



CITY OF SURIGAO

**COMPREHENSIVE LAND USE PLAN (CLUP)
2023-2032**

VOLUME 2 – THE ZONING ORDINANCE

**ZONING ORDINANCE
NO. XXX, SERIES OF 2024**

**(Amending Zoning Ordinance
No. 389, Series of 2016)**

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ZONING MAPS.....

ZONING BOUNDARIES

ACRONYMS

ADSDPP - Ancestral Domain Sustainable Development and Protection Plan
 AGZ - Agricultural Zone
 AFMA - Agriculture and Fisheries Modernization Act
 AgIndZ - Agri-Industrial Zone
 AD-OZ - Ancestral Domain Overlay Zone
 Aq-SZ - Aquaculture Sub-Zone
 BR2-SZ - Basic Residential 2 Sub-Zone
 BR3-SZ - Basic Residential 3 Sub-Zone
 B/GZ - Buffer/Greenbelt Zone
 BB-OZ - Billboards Overlay Zone
 BFAR - Bureau of Fisheries and Aquatic Resources
 BHL - Building Height Limit
 BP - Batas Pambansa
 BSWM - Bureau of Soils and Water Management
 C1-Z - Commercial 1 Zone
 C2-Z - Commercial 2 Zone
 C3-Z - Commercial 3 Zone
 CA - Commonwealth Act
 CAAP - Civil Aviation Authority of the Philippines
 CAD/T - Certificate of Ancestral Domain Title
 CAL/T - Certificate of Ancestral Lands Title
 CARL - Comprehensive Agrarian Reform Law (RA 6657) of 1988
 CCA - Climate Change Adaptation
 CBD - Central Business District
 CDMP - Comprehensive Development Master Plan
 CF-SZ - Commercial Fishing Sub-Zone
 CH-OZ - Critical Habitat Overlay Zone
 CZBAA – City Zoning Board of Adjustment and Appeals
 CZRC – City Zoning Review Committee
 C/MP-Z - Cemetery/Memorial Park Zone
 CLUP - Comprehensive Land Use Plan
 CMP - Community Mortgage Program
 CR-SZ - Civil Reservation Sub-Zone
 D/E-SZ - Delta-Estuary Sub-Zone
 DA - Department of Agriculture
 DAO - Department Administrative Order
 DAR - Department of Agrarian Reform
 DENR - Department of Environment and Natural Resources
 DRRM - Disaster Risk Reduction and Management
 DTI - Department of Trade and Industry
 ECA - Environmentally Critical Area
 ECC - Environmental Compliance Certificate
 ECP - Environmentally Critical Project
 Ect-OZ - Ecotourism Overlay Zone
 EIS - Environmental Impact Statement

EMB - Environmental Management Bureau
EO - Executive Order
FAR - Floor Area Ratio
FB-SZ - Forest Buffer Sub-Zone
FL-SZ - Foreshore Land Sub-Zone
FLD-OZ - Flood Overlay Zone
FLGMA - Forest Land Grazing Management Agreement
FLUP - Forest Land Use Plan
FLT-OZ - Active Fault Overlay Zone
FPE - Flood Protection Elevation
FR-SZ - Forest Reserve Sub-Zone
FRS-SZ - Fishery Refuge and Sanctuary Sub-Zone
FyR-SZ - Fishery Reserve Sub-Zone
FZ - Forest Zone
GC-Z - General Commercial Zone
GFA - Gross Floor Area
GI-Z - General Institutional Zone
GR-Z - General Residential Zone
GZ-SZ - Grazing Land Sub-Zone
HLURB - Housing and Land Use Regulatory Board
HTG-OZ - Heritage Overlay Zone
HUC - Highly Urbanized City
I1-Z - Industrial 1 Zone
I2-Z - Industrial 2 Zone
I3-Z - Industrial 3 Zone
ICCs - Indigenous Cultural Communities
IFP-SZ - Industrial Forest Plantation Sub-Zone
IP - Indigenous People
IPRA - Indigenous Peoples' Rights Act of 1997 (RA 8371)
IRR - Implementing Rules and Regulations
KBA-OZ - Key Biodiversity Area Overlay Zone
La-SZ - Lake Sub-Zone
LC - Locational Clearance
LC-E - Locational Clearance -Exception
LC-V - Locational Clearance - Variance
LC-VE - Locational Clearance - Variance & Exception
LGC of 1991 - Local Government Code of 1991
LGU - Local Government Unit
LSD-OZ - Landslide Overlay Zone
MAPSO - Maximum Allowable Percentage of Site Occupancy
MF-SZ - Municipal Fishing Sub-Zone
MMDA - Metro Manila Development Authority
ML-Z - Mineral Land Zone
Mn-SZ - Mangrove Sub-Zone
MNR-SZ - Mineral Reservation Sub-Zone
MPSA - Mineral Production Sharing Agreement
MR-SZ - Military Reservation Sub-Zone

MR2-SZ - Maximum Residential 2 Sub-Zone
MR3-SZ - Maximum Residential 3 Sub-Zone
MZIP-SZ - Mariculture Zone and Parks Sub-Zone
NAMRIA - National Mapping and Resource Information Authority
NBC - National Building Code
NCIP - National Commission on Indigenous Peoples
n.e.c. - not elsewhere classified
NEDA - National Economic and Development Authority
NHC - National Historical Commission
NIPAS - National Integrated Protected Areas System
NIPAS Act - National Integrated Protected Areas System Act of 1992 (RA 7586)
NMU-SZ - NIPAS: Multiple Use Sub-Zone
NPAAAD - Network of Protected Areas for Agriculture and Agro-Industrial Development
NSCB - National Statistics Coordination Board
NP-SZ - National Park Sub-Zone
NSP-SZ - NIPAS: Strict Protection Sub-Zone
OBO - Office of Building Official
OS - Open Space
OZ - Overlay Zone
PAGASA - Philippine Atmospheric, Geophysical, Astronomical Services Administration
PAMB - Protected Area Management Board
PAMP - Protected Area Management Plan
PD - Presidential Decree
PDA-SZ - Production Agricultural Sub-Zone
PEZA - Philippine Economic Zone Authority
PHIVOLCS - Philippines Volcanology and Seismology Research Institute
PNP - Philippine National Police
PRZ - Parks and Recreation Zone
PTA-SZ - Protection Agricultural Sub-Zone
PUD - Planned Unit Development
PUV - Public Utility Vehicle
Q-SZ - Quarry Sub-Zone
R1-Z - Residential 1 Zone
R2-Z - Residential 2 Zone
R3-Z - Residential 3 Zone
RA - Republic Act
RFE - Regional Flood Elevation
SAFDZ - Strategic Agriculture and Fisheries Development Zone
SB - Sangguniang Bayan
SCD-OZ - Scenic Corridor Overlay Zone
SH-Z - Socialized Housing Zone
SI-Z - Special Institutional Zone
SL-SZ - Sealane Sub-Zone
SP - Sangguniang Panlungsod/Panlalawigan
SP-SZ - Strict Protection Sub-Zone
SPED - Special Education
SsM-SZ - Small-scale Mining Sub-Zone

SU-SZ - Special Use Sub-Zone
SUDS - Sustainable Urban Drainage Systems
TIEZA - Tourism Infrastructure and Enterprise Zone Authority
TLA - Total Lot Area
TOD-OZ - Transit-Oriented Development Overlay Zone
T-Z - Tourism Zone
UCD-OZ - Urban Corridor Overlay Zone
UDHA - Urban Development and Housing Act (RA 7279) of 1992
USA - Unpaved Surface Area
UTS-Z - Utilities, Transportation and Services Zone
WZ - Municipal Water Zone
ZC - Zoning Clearance
ZO - Zoning Ordinance

INTRODUCTION

Zoning is the division of a city/municipality into zones or sub-zones (e.g. commercial, residential, industrial, institutional, agricultural, forest, etc.) according to present and potential uses of land to maximize, regulate and direct their use and development in accordance with the Comprehensive Land Use Plan (CLUP). It takes the form of a locally enacted ordinance which provides, among others, regulations affecting uses allowed or disallowed in each zone or sub-zone, conditions for allowing them, and procedures on evaluating deviations.

Zoning is concerned primarily with the use of land and the regulation of development through imposition of building heights, bulk, open space, and density provisions in a given area.

1.0 BENEFITS

The benefits attributed to zoning are as follows:

1. Optimized use of land based on, among others, suitability and capability, e.g. use of prime agricultural land for agricultural purposes and high value areas for intense urban developments.
2. Promotion of public health and safety through compatible arrangement of various land uses, e.g. buffering between residential and industrial zones and through standards for environmental protection and conservation.
3. Preservation of desirable character and real estate values of the zone or sub-zone through standards intended to facilitate high quality and appropriate developments.
4. Promotion of the rational and orderly growth of the city/municipality by employing a system that allows the adequate evaluation of development proposals in both public and private lands.

2.0 LEGAL BASIS

Local government's authority to enact and apply zoning regulations is derived from the state's exercise of its police powers to make, ordain and establish reasonable laws, statutes or ordinances which promote the general welfare. This authority is specified and defined in a number of laws and directives.

2.1. 1987 Philippine Constitution

Article XII, Section 6

"The use of property bears a social function and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives and similar collective organizations, shall have the right to own, establish and operate economic enterprises subject to the duty of the state to promote distributive justice and to intervene when the common good demands."

Article XIII, Section 1

“The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social and economic inequalities. To this end, the state shall regulate the acquisition, ownership, use and disposition of property and its increments.”

2.2. Section 20 of RA 7160, Local Government Code of the Philippines

Reclassification of Lands

1. A city or municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases:
 - (1) when the land ceases to be economically feasible and sound for agriculture, or
 - (2) where the land shall have substantially greater economic value for residential, commercial or industrial purposes, as determined by the Sanggunian concerned; provided that such reclassification shall be limited to the following percentage of total agricultural land area at the time of the passage of the ordinance:
 - a. For Highly Urbanized and Independent Component Cities, fifteen percent (15%);
 - b. For Component Cities and First to Third Class Municipalities, ten percent (10%);
 - c. For Fourth to Sixth Class Municipalities, five percent (5%).

Provided, further, that agricultural lands distributed to Agrarian Reform Beneficiaries (ARB) pursuant to Republic Act (RA) No. 6657, otherwise known as “The Comprehensive Agrarian Reform Law (CARL),” shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.

2. The President may, when public interest so requires and upon recommendation of the National Economic and Development Authority (NEDA), authorize a city or municipality to reclassify lands in excess of the limits set in the next preceding paragraph.
3. The local government units shall, in conformity with existing laws, continue to prepare their respective Comprehensive Land Use Plans enacted through Zoning Ordinances (ZO) which shall be the primary and dominant basis for the future use of land resources: Provided, that the requirements for food production, human settlements and industrial expansion shall be taken into consideration in the preparation of such plans.
4. Where approval by a national agency is required for reclassification, such approval shall not be unreasonably withheld. Failure to act on a proper and complete application for reclassification within three (3) months from receipt of the same shall be deemed as approval, thereof.
5. An individual landholding within an area already zoned as non-agricultural in the

approved CLUP and ZO, needs no further reclassification by the SB/SP. Instead, land conversion shall be required in accordance with the provisions of RA6657 and EO129-A.

2.3. Section 447 A.2 (VI, VIII-IX), Section 448 A.2 (VI) and Section 458 A.2 (VII-IX) of RA 7160

The Sangguniang Panlungsod/Bayan, as the legislative body of the City/Municipality, shall:

- (a) prescribe reasonable limits and restraints on the use of property within the jurisdiction of the city/municipality;
- (b) adopt a Comprehensive Land Use Plan for the City/Municipality: Provided, that the formulation, adoption, or modification of said plan shall be in coordination with the approved Provincial Comprehensive Land Use Plan;
- (c) reclassify land within the jurisdiction of the City/Municipality, subject to the pertinent provisions of this Code;
- (d) enact integrated Zoning Ordinances in consonance with the approved Comprehensive Land Use Plan, subject to existing laws, rules and regulations; establish fire limits or fire zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within said fire limits in accordance with the provisions of the Fire Code (FC);

2.4. P.D. 1396 (Amending P.D. 933), creating the Ministry of Human Settlements (MHS), renaming the Human Settlements Commission (HSC) as the Human Settlements Regulatory Commission (HSRC)

“It is hereby declared to be the policy of the government to foster the growth and renewal of our communities, both rural and urban, in an integrative manner that promotes optimal land use, adequate shelter, environmental protection, utilization of appropriate technology and rational interdependence among self-reliant communities.”

2.5. Letter of Instruction No. 729

“Municipalities shall submit their land use plans, enforcement systems and implementing guidelines, including zoning ordinance to the Ministry of Human Settlements thru the HLURB for review and ratification.”

2.6. Section 5, Executive Order 648, Reorganizing the Human Settlements Regulatory Commission

The Housing and Land Use Regulatory Board (HLURB) shall:

- 1. “Promulgate zoning and other land use control standards and guidelines which shall govern land use plans and zoning ordinances of local governments XXX”
- 2. “Review, evaluate and approve or disapprove comprehensive land use development plans and zoning ordinances of local governments XXX”
- 3. “Issue rules and regulations to enforce the land use policies on human settlements

as provided for in PDs No, 399, 815, 933, 957, 1216, 1344, 1396, 1517, LOIs No. 713, 729, 935 and other related laws regulating the use of land XXX”

2.7. PD 933 and Executive Order 648, as amended by EO 90, empowering the HLURB to review and approve or disapprove land use plans of cities and municipalities

The aforesaid laws likewise authorize the HLURB to prescribe the standards and guidelines governing the preparation of land use plans, to monitor the implementation of such plans and to adjudicate and settle the disputes among LGUs over their land use plans and zoning programs.

2.8. Executive Order 72

This provides for the preparation, review and approval process and implementation of Comprehensive Land Use Plans and Zoning Ordinances of local government units pursuant to the Local Government Code (LGC) of 1991 and other pertinent laws.

2.9. Republic Act 11201, Act Creating the Department of Human Settlements and Urban Development, Defining its Mandate, Powers and Functions

Section 4 of RA 11201 states: “It shall be the sole and main planning and policy-making, regulatory, program coordination and performance monitoring entity for all housing, human settlement and urban development concerns, primarily focusing on the access to and affordability of basic needs.”

DHSUD shall have powers and functions on four key areas: policy development, coordination, monitoring and evaluation; environmental land use and urban planning and development; housing and real estate regulation; and homeowners association and community development.

By virtue of Republic Act 11201, the Housing and Urban Development Coordinating Council (HUDCC) and the Housing and Land Use Regulatory Board (HLURB) have been reconstituted into the Department of Human Settlements and Urban Development (DHSUD) since 2019.

Section 12 of the Act reconstituted the HLURB as the Human Settlements Adjudication Commission (HSAC), which is now a purely quasi-judicial agency.

