be incurred in evaluating proposals for Variances and/ or Exceptions shall be shouldered by the project proponent.

ARTICLE IX ADMINISTRATION AND ENFORCEMENT

Section 29. Approved Zoning Maps. The Approved Zoning Maps, printed in standard color codes and with minimum dimensions of 1.20m x 1.20m, shall be posted at the following offices:

- Office of the City Mayor
- Office of the Zoning Administrator
- City Planning and Development Office
- City Assessor's Office
- City Engineer's Office
- City Agrarian Reform Office
- City Agriculture Office
- City Environment Office

Zoning maps for each barangay shall be posted at respective barangay halls for public information and guidance of barangay officials. These should similarly be printed in standard color codes and minimum dimensions of 1.20m x 1.20m.

Section 30. Locational Clearance. All owners/developers shall secure Locational Clearance from the Zoning Administrator/Zoning Officer or, in cases of Variances and/or Exceptions, from the LZBA prior to conducting any activity or construction on their property/land. This will include property/land located in Forest Lands, Special Economic Zones and other areas administered by national and special agencies, except for facilities for national security as certified by the Department of National Defense.

Section 31. Projects of National Significance. Based on established national standards and priorities, the DHSUD shall continue to issue locational clearances for projects considered to be of vital and national or regional economic or environmental significance. Unless otherwise declared by the NEDA Board, all projects shall be presumed locally-significant. (Para. 2 Section 3a, of EO 72)

Section 32. Major and/or Innovative Projects. The Zoning Administrator/Zoning Officer or the LZBA, as the case may be, may seek the assistance of the DHSUD or external consultants in the evaluation of proposed Major and/or Innovative Projects such as seaports, airports, oil depots, reclamation areas, shopping malls, special economic zones, tourism enterprise zones and the like.

Section 33. Subdivision Projects. All owners and/or developers of subdivision projects shall, in addition to securing a Locational Clearance, be required to secure a Development Permit pursuant to the provisions of PD 957 and its Implementing Rules and Regulations or BP 220 and its Implementing Rules and Regulations and in accordance with the procedures laid down in EO 71, Series of 1993.

Proposed subdivision projects shall prepare their respective Deed Restrictions (to include, among others, regulations pertaining to allowable uses within their project sites. The list of allowable uses within subdivisions shall be within the list of allowable uses within the Zone. Proof of compliance of future projects with the provisions of the Deed Restrictions for the said subdivision shall form part of the requirements for Locational Clearance.

Section 34. Planned Unit Development Projects. Proposed Planned Unit Developments (PUD) projects shall be accompanied by Comprehensive Development Master Plans (CDMPs) showing, at the minimum, proposed land uses, building density and bulk, road network layout, road and sidewalk section details, and master layouts of all utilities such as those for potable water, storm drainage, sewerage, power supply, telecommunication and solid waste management.

CDMPs shall also be provided with Deed Restrictions where, upon approval of the Zoning Administrator/Zoning Officer or LZBA, as the case may be, proof of compliance of future projects on the said PUD site shall form part of the requirements for Locational Clearance.

Section 35. Environmental Compliance Certificate. No Locational Clearance shall be issued to proposals covered by the EIS System unless the requirements of ECC have been complied with.

Section 36. Building Permit. No Building Permit shall be issued by the City Building Official without a valid Locational Clearance in accordance with the integrated ZO.

Section 37. Business Permit. The Business and Licensing Division shall require a Locational Clearance for new developments.

Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 38. Occupancy Permit. No Occupancy Permit shall be issued by the Local Building Official without certification from the Zoning Administrator/Zoning Officer that the building has complied with the conditions stated in the Locational Clearance.

Section 39. Validity of Locational Clearance. Upon issuance of an LC, the grantee thereof shall have one year within which to commence or undertake the use, activity or development covered by such clearance on his/her property. Non-use of LC within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his/her project without applying for a new clearance.

Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 40. Notice of Non-Conformance. Upon approval of this Ordinance, the Zoning Administrator/Zoning Officer shall immediately issue Notices of Non-Conformance to existing non-conforming uses, buildings or structures. The said Notice of Non-Conformance shall cite provisions of this Ordinance to which the existing use, building or structure does not conform to. The same Notice shall also inform the owner of said non-conforming use, building or structure of the conditions for the continued use of the same as provided in the following section.

It may also provide conditions by which the non-conforming use can reduce its non-conformity.

Section 41. Existing Non-Conforming Uses, Buildings and Structures. 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 provisions of the integrated ZO, provided:

1. That no such non-conforming use shall be expanded or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part to any other portion of the lot or parcel of land where such non-conforming use exists at the time of the adoption of this Ordinance.
2. That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use.
3. That a vacant/idle building or structure may not be used for non-conforming activity;
4. That any non-conforming building/structure which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of the replacement cost. That should such non-conforming portion of any building/structure be destroyed by any means to an extent of more than fifty percent (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 use and/or structure may be expanded 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 use and/or structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the zone in which it is moved or relocated.
8. That such non-conforming use and/or structure should not cause nuisance effects to its neighborhood such as, but not limited to, pollution of whatever form (air, noise, land, water, etc.), undesirable traffic (whether vehicular or pedestrian) and the like and should further not pose health and safety hazards and as further provided in the Performance Standards provision of this Ordinance.
9. The owner of a non-conforming use and/or structure shall program the phase-out and relocation within ten (10) years from the effectivity of this Ordinance.

Section 42. 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 the existing rules and regulations on the subject.

Section 43. Qualifications of the Zoning Administrator/Zoning Officer. The Zoning Administrator/Zoning Officer must comply with the requirements of RA No. 10587, also known as the Environmental Planning Act of 2013.

Section 44. Powers and Functions of a Zoning Administrator/Zoning Officer. Pursuant to the provisions of EO 72 implementing RA 7160 in relation to Section 5, Paragraphs a and d, and Section 7 of Executive Order No. 648 dated 07 February 1981, the Zoning Administrator shall perform the following:

1. Enforcement
 - a. Act on all applications for Locational Clearance
 - b. Issue Notice of Non-Conformance to owners/operators of uses, buildings or structures that are non-conforming to the applicable provisions of this Ordinance.
 - c. Monitor ongoing/existing projects and issue Notices of Violation and Show Cause Order to owners, developers, or managers of projects that are in violation of the provisions of the integrated ZO.
 - d. Coordinate with the Philippine National Police (PNP) for enforcement of all orders and processes issued in the implementation of this Ordinance.
 - e. Coordinate with the City Fiscal and/or City Legal Officer for other legal actions/remedies relative to the foregoing.

2. Planning
 - a. Coordinate with the Regional Office of the DHSUD regarding proposed amendments to the integrated ZO prior to the adoption by the Sangguniang Panlungsod.

Section 45. Complaints and Oppositions. A complaint for violation of any provision of the integrated ZO or any clearance or permit issued pursuant thereto shall be filed with the LZBA.

Oppositions to applications for Locational Clearance, Variance or Exception shall be treated as a complaint and shall likewise be filed with the LZBA.

Section 46. Functions and Responsibilities of the Local Zoning Board of Appeals. There is hereby created a LZBA which shall perform the following functions and responsibilities:

1. Act on applications of the following nature:
 - a. Variances
 - b. Exceptions
 - c. Non-Conforming Uses
 - d. Complaints and Oppositions to Application/s

2. Act on appeals on Grant or Denial of Locational Clearance by the Zoning Administrator/Zoning Officer.

3. Act on appeals regarding the non-conformity of existing uses, buildings or structures to the applicable provisions of this Ordinance.

4. Decisions of the LZBA shall be carried by an absolute majority vote (50% + 1) of its members.

Section 47. Appeals to LZBA Decisions. Decisions of the LZBA shall be appealable to the DHSUD.

