

Republic of the Philippines
Province of Cavite
Municipality of General Trias

OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GENERAL TRIAS, CAVITE HELD ON DECEMBER 9, 1999 AT THE SESSION HALL OF THE MUNICIPAL BUILDING.

PRESENT:

Hon. Francisco B. Grepo Mun. Vice-Mayor/Presiding Officer
Hon. Felix A. Grepo SB Member/Majority Floor Leader
Hon. Amelia P. Madrona SB Member
Hon. Carmelito B. Nocon SB Member/Asst. Majority Floor Leader
Hon. Armando D. Magsino SB Member
Hon. Teodoro G. Grepo SB Member
Hon. Flaviano P. Satsatin SB Member
Hon. Arturo P. Tacos SB Member/Asst. Minority Floor Leader
Hon. Hernando M. Granados SB Member/Minority Floor Leader
Hon. Bayani B. Parin SB Member/ABC President
Hon. Vivien L. Lujero SB Member/SKF President

ABSENT:

N O N E

MUNICIPAL ORDINANCE NO. 3-99

AN ORDINANCE ADOPTING A LAND DEVELOPMENT GUIDANCE SYSTEM FOR THE MUNICIPALITY OF GENERAL TRIAS AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.

Be it ordained and enacted by the Sangguniang Bayan of General Trias:

WHEREAS, Section 20-C of the Local Government Code provides that local government units shall continue to prepare their respective Land Use Plans enacted through Zoning Ordinances which shall be the primary and dominant bases for the future use of land resources;

WHEREAS, the local government of General Trias, in pursuit of its development goals and objectives, formulated its Comprehensive Land Use and Development Plan which would require the enactment of regulatory measures to translate its planning goals and objectives into reality;

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

NOW THEREFORE, the Sangguniang Bayan of General Trias in a session assembled hereby adopts the following Zoning Ordinance:

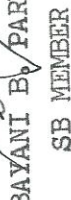
ARTICLE I
TITLE OF THE ORDINANCE

Section 1. Title of the Ordinance. This Zoning Ordinance shall be known as the General Trias Land Development Guidance System and shall hereinafter be referred to as the LDGS.


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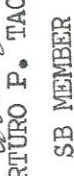

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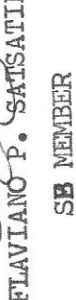

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**ARTICLE II
AUTHORITY AND PURPOSE**

Section 2. Authority. The LDGS is enacted pursuant to the provisions of the Local Government Code of 1991, R.A. 7160 Section 458 (2 ix) authorizing the Municipality through the Sangguniang Bayan to adopt a Zoning Ordinance in consonance with the approved Comprehensive Land Use and Development Plan and in conformity with Executive Order No. 72.

Section 3. Purposes. The LDGS is enacted for the following purposes:

1. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants of the Municipality;
2. Guide the growth and development of General Trias in accordance with its Comprehensive Land Use and Development Plan;
3. Provide the proper regulatory environment to maximize opportunities for creativity, innovation and make ample room for development within the framework of the Municipality's over-all goals and objectives;
4. Protect the character and stability of residential, commercial, industrial, institutional, open space and other functional areas within the Municipality and promote the orderly and beneficial development of the same; and
5. Guide the local government and the private sector in their development decisions.

Section 4. General Principles. The LDGS is based on the approved General Trias Comprehensive Land Use and Development Plan as per Resolution NO. 75 dated 12-9-99.

1. The LDGS reflects the Municipality's vision of "a sustainable industry and agriculture led economy that will make it prosperous, progressive and developed";
2. The LDGS recognizes that any land use is a use by right but provides however that the exercise of such right shall be subject to the review standards of the LDGS;
3. The LDGS gives the free market the maximum opportunity to spur the Municipality's development within a framework of environmental integrity and social responsibility;
4. The LDGS has been designed to encourage the evolution of high-quality developments rather than regulating against the worst type of projects;
5. The LDGS has been crafted in a manner that it is fully responsive to the ever-changing conditions that the Municipality continually face;
6. The LDGS functions as a tool for informed decision making on the part of the land use administrators by way of providing specific criteria to judge the acceptability of developments;
7. The LDGS provides a direct venue for community empowerment where the stakeholders become involved especially in critical and development decisions;
8. The regulations in the LDGS 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.


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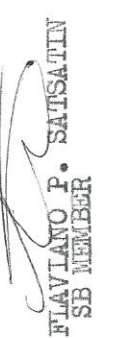

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ARTICLE III
DEFINITION OF TERMS

The definition of the technical terms used in the LDGS 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 the Implementing Rules and Regulations promulgated by the HLURB. The words, terms and phrases enumerated hereunder shall be understood to have the meaning corresponding indicated as follows:

1. Agricultural Zone (AGZ) - an area intended for cultivation/fishing and pastoral activities e.g. fish, farming, cultivation of crops, goat/cattle raising, etc.

2. Agro-Industrial Zone (AIZ) - an area intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

3. Allowable Impervious Surface Area Ratio (AISAR) - the ratio between the coverage of ground level impervious surfaces to the total lot area. This is expressed as a percentage over and above the resultant Percentage of Land Occupancy (PLO) for each development. The computation of impervious surface area coverage shall include spaces outside the building envelope, such as driveways, walks, parking areas, etc.

4. Buffer Area - these are yards, parks, or open spaces intended to separate incompatible elements or uses and to control pollution/nuisance.

5. Building Height Limit (BHL) - the maximum height allowed for structures or buildings expressed as number of floors or storeys.

6. Central Business District - shall refer to areas designated principally for trade, services and business purposes (Commercial 1 Zone).

7. Certificate of Non-Conformance - certificate issued to owners of all uses existing prior to the approval of the LDGS which do not conform to the provisions herein provided.

8. Certificate of Zoning Classification - a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.

9. Compatible Uses - uses or activities capable of existing together harmoniously e.g. residential use and parks and playground.

10. Comprehensive Land Use and Development Plan (CLUDEP) - a document embodying specific proposals of guiding, regulating growth and/or development. The main components of the CLUDEP in this usage are the sectoral studies i.e. Environment, Social, Economic, Land Use, Transport, Infrastructure and Local Administration.

11. Conflicting Uses - uses or activities with contrasting characteristics sited adjacent to each other e.g. residential units adjacent to industrial plants.

12. Conforming Use - a use that is in accordance with the zone regulations as provided in the LDGS.

13. Easement - open space imposed on any land use/activities sited along waterways, road-right-of-ways, cemeteries/memorial parks, utilities and the like.