Republic of the Philippines
CITY OF SURIGAO
SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE JOURNAL OF PROCEEDINGS OF THE _____ REGULAR SESSION OF
 THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SURIGAO, HELD ON
 _____, 2024 AT THE SP SESSION HALL**

PRESENT:

HON. ALFONSO S. CASURRA	-	City Vice Mayor (Presiding)
HON. CACEL R. AZARCON	-	City Councilor
HON. SEBASTIAN RIC A. NAGAS	-	City Councilor
HON. JOENIL B. ALDONZA	-	City Councilor
HON. HOEL CHRISTIAN G. CATRE JR.	-	City Councilor
HON. JOSHUA EMILIO S. GELI	-	City Councilor
HON. BALTAZAR C. ABIAN	-	City Councilor
HON. JOSE EXPEDITUS B. BAYANA	-	City Councilor
HON. JOEL E. TINIO	-	City Councilor
HON. JOSEPH JOEY S. YUIPCO	-	City Councilor
HON. KARL DUANE A. CASURRA	-	City Councilor
HON. FLORENILLO B. RAVELO	-	City Councilor
HON. JENELYN EDULZURA	-	City Councilor

XXX

XXX

XXX

RESOLUTION NO. _____

WHEREAS, the implementation of Comprehensive Land Use Plans would require the enactment of regulatory measures to translate its planning goals and objectives into reality; and a 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, the existing City Ordinance No. 389, Series of 2016, need to be revised, updated, enhanced and attuned in order to be responsive to the changing conditions and circumstances particularly disaster risk reduction and climate change adaptation;

WHEREAS, the Department of Human Settlements and Urban Development (DHSUD) has spearheaded and now assists in and coordinates the activities of local governments in comprehensive land use planning;

NOW, THEREFORE, on motion of Hon. _____, seconded by _____, it was unanimously,

RESOLVED: That the following ordinance, amending Ordinance No. 389, Series of 2016, be as it is hereby enacted.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

EDNA B. SIEGA
Sanggunian Secretary

ATTESTED:

ALFONSO S. CASURRA
City Vice-Mayor
Presiding Officer

APPROVED:

PABLO YVES L. DURLAO II
City Mayor

Republic of the Philippines
CITY OF SURIGAO
SANGGUNIANG PANLUNGSOD

ORDINANCE NO. _____
Series of 2024

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF SURIGAO AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH AND FOR OTHER PURPOSES, OTHERWISE KNOWN AS THE 2024 ZONING ORDINANCE OF THE CITY OF SURIGAO

The Sangguniang Panlungsod of the City of Surigao hereby ORDAINS:

ARTICLE I- TITLE OF ORDINANCE

Section 1. Title of Ordinance. This Ordinance shall be known as the Zoning Ordinance of 2024 of the City of Surigao and shall be referred to as the Ordinance.

ARTICLE II - AUTHORITY AND PURPOSE

Section 2. Authority.

This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, R.A. 7160 - Sections 447, 448 and 458 a.2 (7-9) dated 10 October 1991, "Authorizing the City, through the Sangguniang Panlungsod, 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; R.A. 8550-Fisheries Code; PD-705-Forestry Code; PD-1067-Water Code; PD-1096-National Building Code; Executive Order No. 72; RA 9729-Climate Change Act of 2009; R.A. 10121-Disaster Risk Reduction and Management Act of 2010; and RA 11201- Creating the Department of Human Settlements and Urban Development, Defining its Mandates, Powers and Functions.

Section 3. Purposes.

This Ordinance 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;
2. Guide, control and regulate the growth and development of public and private lands in the City of Surigao in accordance with its Comprehensive Land Use Plan (CLUP);
3. Provide the proper regulatory environment to maximize opportunities for creativity, 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 Principle.

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. XXX dated _____, as follows:

1. The Ordinance reflects the City's vision, herein stated as: ***"With the blessings of the Divine Providence, Surigao in 2040: a smart city of resilient people, enjoying a healthy and pleasant environment, driven by a progressive, competitive, sustainable economy, guided by a transparent, accountable governance"***.
2. The local government unit 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 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 face;
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 Housing and Land Use Regulatory Board (HLURB), now the Department of Human Settlements and Urban Development (DHSUD). The words, terms and phrases enumerated hereunder shall be understood to have the corresponding meaning 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**- pertains to those that are customarily associated with the Principal Use application (such as a garage is accessory to a house).
3. **Active Fault Overlay Zone (FLT-OZ)** – an area in a city/municipality defined by five (5)-meter wide strips on both sides of and running along identified earthquake faults. The objective of this overlay zone is to minimize the possible harmful effects of fault movements to properties.
4. **Actual Use** – refers to the purpose for which the property is principally or predominantly utilized by the person in possession of the property.
5. **AFMA** – shall refer to the Agriculture and Fisheries Modernization Act of 1997 or RA 8435.
6. **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.
7. **Agricultural Land** – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.
8. **Agricultural Land Use Conversion** – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.
9. **Agricultural Zone (AGZ)** – an area within a city/municipality 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). **Agri-Industrial Zone (AgIndZ)** - an area within a city/municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.
10. **Agri-Processing Activities** – “refers to 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 Domains** – per the Indigenous Peoples Rights Act of 1997 (RA 8371), these refer to all areas generally belonging to Indigenous Cultural Communities / Indigenous Peoples (ICCs/IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs.
- 14. Ancestral Lands**– refer to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs...(IPRA).
- 15. Ancestral Domain Overlay Zone (AD-OZ)** – an area in a city/municipality intended for the preservation of the traditional way of life of indigenous people.
- 16. Aquaculture Sub-Zone (Aq-SZ)** – an area within the Municipal Waters Zone of a city/municipality designated for “fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas” (Fisheries Code).
- 17. Aquasilviculture** – an environment-friendly mangrove aquaculture system, aquasilviculture promotes the harmonious co-existence between fishery species and mangrove trees in a semi-enclosed system. In many regions, the trainees are taught pen design and construction and mudcrab culture. The culture system helps in providing alternative livelihood to fisherfolk while instilling in them the value of coastal protection and maintenance of the ecosystem.
- 18. Base Flood Elevation** – the elevation to which floodwater is expected to reach during flood events as calculated by the Regional Office of the DPWH.
- 19. Base Zones** – refers to the primary zoning classification of areas within the city/municipality and that are provided with a list of allowable uses and regulations on building density and bulk, among others.
- 20. Basic R-2 Sub-Zone (BR2-SZ)** – an area within the R-2 Zone of a city/municipality where the number of allowable storeys/floors above established grade is three (3) and the BHL is 10.00 meters above highest grade (NBC).
- 21. Basic R-3 Sub-Zone (BR3-SZ)** – an area within the R-3 Zone of a city/municipality where the number of allowable storeys/floors above established grade is three (3) and the BHL is 10.00 meters above highest grade (NBC).

- 22. Billboards Overlay Zone (BB-OZ)**– an area in a city/municipality designated for the regulated placement of billboards.
- 23. Buffer/Greenbelt Zone (B/GZ)** – an area within a city/municipality 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.
- 24. 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 storey’s/floor above established grade and/ or meters above highest grade.
- 25. Cemetery/Memorial Park Zone (C/MP-Z)** – an area in a city/municipality intended for the interment of the dead.
- 26. Certificate of Ancestral Domain Title (CAD/T)** – a title formally recognizing the rights of possession and ownership of ICCs/IPs over their ancestral domains that have been identified and delineated in accordance with Indigenous Peoples Rights Act (RA 8371).
- 27. Certificate of Ancestral Lands Title (CAL/T)** – refers to a title formally recognizing the rights of ICCs/IPs over their ancestral lands (RA 8371).
- 28. Certificate of Non-Conformance** – certificate issued to Owners of non-conforming uses as provided in this Zoning Ordinance.
- 29. Central Business District (CBD)**– shall refer to areas designated principally for trade, services and business purposes.
- 30. City Zoning Board of Adjustments and Appeals (CZBAA)** – a local special body created by virtue of this Ordinance mandated to, among others, handle appeals for Variances and Exceptions.
- 31. Civil Reservation Sub-Zone (CR-SZ)** –an area within the Forest Zone of cities/municipalities that “refers to lands of public domain which have been proclaimed by the President of the Philippines for specific purpose such as town sites, resettlement areas, ancestral lands, etc.” (NSCB).
- 32. Class "AAA" Slaughterhouse/Abattoir** – those with facilities and operational procedures appropriate to slaughter livestock and fowls for sale in any market, domestic or international.

- 33. Class "AA" Slaughterhouse/Abattoir** – those with facilities and operational procedures sufficiently adequate that the livestock and fowls slaughtered therein is suitable for sale in any market within the country.
- 34. 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 or municipality where the slaughterhouse is located.
- 35. Commercial-1 Zone (C1-Z)** – a low density commercial area within a city/municipality intended for neighborhood or community scale trade, service and business activities.
- 36. Commercial-2 Zone (C2-Z)** – a medium to high density commercial area within a city/ municipality intended for trade, service and business activities performing complementary/ supplementary functions to the CBD.
- 37. Commercial-3 Zone (C3-Z)** – a high density commercial area within a city/municipality 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 as the Central Business District (CBD).
- 38. Commercial Garage** – a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.
- 39. 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.
- 40. Comprehensive Land Use Plan (CLUP)** – is a technical document embodying specific proposals and strategies for guiding, regulating growth and/or development that is 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.
- 41. 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 (MDP).

- 42. Commercial Fishing Sub-Zone (CF-SZ)** –an area within the Municipal Waters Zone of a city/municipality where commercial fishing, subject to the provisions of the Fisheries Code, is allowed.
- 43. Conflicting Uses** – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.
- 44. Conforming Use** – a use that is in accordance with the zone regulations as provided for in the Ordinance.
- 45. Critical Habitat Overlay Zone (CH-OZ)** – an area in a city/municipality determined to be essential to the conservation of a listed species, though the area need not actually be occupied by the species at the time it is designated.
- 46. Deed Restrictions** - written agreements that imposes limitations on the use of property in order to maintain the intended character of a neighborhood.
- 47. Delta/Estuary Sub-Zone (D/E-SZ)** – an area within the Municipal Waters Zone of a city/municipality characterized by a landform at the mouth of a river where it flows into an ocean, sea, estuary, lake or reservoir that is formed by deposition of sediments carried by the river.
- 48. 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.
- 49. 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.
- 50. 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)
- 51. Ecotourism Overlay Zone (ETM-OZ)** – an area in a city/municipality intended for ecotourism uses.
- 52. 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.

53. Environmentally Critical Areas (ECA) – refer to those 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 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, 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:
 - tapped for domestic purposes;
 - within the controlled and/or protected areas declared by appropriate authorities; and
 - which support wildlife and fishery activities.
- k. Mangrove areas characterized by one or any combination of the following conditions:
 - with primary pristine and dense young growth;
 - adjoining the mouth of major river systems;
 - near or adjacent to traditional productive fry or fishing grounds;
 - which act as natural buffers against shore erosion, strong winds and storm floods; and
 - on which people are dependent on their livelihood.
- l. Coral reef characterized by one or any combination of the following conditions:
 - with 50% and above live coralline cover;
 - spawning and nursery grounds of fish; and
 - which acts as natural breakwater of coastlines.

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

54. Environmentally Critical Projects (ECP) – refer to 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
 - 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.
 - fishery projects (dikes for/and fishpond development projects)
- c. Infrastructure projects
 - major dams;
 - major power plants (fossil-fuelled, nuclear-fuelled, hydroelectric or geothermal);
 - major reclamation projects, and
 - 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.

- 55. 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

56. Estuary – a partially enclosed body of water along the coast where freshwater from rivers and streams meets and mixes with salt water from the ocean.

57. 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.

58. Fisheries Code – shall refer to the Philippine Fisheries Code of 1998 (RA 8550).

59. Fishery Refuge and Sanctuary Sub-Zone (FRS-SZ) – an area within the Municipal Waters Zone of a city/municipality “where fishing or other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted.” (Fisheries Code).

60. Fishery Reserve Sub-Zone (FyR-SZ) – an area within the Municipal Waters Zone of a city/municipality “where activities are regulated and set aside for educational and research purposes.” (Fisheries Code).

- 61. Fish Pond** - “a land-based facility enclosed with earthen or stone material to impound water for growing fish.”(Fisheries Code).
- 62. Flood Overlay Zone (FLD-OZ)** – an area in a city/municipality that have been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.
- 63. 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.
- 64. Floor Area Ratio or “FAR”** – is 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.
- 65. Foreshore Land Sub-Zone (FL-SZ)** – an area within the Municipal Waters Zone of a city/municipality defined as a “string of land margining a body of water; the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide usually marked by a beach scarp or berm” (Fisheries Code).
- 66. Forest** – refers to 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 percent (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).
- 67. Forest Buffer Sub-Zone (FB-SZ)** – an area within the Forest Zone of a city/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)”.

- 68. Forestlands** –“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).
- 69. Forest Reservation** – refers to forestlands which have been reserved by the President of the Philippines for any specific purpose or purposes (Forestry Code).”
- 70. Forest Reserve Sub-Zone (FR-SZ)** – an area within the Forest Zone of a city/municipality, which “refers to those lands of the public domain which have been the subject of the present system of classification and determined to be needed for forest purposes. Also called "Permanent Forest"(Revised Forestry Code, PD 1559).
- 71. Forest Zone (FZ)** – an area within a city/municipality which are intended primarily for forest purposes. This includes Forestlands and areas outside of Forestlands that are declared for forest purposes by this Ordinance.
- 72. Forestry Code** – refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.
- 73. General Commercial Zone (GC-Z)** – an area within a city/municipality intended for trading/services/ business purposes.
- 74. General Institutional Zone (GI-Z)** – an area within a city/municipality intended principally for general types of institutional establishments, e.g. government offices, hospitals / clinics, academic/research and convention centers.
- 75. General Residential Zone (GR-Z)** – an area within a city/municipality intended principally for dwelling/ housing purposes.
- 76. 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).
- 77. 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:
- Office areas
 - Residential areas
 - Corridors
 - Lobbies
 - Mezzanine
 - Vertical penetrations, which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls
 - Rest rooms or toilets
 - Machine rooms and closets
 - Storage rooms and closets
 - Covered balconies and terraces

- Interior walls and columns, and other interior features

But excluding:

- Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present
- 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.

78. Heritage Act – shall mean the National Cultural Heritage Act of 2009 or RA 10066.

79. Heritage Overlay Zone (HTG-OZ) – an area in a city/municipality 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).

80. 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 un-inhabited, historic centers are preservation areas. (Heritage Act).

81. Industrial-1 Zone (I1-Z) – an area within cities/municipalities intended for light manufacturing or production industries that are:

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

82. Industrial-2 Zone (I2-Z) – an area within cities or municipalities intended for medium intensity manufacturing or production industries that are:

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

83. Industrial-3 Zone (I3-Z) – an area within cities or municipalities 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

84. Industrial Forest Plantation Sub-Zone (IFP-SZ) – an area within the Forest Zone of a city/municipality 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).