Section 48. Composition of the Local Zoning Board of Appeals (LZBA). The LZBA shall be composed of the following members:

1. City Mayor as Chairman
2. SP Committee Chairperson on Land Use/Zoning (If said committee is non-existent, the SP/SB may elect a representative)

3. City Legal Officer
4. City Assessor
5. City Engineer
6. City Planning and Development Coordinator (if other than the Zoning Administrator/Zoning Officer)
7. City Community Environment and Natural Resources Officer/Disaster Risk Reduction and Management Officer
8. Two (2) representatives of the private sector nominated by their respective organizations
9. Two (2) representatives from non-government and civil society organizations nominated by their respective organizations.

The City Planning and Development Office shall serve as the Secretariat to the LZBA.

The LZBA may invite resource persons in support of the performance of its functions.

Section 49. Review of the Zoning Ordinance. The Local Zoning Review Committee (LZRC) is hereby created under the City Development Council to review the integrated ZO considering the CLUP, based on the following reasons/ situations:

1. Updating/Revision of the CLUP
2. Introduction of projects of national and/or local significance
3. Force majeure events with City-wide land use implications
4. Petition for re-zoning/re-classification with City-wide implications
5. Increasing number of applications/issuances invoking Variances and Exceptions

Section 50. Composition of the Local Zoning Review Committee (LZRC). The Local Zoning Review Committee shall be composed of the following:

1. Sangguniang Panlungsod Chairperson on Land Use/Zoning (or equivalent committee)
2. City Planning and Development Coordinator
3. City Zoning Administrator/Zoning Officer
4. City Assessor
5. City Legal Officer
6. City Engineer
7. City Community Environment and Natural Resources Officer/Disaster Risk Reduction and Management Officer
8. City Agriculturist
9. City Agrarian Reform Officer
10. President, Association of Barangay Chairs (Punong Barangays)
11. Three (3) Private Sector Representatives such as from the Local Chamber of Commerce, local housing industry, federation of homeowner's associations and academe.
12. Two (2) non-government and civil society organization representatives

The City Planning and Development Coordinating Office shall serve as the Secretariat to the LZRC.

The LZRC may invite resource persons in support of the performance of its functions.

Section 51. Functions of the Local Zoning Review Committee. The Local Zoning Review Committee shall have the following functions:

1. Review the Zoning Ordinance for the following purposes:
 - a. Determine amendments or revisions necessary in the Zoning Ordinance because of changes that might have been introduced in the Comprehensive Land Use Plan.
 - b. Recommend changes to be introduced in the Comprehensive Land Use Plan and the Zoning Ordinance in the light of permits granted such as variances and exceptions, and increasing applications for rezoning and reclassification.
2. Recommend to the Sangguniang Panlungsod necessary legislative amendments on the needed changes in the integrated ZO as a result of the review conducted.
3. Coordinate with DHSUD of the recommended changes to the integrated ZO as a result of its review.

Section 52. Amendments to the integrated ZO. Changes in the integrated ZO, as a result of the review by the LZRC, shall be treated as an amendment, provided that any proposed amendment to the Zoning Ordinance or provisions thereof shall be subject to public hearing and shall be carried out through a three-fourths vote of the Sangguniang Panlungsod.

Any amendment shall take effect only after approval and authentication by DHSUD or Sangguniang Panlalawigan.

Section 53. Suppletory Effect of Other Laws and Decrees. The provisions of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letters of instruction 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 54. Non-Diminution of National Standards. The rules and standards provided in this ZO shall conform to the rules and standards provided by national agencies and shall not in any way diminish those that have been set by national laws and regulations.

Section 55. Consistency between National and Local Plans, Programs and Projects. Plans, programs and projects of national agencies that will be implemented within the locality shall, as much as practicable, be consistent with the provisions of the ZO.

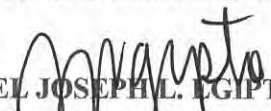
Section 56. Separability Clause. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 57. 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 58. Effectivity Clause. This Zoning Ordinance takes effect upon approval by the Sangguniang Panlalawigan of Cagayan (SP)/Department of Human Settlement and Urban Development (DHSUD) and after compliance with the publication requirements of the Local Government Code.

x-x-x

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


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

ATTESTED:


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

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: _____

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