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14. Environmentally Critical Areas - refers to those areas which are environmentally sensitive and are listed in Proclamation 2146 dated 14 December, 1981, as follows:

- a. All areas declared by law as national parks, watershed reserves, wildlife preserves 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, archeological, 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 classified as prime agricultural lands;
- h. Recharge areas of aquifers;
- i. Water bodies characterized by one of any combination of the following conditions:
 - * tapped for domestic purposes
 - * within the controlled and/or protected areas declared by appropriate authorities, and
 - * which support wildlife and fishery activities
- j. Mangrove areas characterized by one or any combination of the following conditions:
 - * with primary pristine and dense young growth
 - * adjoining the mouth the major river systems
 - * near or adjacent to traditional productive fry or fishing drums
 - * which act as natural buffers against shore erosion, strong winds and storm floods
 - * on which people are dependent on their livelihood
- k. Coral reef characterized by one or any combination of the following conditions:
 - * with 50% and above live coralline cover
 - * spawning a nursery grounds of fish, and
 - * which act as natural break water of coastlines

✓ 14. Environmentally Critical Projects - refers to those projects which have high potentials for negative environmental impacts and are listed in Presidential Proclamation 2146 dated 14th December, 1981, as follows:

- a. Heavy industries
 - * non-ferrous metal industries;
 - * iron and steel mills;
 - * petroleum and petro-chemical industries including oil and gas, and
 - * smelting plants;
- b. Resource extractive industries
 - * major mining and quarrying projects, and
 - * forestry projects such as logging, major wood processing, introduction of fauna (exotic animals) in public/private forests, forest occupancy, extraction of mangroves and grazing
- c. Fishery projects
 - * dikes for/and fishpond development projects

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- d. Infrastructure projects
 - * major dams
 - * major power plants (fossil-fueled, nuclear-fueled, hydroelectric or geothermal); and
 - * major roads and bridges

15. Exception - a device which grants a property owner relief from certain provisions of the LDGS 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.

16. Floor/Area Ratio (FAR) - is the ration 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.

17. Forest Zone (FZ) - an area intended primarily for forest purposes.

18. General Commercial Zone (GCZ) - an area for trading, services and business purposes.

19. General Institutional Zone (GIZ) - an area principally for general types for institutional establishments e.g. government offices, schools, hospitals or clinics, academic or research convention centers.

20. General Residential Zone (GRZ) - an area principally for dwelling/housing purposes.

21. Gross Floor Area (GFA) - the GFA of a building is the total floor space within the perimeter of the permanent external building walls (inclusive of main and auxilliary buildings), occupied by:

- a) Office areas
- b) Residential areas
- c) Corredors
- d) Lobbies
- e) Mezzanine
- f) Vertical penetrations which shall mean stairs, fire escapes, elevator shafts, pipe shafts, vertical shafts, vertical ducts and the like and their enclosing walls
- g) Machine rooms and closets
- h) Storage rooms and closets
- i) Covered balconies and terraces, and
- j) Interior walls and columns and other interior features

Excluding the following:

- k) Covered areas used for parking and driveways including vertical penetration in parking floors where no residential of office units are present, and
- l) Uncovered areas for AC cooling towers, overhead water tanks, roof deck laundry areas and cages, wading or swimming pools, whirlpool or jacuzzis, gardens, courts or plazas

22. HLURB/BOARD - shall mean the Housing and Land Use Regulatory Board.

23. Impervious surface - type of man-made surface which does not permit the penetration of water.

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24. Land Use Intensity Controls (LUIC) - refers to control on open spaces (PLO), building bulk (FAR), building height (BHL), and impervious surfaces (AISAR). The LUIC is imposed to control, among others, traffic generation, requirements on utilities, over-building, over-crowding, visual access and to attain the desired zone character. The LUIC is applied as follows:

- a. Maximum Allowable Building Area Per Floor in Square Meters = Lot Area x Allowable PLO
- b. Maximum Allowable Gross Floor Area in Square Meters = Lot Area x Allowable FAR
- c. In determining the maximum number of floors per building, BHL Regulations shall apply

For planned unit development schemes, residential subdivisions and the like, the LUIC shall apply to individual lot parcels. Gross open spaces (defined as common areas, roads, etc.) shall be governed by the requirements of PD 957, BP 220 and related regulations. For large scale projects on single blocks, i.e. those that have no lot/parcellary subdivisions, the LUIC shall mean to apply to the gross lot area of the block and the gross floor area of the buildings to be put up therein.

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25. Light Industrial Zone (I-1) - a subdivision of an area principally for the following type of industries:
a. non-pollutive/non-hazardous
b. non-pollutive/hazardous

26. Locational Clearance - a clearance issued to a project that is allowed under the provisions of the LDGS as well as other standards, rules and regulation on land use.

27. Medium Industrial Zone (I-2) - an area principally for the following types of industries:
a. pollutive/non-hazardous
b. pollutive/hazardous

28. Mitigating Device - a means to grant relief in complying with certain conditions of the LDGS.

29. Non-Conforming Use - existing non-conforming uses/establishments in an area allowed to operate in spite of the conformity and non-conformity to the provisions of the LDGS subject to the conditions stipulated in the Locational Clearance.

30. Official Zoning Map - a duly authenticated map delineating the different zones in which the whole Municipality is divided.

31. Parks and Recreation Zone (PRZ) - an area wherein uses are design for diversion/amusement and for the maintenance of the ecological balance of the community (including memorial parks).

32. Percentage of Land Occupancy (PLO) - defined as the percentage of the maximum Allowable Floor Area of any building (at any floor level) to the total lot size. This includes the main and auxiliary building. In case of discrepancy between the specified PLO in this ordinance and the light and ventilatin provisions of the National Building Codes, the lesser Allowable Floor Area shall prevail.

33. Rezoning - a process of introducing amendments to or change in the text and maps of rezoning ordinance. It is also includes amendment or change in view of reclassification under Section 20 of RA7160.

34. Setback - the open space left between the building and lot lines.

35. Socialized Housing Zone (SHZ) - shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA7279.

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36. Variance - a special Locational Clearance granting a property owner relief from certain provisions of the LDGS where, because of the particular physical surrounding, shape or topographical conditions of the property, compliance of height, area, setback, bulk and/or density would result in particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

37. Warehouse - refers to a storage and/or depository of those in business of performing warehouse services for others, for profit.

38. Water Zone (WZ) - bodies of water that include rivers, streams, lakes and seas except those included and other zone classification.

39. Zone - an area within the Municipality as defined by man-made or natural boundaries where specific land use regulations are applied.

40. Zoning Administrator (ZA) - a Municipal Employee responsible for the implementation/enforcement of the LDGS.

**ARTICLE IV
ZONE CLASSIFICATIONS**

Section 5. Division into Zones - the Municipality of General Trias is hereby divided into five general zones, namely: Northern Mixed Use Development Zone, Greater Poblacion Zone, Agricultural Preservation Zone, New Residential Development Zone and Southern Mixed Use Development Zone. Said divisions are for the purposes of the following:

1. Implementing the Gen. Trias CLUDP
2. Defining specific areas of the Mun. of Gen. Trias, each requiring different standards of development to meet different circumstances present within the zone.
3. Serving the purposes and intent of the LDGS.