- 85. Inland Fishery** – the freshwater fishery and brackish water fishponds ((Fisheries Code)
- 86. Innovative Design** – introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development.
- 87. IPRA** – shall mean the Indigenous Peoples Rights Act of 1997 (Republic Act 8371).
- 88. Key Biodiversity Area Overlay Zone (KBA-OZ)** –an area in a city/municipality which are determined to be “globally significant sites for biodiversity conservation” (DENR, Conservation International Philippines & Haribon Foundation for the Conservation of Nature).
- 89. Landslide Overlay Zone (LSD-OZ)** – an area in a city/municipality that have been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.
- 90. Mangrove Sub-Zone (Mn-SZ)** – an area in the Municipal Waters Zone of a city/municipality defined as “a community of intertidal plants including all species of trees, shrubs, vines and herbs found on coasts, swamps, or border of swamps” (Fisheries Code).
- 91. Mariculture** –a specialized branch of aquaculture involving the cultivation of marine organisms for food and other products in the open ocean, an enclosed section of the ocean, or in tanks, ponds or raceways which are filled with seawater.
- 92. Mariculture Zone and Park (MZP)** – an area “designed to produce fishes thru sea cage culture such as bangus, siganids, groupers, red snappers, seaweeds farming, aquasilviculture, mussel culture, oyster culture, sea ranching of lobsters and seahorses in coral reefs and sea grass areas, and others that may be developed through the continuing research and development program of the Bureau of Fisheries and Aquatic Resources (BFAR) and other institutions” (BFAR).
- 93. Maximum R-2 Sub-Zone (MR2-SZ)** – an area within the R-2 Zone of a city/municipality where the number of allowable storeys/floors above established grade is five (5) and the BHL is 15.00 meters above highest grade (NBC).
- 94. Maximum R-3 Sub-Zone (MR3-SZ)** – an area within the R-3 Zone of a city/municipality where the number of allowable storeys/floors above established grade is twelve (12) and the BHL is 36.00 meters above established grade (NBC).
- 95. Mineral Land Zone (ML-Z)** – an area in a city/municipality “where mineral resources and found” and declared by the government as having mineral resources in accordance with the Mining Act.

96. Mineral Reservation Sub-Zone (MNR-SZ) – an area in a city/municipality that are “mineral reservations established by the President of the Philippines in order “to preserve strategic raw materials for industries critical to national development, or certain minerals for scientific, cultural or ecological value.” Per the same Act, these also include “all submerged lands within the contiguous zone and in the exclusive economic zone of the Philippines.” (Mining Act)

97. Mining Act –shall refer to the Philippine Mining Act of 1995 or RA 7942.

98. Military Reservation Sub-Zone (MR-SZ) – an area within the Forest Zone of a city/municipality 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).

99. 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.

100. Municipal Fishing Sub-Zone (MF-SZ) – an area within the Municipal Waters Zone of a city/ municipality where only municipal fishing, as defined in the Fisheries Code, is allowed.

101. Municipal Waters Zone (WZ) – per Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the Municipal Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the (city) municipality 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).”

102. National Park Sub-Zone (NP-SZ) –an area within the Forest Zone of a city/municipality that “refers to a forest land reservation essentially of primitive or wilderness character which has been withdrawn from settlement or occupancy and set aside as such exclusively to preserve the scenery, the natural and historic objects and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for future generations.” (NIPAS Act).

103. Navigational Lane – areas in cities/municipalities designated for the passage of water vessels.

104. NIPAS Act – shall refer to the National Integrated Protected Areas System Act of 1992 or RA 7586.

105. NIPAS: Multiple Use Sub-Zone (NMU-SZ) – an area within the Forest Zone of a city/ municipality "where settlement, traditional and/or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities may be

allowed consistent with the Management Plan.” (5.10 of DENR Administrative Order No. 2008-26)

106. NIPAS: Strict Protection Sub-Zone (NSP-SZ) – an area within the Forest Zone of a city/ municipality that have “...high bio-diversity value which shall be closed to all human activity except for scientific studies and/ or ceremonial or religious use by indigenous communities.” (NIPAS Act)

107. 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.

108. Non-NIPAS Areas – areas yet un-proclaimed 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. Un-proclaimed watersheds.

109. 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.

110. 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.

111. Official Zoning Map – a duly authenticated map delineating the different zones into which the whole City is divided.

112. 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.

113. Overlay Zones (OZ) – 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.

114. Parks and Recreation Zone (PR-Z) – an area in the city designed for diversion/ amusements and for the maintenance of ecological balance.

115. 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.

116. Port – an area with facilities for loading and unloading of ships and may include, among others, harbor, docks, wharves, and piers.

117. Production Agricultural Sub-Zone (PDA-SZ) – an area within the Agricultural Zone of cities/ municipalities that are outside of NPAAAD and declared by the City/Municipality for agricultural use.

118. 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)

121. Forestlands available for timber and agro-forestry production, range lands for grazing and other forestlands special uses. (FM Technical Bulletin No.5 as cited in ITTD PD 222/03 Rev.1)

122. 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

123. Protected Area Management Board (PAMB) – per the NIPAS Act’s IRR, a board established for NIPAS areas that shall, among others:

1. Decide matters relating to planning, resource protection and general administration of the area in accordance with the General Management Planning Strategy (GMPS);
2. Approve proposals, work plans, action plans, guidelines, for management of the protected area in accordance with the approved Management Plan;
3. Delineate and demarcate protected area boundaries, buffer zones, ancestral domains;
4. Promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development;
5. Control and regulate the construction, operation and maintenance of roads, trails, water works, sewerage, fire protection and sanitation systems and other utilities within the protected area;

124. Protected Area Management Plan (PAMP) – a document required for NIPAS areas that “shall, as a minimum, promote the adoption and implementation of innovative management techniques including if necessary, the concept of zoning, buffer zone management for multiple use and protection, habitat conservation and rehabilitation, site-specific policy development, pest management, and fire control...” (NIPAS Act)

125. Protection Agricultural Sub-Zone (PTA-SZ) – an area within the Agricultural Zone of the city 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.”

126. Protection Forest – an area within a city/municipality 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)

127. Quarry Sub-Zone (Q-SZ) – an area within the Mineral Land Zone of a city/ municipality 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)

128. Quarrying – shall mean “the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land” (Mining Act).

129. 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)

130. 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.

131. 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.

132. 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.

133. Rezoning – a process of introducing amendments to or change in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.

134. Sealane Sub-Zone (SL-SZ) – an area within the Municipal Waters Zone of a city/municipality that is designated as an established route for water vessels traversing the municipal waters. Also referred to as Navigational Lane.

135. Scenic Corridor Overlay Zone (SCD-OZ) – an area in a city/municipality that have 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.

136. Small-Scale Mining Sub-Zone (SsM-SZ) – an area within the Mineral Land Zone of a city/ municipality that are” identified, segregated and reserved by the DENR from certain mineral lands as people’s small-scale mining areas.” (People’s Small-Scale Mining Act of 1991)

137. 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)

138. Socialized Housing Zone (SH-Z) – an area in the city designated for socialized housing projects.

139. Special Institutional Zone (SI-Z) – an area in the city intended principally for particular types of institutional establishments e.g. welfare homes, orphanages, home for the aged, rehabilitation and training centers, military camps/reservation/ bases/ training grounds, etc.

140. Special Use Sub-Zone (SU-SZ) - an area within the Forest Zone of the city where “all types of legal uses of the forestlands other than the production of timber and non-timber resources which are covered by other agreements, such as, but not limited to Integrated Forest Management Agreement (IFMA), Socialized Industrial Forest Management Agreement, etc.” may be allowed”(DENR DAO 2004-59)

141. Strategic Agriculture and Fisheries Development Zone (SAFDZ) – refers to “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).

142. Supplementary - the provision in the Rules of Court will be made to apply where there is an insufficiency in the applicable rule.

143. 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.

144. Tourism Act – shall mean the Tourism Act of 2009 or RA 9593.

145. Tourism Zone – are sites within cities and municipalities endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

146. Transit-Oriented Development Overlay Zone (TOD-OZ) – an area around transit centers in a city/municipality where commercial and residential growth are encouraged in order to maximize access to public transit.

147. 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).

148. UDHA – shall mean the Urban Development and Housing Act of 1992 or RA 7279.

149. Urban Corridor Overlay Zone (UCD-OZ) - an area in the city which are along major transport routes and where specific regulations are provided that is intended to minimize roadside friction, maintain pedestrian walkways, etc.

150. 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).

151. 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.

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

153. Water Code – shall mean the Water Code of the Philippines (Presidential Decree 1067)

154. Wharf – an area within the city intended as a landing place where ships may be tied-up or unloaded.

155. 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.”

156. Zone/Sub-Zone – an area within the city for specific land use as defined by manmade or natural boundaries.

157. Zoning – is the delineation/division of a city into functional zones where only specific land uses are allowed. It directs and regulates the use of all lands in the community in accordance with an approved or adopted land use plan for the city. It prescribes setback provisions, minimum lot sizes, building heights and bulk.

158. Zoning Administrator/Zoning Officer – a city government employee responsible for the implementation/ enforcement of the Zoning Ordinance.

159. Zoning Certificate – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.

160. Zoning Clearance – an authority granted by the city government pursuant to applicable laws on land use planning and zoning for the establishment or operation of projects or any kind of development or activity on a piece of land, or for any project of local significance.

161. Zoning Clearance - a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.

162. Locational Clearance (Variance) (LC-V) – a clearance issued by the CZBAA to a project that is allowed under the Mitigating Device/Variance provision of this Ordinance.

163. Locational Clearance (Exception) (LC-E) – a clearance issued by the CZBAA to a project that is allowed under the Mitigating Device/Exception provision of this Ordinance.

164. Zoning Ordinance – a local legal measure that embodies regulations affecting land use.

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.

- o Base Zones
- o Sub-Zones
- o Overlay Zones

Section 6. Base Zones.

The following are designated as Base Zones:

1. Forest Zone (FZ)

Protection Forest Sub-Zones

- Forest Reserve Sub-Zone (FR-SZ)
- National Park Sub-Zone (NP-SZ)
- Military Reservation Sub-Zone (MR-SZ)
- Civil Reservation Sub-Zone (CR-SZ)
- Mangrove Sub-Zone (Mn-SZ)
- NIPAS: Strict Protection Sub-Zone (NSP-SZ)

Production Forest Sub-Zones

- NIPAS: Multiple Use Sub-Zone (NMU-SZ)
- Forest Buffer Sub-Zone (FB-SZ)
- Industrial Forest Plantation Sub-Zone (IFP-SZ)
- Special Use Sub-Zone (SU-SZ)
- Grazing Land Sub-Zone (GZ-SZ)

2. Agricultural Zone (AGZ)

- Protection Agricultural Sub-Zone (PTA-SZ)
- Production Agricultural Sub-Zone (PDA-SZ)

3. Agri-industrial Zone (AgIndZ)

4. Municipal Waters Zone (WZ)

Protection Water Sub-Zones

- Fishery Refuge and Sanctuary Sub-Zone (FRS-SZ)
- Foreshore Land Sub-Zone (FL-SZ)
- Mangrove Sub-Zone (Mn-SZ)

- Fishery Reserve Sub-Zone (FR-SZ)
- Delta/Estuary Sub-Zone (D/E-SZ)

Production Water Sub-Zones

- Aquaculture Sub-Zone (Aq-SZ)
- Mariculture Zone and Park Sub-Zone (MZP-SZ)
- Commercial Fishing Sub-Zone (CF-SZ)
- Municipal Fishing Sub-Zone (MF-SZ)
- Sealane Sub-Zone (SL-SZ)

5. **Mineral Land Zone (MLZ)**

- Mineral Reservations Sub-Zone (MNR-SZ)
- Quarry Sub-Zone(Q-SZ)
- Small-scale Mining Sub-Zone(SsM-SZ)

6. **General Residential Zone (GR-Z)**

7. **Residential-1 Zone (R1-Z)**

8. **Residential-2 Zone (R2-Z)**

- Basic R-2 Sub-Zone (BR2-SZ)
- Maximum R-2 Sub-Zone (MR2-SZ)

9. **Residential-3 Zone (R3-Z)**

- Basic R-3 Sub-Zone (BR3-SZ)
- Maximum R-3 Sub-Zone (MR3-SZ)

10. Socialized Housing Zone (SH-Z)

11. General Commercial Zone (GC-Z)

12. Commercial-1 Zone (C1-Z)

13. Commercial-2 Zone (C2-Z)

14. Commercial-3 Zone (C3-Z)

15. Industrial-1 Zone (I1-Z)

16. Industrial-2 Zone (I2-Z)

17. Industrial-3 Zone (I3-Z)

18. General Institutional Zone (GI-Z)

19. Special Institutional Zone (SI-Z)

20. Parks and Recreation Zone (PR-Z)

21. Cemetery/Memorial Park Zone (C/MP-Z)

22. Buffer/Greenbelt Zone (B/G-Z)

23. Utilities, Transportation, and Services Zone (UTS-SZ)

24. Tourism Zone (T-Z)

Section 7. Overlay Zones.

The following are designated as Overlay Zones:

1. Landslide Overlay Zone (LSD-OZ)
2. Flood Overlay Zone (FLD-OZ)
3. Scenic Corridor Overlay Zone (SCD-OZ)
4. Active Fault Overlay Zone (FLT-OZ)
5. Heritage Overlay Zone (HTG-OZ)
6. Ecotourism Overlay Zone (ETM-OZ)
7. Urban Corridor Overlay Zone (UCD-OZ)
8. Transit-Oriented Development Overlay Zone (TOD-OZ)
9. Billboards Overlay Zone (BB-OZ)
10. Key Biodiversity Area Overlay Zone (KBA-OZ)
11. Critical Habitat Overlay Zone (CH-OZ)
12. Ancestral Domain Overlay Zone (AD-OZ)

Section 8. Zoning Maps.

It is hereby adopted as an integral part of this Ordinance, the Official Zoning Maps for urban areas and for the whole City (general), wherein the designation, location and boundaries of the Base Zones, Sub-zones and Overlay Zones herein established are shown and indicated in **Annex 1**.

Such official Zoning Maps are signed by the City Mayor, the Vice Mayor as Presiding Officer of the Sangguniang Panlungsod and duly authenticated by the Sangguniang Panlalawigan and by the Department of Human Settlements and Urban Development (DHSUD).

The Urban Zoning Maps shall be drawn to the scale of 1:2,000 M to 1:4,000 M and the General Zoning Map shall be drawn to the scale of 1:5,000 M; 1:10,000 M or 1:25,000 M. Copies of the Official Zoning Maps shall be filed with the City Zoning Board of Adjustment and Appeals, the Sangguniang Panlungsod, Office of the City Building Official, City Engineering Office, City Assessor and the City Planning and Development Office.

In the event that all copies of the Official Zoning Maps are damaged, destroyed, lost or become difficult to interpret because of the nature of the number of changes and additions, the Sangguniang Panlungsod, may, by resolution, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior maps or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption for amendment.

Section 9. Zone Boundaries.

The location and boundaries of the above-mentioned various zones into which the city has been divided are hereby identified and specified on the Official Zoning Map, as shown and indicated in **Annex 2**.

Section 10. Interpretation of Zone Boundaries.

The following rules shall apply in the interpretation of the boundaries indicated on the Official Zoning Maps, the following rule shall apply:

1. Where zone boundaries are so indicated that they approximately follow the center 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 lot lines, such lot lines shall be construed to be the boundaries.
3. 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.
4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
5. 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.
6. Upon the effectivity of this Code, when a real property/lot is divided by a zone boundary, it's zone classification shall be considered where the majority of the property is located. In case the real property is bisected by the boundary line, it shall fall within the zone where the principal structure falls.
7. 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.
8. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.

In case of difficulty or conflict in the interpretation of the Official Zoning Maps and text, the Zoning Administrator or Zoning Officer may seek assistance from the DHSUDin resolving the same.

ARTICLE V - ZONE REGULATIONS

Section 11. General Provision.

Zone regulations refer to Use, Density and Bulk and Building / Structure Design Regulations as described below:

Allowable Uses

The uses enumerated in the succeeding sections are not exhaustive nor all inclusive. The City Zoning Board of Adjustment and Appeals (CZBAA) 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 Surigao 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 City/Municipal Forest Land Use Plan (FLUP), if any.