Unlike conventional zones, which segregated various land uses, the LDGS allows mixed uses and places the emphasis on minimizing or buffering any nuisance factors between such uses. Further provisions imposed criteria to resolve any possible problems and eliminate what might be negative in facts where the similar uses are located in proximity. Zones are distinguish according to allowable land use intensities which are discussed in detail in succeeding articles.

Section 6. Description of Zones - the intent and purpose of each zones is described below. The regulation governing each zones are specified in the succeeding articles:

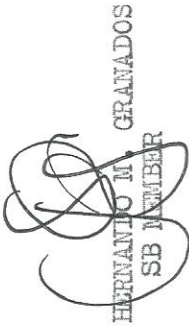
1. Northern Mixed-Use Development Zone (NMUDZ)

The Northern Mixed-Use Development Zone (NMUDZ) is envisioned to be the recipient of the development spill over from the existing Cavite Export Processing Zone (CEPZ), the commercialization of the Tejero junction and the neighboring residential subdivisions of Kawit in the East. The success of industrial, commercial and residential developments in the area and its periphery is expected to encourage more the same land use activities. This district is presently occupied by a range of land use intensities from low to medium intensity activities to grazing and idle lands. The whole area occupied by the NUMDZ has moderate development capability in as much as it occupies environmentally sensitive land (e.g., susceptible to flooding, unstable plains, and, proximity to source of air and noise


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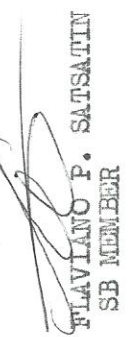

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pollution). Developments in the flood prone areas will have to provide adequate drainage facilities while developments in areas with unstable plains will need special foundations. New non-industrial developments that will locate adjacent to the CEPZ will have to provide the necessary buffer yards.

The LDGS promotes low to medium-intensity industrial, commercial, residential and mixed-use developments. Barangays included in the NMULDZ in whole or in part are Tejero, Bacao II and Bacao I.

2. Greater Poblacion Zone (GPZ)

The Greater Poblacion Zone (GPZ) is the area known as the Greater Poblacion Area in the CLUDP. It includes the Poblacion which is presently experiencing vehicular traffic congestion, high population densities, squatting and urban decay. Also within this zone are undeveloped areas that are intended to decongest as well as accommodate the future growth of the Poblacion. The GPZ is considered to have low-to-moderate development capability primarily because of its susceptibility to flooding and its unstable soils. This zone has been delineated to control further intensification of building density and to introduce urban development strategies that could prevent its further deterioration and overall decline in real estate as well as cultural value.

The LDGS provides that the GPZ shall be a predominantly low-to-medium intensity development area that would discourage the construction of high rise buildings and encourage more landscaped open spaces. All new development shall carefully consider drainage conditions as well as minimize impervious surface conditions. Barangays included in the GPZ in whole or in part are as follows: Poblacion, San Juan I, Sta. Clara, Pinagtipunan, Pasong Camachile I and Navarro.

The Greater Poblacion Zone is further segregated into three sub-zones namely:

Poblacion-Central Business District (CBD)

The Poblacion-CBD consists mainly of the Poblacion where the old plaza, the mun. hall, the mun. church, the public market, the Central Business District and the old prime residential area of Gen. Trias are located. Although many uses are allowed in this zone, it is prepared that there be a shift in the land using activities in the plaza and adjoining areas into institutional and low intensity commercial and retail uses.

This sub-zone will have lower LUIC's to control its further densification that would prove to be deleterious to its role as the CBD cum cultural district of the municipality. The Building Height Limit in this sub-zone will be lower than the church belfry in order to establish the visual prominence of the historical structure. The whole Poblacion make up this sub-zone.

Expansion Zone (EZ)

The Expansion Zone (EZ) consists of the areas immediately around the Poblacion-CBD, which are absorbing its spill-over development. The growth of EZ should be controlled in order to avert a similar fate of congestion and blight that has occurred in the Poblacion-CBD. The LUIC in this sub-zone will be similar to those of the Poblacion-CBD except for the Building Height Limit, which will be slightly higher.

Barangays included in the EZ (in whole or in part) are as follows: San Juan I, Sta. Clara, Pinagtipunan and Pasong Camachile I.


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Government Center Zone (GCZ)

The Government Center Zone (GCZ) is the Poblacion's expansion area in the east across the Rio Grande River. At the core of the GCZ will be a 4 hectare block that will house the New Municipal Hall, other government offices and facilities. This sub-zone is intended for but not limited to institutional and new commercial activities. Because of the sub-zone's unstable plains the area it is considered to have moderate development capability. The GCZ, however, will have higher LUIC's than the Poblacion-CBD and the EZ since it can introduce wider and better planned avenues and streets.

The GCZ occupies the southwestern section of Barangay Navarro.

3. Agricultural Development Zone (ADZ)

The Agricultural Development Zone (ADZ) is the area defined in the CLUDP as the Agricultural Preservation Area. The ADZ was conceived to pursue agricultural development, which is one of two economic thrusts stated in the municipality's vision. The sub-zone covers lands that are considered environmentally sensitive (mostly of unstable plains), which means that it has low-to-moderate development capability. More importantly, the zone consists of the municipality's best agricultural lands mostly made up of SAFDZ's and NPAAD's.

The biggest ADZ in terms of hectares is the one that occupies the northern half of the municipality. Barangays included in the northern ADZ in whole or in part are as follows: Tejero, San Juan II, Pasong Camachile I, Tapia, Pasong Camachile II, Pasong Kawayan I, Santiago, Pasong Kawayan II, and Buenavista I. The two smaller ADZ's are in the municipality's southernmost barangays. One ADZ partly occupies Barangay Alingaro while the other partly occupies Barangay Panungyanan.

4. Southern Mixed-Use Development Zone (SMUDZ)

The Southern Mixed-Use Development Zone (SMUDZ) is the area known as the Southern Mixed-Use Development Area in the CLUDP. It occupies most of the municipality's Non-Environmentally Critical Areas (Non-ECA's). As a predominantly Non-ECA, this zone is considered to have high development capability. It will provide the future industrial and commercial requirements of the municipality, directing it away from the more environmentally sensitive lands in the northern half of the municipality.

Many of the large land holdings within the SMUDZ are owned by big developers who have put up or intend to put up large industrial estates, commercial centers, and residential subdivisions. This is one of only two zones (the other being the NUMDZ) where large-scale industrial developments may be allowed. The LDGS encourages master planned developments within this zone.

Barangays included in the UZ's in whole or in part are as follows: Buenavista I, Buenavista II, Buenavista III, Manggahan, San Francisco, Biclatan, Javalera and Panungyanan.

5. New Residential Development Zone (NRDZ)

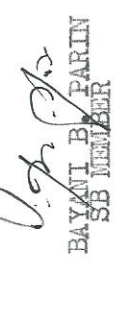
The New Residential Development Zone (NRDZ) is the area identified in the CLUDP as the New Residential Development Area. This zone is conceived to encourage but will not be limited to residential developments.


The northern half of the NRDZ is considered to have unstable plains while the southern half is considered to be non-environmentally critical. This means that the southern half of this zone has a higher development capability than the northern half. The most suitable land use intensities for the NRDZ will be

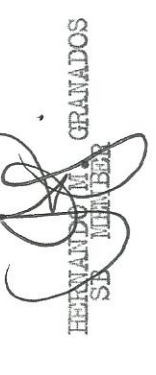

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low-to-medium density since this will also serve as a transition zone between the ADZ to its north and the more land use intense SMUDZ to its south. The NRDZ occupies in whole or in part Barangays San Francisco and Santiago.

6. Tourism-Oriented and Recreation Zone (TORZ)

The Tourism-Oriented and Recreation Zone (TORZ) is the area known as the Tourism-Oriented and Recreation Area in the CLUDP. This zone is largely made up of the existing Eagle Ridge Golf and Country Club that encompasses portions of Barangays Biclatan, Javalera, Alingaro, and Panungyanan. The Tourism-Oriented and Recreation Zone is intended for the tourism or leisure oriented activities of the municipality.

The presence of the Eagle Ridge Golf Courses, the natural terrain, and its accessibility of the General Trias - Amadeo Road make it attractive for other leisure-oriented developments. Although recreational facilities or nature-oriented developments are preferred, complementary land use activities (e.g., residential and commercial) are also allowed. Because of the absence of any environmental hazards this zone is considered to have high development capability.

7. Road Rights-of-Way Zone

To attain the vision of an industry and agriculture led economy an adequate and road system has to be developed. In this connection, Road Rights-of-Way Zones (RROW) have to be delineated. It is expected that all properties affected by the proposed new road alignments will provide unimpeded road rights-of-way.

The alignment of the RROW Zones shall be as measured from the RROW Zone Map (Appendix B).

Section 7. Zoning Map. It is hereby adopted as an integral part of the LDGS, the Official Zoning Map of the Municipality, duly signed by the Mayor and authenticated by the Sangguniang Panlalawigan. The designation, location and boundaries of the zones herein established are shown and indicated in the said Official Zoning Map. Appendix A shows the General Zoning Map and Appendix B shows the Road Rights-of-Way Zone Map.

Section 8. Zone Boundaries. The locations and boundaries of the above-mentioned zones into which the municipality has been subdivided are hereby identified and specified as follows:

1. Northern Mixed-Use Development Zone (NMUDZ)

The NMUDZ is bounded on the northwest by the municipal boundaries shared with the Rosario and Noveleta, on the northeast by the municipal boundaries shared with Kawit and Imus, and in the south by the Tejero-Bacaco-Noveleta Diversion Road and the ADZ at Barangay Bacaco I.

2. Greater Poblacion Zone (GPZ)

The GPZ is bounded on the west by the municipal boundary shared with Tanza, on the north with the Barangay Boundary of San Juan I, on the east by the Rio Grande River and the proposed Bacaco-Navarro-Pasong Camachile Diversion Road and on the south by the ADZ at Barangays Pinagtipunan and Pasong Camachile II.

Within the GPZ are three distinct sub-zones, namely:

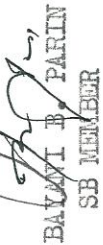
* The Poblacion-Central Business District (P-BCD) which consists mainly of the Poblacion.


* The Expansion Zone (EZ) which is bounded on the north by the ADZ at Barangay San Juan II and the P-CBD, on the west by the municipal boundary of Tanza, on the south by the ADZ in Barangays


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Pinagtipunan and Pasong Camachile I, and on the east by Rio Grande; and

* The Government Center Zone (GCZ) which is bounded on the west by the Rio Grande River, on the north by the ADZ at Barangays Bacao I and Navarro, on the east by the proposed Bacao-Navarro-Pasong Camachile-Diversion Road, and on south by the ADZ at Barangay Navarro.

3. Agricultural Development Zone (ADZ)

The ADZ's consists of the North ADZ (the ADZ with largest contiguous area), South ADZ-1 Barangay Alingaro, and the other South ADZ-2 in Barangay Panungyanan.

The North ADZ is bounded on the west by the municipal boundary shared with Tanza, on the north by the Tejero-Bacao-Noveleta-Diversion Road and the MMUDZ, on the east by the municipal boundary shared with Imus, and on the south by the Barangay boundary of Buenavista II and the proposed Calabuyo-San Pedro (East-West) Road. The Greater Poblacion Zone is situated at the center of the ADZ.

South ADZ-1 is bounded on the north and west by the common boundary with Trece Martires City, on the south with the municipal boundary shared with Amadeo and on the east by the TORZ at Barangays Alingaro and Javalera. South ADZ-2 is bounded on the east by the municipal boundary shared with Silang, on the south by the municipal boundary shared with Amadeo, on the west by the Barangay boundary of Alingaro and on the north by the TORZ and SMUDZ at Barangay Panungyanan.

4. Southern Mixed-Use Development Zone (SMUDZ)

The SMUDZ is bounded on the north by the Barangay Boundary of Pasong Kawayan II, Buenavista I, the proposed Calabuyo-San Pedro Road and the ADZ at Barangay Santiago. It is also bounded on the east by the Rio Grande River and the municipal boundary shared with Dasmariñas, on the south by the municipal boundary shared with Silang, the Barangay boundary of Javalera, and the TORZ at Barangay Biclatan and on the west by the city boundary of Trece Martires and the General Trias - Amadeo Road.

5. New Residential Development Zone (NRDZ)

The NRDZ is bounded on the north by the Calabuyo-San Pedro Road, on the east by the municipal boundary shared with Dasmariñas, on the south by the SMUDZ at Barangay San Francisco, and on the west by the Rio Grande River.

6. Tourism-Oriented and Recreational Zone (TORZ)

The TORZ is bounded on the west by the city boundary of Trece Martires, on the north by the Barangay boundary of Biclatan and the SMUDZ at Barangay Biclatan, on the east by the General Trias - Amadeo Road, and on the south by the municipal boundary shared with Amadeo.

Section 9. Interpretation of the Zone Boundary. In the interpretation of the boundaries for any of the zones indicated on the Official Zoning Map, the following rules shall apply:

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

2. Where zone boundaries are so indicated that they approximately follow the barangay boundary lines, the delineation shall be based on those indicated on the cadastral maps.


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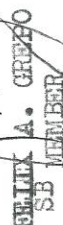

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3. Where zone boundaries are so indicated that they are approximately parallel to the centre lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated in the Official Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.

4. Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary 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. Boundaries following bodies of water shall be subject to public easement requirements as provided in the Water Code, in the provisions of this ordinance and with other applicable regulations.