Section 12.1.1. Forest Reserve Sub-Zone

Per the Revised Forestry Code, these are "lands of the public domain which have been the subject of the present system of classification and determined to be needed for forest purposes. Also called Permanent Forest"

Allowable Uses/Activities

- Reforestation
- Religious ceremonies of Indigenous Peoples (IPs)

- Burial sites of IPs
- Scientific studies that do not involve gathering of species or any alteration in the area

Building Density and Bulk Regulations

- No permanent buildings or structures are allowed.

Section 12.1.2. National Park Sub-Zone

As defined under the NIPAS Act, National Park “refers to a forest land reservation essentially of primitive or wilderness character which has been withdrawn from settlement or occupancy and set aside as such exclusively to preserve the scenery, the natural and historic objects and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for future generations.”

Allowable Uses/Activities

- Reforestation
- Religious ceremonies of Indigenous Peoples (IPs)
- Burial sites of IPs
- Scientific studies that do not involve gathering of species or any alteration in the area

Building Density and Bulk Regulations

- No permanent buildings or structures are allowed.

Section 12.1.3. Military Reservation Zone

This “refers to land of the public domain which has been proclaimed by the President of the Philippines for military purposes such as, but not limited to Airbase, Campsite, Docks and Harbors, Firing Ranges, Naval Base, Target Range, Wharves, etc.” (NSCB).

Allowable Uses/Activities

- As provided in the specific proclamation.

Building Regulations

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

Section 12.1.4. Civil Reservation Zone

This “refers to lands of public domain which have been proclaimed by the

President of the Philippines for specific purpose such as town sites, resettlement areas, ancestral lands, etc.” (NSCB).

Allowable Uses/Activities

- As provided in the specific proclamation.

Building Regulations

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

Section 12.1.5. NIPAS: Strict Protection Sub-Zone

Under the NIPAS Act, this is an area with “...high bio-diversity value which shall be closed to all human activity except for scientific studies and/ or ceremonial or religious use by indigenous communities.”

Allowed Uses/Activities

Allowable uses/activities shall be in accordance with the Protected Area Management Plan (PAMP) as approved by the Protected Area Management Board (PAMB). These may include:

- Scientific studies
- Ceremonial or religious use by indigenous communities

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.1.6. NIPAS: Multiple Use Sub-Zone

This is an area “where the following may be allowed consistent with the protected area management plan; settlement, traditional and/ or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities.” (10.3.2, DENR Administrative Order No. 2008-26).

Allowable Uses/Activities

Allowable uses/activities shall be in accordance with the Protected Area Management Plan (PAMP) as approved by the Protected Area Management Board (PAMB). These may include:

- Existing settlement, traditional and/or sustainable land use, including agriculture, agroforestry and other income generating or livelihood activities.
- Areas of high recreational tourism
- Areas of educational or environmental awareness values
- Areas consisting of existing installations of national significance/interest

such as development of renewable energy sources, telecommunication and electric power lines

Building Regulations

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

Section 12.1.7. Forest Buffer Sub-Zone

Under the NIPAS Act, Forest Buffer is an area “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.”

Further, under the NIPAS Act’s IRR, these are “areas outside the protected area but adjoining it that are established by law (Section 8 of the Act) and under the control of the DENR through the Park Area Management Board. These are effectively multiple-use zones that are to be managed to provide a social fence to prevent encroachment into the protected area by outsiders.

Allowable Uses/Activities

Allowable uses/activities shall be in accordance with the Protected Area Management Plan (PAMP) as approved by the Protected Area Management Board (PAMB). These may include:

- Settlement, traditional and/or sustainable land use, including agriculture, agroforestry, extraction activities and other income generating or livelihood activities.

Building Regulations

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

Section 12.1.8. Industrial Forest Sub-Zone

Under DENR DAO No. 99-53, Industrial Forest “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.”

Allowable Uses/Activities

Allowable uses/activities shall be in accordance with the Comprehensive Development Master Plan (CDMP) as approved by the DENR. These may include:

- Planting of timber- producing species compatible with the ecological and biophysical characteristics of the area, but not excluding rubber, durian

and/or non-timber species like rattan and bamboo;

- Agricultural activities on a suitable area of at most ten percent (10%) of the plantation.

Building Regulations

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

Section 12.1.9. Special Use Sub-Zone

As defined under DENR DAO No. 2004-59, this is an area where “all types of legal uses of the forestlands other than the production of timber and non-timber resources which are covered by other agreements, such as, but not limited to Integrated Forest Management Agreement (IFMA), Socialized Industrial Forest Management Agreement, etc.” may be allowed.

Allowed Uses/Activities

- Bodega/Warehouse site / Drydock site/shipbuilding/ship breaking site
- Industrial Processing site
- Herbal/Medicinal Plantation
- Nipa Plantation
- Fish drying site
- Communication Station site
- Landing site (air strip)
- Log Pond/Log Depot site
- Lumberyard
- Mineral storage and/or crushing site (outside MPSA area)
- Mining Waste Disposal site (outside MPSA area)
- Motor pool site
- Plant nursery site
- Power Station site
- Right-of-Way (including but not limited to Transmission Line Right-of-Way (TLRW), Communication Right-of-Way (CRW))
- School site
- Water reservoir or impounding dam
- Other lawful purposes

Building Regulations

- When allowed, buildings and structures shall be designed, constructed

and operated in accordance with the requirements of the DENR, NBC and the provisions of this Ordinance.

Section 12.1.10. Grazing Land Sub-Zone

Under the Revised Forestry Code and DENR DAO No. 99-36, "Grazing land refers to that portion of the public domain which has been set aside, in view of the suitability of its topography and vegetation, for the raising of livestock."

Allowable Uses/Activities

Allowable uses/activities shall be in accordance with the provisions of the Forest Land Grazing Management Agreement (FLGMA) executed between the DENR and any qualified person, association and/or corporation to develop, manage and utilize grazing lands. These may include:

- Planting of high yielding grasses legumes, reforestation, raising of livestock based on computed grazing capacity of the area, perimeter fence, and structural range improvements.

Building Regulations

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

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

Under 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 the 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 home industry 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 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 Agriculture 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
- Poultry and piggery subject to the HLURB Rules and Regulation Governing the Processing of Applications for Locational Clearance of Poultry and Piggery
- Rice/corn mill (single pass such as coco 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 the 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

- All uses allowed in agriculture zone
- 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 Municipal Waters

Under Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the Municipal Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the city/municipality 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 12.4.1 Fishery Refuge and Sanctuary Zone

Under the Fisheries Code, these are designated areas “where fishing and other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted.”

Allowable Uses/Activities

- Regeneration of marine life,

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.4.2 Foreshore Land Sub-Zone

Per the Fisheries Code, this is “a string of land margining a body of water; the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide usually marked by a beach scarp or berm.”

Allowable Uses/Activities

- Legal Easement

Building Regulations

- Except for duly-approved protective coastal structures, no other permanent buildings or structures are allowed.

Section 12.4.3. Mangrove Sub-Zone

Under the Fisheries Code, this zone is characterized as “a community of intertidal

plants including all species of trees, shrubs, vines and herbs found on coasts, swamps or border of swamps.”

Allowable Uses/Activities

- Mangrove plantations

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.4.4. Fishery Reserve Sub-Zone

As provided under the Fisheries Code, this is “a designated area where activities are regulated and set aside for educational and research purposes.”

Allowable Uses/Activities

- Regeneration of marine life
- Regulated educational and research activities

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.4.5. Delta/Estuary Sub-Zone

These are landforms at the mouth of a river where it flows into an ocean, sea, estuary, lake or reservoir that is formed by deposition of sediments carried by the river.

Allowable Uses/Activities

- Shell gathering
- Regulated fishing

Building Regulations

- Except for duly-approved protective coastal structures, no other permanent buildings or structures are allowed.

Section 12.4.6. Aquaculture Sub-Zone

As provided under the Fisheries Code, this is an area within the Municipal Waters Zone of a city or municipality designated for “fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas.”

Allowable Uses/Activities

- Aquaculture

Building Regulations

- Except for duly-approved aquaculture-related structures such as fish cages, no other temporary structures are allowed.
- No permanent buildings or structures are allowed.

Section 12.4.7. Commercial Fishing Sub-Zone

An area within the Municipal Waters Zone of the city where commercial fishing, subject to the provisions of the Fisheries Code, is allowed.

Allowable Uses/Activities

- Small scale commercial fishing, as defined in the Fisheries Code
- Medium scale commercial fishing, as defined in the Fisheries Code
- Large scale commercial fishing, as defined in the Fisheries Code

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.4.8. Municipal Fishing Sub-Zone

An area within the Municipal Waters Zone of the city where only municipal fishing, as defined in the Fisheries Code is allowed.

Allowable Uses/Activities

- Fishing using fishing vessels of three (3) gross tons or less
- Fishing not requiring the use of fishing vessels

Building Regulations

- No permanent buildings or structures are allowed.

Section 12.4.9. Sea Lane Sub-Zone

An area within the Municipal Waters Zone of the city that is designated as an established route for water vessels traversing the municipal waters. It may also be referred to as Navigational Lane.

Allowable Uses/Activities

- Navigation of water vessels

Building Regulations

- No buildings or structures are allowed.

Section 12.5. Regulations in Mineral Land Zone

The Mineral Land Zone (ML-Z) includes “any area where mineral resources are found” as provided under 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 12.5.1. Mineral Reservations Sub-Zone

Under the Philippine Mining Act, these include mineral reservations established by the President of the Philippines in order "to preserve strategic raw materials for industries critical to national development, or certain minerals for scientific, cultural or ecological value." Under the same Act, these also include "all submerged lands within the contiguous zone and in the exclusive economic zone of the Philippines."

Allowable Uses/Activities

- Mining operations shall be undertaken by the Department (DENR) through a contractor;
- Small scale mining agreement for a maximum aggregate area of twenty-five percent (25%) of such mineral reservation, subject to valid and existing mining quarrying rights as provided in the Philippine Mining Act.

Under the same Act, "mining operations in reserved lands other than mineral reservations may be undertaken by the Department (DENR)" or "by a qualified person in accordance with the rules and regulations promulgated by the (DENR) Secretary."

Building Regulations

- Except for duly-approved 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 DENR, NBC and the provisions of this Ordinance.

Section 12.5.2 Small-Scale Mining Sub-Zone

Under Republic Act No. 7976 or the People's Small-Scale Mining Act of 1991, these are areas identified, segregated and reserved by the DENR from certain mineral lands as people's small-scale mining areas.

Allowable Uses/Activities

- Mining activities which rely heavily on manual labor using simple implements and methods and do not use explosives or heavy mining equipment.

Rules and regulations related to small-scale mining shall be in accordance with those promulgated by the concerned Provincial/City Mining Regulatory Board.

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 the provisions of this Ordinance.

Section 12.5.3 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 12.6 Regulations in General Residential Zone

This is an area within the city intended principally for dwelling/housing purposes.

Allowed Uses

- Single-detached dwelling units
- Semi-detached family dwelling units, e.g. duplex
- Townhouses
- Apartments
- Residential condominium
- PD 957 Subdivisions
- PD 957 Condominiums
- Boarding houses
- Dormitories
- Pension houses
- Hotel apartments or apartels
- Hotels

- Museums
- Libraries
- 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 structure 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.
 - ◆ The use of the dwelling unit for home occupation shall be clearly incidental and subordinate to its use for residential purpose by its occupants and for the conduct of the home occupation, not more than twenty percent (20%) of the ground floor area of the dwelling unit shall be used.
- 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 ordinance;
 - ◆ Allotted capitalization shall not exceed the capitalization as set by the DTI; and
 - ◆ 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
- High school
- Vocational school
- Tutorial services
- Sports club
- Religious Use
- Multi-purpose/Barangay hall
- Clinic, nursing and convalescing home, health center
- Plant nursery
- Parking buildings (aboveground/underground)
- Convenience Stores
- Eatery / Restaurants
- Pharmacies
- 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

- Subject to the relevant provisions of the NBC, PD 957 and this Ordinance.

Section 12.7 Regulations in R1 Zone

An area within 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

- The relevant/applicable 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 R2 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 12.8.1. Basic R-2 Sub-Zone

This is an area within the R-2 Zone of the city where the number of allowable storeys/floors above established grade is three (3) and the BHL is 10.00 meters above highest grade (NBC).

Allowable Uses

- All uses allowed in R-2 Zone

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 12.8.2. Maximum R-2 Sub-Zone

This is an area within the R-2 Zone of the city where the number of allowable storeys/floors above established grade is five (5) and the BHL is 15.00 meters above highest grade (NBC).

Allowable Uses

- All uses allowed in R-2 Zone

Building Regulations

- The relevant/applicable 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 R-3 Zone

An area within the 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 (above ground/underground)

Building Regulations

- The relevant/applicable 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 12.9.1. Basic R-3 Sub-Zone

This is an area within the R-3 Zone of the city where the number of allowable storeys / floors above established grade is three (3) and the BHL is 10.00 meters above highest grade (NBC).

Allowable Uses

- All uses allowed in R-3 Zone

Building Regulations

- The relevant/applicable 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 12.9.2. Maximum R-3 Sub-Zone

This is an area within the R-3 Zone of the city where the number of allowable storeys / floors above established grade is twelve (12) and the BHL is 36.00 meters above established grade (NBC).

Allowable Uses

- All uses allowed in R-3 Zone

Building Regulations

- The relevant/applicable 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 the 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 General Commercial Zone

An area within the city intended for trading/services/business purposes.

Allowable Uses

- Wholesale stores
- Wet and dry markets
- Shopping center, malls and supermarkets
- Retail stores and shops like:
 - ◆ Department store
 - ◆ 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, lap tops, 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 shops
- 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
- 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:
 - ◆ Movie house/theater
 - ◆ Play courts e.g. tennis court, bowling lane, billiard hall
 - ◆ Swimming pool
 - ◆ Gymnasium
 - ◆ Stadium, coliseum
 - ◆ Tennis courts and sports complex
 - ◆ Billiard halls, pool rooms and bowling alleys
 - ◆ Sports clubhouses
 - ◆ Other sports and recreational establishment
- Restaurants and other eateries
- Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
- 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 schools

- 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
- Exhibit halls
- Convention centers and related facilities
- Financial institutions/services like:
 - ◆ Banks
 - ◆ Stand-alone automated teller machines
 - ◆ Insurance
 - ◆ Foreign exchange
 - ◆ Money lending
 - ◆ Pawnshops
- Offices
- Business Process Outsourcing services
- Radio and television stations
- Parking lots, garage facilities
- Parking buildings (aboveground/underground)
- 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 repair, tire, vulcanizing shops and carwash
- Auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft and aircraft sales yards
- Boat storage
- Gasoline filling stations/service stations
- Vehicle emission testing center
- Machinery display shop/center
- Machine shop service operation (repairing/rebuilding or custom job orders)
- Welding shops

- Medium scale junk shop
- Engraving, photo developing and printing shops
- Printing, publication and graphics shops
- Manufacture of insignia, badges and similar emblems except metal
- Glassware and metalware stores, household equipment and appliances
- Signboard and streamer painting and silk screening
- Printing/typesetting, copiers and duplicating services
- Recording and film laboratories
- Construction supply stores/ depots
- Gravel, sand and CHB 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 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:
 - ◆ Hotel
 - ◆ Apartment
 - ◆ Apartel
 - ◆ Boarding house
 - ◆ Dormitory
 - ◆ Pension house
 - ◆ Motel
 - ◆ Condotel

- All uses allowed in all Residential 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

- The relevant/applicable provisions of the NBC and this Ordinance.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.12. Regulations in 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 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

- The relevant/applicable 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 12.13. Regulations in 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 metalware 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

- The relevant/applicable 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 12.14. Regulations in 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 as the Central Business District (CBD).

Allowable Uses

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

Building Density and Bulk Regulations

- The relevant/applicable provisions of the NBC and this Ordinance.
- The Building Height Limit is 21 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.15. Regulations in Industrial-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, handkerchief, neckwear 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 lace 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 12.16. Regulations in Industrial-2 Zone

An area within the city intended for medium intensity manufacturing or production industries that are:

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

Allowable Uses

Pollutive/Non-Hazardous Industries

- Manufacturing and canning of ham, bacon and native sausage
- Poultry processing and canning
- Large-scale manufacturing of ice cream
- Ice plants and cold storage
- Corn mill/rice mill
- Chocolate and cocoa factory
- Candy factory
- Chewing gum factory
- Peanuts and other nuts factory
- Other chocolate and confectionery products
- Manufacturing of flavoring extracts
- Manufacture of food products n.e.c. (vinegar, vetsin)
- Manufacture of fish meal
- Oyster shell grading
- Manufacture of medicinal and pharmaceutical preparations
- Manufacture of stationery, art goods, cut stone and marble products
- Manufacture of abrasive products
- Manufacture of miscellaneous non-metallic mineral products n.e.c.
- Manufacture of cutlery, except table flatware
- Manufacture of hand tools

- Manufacture of general hardware
- Manufacture of miscellaneous cutlery hand tools and general hardware n.e.c.
- Manufacture of household metal furniture
- Manufacture of office, store and restaurant metal furniture
- Manufacture of metal blinds, screens and shades
- Manufacture of miscellaneous furniture and fixture primarily of metal n.e.c.
- Manufacture of fabricated structural iron and steel
- Manufacture of architectural and ornamental metal works
- Manufacture of boilers, tanks and other structural sheet metal works
- Manufacture of other structural products n.e.c.
- Manufacture of metal cans, boxes and containers
- Manufacture of stamped coated and engraved metal products
- Manufacture of fabricated wire and cable products
- Manufacture of heating, cooking and lighting equipment except electrical
- Sheet metal works generally manual operation
- Manufacture of other fabricated metal products except machinery and equipment n.e.c.
- Manufacture or assembly of agricultural machinery and equipment
- Native plow and harrow factory
- Repair of agricultural machinery
- Manufacture or assembly of service industry machines
- Manufacture or assembly of elevators and escalators
- Manufacture or assembly of sewing machines
- Manufacture or assembly of cooking ranges
- Manufacture or assembly of water pumps
- Refrigeration industry
- Manufacture or assembly of other machinery and equipment except electrical n.e.c.
- Manufacture or assembly of electrical apparatus
- Manufacture or assembly of electrical cables and wires
- Manufacture of other electrical industrial machinery and apparatus n.e.c.
- Manufacture or assembly of electric equipment—radio, television, tape recorder, stereo
- Manufacture or assembly of radio and television transmitting, signaling and

detection equipment

- Manufacture or assembly of telephone and telegraphic equipment
- Manufacture of other electronic equipment and apparatus n.e.c.
- Manufacture of industrial and commercial electrical appliances
- Manufacture of household cooking, heating and laundry appliances
- Manufacture of other electrical appliances n.e.c.
- Manufacture of electric lamp fixtures
- Warehouse/Storage Facility for pollutive/non-hazardous
- 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

Pollutive/Hazardous Industries

- Flour mill
- Cassava flour mill
- Manufacture of coffee
- Manufacturing of unprepared animal feeds, other grain milling n.e.c.
- Production prepared feeds for animals
- Grains and cement silos
- Cigar and cigarette factory
- Curing and re-drying tobacco leaves
- Miscellaneous processing tobacco leaves n.e.c.
- Textile and fiber spinning mills
- Weaving hemp textile
- Jute spinning and weaving
- Miscellaneous spinning and weaving mills n.e.c.
- Hosiery mill
- Underwear and outerwear knitting mills
- Garment and undergarment factories

- Fabric knitting mills
- Miscellaneous knitting mills n.e.c.
- Manufacture of mats and mattings
- Manufacture of carpets and rugs
- Manufacture of cordage, rope and twine
- Manufacture of related products from abaca, sisal, henequen, hemp, cotton, paper, etc.
- Manufacture of linoleum and other surface coverings
- Manufacture of artificial leather, oil cloth and other fabrics except rubberized
- Manufacture of coir
- Manufacture of miscellaneous textile n.e.c.
- Manufacture of rough lumber, unworked
- Manufacture of worked lumber
- Re-sawmills
- Woodworking establishments, lumber and timber yards
- Planing mills and sawmills, veneer plants
- Manufacture of veneer, plywood and hardwood
- Manufacture of doors, windows and sashes
- Treating and preserving of wood
- Wood drying kilns
- Manufacture of charcoal
- Manufacture of wood and cane blinds, screens and shades
- Pulp, paper and paperboard factories
- Manufacture of containers and boxes of paper and paper boards
- Wood and cardboard box factories
- Manufacture of miscellaneous pulp and paper products n.e.c.
- Manufacture of perfumes, cosmetics and other toilet preparations
- Manufacture of waxes and polishing preparations
- Manufacture of candles
- Manufacture of inks
- Manufacture of miscellaneous chemical products n.e.c.
- Tire retreating and rebuilding
- Manufacture of rubber shoes and slippers
- Manufacture of industrial and molded rubber products

- Manufacture of plastic footwear
- Manufacture of plastic furniture
- Manufacture of other fabricated plastic products n.e.c.
- Manufacture of table and kitchen articles
- Manufacture of pottery, china and earthen ware n.e.c.
- Manufacture of flat glass
- Manufacture of glass containers
- Manufacture of miscellaneous glass and glass products n.e.c.
- Manufacture of clay bricks, clay tiles and hollow clay tiles
- Manufacture of miscellaneous structural clay products n.e.c
- Manufacture of structural concrete products
- Manufacture of asbestos products
- Manufacture of engines and turbines except motor vehicles, marine and aircraft
- Manufacture of metal cutting, shaving and finishing machinery
- Manufacture of wood working machinery
- Manufacture, assembly, rebuilding, repairing of food and beverage making machinery
- Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
- Manufacture, assembly, rebuilding, repairing of paper industry machinery
- Manufacture, assembly, rebuilding, repairing of trade machinery and equipment
- Manufacture of rice mills
- Manufacture of machines for leather and leather products
- Manufacture of construction machinery
- Manufacture of machines for clay, stove and glass industries
- Manufacture, assembly, repair and rebuilding of miscellaneous special industrial machinery and equipment n.e.c.
- Manufacture of dry cells, storage battery and other batteries
- Boat building and repairing
- Ship repairing industry, dock yards, dry dock, shipways
- Miscellaneous shipbuilding and repairing n.e.c.
- Manufacture of locomotives and parts
- Manufacture of railroad and street cars
- Manufacture or assembly of automobiles, cars, buses, trucks and trailers

- Factories for engines and turbines and attached testing facilities
- Hangars
- Manufacture and assembly plants of aircraft engine
- Repair and testing shops for aircraft engines and parts
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Dry cleaning plants using flammable liquids
- Paint stores with bulk handling
- Paint shops and spray painting rooms
- Signs and billboards painting shops
- Warehouses where highly combustible materials are stored
- Factories where loose combustible fiber or dirt are manufactured, processed or generated
- Warehouse for pollutive/hazardous
- 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
- Class "A" slaughterhouse/abattoir
- Class "AA" slaughterhouse/abattoir

Building Density and Bulk Regulations

- Per the relevant provisions of the NBC and this Ordinance.
- The Building Height Limit is 21 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.17. Regulations in Industrial-3 Zone

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

Allowable Uses

Highly Pollutive/Non-Hazardous Industries

- Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharon
- 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 fruits 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 by-products
- Manufacture of wines
- Manufacture of malt and malt liquors
- Manufacture of soft drinks, carbonated water
- Manufacture of instant beverages and syrups
- Other non-alcoholic beverages n.e.c.
- Other slaughtering, preparing and preserving meat products n.e.c.
- Cooking oil and soap processing plants
- Warehouse for highly 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

Highly Pollutive/Hazardous Industries

- Vegetable oil mills, including coconut oil
- Manufacture of refined cooking oil and margarine
- Manufacture of fish, marine and other animal oils
- Manufacture of vegetable and animal oils and fats n.e.c.
- Sugar cane milling (centrifugal and refined)
- Sugar refining
- Muscovado sugar mill
- Distilled, rectified and blended liquors n.e.c.
- Cotton textile mill
- Ramie textile mill
- Rayon and other man-made fiber textile mill
- Bleaching and drying mills
- Manufacture of narrow fabrics
- Tanneries and leather finishing plants
- Pulp mill
- Paper and paperboard mills
- Manufacture of fiberboard
- Manufacture of inorganic salts and compounds
- Manufacture of soap and cleaning preparations
- Manufacture of hydraulic cement
- Manufacture of lime and lime kilns
- Manufacture of plaster
- Products of blast furnaces, steel works and rolling mills
- Products of iron and steel foundries
- Manufacture of smelted and refined non-ferrous metals
- Manufacture of rolled, drawn or extruded non-ferrous metals
- Manufacture of non-ferrous foundry products

- Oil depot/terminal (greater than 7.950 kilo-liters)
- Warehouse for highly 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
- Class "A" slaughterhouse/abattoir
- Class "AA" slaughterhouse/abattoir
- Class "AAA" slaughterhouse/abattoir

Highly Pollutive/Extremely Hazardous Industries

- Manufacture of industrial alcohols
- Factories for highly flammable chemicals
- Other basic chemicals n.e.c.
- Manufacture of fertilizers
- Manufacture of pesticides
- Manufacture of synthetic resins, plastic materials and man-made fibers except glass
- Plastics resin plants [monomer and polymer]
- Plastics compounding and processing plants
- Petroleum refineries
- Manufacture of reclaimed, blended and compound petroleum products
- Manufacture of miscellaneous products of petroleum and coal, n.e.c.
- Warehouse for highly pollutive/extremely 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

Pollutive/Extremely Hazardous Industries

- Manufacture of paints
- Manufacture of varnishes, shellac and stains
- Manufacture of paint removers
- Manufacture of other paint products
- Manufacture of matches
- Manufacture of tires and inner tubes
- Manufacture of processed natural rubber not in rubber plantation
- Manufacture of miscellaneous rubber products n.e.c.
- Water and power generation complexes
- Liquid and solid waste management complexes
- Power plants (thermal, hydro or geothermal)
- All other types of complexes for public utilities
- Warehouse for pollutive/extremely 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/Extremely Hazardous Industries

- Manufacture of compressed and liquefied gases
- Storage tanks, buildings for storing gasoline, acetylene, liquefied petroleum gas, calcium, carbides, oxygen, hydrogen and the like
- Armories, arsenals and munitions factories
- Match and fireworks factories
- Acetylene and oxygen generating plants
- Warehouse for non-pollutive/extremely 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

- the relevant/applicable provisions of the NBC and this Ordinance.
- The Building Height Limit is 27 meters above highest grade as provided in the NBC.
- Subject to national locational guidelines and standards of concerned agencies.

Section 12.18. 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

- The relevant/applicable 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 12.19. Regulations in Special Institutional Zone

An area within the city intended principally for particular types of institutional establishments e.g. welfare homes, orphanages, home 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
- Rehabilitation and vocational training centers for ex-convicts, drug dependents, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
- Military camps/reservations/bases and training grounds
- Jails, prisons, penitentiaries, reformatories 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

- the relevant/applicable 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 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, amphitheaters 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

- the relevant/applicable 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 12.21. Regulations in Cemetery/Memorial Park Zone

An area within the city intended for the interment of the dead.

Allowable Uses

- Memorial Parks
- Mausoleum
- 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 12.22. Regulations in Buffer/Greenbelt Zone

These 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.

Allowable Uses

- Open spaces/gardens
- Parks and park structures such as playgrounds, jogging trails, bicycle lanes
- Plant nurseries
- Ground-level or underground parking structures/facilities
- Agriculture, silviculture, horticulture
- Non-permanent customary accessory uses incidental to any of the above such as offices, eateries/ canteens, parking, kiosks, retail stores and toilet facilities

Building Density and Bulk Regulations

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

Section 12.23. Regulations in Utilities, Transportation and Services Zone

An area within 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 including but not limited to cell (mobile) phone towers
- All other types of large complexes for public services
- **Other power distribution facilities**
- 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

- the relevant/applicable 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 12.24. 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. Landslide Overlay Zone

Objective

- LSD-OZ regulations are applied in areas identified in the CLUP as highly susceptible to landslides. The objectives of these regulations are to avoid/minimize potentials for landslide occurrence, and to protect lives and

properties from its impacts.

Allowable Uses

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

Building Density and Bulk Regulations

- The Maximum Allowable Percentage of Site Occupancy (MAPSO) (defined in the NBC as the area of ground coverage of Allowable Maximum Building Footprint), expressed as a percentage of the total lot area, shall be:
 - ◆ 20% of the lot area within Parks and Recreation base zone
 - ◆ 30% of the lot area within all other base zones

The MAPSO shall include all buildings and structures built or to be built on the lot.

- The Unpaved Surface Area (USA) of developments shall:
 - ◆ Not be less than 70% for Parks and Recreation uses
 - ◆ Not be less than 60% for all other uses/ activities

As defined in the NBC, USA is the “true open space which should be of exposed soil and planted.” The USA is located outside the building envelope.

Building/Structure Design Regulations

Site development shall be designed with consideration to avoiding/minimizing (1) risks that it will be affected by landslides; (2) its adverse impacts to the soil; (3) and risks that it will cause landslides to nearby areas/properties.

- Buildings and structures should be laid out and designed to harmonize with the terrain to minimize earth moving activities
- Appropriate slope, erosion and soil stabilization measures shall be applied, either through hard or soft engineering measures
- Indigenous and mature vegetation should be retained
- Natural drainage patterns should not be altered; and
- Use sustainable drainage systems 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 Flood Overlay Zone

Objective

- FLD-OZ regulations are applied in areas that have been determined in the CLUP as flood- prone. The objective of the Flood Overlay Zone is to protect lives and properties from the harmful effects of flood.

Allowable Uses

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

Building Density and Bulk Regulations

- MAPSO: (50)% of TLA
- USA: not less than (30)% of TLA

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
 - ◆ Use 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 13.3. Scenic Corridor Overlay Zone**Objective**

- SCD-OZ regulations are applied in areas identified in the CLUP as having significant scenic values. The objective of these regulations is to preserve view access to said natural landscape for the enjoyment of the general public.

Allowable Uses

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

Building Density and Bulk Regulations

- The height of buildings shall be no higher than (7) meters measured from the said street crown to its topmost part (such as roof apex or parapet wall line);
- The lateral distance between adjacent buildings shall not be less than (4) meters.

Building/Structure Design Regulations

- Building facades, roofs and other exterior elements shall either be painted with earth-tone colors or made of natural stone;
- Perimeter fences along the front, rear and sides of properties shall have a maximum height of (0.40) meter reckoned from the crown of (name of road). The base may be made of opaque materials, such as concrete hollow blocks or rock, with a maximum height of 400mm reckoned from the said street crown and the upper portion shall be made of see-through materials; and
- Landscape materials, particularly continuous hedge planting, should not obstruct views from the road. These shall have maximum heights of 600mm reckoned from the said street crown.