5. Where a zone boundary line divides a lot of single ownership, as of record at the effective date of the LDGS, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the boundary line bisects the lot, it shall fall in the zone where the principal structure falls.

6. Where zone boundaries are said to be as indicated in the Official Zoning Map, the location of the parcel in consideration shall be referred to from the cadastral map and overlaid to the former.

7. The mapped location of the property in consideration shall prevail over that of the textual description.

**ARTICLE V
GENERAL REGULATIONS**

Section 10. General Provision. The Municipality recognizes that any land use is a use by right but provides that the exercise of such right shall be subject to the review standards of the LDGS.


Section 11. Classification of Uses. Development proposals shall be classified according to the allowed uses within the following zones, as defined by the HLURB:


- | | |
|----------------------------|------------------------------|
| * General Residential Zone | * General Institutional Zone |
| * Socialized Housing Zone | * Special Institutional Zone |
| * General Commercial Zone | * Agricultural Zone |
| * Light Industrial Zone | * Agri-Industrial Zone |
| * Medium Industrial Zone | * Forest Zone |
| * Heavy Industrial Zone | * Parks and Recreation Zone |


The definition as well as the list of allowable uses within each classification as provided by the HLRUB to the above is adopted in this Ordinance and are exhibited in Appendix C.


Section 12. Height Regulations. Unless otherwise stipulated in this ordinance, building heights must conform with the height restrictions and requirements of the Air Transportation Office (ATO), the National Building Code, Structural Code and other rules and regulations related to land development and building construction.


Section 13. Subdivisions, Condominiums, Economic and Socialized Housing. Projects classified as Subdivisions and Condominiums or Economic and Socialized Housing shall conform to the rules and regulations of the following:



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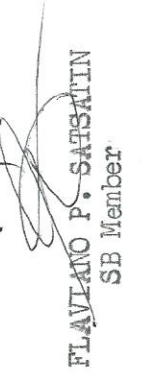

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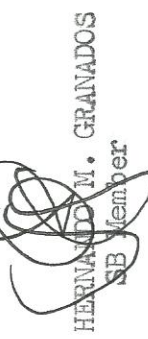

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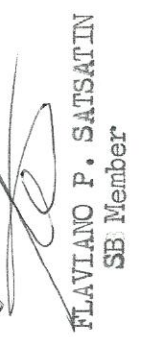

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1. PD 957, "Subdivision and Condominium Buyers' Protective Law" and its implementing rules and regulations;

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"; and

4. Other pertinent government rules and regulations.

Section 14. Building Setback Regulations. Unless otherwise specified in this ordinance, building setback regulations shall be per the minimum requirements of the National Building Code to be implemented by the Building Official. A mandatory 4.0 meter setback for all buildings including its ancillary shall be imposed along national, provincial, and municipal roads and areas identified in the Municipal Road Network Plan Approval with conditionality shall be allowed if an affidavit or no adverse claim shall be submitted to the Building Official before building permit is used.

Section 15. Easement. Pursuant to the provisions of the Water Code, the following easements shall be observed.

1. The banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within the zone of three meters in urban areas, 20 meters in agricultural areas and 40 meters in forest areas, along their margins, are subject to easement of public use in the interest of recreation, navigation, floatage, fishing and salvage.

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

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

Section 16. Specific Provisions in the National Building Code. Specific provisions stipulated in the National Building Code (P.D. 1096), as amended, 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 17. Network of Green and Open Spaces. All residential, commercial, industrial and mixed-use subdivisions, having total contiguous land area of 10 hectares or less are required to provide tree planted strips along its internal roads having a spacing of not more than 10 meters per tree. Similar developments with total contiguous land areas greater than 10 hectares are required to provide, in addition to the above, landscaped forest parks for the use of occupants and/or the general public. The recommended planting materials are shown in Appendix D - Suitable Tree Species.

Section 18. Projects of National Significance. Projects may be declared by the NEDA Board as Projects of National Significance pursuant to Section 3 of Executive Order No. 72. When a project is declared as such by the NEDA Board, the Locational Clearance shall be issued by the HLURB pursuant to EO 72, in consultation with the Municipality of Gen. Trias in order to ensure that the requirements of the LDGS are met.

Section 19. Environmental Compliance Certificate. Projects within the scope of the Environmental Impact Assessment System or those that are classified as Environmentally Critical Projects or those which are located in Environmentally Critical Areas shall

not be commenced, developed or operated unless the requirements of the Environmental Compliance Certificate have been complied with.

Section 20. Subdivision Projects. All owners and developers of subdivision projects shall, in addition to securing a Locational Clearance as provided by this Ordinance 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 in the case of Socialized Housing Projects in accordance with the procedures laid down in EO 71, Series of 1993.

Section 21. Infrastructure Capacities. All developments shall not cause excessive requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. All developments shall exhibit that their requirements for public infrastructure (such as roads, water supply and the like) are within the capacities of the system/s serving them.

Section 22. Traffic Impact Statement. Large scale, high intensity developments such as buildings having four floors and above, shopping malls, schools and universities and industrial estates shall be required to submit Traffic Impact Statements. Other traffic generating developments, as determined by the Zoning Administrator, shall be required to submit the same.

Section 23. Socio-Economic Statement. Major facilities such as industrial estates, industrial establishments, shopping centres and/or similar facilities that require 50 or more employees during operations shall be required to submit Socio-Economic Impact Assessments which shall form part of the requirements for Locational Clearance shall establish that their developments shall cause direct socio-economic benefits to the municipality such that they prioritize the hiring of qualified residents of the municipality, provide relevant employee housing facilities/assistance and/or prioritize the sourcing of materials and supplies from the municipality.

ARTICLE VI INNOVATIVE TECHNIQUES

Section 24. Innovative Techniques or Designs. For projects that introduce flexibility and creativity in design or plan such as but not limited to Planned Unit Development, Housing Projects covered by New Town Development under RA 7279, BLISS Commercial Complexes, etc., the Zoning Administrator shall on grounds of innovative development techniques forward applications to HLRUB for appropriate action.

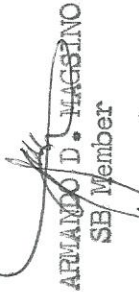
ARTICLE VII PERFORMANCE STANDARDS


Section 25. Buffer Yards. Building Setbacks shall be considered as buffer yards. Aside from providing light and ventilation, buffers can mitigate adverse impacts and nuisances between two adjacent developments. Whenever necessary, buffers shall be required to be extended and/or provided with planting materials in order to ameliorate said negative conditions such as, but not limited to, noise, odour, unsightly buildings or danger from fires and explosions. A buffer may also contain a barrier, such as a berm or a fence, where such additional screening is necessary to achieve the desired level of buffering between various activities.