Section 13.4. Active Fault Overlay Zone

Objective

- FLT-OZs are applied in areas defined by five (5)-meter wide strips on both sides of and running along identified earthquake faults. The objective of these regulations is to minimize the possible harmful effects of fault movements to properties.

Allowable Uses

Only the following uses shall be allowed within identified FOZs:

- Parks, playgrounds, pocket parks, parkways, promenades and play lots
- Legal easements

The above uses supersede the list of Allowed Uses in the Base Zones affected by FOZs.

Building Density and Bulk Regulations

- No permanent buildings/structures shall be built within FLT-OZs.

Section 13.5. Heritage Overlay Zone

Objective

- 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.
- For new construction:
 - ◆ Designs, to include building and landscape, shall be made similar to the period designs of the declared houses of ancestry.

Other Regulations

- Other regulations, policies and standards may be promulgated by the Heritage Cultural Conservation Council/Committee (or its equivalent body) to suit local needs and conditions.

Section 13.6. Ecotourism Overlay Zone

Objective

- The objective for this Overlay Zone is to ensure that the dual goals of environmental conservation and tourism economic development are attained.

Allowable Uses

In addition to those uses that may be allowed in the Base Zone, the following are uses and activities that may be allowed in the Ecotourism Overlay Zone:

- Accommodation facilities
- Boardwalks
- Dining facilities
- Dive shops/Diving lesson establishments
- Water-oriented recreation/sports rental equipment shops
- Tourism-oriented retail shops (e.g. souvenirs, clothes, etc.)
- Foreign exchange shops/establishments

Building Density and Bulk Regulations

- Ecotourism facilities such as resorts should have heights of no greater than (10) meters from highest grade to roof apex line.
- The minimum setback of buildings from the inland foreshore line is (3) meters after the designated easement.
- The maximum building footprint shall be (50%) of the total lot area.

Building/Structure Design Regulations

- Ecotourism facilities such as hotels, resorts, should be made of light indigenous materials.
- Designs should conform to the applicable standards of the Department of Tourism.
- Only single-detached or duplex structures shall be allowed.
- The freeboard elevation of buildings shall be 600mm measured from the outermost building line facing the foreshore to the building's finish floor line.
- Buildings on stilts are encouraged.
- Electrical appliances should be raised with a minimum height of 600mm from each building's finish floor line.
- The use of impermeable paving materials outside of building envelopes shall not be allowed.
- Only picket fences made of wood or bamboo and with heights no greater than 600mm shall be allowed.

Section 13.7 Urban Corridor Overlay Zone

Objective

UCD-OZ regulations are applied to properties fronting both sides of (name of road) from (name of junction) to (name of junction). These overlay regulations are intended to:

- Minimize roadside friction by reducing contact between vehicular through traffic and vehicle movement to and from individual properties
- Ensure that pedestrian walks are free from encroachments of parked vehicles
- Ensure a friendly and vibrant urban environment by reducing the rigidity of streetscapes

Allowable Uses

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

Parking Layouts

- Under no circumstances shall vehicular parking be made to occupy road rights-of-way;

- The minimum setback of buildings from the right-of-way line of (name of road) shall be: Urban Corridor-1 is 3 meters; and Urban Corridor-2 is 8 meters;
- Parking layouts that cause the backing of vehicles onto (name of road) shall not be allowed;
- Parking spaces shall be provided with distinct entry and exit points, i.e., through driveways; and
- Parking spaces may be laid out along the building frontage within the property line.

Fencing

- Fences along (name of road) shall have a maximum height of (1.4) meters;
- For the front fences, base may be made of opaque materials, such as concrete hollow blocks, with a height no greater than (0.4 meters) from the street sidewalk elevation; the top portion of the fence shall be made of see-through materials such as steel grills, spacing not less of 4 inches
- Frontage, rear and side fences shall have a maximum height of 1.8meters
- Fences made of plants shall have a maximum height of (1.8) meters.

Section 13.8. Transit-Oriented Overlay Zone

Objective

The Transit-Oriented Overlay Zone covers all properties having a radial distance of one (1) kilometer (or as declared by the LGU) from the (City/Municipal) Multi-Modal Terminal. The objectives of these regulations are:

- To facilitate the development of a walkable and compact urban center thereby reducing opportunities for urban sprawl
- To encourage the use of public vehicles thereby reducing vehicular traffic volumes

Allowable Uses

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

Building Density and Bulk Regulations

- Buildings that provide ground level commercial spaces shall be provided with a density bonus equivalent to additional (1) storey from the Building Height Limit provided in the Base Zone; and
- Buildings that provide ground level commercial spaces and (20%) ground level landscaped open space accessible to pedestrians shall be provided with a density bonus equivalent to additional (1) storey from the Building Height Limit provided in the Base Zone.

Section 13.9. Billboards Overlay Zone

The Billboards Overlay Zone includes all lots fronting the National Road. The

objectives of these regulations are:

- To rationalize the location of billboards to minimize their potentials to create hazards to lives and properties
- To ensure that billboards do not obstruct the view of any scenic spot;
- To ensure that billboards would not constitute nuisance to adjoining property owners, distract motorists or constitute as hazard to public safety
- To ensure that billboards are in harmony with the intended urban character of the Base Zone.

Design Regulations

- **Setback Requirements.** Regulated Signs shall be subject to the following front, side and rear Setback Requirements:
- **Minimum Distance Between Signs.** No billboard or billboard structure shall be located within the distance of one hundred (100.00) meter radius from another;
- **Non-obstruction of Traffic Signs.** No Regulated Sign shall be erected in such a manner as to confuse or obstruct the view or interpretation of any official Traffic Sign, signal, or device.
- **Non obstruction of Landscape.** No Regulated Sign shall be constructed as to unduly obstruct the natural view of the landscape, distract or obstruct the view of the public as to constitute a traffic hazard, or otherwise defile, debase or offend aesthetic and cultural values and traditions.
- **Restrictions on Combustible Materials.** All Regulated Signs erected in highly restrictive Fire Zones as defined in the NBC and its IRRs shall have structural members of incombustible materials. Ground Signs may be constructed of any material meeting the requirements of the NBC. Combination signs, Roof Signs, Wall Signs, Projecting Signs, and Signs on marquees shall be constructed of incombustible materials. No combustible material other than approved plastics shall be used in the construction of electric signs.
- **Display Surfaces.** Display surfaces in Regulated Signs may be made of metal, glass or approved plastics.
- **Clearances from Fire Escapes, Exits or Standpipes.** No Regulated Sign shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe.
- **Obstruction of Openings.** No Regulated Sign shall obstruct any opening to such an extent that light or ventilation is reduced to a point below that required by the NBC. Regulated Signs erected within 1.50 meters of an exterior wall in which there are openings within the area of the Regulated Sign shall be constructed of incombustible material or approved plastics.
- **Roof Signs.** Roof Signs shall not be allowed.
- **Material Requirements.** Sign Structures carrying Signs and signboards made of banners, pennants, tarpaulins and other similar non-rigid materials shall not be installed near power lines, and shall maintain a horizontal clearance from such power lines in accordance with Rule XIII,

Table XIII.1 of the NBC IRRs.

- Clearances from High Voltage Power Lines. Clearances of Regulated Signs from high voltage power lines shall be in accordance with the Philippine Electrical Code. In areas near electric distribution facilities including that of any power substations, the minimum horizontal distance measured from the property line abutting the RROW and all the adjoining properties to the nearest base of the sign structure shall be the height of the structure plus one (1.00) meter.
- All Regulated Signs, Temporary Signs and LED Signs, installed over or across and along Public Thoroughfares, center islands and Road Rights-Of-Way, whether it be National Road or Secondary Road are strictly prohibited.
- Regulated Signs shall not be allowed within sidewalks, flyovers, interchanges, traffic signages, communications posts, railroad structures (such as terminal stations, carriageways, columns and beams), Road Rights-Of-Way, posts, waiting sheds or any part thereof.
- Markers of historical sites and tourist destinations including directional signs shall not be combined with Advertisement signs even if these Signs are sponsored by private businesses. Sponsors may put their Advertisement in the periphery of the historical sites upon acceptance and permission of the sites' administrators and upon signing of a Memorandum of Understanding or Agreement (MOU/MOA) witnessed by the LGU concerned.
- No signs shall be installed in trees, electric or lighting posts, center islands, side strips and fences that will destroy, alter or deface the natural landscape or seascape of historical sites and tourist destinations.
- No Sign shall be allowed to cross or straddle along Carriageways.
- All Regulated Signs, Temporary Signs and LED Signs along Covered Areas shall automatically be put down or turned off by the owners and advertisers upon the announcement by the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) that there would be a low pressure area or other weather disturbance in the locality. In case of failure of the owners and advertisers to comply with this Section, the LGU shall put down the aforesaid signs at the expense of the owners.
- All Regulated Signs shall secure the appropriate clearance or certification from the ADS STANDARD COUNCIL (ASC) prior to posting.

Section 13.10. Key Biodiversity Overlay Zone

- All forest protection zone and municipal waters shall overlay existing caves

Objectives

- The objective for this Overlay Zone is to ensure that areas having high biodiversity are protected.

Allowable Uses

- Only scientific studies which do not involve gathering of species or any

alteration in the area is allowed.

Building Density and Bulk Regulations

- No buildings/structures shall be allowed.

Other Regulations

- The gathering of natural and historical artifacts shall not be allowed.
- Flora and fauna

Section 13.11. Critical Habitat Overlay Zone

Objectives

- A portion or portions of the Mangrove Sub-Zone is hereby overlain with a Critical Habitat Overlay Zone. The objective for this Overlay Zone is to preserve the habitats of the endangered species of (i.e. birds, bats, flowers, etc.).

Allowable Uses

- Only scientific studies which do not involve gathering of species or any alteration in the area is allowed.

Building Density and Bulk Regulations

- No buildings/structures shall be allowed.

Other Regulations

- The gathering of natural and historical artifacts shall not be allowed.

Section 13.12. Ancestral Domain Overlay Zone

Objectives

- A portion or portions of the Forest Zone is hereby overlain with an Ancestral Domain Overlay Zone. The objective for this Overlay Zone is to preserve the traditional way of life of Indigenous Peoples (IPs) or legitimate or recognized IPs.

Allowable Uses

Allowable uses shall be limited to:

- Traditional dwellings of IPs
- Traditional livelihood activities of IPs
- Traditional/customary religious ceremonies or rituals of IPs

Building Density and Bulk Regulations

- Buildings/structures shall be according to traditional/customary designs of dwellings.

- IPRA LAW

Section 14. Zoning Incentives

Density bonuses, such as, but not limited to, 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.

Such incentives may be granted to qualified projects through a Resolution issued by the City Zoning Board of Adjustments and Appeals (CZBAA).

ARTICLE VI – GENERAL REGULATIONS

Section 15. Height Regulations

Notwithstanding the Building Height provisions of this ordinance, building heights shall 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, church, 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 Locational Guidelines and CLUP Guidebook 2013- 2014
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 8749 – Clean Air Act
15. RA 9003 – Ecological Solid Waste Management Act
16. RA 7586 or National Integrated Protected Areas Act – protected areas in both land and seas;
17. RA 7942 or Philippine Mining Act – mining areas;
18. RA 8371 or Indigenous People’s Rights Act (IPRA) – ancestral lands;
19. RA 8435 or Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural lands;
20. RA 8550 or Revised Fisheries Code – municipal waters and coastal zones;
21. RA 9593 or Philippine Tourism Act – tourism zones and estates
22. RA 9729 or Philippine Climate Change Act, as amended;
23. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas; and,
24. RA 10121 or Disaster Risk Reduction and Management Act – disaster-prone and geo-hazard areas.
25. 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 and no person shall be allowed to build structures of any kind.

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

As required by the City Government, road widening and road construction program illustrated in Annex 4 as well as other projects that may later on be identified.

Section 18. Buffer Regulations

A buffer of four (4) meters (or as declared by the LGU) 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 zoning clearance from the Zoning Administrator/Zoning Officer. Zoning 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 project to public property unless expressly allowed by the Zoning Administrator/Zoning Officer. Temporary signs and billboards for posting of 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 there from. Such obsolete signs or billboards shall be removed at the expense of the owner.

ARTICLE VII – SCHEDULE OF ROAD DETAILS

Section 21. Schedule of Road Details

The purpose in providing a Schedule of Road Details is to (a) establish the width of city streets or road rights-of-way and (b) establish the width of sidewalks; and (c) establish an open sidewalks which shall be compulsory on all applications for building construction.

Section 21.1 Road Right-of-Way of Streets within the City

The following shall be the road right-of-way of streets within the city urban areas:

Borromeo-Navarro-Espina-Capalayan-Mapawa-Quezon	-	Sixty (60.0) meters
Capalayan-Cabongbongan (Box Culvert)	- - -	Fifteen (15.0) meters
San Juan-Lipata Coastal Road	- - -	Sixty (60.0) meters
Maharlika Highway (Surigao-Agusan Section)-	-	Sixty (60.0) meters
Surigao Wharf Road	- - -	Sixty (60.0) meters
Maharlika Highway (Surigao-Lipata Section)	- -	Sixty (60.0) meters
Rizal Street	- - - - -	Sixty (60.0) meters
Borromeo Street	- - - - -	Sixty (60.0) meters
San Nicolas Street	- - - - -	Sixty (60.0) meters
City Boulevard	- - - - -	Thirty (30.0) meters
Navarro-Espina junction to Peñaranda	- - -	Twenty (20.0) meters
Espina junction Navarro Street to Boulevard	- -	Twenty (20.0) meters
Ensomo Street	- - - - -	Twenty (20.0) meters
Narciso Street	- - - - -	Fifteen (15.0) meters
Kaimo Street	- - - - -	Fifteen (15.0) meters
Burgos Street	- - - - -	Fifteen (15.0) meters
Vasquez Street	- - - - -	Fifteen (15.0) meters
Roxas Street	- - - - -	Fifteen (15.0) meters
Amat Street	- - - - -	Fifteen (15.0) meters
Ortiz Street	- - - - -	Fifteen (15.0) meters
Gonzales Street	- - - - -	Twelve (12.0) meters
Borja Street	- - - - -	Twelve (12.0) meters
Gimena Street	- - - - -	Twelve (12.0) meters
Capitol Road	- - - - -	Fifteen (15.0) meters
Capitol Road junction to Espina Junction	- - -	Twelve (12.0) meters
Parrucho Street	- - - - -	Twelve (12.0) meters
Zabala Street	- - - - -	Twelve (12.0) meters
Lopez Jaena Street	- - - - -	Twelve (12.0) meters
Magallanes/Chevalier	- - - - -	Fifteen (15.0) meters
Sarvida Street	- - - - -	Fifteen (15.0) meters
Penaranda street	- - - - -	Fifteen (15.0) meters
Nueva Street	- - - - -	Twelve (12.0) meters
P. Reyes Street	- - - - -	Twelve (12.0) meters
Borromeo to P. Reyes	- - - - -	Ten (10.0) meters
Pio Castro Street	- - - - -	Twelve (12.0) meters

Ferdinand Street	-	-	-	-	-	Twelve (12.0) meters
Kaskag leading to NAVALCA Road	-	-	-	-	-	Twelve (12.0) meters
Kaskag Village Secondary Roads					-	Six and a half (6.50) meters
Lipata-Punta Bilar-Mabua-Ipil Road	-	-	-	-	-	Twenty (20.0) meters
Hikdop Island Circumferential Road	-	-	-	-	-	Twenty (20.0) meters
Brgy. Togbongon to Brgy. Trinidad Road	-	-	-	-	-	Twenty (20.0) meters
Bernadette Village to Holy Cross, Sitio Looc and Sitio Bacud Road-						Fifteen (15.0) meters
Brgy. Bonifacio to Brgy. Silop Road	-	-	-	-	-	Fifteen (15.0) meters
Brgy. Silop to Brgy. Mapawa Road	-	-	-	-	-	Twenty (20.0) meters
Sitio Tunga-tunga to Mapawa-	-	-	-	-	-	Twenty (20.0) meters
Surigao Memorial Park to Brgy. Silop Road	-	-	-	-	-	Fifteen (15.0) meters
Sitio Balibayon to Sitio Lumaban Road	-	-	-	-	-	Fifteen (15.0) meters
Brgy. Togbongon to Sitio Kinabutan Road	-	-	-	-	-	Fifteen (15.0) meters
Togbongon-San Roque FMR	-	-	-	-	-	Fifteen (15.0) meters
Poctoy-Serna FMR	-	-	-	-	-	Fifteen (15.0) meters
Brgy. Mabini Road to PACEMCO	-	-	-	-	-	Twelve (12.0) meters

Section 21.2 Proposed Roads

Proposed roads are reflected as broken lines in the Zoning Map, which is an integral part of this Zoning Ordinance. Right-of-ways vary but are measurable / scalable both in digital and printed maps.

All Other Streets/Roads not herein mentioned shall be in accordance with the Zoning Maps, existing laws, approved ordinance/agency/approved subdivision development plans;

ARTICLE VIII – PERFORMANCE STANDARDS

Section 22. 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 zoning clearance. These standards are by no means exhaustive or all inclusive. The City Zoning Board of Adjustment and Appeals (CZBAA) 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 zoning ordinance.

Section 23. Environmental Conservation and Protection Standards

It is the intent of this ordinance 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 so 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. City 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. Developments 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. Developments 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 Zoning Clearance.
14. Heavy water using industries (e.g. soft drink bottling), recreational (golf courses, water theme parks and the like) and other facilities that will cause excessive and non-sustainable draw-out of groundwater shall not be allowed within the City

unless the proponent definitively proves that their water requirement will not be detrimental to the residents, with reference to NWRB guidelines and policies.

Section 24. 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 DHSUD and/or Sangguniang Panlalawigan for review and final approval.

Section 25. Historical Conservation and Preservation 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 may be developed to conserve and enhance their heritage values; and
2. Historic sites and facilities may be adaptively re-used.

Section 26. 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 are encouraged to 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% of the area shall be paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.

Section 27. Site Development Standards

In observance of the City's policy to promote and protect the general welfare of the its citizens, all projects shall be 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 any subsequent development must be visually pleasing as well as efficiently functioning especially in relation to the adjacent properties and bordering streets.

Further, designs shall consider the following:

1. Sites, buildings and facilities shall be designed and developed with regard to safety, efficiency and high standards of design. The natural environmental character of the site and its adjacent properties shall be considered in the development of each building and facility in compliance with the requirements under the NBC.
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 neighbor's prior written consent which shall be required by the Zoning Administrator/Zoning Officer prior to the granting of a Zoning Clearance;
4. The capacity of parking areas/lots shall be compliant with 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.
5. Developments, such as shopping malls, schools, places of worship, markets, sports stadia and the like, shall provide adequate on-site parking for the same. These shall also provide vehicular loading and unloading bays so as street traffic flow will not be impeded.
6. 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.
7. Glare and heat from any operation or activity shall not be radiated, seen or felt from any point beyond the limits of the property.
8. 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 28. 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 arena, 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. The Traffic Impact Statement shall be prepared, signed and sealed by a duly licensed Environmental Planner.

ARTICLE IX – MITIGATING DEVICES

Section 29. Deviation

Variances and/or Exceptions from the provisions of this Ordinance may be allowed by the City Zoning Board of Adjustment and Appeals (CZBAA) 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 30. Procedures for Evaluating / Granting Variances and/or Exceptions

The procedure for evaluating / granting 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 CZBAA 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 CZBAA has rendered a decision on the application.

The size of the project sign shall be 4 feet x 8 feet to be divided into two (2), one side to contain the following information below, and the other side to contain the project perspective.

<u>NOTICE OF PROPOSED LAND USE ACTION</u>
<p>The City Zoning Board of Adjustment and Appeals (CZBAA) is conducting a review on the application for (Variance or Exception) to the provision of Zoning Ordinance No. _____ of the following:</p> <p>Proposed Project: (Name of Project) within a <u>(existing) Zone</u></p> <p>Name of Owner:</p> <p>Address of Owner:</p> <p>Date of Posting: (date when the visible sign is installed for public viewing)</p> <p>The comment period is within ten (10) days from the posting of this visible sign. To submit written comments or to obtain additional information, contact the Secretariat at the City Planning & Development Office, Tel. No. (086) 826-8502, (086) 231-7209 or email to surigao-citycpdo@yahoo.com</p>

3. An appeal fee of Php1,000.00 shall be collected thru and Order of Payment by the Zoning Administrator / Zoning Officer to be paid thru the City Treasurer's Office from applicants for any deviation before it is acted upon by the City Zoning Board of Adjustment and Appeals.

4. The CZBAA shall conduct preliminary studies on the application. These application papers shall be made accessible to the public.
5. 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 / submitted by the applicant with the CZBAA upon filing of application. If said affidavit is not received within the given period, application is considered denied.
6. In case the applicant fails to submit an affidavit of no objection due to reasonable grounds, the applicant shall submit appropriate explanation to the CZBAA for consideration and the same may be approved by a vote of 2/3 of the members of the CZBAA
7. In case of objection, the CZBAA shall hold public hearing(s) to be held in the concerned barangay where the project is proposed/located.
8. 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 supporting documents or evidences and testimonies.
9. The CZBAA shall render a decision within thirty (30) business days from the filing of the application, exclusive of (a) the time spent for the preparation of written affidavit of non-objection; (b) technical evaluation by the CZBAA and (c) the public hearing(s) in case of any objection to the granting of exception or variance.
10. A variance or exception granted under the provisions of this Ordinance shall expire and become null and void if the building or work authorized therein is not commenced within a period of one (1) year from the date of such grant.
11. All expenses to be incurred in evaluating/granting proposals for Variances and/ or Exceptions shall be shouldered by the project proponent, specifically as follows:
 - a. reproduction of documents
 - b. snacks during meetings of the CZBAA and conduct of public consultations
 - c. honorariums of the Board Members

ARTICLE X – ADMINISTRATION AND ENFORCEMENT

Section 32. Approved Zoning Maps

The Approved City Zoning Maps, printed in standard color codes shall be posted at the following offices:

- Office of the City Mayor
- Office of the City Zoning Administrator
- City Planning and Development Office

- City Assessor's Office
- City Engineer's Office
- City Agrarian Reform Office
- City Agriculture Office
- City Environment and Natural Resources Office

Zoning maps for each barangay shall be posted at each respective barangay hall for public information and guidance of barangay officials. These shall similarly be printed in standard color codes.

Section 33. Zoning Clearance

All owners/developers shall secure Zoning Clearance from the Zoning Administrator/ Zoning Officer or, in cases of Variances and/or Exceptions, from the CZBAA prior to conducting any activity or construction on their property/land. This will include property/land located in Forestlands, 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. Violators shall be fined/penalized in accordance with the Schedule of Fines and Penalties stipulated in Section xxx of this Ordinance.

The following documents shall be required from the applicant:

1. Duly accomplished and notarized Zoning Certification Application Form (ZAB Form 1)
2. Any of the following documents relative to right over use of lot / building / space / structure

A. For OWNER- APPLICANT

- a. Certified true copy of the Certificate of Title or Certified True Copy of the current Tax Declaration with a certification.....
- b. Current Real Property Tax payment.
- c. Certification that the lot has been surveyed signed by the Geodetic Engineer
- d. Affidavit of undertaking for parking

B. If NOT REGISTERED in the name of the applicant, submit any of the 1st four requirements:

- a. Deed of Sale (must be supported by certified true copy of TCT from ROD)
- b. Deed of Donation must be supported by certified true copy of TCT from ROD)
- c. Notarized Contract of Lease
- d. Notarized authorization from the owner to use the lot/building/space/structure; and
- e. Current Real Property Tax payment

- f. CTC
- g. Brgy. Clearance
- h. Sketch Plan of the Lot signed and sealed by GE

C. For LESSEE-APPLICANT

- a. Contract of Lease
- b. Applicant's current RPT receipt or Certification of no real property
- c. Occupancy Permit

D. For SUB-LESSEE APPLICANT

- a. Contract between the sub-lessee and the lessee
- b. Applicant current RPT receipt or Certification of no real property
- c. Occupancy Permit

E. For APPLICANT ON GOVERNMENT- OWNED LOT

- a. Affidavit of Undertaking or Consent /Authorization to Operate or Use from government agency concerned
- b. Disregard Item 6 hereunder, if Applicant' current RPT receipt is a Certification of no real property.

F. FOR RENT-FREE APPLICANT

- a. Written Consent or Authorization to Operate or Use For Free from the owner of lot/space/building/structure
 - b. Applicant's current RPT receipt or Certification of no real property
3. VICINITY MAP showing the exact location of the proposed project
 4. BRGY. CERTIFICATION that the proposed projects in not affected with future projects planned by the barangay/specifying interposing no objection on the proposed project is located
 5. ZONING FEE
 6. CURRENT REAL PROPERTY TAX RECEIPTS of land and building where the project will be established
 7. NOTARIZED AUTHORITY TO FILE, FOLLOW-UP / CLAIM the Zoning Clearance

For Special projects:

1. ECC/CNC
2. CAAP Height Clearance for projects within the vicinity the airport
3. DAR conversion on projects within the agricultural areas
4. DOT accreditation for tourism-related establishments

Section 34. Projects of National Significance

Based on established national standards and priorities, the DHSUD shall continue

to issue zoning 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 to be locally-significant. (Para. 2 Section 3a, of EO 72).

Section 35. Major and/or Innovative Projects

The Zoning Administrator/Zoning Officer or the CZBAA, 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 35.1 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., or when it is impractical to apply the requirements of this Ordinance to certain developments, the Zoning Administrator/Zoning Officer in consultation with the City Planning and Development Office and approval of the City Mayor or his authorized designate, may, on grounds of innovative development techniques, grant a Special Development Permit for the purpose; provided the following conditions are complied with:

- 32.1.1 That the proposed land development will not alter the essential character of the zone, especially its population density, number of dwelling units per hectare and the dominant land use of the zone.

The preliminary plan must generally set forth any existing or proposed arrangements of lots, streets, access points, buffer strips and rail, water, highway or other transportation arrangements and the relationship of the tract of land involved to surrounding properties;

- 32.1.2 Both preliminary and final development plans must be submitted to the City Planning and Development Office for review;

- 32.1.3 The final plan must, in addition to the above-cited requirements, describe the noise, smoke, odor, vibration, dust, dirt, noxious gases, glare and heat, fire hazards, industrial waste and traffic which may be produced by the development;

- 32.1.4 That the area subject of application is a consolidated parcel of land of at least two hectares

In cases where the Zoning Administrator/Zoning Officer has the difficulty in processing the proposed land development, the application shall be forwarded to DHSUD for appropriate action.

Section 35.2 Innovative Climate Change/Disaster Risk Adaptation/Mitigation Techniques

Density bonuses, such as through allowable building height increases, may be provided for projects that uses technology or innovations that promote climate change/ disaster risk adaptation and mitigation, such as use of solar panels, rainwater harvesting, smart urban drainage systems, green architecture/ building systems.

Section 35.3 Similar and Related Uses:

All other similar and related uses applicable to each zone shall be approved by the City Zoning Board of Adjustment and Appeals.

Section 36. Subdivision Projects

All owners and/or developers of subdivision projects shall, in addition to securing a Zoning 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 proponents 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 Zoning Clearance

Section 37. 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 CZBAA, as the case may be, proof of compliance of future projects on the said PUD site shall form part of the requirements for Zoning Clearance.

Section 38. Environmental Compliance Certificate

No Zoning Clearance shall be issued to proposals covered by the EIS System unless the requirements of ECC have been complied with.

Section 39. Building Permit

No Building Permit shall be issued by the City Building Official without a valid Zoning Clearance in accordance with this Ordinance.

Section 39.1. Building Permit Issued Prior to the Approval of this Ordinance.

Except as otherwise provided in the National Building Code, nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a building permit has been duly granted prior to the adoption of this Ordinance, provided the construction of such building, structure or part thereof shall have been started within three (3) months from the date of the issuance of such permit. Otherwise, the applicant shall be required to conform with the provisions of this ordinance.

Section 40. Business Permit

The Business Permits and Licensing Division (BPLO) shall require Zoning Clearance for new developments.

Section 41. Occupancy Permit

No Occupancy Permit shall be issued by the City Building Official without Zoning Compliance from the Zoning Administrator/Zoning Officer that the building has complied with the conditions stated in the Zoning Clearance.

Section 42. Validity of Zoning Clearance

Upon issuance of a Zoning 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 property. Non-use of Zoning Clearance within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his project without applying for a new clearance.

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

Section 43. 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/mitigate its non-conformity.

Section 44. Existing Non-Conforming Uses, Buildings and Structures

The lawful uses of any building, structure or land at the time of effectivity of this Ordinance may be continued, although such uses do not conform with the provisions of this Ordinance, 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. 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 maybe 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 maybe 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 shall not cause nuisance 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 shall not further pose any health and safety hazards 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 45. 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 existing rules and regulations on the subject.

In cases of variances/exceptions, the same will be enforced and administered by the Local Chief Executive thru the CZBAA.

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Section 46. 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, to wit:

1. A registered and licensed Environmental Planner
2. Holder of a valid Certificate of Registration and a valid Professional Identification Card from the Board of Environmental Planning and the

Professional Regulation Commission.

3. With continuing professional education and development units.

Section 47. Powers and Functions of the Zoning Administrator/Zoning Officer

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

A. Enforcement

1. Strictly administer and enforce the provisions of this Ordinance;
2. Maintain a record on all zoning permits, zoning and land use verification certificates and non-conforming uses;
3. Act on all applications for Zoning Clearances for all projects conforming to with zoning regulations.
4. Recommend to the City Zoning Board of Adjustment and Appeals (CZBAA) the grant or denial of applications for variances and exemptions and the issuance of 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.
5. 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 this Ordinance.
6. Submit monthly report to the City Mayor on the following:
 - a. The progress and problems encountered in the administration and enforcement of this Ordinance making the necessary comments and/or recommendations therefor; and
 - b. All exceptions and variances granted by the City Zoning Board of Adjustment and Appeals in order to correspondingly update the official zoning maps and classification.
7. Recommend to the City Mayor the issuance of an order for the removal of any use in violation of this Zoning Ordinance upon the owner, agent or tenant of the building or land, or upon the architect, builder, contractor or other persons who commit or assist in the commission of the said violation.
8. Call and co-ordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this Ordinance;
9. Coordinate with the City Legal Officer or in its absence, with the City Prosecutor for other legal actions/remedies relative to the foregoing.

B. Planning

1. Co-ordinate with the Regional Office of the DHSUD regarding proposed amendments to the Zoning Ordinance prior to adoption by the Sangguniang Panlungsod.