1. **Buffers Between Adjoining Properties.** Between two different developments, e.g. General Residential and General Commercial, the more intense land use shall provide the proper buffer design and materials if a development shall occur beside a vacant lot, the owners of the properties in consideration may



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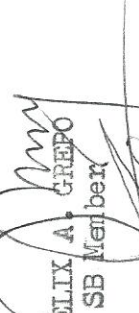

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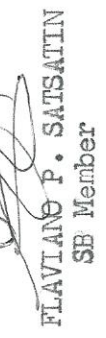

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submit a contractual agreement whereby the required buffer for the first area to develop shall be reduced or waived. If additional buffer will be required at the time the vacant lot develops, it shall be provided by the latter development.

2. Buffers on Simultaneous Developments. The more intense use shall provide the necessary buffer in cases when two developments occur simultaneously.

3. Location of Buffers. The building setbacks shall serve as buffer locations, at the outer perimeter of a lot of parcel. In no case shall buffers occupies public or private straight rights-of-way.

4. Types of Buffers. Landscape buffers with suitable foliage are encouraged. On developments where it may not be possible to put in landscape buffers (such as narrow lots), the developer may put up a fence provided the fencing materials is compatible with the design of the building.

5. Land Uses in Buffer Areas. Buffers are part of yards and open spaces and in no case shall buildings encroach upon it. It may, however, be used for passive recreation such as gardening, pedestrian trails, etc.

Section 26. Environmental Conservation and Protection Standards. It is the intent of the LDGS to protect the natural resources of the Municipality. In order to achieve this objective, all development 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. The utilization of the water sources of the Municipality for domestic and industrial use shall be allowed provided it is in consonance with the development regulations of the DENR, provisions of the Water Code, the Revised Forestry Code of the Philippines, as amended, and whenever necessary, be subjected to an Environmental Impact Assessment Study.

3. Heavy water using industrial (give examples), recreational (golf courses, water theme parks and the likes) and other facilities shall be discouraged to locate within the Municipality.

4. Land use activities shall not caused the alteration of natural drainage patterns or change the velocities, volumes and physical, chemical and biological characteristics of storm water. Streams, water courses, wet lands, lakes or ponds, shall not be altered, regraded, developed, piped, diverted or build upon.

5. All developments shall limit the rate of storm water runoff so that the rate of runoff generated is no more than that of the site in its natural condition.

6. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage.

7. The internal drainage system 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 DAO No. 34 - Revised Water Usage and Classification/Ambient Water Quality Criteria.

8. Municipal and industrial waste water effluents shall not discharge into surface and ground water unless it is

scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR DAO No. 35-91 - Establishing Effluent Quality Standards for Class "C" Inland Waters.

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. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke or any other air polluting material that may have deleterious effects on health or cause the infairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR DAO NO. 14 - Revised Air Quality Standards of 1992.

11. Mature trees or those equal two or greater than twelve inches caliper measured 14 inches above the ground shall not be cleared or cut.

12. Easements shall at all times be observed along the banks of river and streams and the shores of the lake throughout their entire length pursuant to the Provisions of the Water Code of the Philippines.

Section 27. Historical Preservation and Conservation Standards. Historic sites and facilities shall be conserved and preserved. These shall, to the extent possible, be made accessible for the educational and cultural enrichment of the general public.

The following shall guide the development of historic sites and facilities:

1. Sites with historic buildings or places shall be developed to conserve and enhance their heritage values.
2. Historic sites and facilities shall be adaptively re-used.

Section 28. Agricultural Land Conservation and Preservation Standards. Agricultural lands are recognized as valuable resources which provide employment, amenity and bio-diversity. All agricultural lands in the municipality shall not be prematurely re-classified. The Plan, therefore, is not re-classifying currently delineated agricultural areas. The said re-classification shall be done on case-to-case basis and evaluated on the merits of conditions prevailing at the time of application.

All developments shall be guided by the following performance criteria:

1. All agricultural shall be kept in a productive state. Idle land taxes may be imposed to agricultural lands that are left idle for a period of one year.
2. Areas declared as SAFDZ shall be conserved and preserved. The Local Government Unit, in accordance with the provisions of the AFMA, CARL, LGC and other related laws, shall provide extensive provisions to ensure that these areas remain in agricultural production.
3. Re-classified agricultural lands, if undeveloped for a period of one year upon re-classification, shall be reinstated to agricultural classification.

Section 29. Site Performance Standards. The Municipality 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

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character and limitation 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.

The quality of every neighbourhood shall always be enhanced. The design, construction, operation and maintenance of every facility shall be in harmony with the existing intended character of its neighbourhood. It shall not change the essential character of the said area but will be a substantial improvement to the value of the further, designs, should consider the following:

1. Sites, buildings and facilities shall be designed and developed with regards to safety, efficiency and high standards of design. The natural environmental character of the site and its adjacent properties shall be considered in the site development of each building and facility.

2. 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.

3. Abutments to adjacent properties shall not be allowed without the neighbour's prior written consent which shall be required by the Zoning Administrator prior to the granting of a Locational Clearance; and

4. 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. Large-scale developments shall provide for on-site parking of tricycles, PUJ's and other public modes of transportation.

5. Buffers, silencers, mufflers, enclosures and other noise-absorbing shall be provided to all noise and vibration-producing machinery. Noise levels shall be maintained according to levels specified in DENR DAO No. 30 - Abatement of Noise and Other Forms of Nuisance as defined by law.

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.

**ARTICLE VIII
SPECIFIC ZONE GUIDELINES**

**Section 30. Northern Mixed-Use Development Zone (NMUDZ)
Guidelines**

1. Allowed Uses

All uses allowed under the following classifications of the HLURB:

- a. Light Industrial Zone
- b. General Commercial Zone
- c. General Residential Zone
- d. Socialized Housing Zone
- e. General Institutional Zone
- f. Agricultural Zone
- g. Parks and Recreation Zone

2. Land Use Intensity Control Ratings

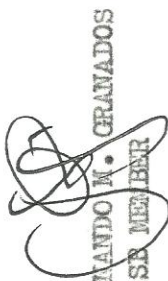

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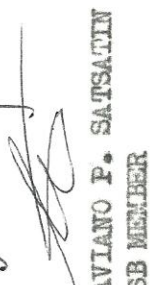

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Following is the LUIC rating that shall be observe in the

NMUDZ:

Maximum	:	Maximum	:	BHL	:	AISAR
		PLO	:	FAR	:	
0.6	:	2.0	:	3.0 storeys:	:	Plus 10% of
resultant PLO						

Section 31. Greater Poblacion Zone (GPZ) Guidelines

1. Allowed Uses

All uses allowed under the following classifications of the HLURB:

- a. General Residential Zone
- b. General Commercial Zone
- c. General Institutional Zone
- d. Special Institutional Zone
- e. Parks and Recreation Zone
- f. Agricultural Zone

2. Land Use Intensity Control Ratings

Following is the LUIC rating that shall be observed in the GPZ:

Subzone	:	Maximum	:	Maximum	:	BHL	:
AISAR	:	PLO	:	FAR	:		
P-CBD	:	0.6	:	2.0	:	10.0 meters:	
Plus 10% of resultant PLO							
EZ	:	0.6	:	2.0	:	4.0 storeys:	
Plus 10% of resultant PLO							
GC	:	0.6	:	3.0	:	None	:
Plus 10% of resultant PLO							

Section 32. Agricultural Development Zone (ADZ) Guidelines

1. Allowed Uses

All uses allowed under the following classifications of the HLURB:

- a. Agricultural Zone
- b. Parks and Recreation Zone

Section 33. Southern Mixed-Use Development Zone (SMUDZ) Guidelines

1. Allowed Uses

All uses allowed under the following classifications of the HLURB:

- a. Light Industrial Zone
- b. Medium Industrial Zone
- c. General Residential Zone
- d. Socialized Housing Zone
- e. General Commercial Zone
- f. General Institutional Zone
- g. Special Institutional Zone
- h. Agricultural Zone

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- i. Parks and Recreation Zone
2. Land Use Intensity Control Ratings

Following is the LUIC rating that shall be observed in SMUDZ:

Maximum PLO	:	Maximum FAR	:	Maximum BHL	:	AISAR
0.6	:	3.0	:	None	:	Plus 10% of resultant PLO

Section 34. New Residential Development Zone (NRDZ) Guidelines

1. Allowed Uses

All uses allowed under the following classifications of the HLURB:

- a. General Residential Zone
- b. Socialized Housing Zone
- c. General Commercial Zone
- d. General Institutional Zone
- e. Agricultural Zone
- f. Parks and Recreation Zone

2. Land Use Intensity Control Ratings

Following is the LUIC rating that shall be observed in SEZ:

Maximum PLO	:	Maximum FAR	:	Maximum BHL	:	AISAR
0.6	:	2.0	:	4.0	:	Plus 10% of resultant PLO

Section 35. Tourism-Oriented and Recreation Zone (TORZ) Guidelines

1. Allowed Used

All uses allowed under the following classifications of the HLURB:

- a. Parks and Recreation Zone
- b. Agricultural Zone
- c. General Residential Zone
- d. General Commercial Zone
- e. General Institutional Zone

2. Land Use Intensity Control Ratings

Following is the LUIC rating that shall be observed in the TORZ:

Maximum PLO	:	Maximum FAR	:	Maximum BHL	:	AISAR
0.6	:	1.0	:	4.0	:	Plus 10% of resultant PLO

**ARTICLE IX
MITIGATING DEVICES**

Section 36. Deviation. The Local Zoning Board of Adjustment and Appeals (LZBAA) may allow exceptions, variances or deviations from the provisions of this ordinance only when the following terms and conditions are existing:

1. Variance

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

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

* Conforming to the provisions of the LDGS will cause undue hardship on the part of the owner or occupant of the property due to physical conditions of the property (topography, shape, etc.) which is not self-created.

* The proposed variance is the minimum deviation necessary to permit reasonable use of the property.

* The variance will not alter the physical character of the district or zone where the property for which the variance is sought is located, and will not substantially or permanently injure the use of the other properties in the same zone.

* That the variance will not weaken the general purpose of the LDGS and will not adversely affect the public health, safety or welfare.

* The variance will be in harmony with the spirit of the LDGS.

2. Exceptions

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 in the same zone.

d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

Section 37. Procedures for Granting Exceptions and Variances. The procedure for the granting of exception and/or variance is as follows:

1. A written application for an exception or variance shall be filed with the Local Zoning Board of Adjustment and Appeals (LZBAA) citing the section of the LDGS under which the same is sought and stating the ground/s thereof.

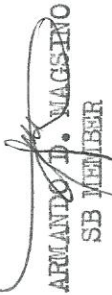
2. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site.

3. The LZBAA shall conduct preliminary studies on the application.

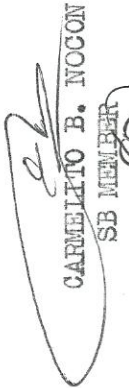
4. A written affidavit of non-objection of the project by the owners of the properties adjacent to the project shall be filed by the applicant with the LZBAA at least fifteen (15) days prior to the decision for exception/variance.

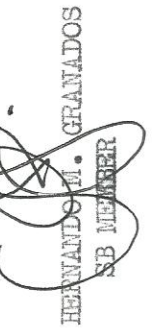

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5. In case of objection, the LZBAA shall hold public hearing.

6. At the hearing, any party may appear in person, or be represented by agent/s. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.

7. The LZBAA shall render a decision within 30 days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing in case of any objection to the granting of exception/variance.

**ARTICLE X
ADMINISTRATION AND ENFORCEMENT**

Section 38. Locational Clearance. All land owners/developers shall secure Locational Clearance from the Zoning Administrator or, in case of variances and exemptions, from the LZBAA prior to conducting any activity or construction on their property/land.

Section 39. Building Permit. The Local Building Official shall not issue a Building Permit without a valid Locational Clearance issued in accordance with the LDGS.

Section 40. Business Permit. The concerned local unit or department shall not issue a Business Permit unless a valid Locational Clearance has been issued.

Section 41. Non-User of Locational Clearance. Upon issuance of a Locational Clearance, the grantee thereof shall have one (1) year within which to commence or undertake the use, activity or development covered by such clearance on his/her property.

Non-use of said clearance 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 Locational Clearance.

Section 42. Issuance of Zoning Classification. An applicant may request from the Office of the Zoning Administrator the status of their land/property in relation to the LDGS upon payment of a corresponding fee. Such document shall not be used as a Locational Clearance but as reference only for planning and may be amended by the Local Zoning Review Committee without any prior notice from the owner or applicant as the need arises based on the reasons/situations stated herein.

Section 43. Certificate of Non-Conformance. The owner of the structure of operator of the activity involved shall apply for a Certificate of Non-Conformance within six (6) months from ratification of the LDGS by the Sangguniang Panlalawigan. Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered in violation of the LDGS and is subject to fine/penalties.

Upon approval of this ordinance, the Zoning Administrator shall immediately notify owners of known existing non-conforming use to apply for a Certificate of Non-Conformance.

Section 44. Existing Non-Conforming Uses and Buildings. The lawful uses of any building, structure or land at the time of adoption or amendment of the LDGS may be continued, although such uses do not conformed with the provision of the LDGS, provided:

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

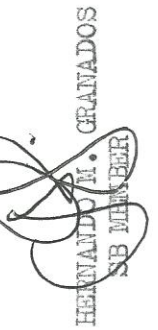

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parcel of land where such non-conforming use exists at the time of the adoption of the LDGS.

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. An idle/vacant structure may not be used for non-conforming activity.

4. That any non-conforming structure, or structures under one ownership which has been damaged may be reconstructed and used as before provided that such reconstruction is not more than 50% of the replacement cost.

5. That should such non-conforming portion of structure be destroyed by any means to an extent of the more than 50% of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the LDGS.

6. That no such non-conforming use may be moved to displace any conforming use.

7. That no such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity; and

8. That should such structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the district in which it is moved or relocated.

Section 45. Responsibility for Administration and Enforcement. The LDGS shall be enforced and administered by the Local Chief Executive through the Zoning Administrator who shall be appointed by the former in accordance with existing rules and regulations on the subject.

Section 46. Powers and Functions of a Zoning Administrator. Pursuant to the Provisions of EO 72 implementing RA 7160 in relation to Sec. 5, Paragraph A and D, and Sec. 7 of Executive Order No. 648 dated 07 February, 1981, the Zoning Administrator shall perform the following functions, duties and responsibilities:

1. Enforcement

a. Act on all applications for Locational Clearances for all projects.

* Issuance of Locational Clearance for project conforming to the regulations of the LDGS.

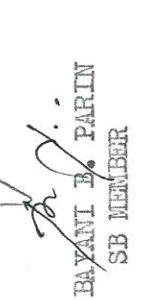
* Recommend to the Local Zoning Board of Adjustment and Appeals (LZBAA) the grant or denial of applications for variances and exemptions and the issuance of the Certificate of Non-Conformance for non-conforming projects lawfully existing at the time of the adoption of the zoning ordinance, including clearances for repairs/renovations on non-conforming uses consistent with the guidelines therefore.

b. Monitor-on-going/existing projects within their respective jurisdictions 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 LDGS and if necessary, pursuant to Section 3 of Executive Order No. 71 refer subsequent actions thereon to the HLURB.

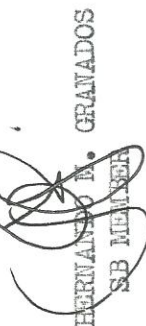

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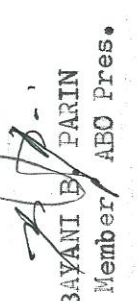

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SB MEMBER



FLAVIANO P. SATSATIN
SB MEMBER

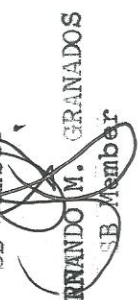

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 SB Member


VIVIEN A. LUJERO
 SB Member / SKF Pres.


ARMANDO D. MAGLINO
 SB Member

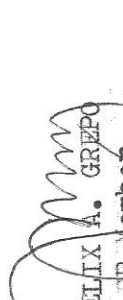

BAYANI B. PARIN
 SB Member / ABC Pres.



CARMELITO R. NOCON
 SB Member


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 SB Member


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 SB Member


ARTURO P. TACOS
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 SB Member


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 SB Member

1. Change in local development plans
2. Introduction of projects of national significance
3. Petition for rezoning; and
4. Other reasons which are appropriate for consideration

Section 51. Composition of the Local Zoning Review Committee (LZRC). The Local Zoning Review Committee shall be composed of sectoral experts.

These are the Local Officials/Civic Leaders responsible for the operation, development and progress of all sectoral undertakings in the locality, e.g.:

1. Municipal Planning and Development Co-ordinator
2. Municipal Health Officer
3. Municipal Agriculturist
4. President, Association of Barangay Captains
5. Municipal Engineer
6. Community Environment and Natural Resources Officer (CENRO)
7. Municipal Agrarian Reform Officer (MARO)
8. District School Supervisor
9. Three Private Sector Representatives (Local Chamber of Commerce, Housing, Industry and Homeowner's Association)
10. Two-NGO Representatives

For purposes of policy and program co-ordination, the LZRC shall be attached to the Municipal Development Council.

Section 52. Functions of the Local Zoning Review Committee. The Local Zoning Review Committee shall have the following powers and functions:

1. **Review the LDGS for the following purposes:**
 - a. Determine amendments or revisions necessary in the LDGS because of changes that might have been introduced in the CLUDP.
 - b. Determine changes to be introduced in the CLUDP in the light of permits given, and exceptions and variances granted; and
 - c. Identify provisions of the LDGS that are difficult to enforce or are unworkable.
2. **Recommend to the Sangguniang Panlalawigan necessary legislative amendments and to the local planning and development staff the needed changes in the plan as a result of the review conducted.**
3. **Provide information to the HLURB that would be useful in the exercise of its functions.**

Section 53. Amendments to the LDGS. Changes in the LDGS, as a result of the review by the Local Zoning Review Committee shall be treated as an amendment, provided that any amendment to the LDGS or provisions thereof shall be subject to public hearing and review and evaluation of the Local Zoning Review Committee and shall be carried out through a resolution of three fourths vote of the Sangguniang Bayan. Said amendments shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

Section 54. Violation and Penalty. Any person who violates any of the provisions of the ordinance, shall, upon conviction, be punished by a fine not exceeding six months or both at the discretion of the Court. In case of violation by a corporation, partnership or association the penalty shall be imposed upon the erring officers thereof.


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c. Call and co-ordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this ordinance.

d. Co-ordinate with the Municipality Fiscal/Municipality Legal Officer for other legal actions/remedies relative to the foregoing.

2. Planning

a. Co-ordinate with the Regional Office of the HLURB regarding proposed amendments to the zoning ordinances prior to adoption by the Sangguniang Panlalawigan.

Section 47. Action on Complaints and Oppositions. A complaint for violation of any provisions of the LDGS or any clearance or permits issued pursuant thereto shall be filed with the LZBAA. Further, oppositions to application/s for Locational Clearance, Variance or Exception shall be treated as a complaint and dealt with in accordance with the provisions of this section.

Section 48. Functions and Responsibilities of the Local Zoning Board of Adjustments and Appeals. There is hereby created a LZBAA which shall perform the following functions and responsibilities:

1. Act on applications of the following nature:

- a. Variances
- b. Exceptions
- c. Non-Conforming Use
- d. Complaints and Oppositions to Application/s

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

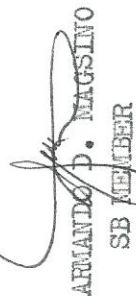
Decisions of the Local Zoning Board of Adjustment and Appeals shall be appealable to the Sangguniang Panlalawigan.

Section 49. Composition of the Local Zoning Board of Adjustment and Appeals (LZBAA). The Municipality Development Council shall create a sub-committee that shall act as the LZBAA, composed of the following members:

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

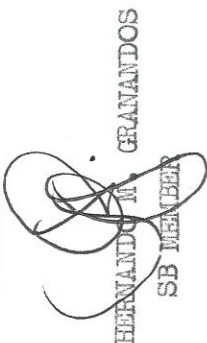
For purposes of policy co-ordination, the LZBAA shall be attached to the Municipal Development Council.

Section 50. Review of the Zoning Ordinance. The Municipal Development Council shall create a sub-committee, the Local Zoning Review Committee (LZRC) that shall review the LDGS considering the CLUDP, and as the need arises, based on the following reasons/situations:


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