2. Take any other action authorized by this Ordinance to ensure compliance with or prevent violation of any of the provisions herein.

Pursuant to the provisions of RA 10587, in relation to Article 1, Section 5, the Zoning Administrator/Zoning Officer who has the technical skills of an environmental planner shall embrace the following scope of practice,

(a) Providing professional services in the form of technical consultation, rendering of technical advice, plan preparation, capacity building and monitoring and evaluation of implementation involving the following:

1. National, regional or local development and/or physical framework and comprehensive land-use plans;
2. Zoning and related ordinances, codes and other legal issuances for the development and management, preservation, conservation, rehabilitation, regulation and control of the environment, including all land, water, air and natural resources;
3. Planning and development of a barangay, municipality, city, province, region or any portion or combination thereof; and
4. Development of a site for a particular need or special purpose, such as economic or ecological zones; tourism development zones; and housing and other estate development projects, including the creation of any other spatial arrangement of buildings, utilities, transport and communications;

(b) In relation to any of the activities enumerated in paragraph (a) above, preparing the following studies:

1. Pre-feasibility, feasibility and other related concerns;
2. Environmental assessments; and
3. Institutional, administrative or legal systems;

(c) Serving as expert witness, resource person, lecturer, juror or arbitrator in hearings, competitions, exhibitions and other public fora; conduct of hearings, competitions, exhibits and other public fora;

Section 48. Composition of the City Zoning Board of Adjustment and Appeals (CZBAA)

The City Zoning Board of Adjustment and Appeals shall be reorganized through an Executive Order of the City Mayor.

The CZBAA shall be composed of the following members:

1. City Mayor as Chairperson
2. [City Administrator as Co-Chairperson](#)
3. SP Chairperson Committee on Urban Development and Land Use
4. SP Chairperson Committee on Rules
5. City Legal Officer

6. City Assessor
7. City Engineer
8. City Planning and Development Coordinator
9. City Environment and Natural Resources Officer
10. City Disaster Risk Reduction and Management Officer
11. City Building Official
12. Three (3) Private Sector/Professional Organization Representatives; and
13. Two (2) Non-government Organization (NGO) and Civil Society Organization (CSO) representatives to be selected from among the accredited NGOs/CSOs of the city, and appointed by the City Mayor

Section 48.1 Secretariat of the City Zoning Board of Adjustment and Appeals (CZBAA)

The City Planning and Development Office through the Land Use and Zoning Administration Division shall serve as the Secretariat to the CZBAA.

Section 48.2 Meetings of the City Zoning Board of Adjustment and Appeals (CZBAA)

The CZBAA shall conduct meetings at least once a month and as often as possible to dispose pending applications within thirty (30) days from receipt of application.

For each meeting, the members shall be entitled to an honorarium indicated in the Executive Order issued by the City Mayor.

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

Section 49. Functions and Responsibilities of the City Zoning Board of Adjustment and Appeals (CZBAA)

The CZBAA 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 Zoning 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 CZBAA shall be carried by an absolute majority vote (50% + 1) of its members.
5. Decide on appeals concerning administrative fines imposed under this Ordinance.

Section 50. Complaints and Oppositions

A complaint for violation of any provision of the revised ZO or any clearance

or permit issued pursuant thereto shall be filed with the CZBAA.

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

Section 51. Appeals to CZBAA Decisions

Decision(s) of the CZBAA is/are appealable to the Human Settlements Adjudication Commission (HSAC) as mandated by Republic Act 11201, Chapter IV, Section 15, letter (b) thereof.

Section 52. Review of the Zoning Ordinance

The City Zoning Review Committee (CZRC) reorganized by the Chief Executive through an Executive Order shall review the Zoning Ordinance taking into consideration the Comprehensive Land Use Plan, as the need arises, 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 53. Composition of the City Zoning Review Committee (CZRC)

The City Zoning Review Committee created through an Executive Order shall be composed of sectoral experts. These are the Local Officials/Civil Leaders responsible for the operation, development and progress of all sectoral undertakings in the locality, to wit:

Chairperson:	Sangguniang Panlungsod Chairperson of the Committee on Urban Development and Land Use
Vice-Chairperson:	City Administrator
Members	:City Planning and Development Coordinator :City Assessor :City Legal Officer :City Engineer :City Environment and Natural Resources Officer :City Disaster Risk Reduction and Management Officer :City Agriculturist :City Agrarian Reform Officer : City Building Official :President, Liga ng mga Barangays :Three (3) Private Sector/Professional Organization Representatives Two (2) non-government (NGO) and civil society organization (CSO) representatives to be selected from among the accredited

NGOs/CSOs of the city, and appointed by the City Mayor

Secretariat: The City Planning and Development Office thru the Land Use and Zoning Administration Division shall serve as the Secretariat to the CZRC.

Resource Persons: The CZRC may invite resource persons in support of the performance of its functions.

Section 53.1 Meetings of the City Zoning Review Committee (CZRC)

The Committee shall meet as the need arises. For each meeting, the members shall be entitled to an honorarium indicated in the Executive Order issued by the City Mayor.

Section 54. Functions of the City Zoning Review Committee (CZRC)

The City 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 Zoning Ordinance as a result of the review conducted.
3. Coordinate with DHSUD on the recommended changes to the Zoning Ordinance as a result of its review.

Section 55. Amendments to the Zoning Ordinance

Changes in the Zoning Ordinance as a result of the review by the City Zoning Review Committee shall be treated as an amendment, provided that any amendment to the Zoning Ordinance or provisions thereof shall be subjected to public hearings and review evaluation of the City Zoning Review Committee and shall be carried out through a resolution of three fourths (3/4) vote of the Sangguniang Panlungsod. Said amendments shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

Section 56. Schedule of Zoning Fees and Charges

The following fees and charges, adopting the pertinent provisions pursuant to HLURB Resolution No. 912, series 2013, shall be paid to the City Treasurer based on the Order of Payment issued by the Zoning Administrator/Zoning Officer:

Particulars	Fee/Charge
1. ZONING CLEARANCE	
A. Single residential structure attached or detached	
• P100,000 and below	P288.00
• Over P100,000 to P200,000	P576.00
• Over P200,000	P720.00 + (1/10 of 1% in excess of P200,000)
B. Apartments/Townhouses	
• P500,000 or below	P1,440.00
• Over P500,000 to P2 million	P2,160.00
• Over P2 million	P3,600.00 + (1/10 of 1% of cost in excess of P2 million regardless of the number of doors)
C. Dormitories	
• P2 million or below	P3,600.00
• Over P2 million	P3,600.00 + (1/10 of 1% of cost in excess of P2 million regardless of the number of floors)
D. Institutional – project cost of which is:	
• P2 million or below	P2,880.00
• Over P2 million	P2,880.00 + (1/10 of 1% of cost in excess of P2 million)
E. Commercial, Industrial and Agro-Industrial – Project Cost of which is:	
• P100,000.00 or below	P1,440.00
• Over P100,000.00 – P500,000.00	P2,160.00
• Over P500,000.00 – P1 million	P2,880.00
• Over P1 million – P2 million	P4,320.00
• Over P2 million	P7,200.00 + (1/10 of 1% of cost in excess of P2 million)
F. Special Uses/Special Projects (Gasoline Station, cell sites, slaughterhouse, treatment plant, etc.)	
• P2 million or below	P7,200.00
• Over P2 million	P7,200.00 + (1/10 of 1% of cost in excess of P2 million)
G. Alteration/Expansion (affected areas/cost only)	Same as the original application
H. Appeal Fee: (application for deviation to Zoning Ordinance)	
• Involving residential use	P600.00
• Involving commercial or other uses	P1,440.00
• Inspection Fee	P240.00
2. SUBDIVISION AND CONDOMINIUM PROJECTS (under	

Particulars	Fee/Charge
P.D. 957)	
A. Subdivision Projects (P.D. 957)	
1. Approval of Subdivision Plan (including Town Houses)	
1. Preliminary Approval and Location Clearance (PALC)/Preliminary Subdivision Development Plan (PSDP)	
• Processing Fee	P360.00/ha. or fraction thereof
• Inspection fee	P1,500.00/ha. regardless of density
2. Final Approval & Development Permit	
• Processing Fee	P2,880.00/ha. regardless of density
Additional fee on floor area of housing component	P3.00/sq. m.
• Inspection fee	P1,500.00/ha. regardless of density
3. Alteration of Plan (affected areas only)	Same as Final Approval & Development Permit
2. Certificate of Registration Processing Fee	P2,880.00
3. License to Sell	
• Processing Fee	P216.00/saleable lot
Additional fee on floor area of housing component	P14.40/sq.m.
• Inspection fee	P1,500.00/ha. regardless of density
4. Certificate of Completion	
• Certification Fee	P216.00
• Inspection Fee	P1,500.00/ha. regardless of density
5. Extension of Time to Develop	
• Processing Fee	P504.00
Additional Fee (unfinished area for development)	P14.40/sq.m.
• Inspection Fee	P1,500.00/ha. regardless of density
B. Condominium Project (P.D. 957)	
1. Approval of Condominium Project Final Approval and Development Permit	
1. Preliminary Approval and Locational Clearance	
2. Final Approval/Development Permit	
a. Processing Fee	P720.00
b. Land Area	P7.20/sq.m.
c. No. of Floors	P288.00/floor

Particulars	Fee/Charge
d. Building Areas	P1,500.00/ha.
3. Alteration of Plan (affected areas only)	Same as Final Approval and Development Permit
4. Conversion (affected areas only)	Same as Final Approval and Development Permit
2. Certificate of Registration	
• Processing Fee	P2,880.00
3. License to Sell	
a. Residential	P17.30/sq.m. of saleable area
b. Commercial	P36.00/sq.m. of saleable area
Inspection Fee	P1,500.00/ha.
4. Extension of Time to Develop	
• Processing Fee	P504.00
Additional Fee (unfinished floor area for development)	P17.30/sq.m.
• Inspection Fee	P1,500.00/ha.
5. Certificate of Completion	
• Certification Fee	P216.00
• Inspection Fee	P1,500.00/floor
3. SUBDIVISION AND CONDOMINIUM PROJECTS (under B.P. 220)	
A. Subdivision Projects (B.P. 220)	
1. Approval of Subdivision Plan	
1. Preliminary Approval and Location Clearance (PALC)	
• Processing Fee	
a. Socialized Housing	P90.00/ha.
b. Economic Housing	P216.00/ha.
• Inspection fee	
a. Socialized Housing	P1,500.00/ha.
b. Economic Housing	P1,500.00/ha.
2. Final Approval and Development Permit	
• Processing Fee	
a. Socialized Housing	P600.00/ha.
b. Economic Housing	P1,440.00/ha.
• Inspection fee	
a. Socialized Housing	P1,500.00/ha.
b. Economic Housing	P1,500.00/ha.
(Projects already inspected for PALC application may not be charged inspection fee)	
3. Alteration of Plan (affected areas only)	Same as Final Approval and Development Permit
4. Building Permit (floor area of housing unit)	P7.20/sq.m.
2. Certificate of Registration	

Particulars	Fee/Charge
• Processing Fee	
a. Socialized Housing	
b. Economic Housing	
3. License to Sell (per saleable lot)	
• Processing Fee	
a. Socialized Housing	P24.00/saleable lot
b. Economic Housing	P72.00/saleable lot
Additional Fee on floor area of housing component	P3.00/sq.m.
4. Extension of Time to Develop	
• Processing Fee	
a. Socialized Housing	P420.00
b. Economic Housing	P504.00
Additional Fee (unfinished area for development)	P2.88/sq.m.
• Inspection Fee	
a. Socialized Housing	P1,500.00/ha.
b. Economic Housing	P1,500.00/ha.
5. Certificate of Completion	
• Certification Fee	
a. Socialized Housing	P180.00
b. Economic Housing	P216.00
• Inspection Fee	P1,500.00/ha.
6. Occupancy Permit	
• Processing Fee	
a. Socialized Housing	P6.00/sq.m.
b. Economic Housing	P7.20/sq.m.
• Inspection Fee (saleable floor area of the housing component)	
a. Socialized Housing	P1,500.00/ha.
b. Economic Housing	P1,500.00/ha.
B. Condominium Projects (B.P. 220)	
1. Approval of Condominium Plans	
1. Preliminary Approval and Locational Clearance	P720.00
2. Final Approval and Development Permit	
• Processing Fee	
a. Total Land Area	P7.20/sq.m.
b. No. of Floors	P144.00/sq.m.
c. Building Areas	P5.80/sq.m. of GFA
• Inspection Fee	P1,500.00/ha.
3. Alteration of Plan (affected areas only)	
2. Certificate of Registration	P720.00
3. License to Sell	
a. Residential	P7.20/sq.m.

Particulars	Fee/Charge
b. Commercial	P10.65/sq.m. of saleable area
• Inspection Fee	P1,500.00/ha.
4. INDUSTRIAL/COMMERCIAL SUBDIVISION	
1. Approval of Industrial/Commercial Subdivision	
1. Preliminary Approval and Locational Clearance	
• Processing Fee	P432.00/ha.
• Inspection Fee	P1,500/ha.
2. Final Approval and Development Permit	
• Processing Fee	P720.00/ha.
• Inspection Fee	P1,500.00/ha.
(Projects already inspected for PALC application may not be charged inspection fee)	
3. Alteration of Plan (affected areas only)	Same as Final Approval and Development Permit
2. Certificate of Registration	P2,880.00
3. License to Sell	
• Processing Fee	P3.00/sq.m. of land area
• Inspection Fee	P1,500.00/ha.
4. Extension of Time to Develop	
• Processing Fee	P504.00
Additional Fee on Floor Area of housing component and other development	P14.40/sq.m.
• Inspection Fee	P1,500.00/ha.
5. Certificate of Completion	
• Certification Fee	P216.00
• Processing Fee	
a. Industrial	P504.00
b. Commercial	P720.00
• Inspection Fee	P1,500.00/ha.
5. FARMLOT SUBDIVISION	
1. Approval of Farmland Subdivision	
1. Preliminary Approval and Locational Clearance	
• Processing Fee	P288.00/ha.
• Inspection Fee	P1,500/ha.
2. Final Approval and Development Permit	
• Processing Fee	P1,440.00/ha.
• Inspection Fee	P1,500.00/ha.
(Projects already inspected for PALC application may not be charged inspection fee)	
3. Alteration of Plan (affected areas only)	Same as Final Approval and Development Permit
2. Certificate of Registration	P2,880.00
3. License to Sell	
• Processing Fee	P720.00/lot

Particulars	Fee/Charge
• Inspection Fee	P1,500.00/ha.
4. Extension of Time to Develop	
• Processing Fee	P504.00
• Additional Fee on Floor Area of housing component and other development	P14.40/sq.m.
• Inspection Fee	P1,500.00/ha.
5. Certificate of Completion	
• Certification Fee	P216.00
• Inspection Fee	P1,500.00/ha.
6. MEMORIAL PARK/CEMETERY PROJECT/ COLUMBARIUM	
1. Approval of Memorial Park/Cemetery Project/ Columbarium	
1. Preliminary Approval and Locational Clearance	
a. Memorial Park Project	P720.00/ha.
b. Cemeteries	P288.00/ha.
c. Columbarium	P3,600.00/ha.
• Inspection Fee	
a. Memorial Park Project	P1,500.00/ha.
b. Cemeteries	P1,500.00/ha.
c. Columbarium	P1,500.00/ha.
2. Final Approval and Development Permit	
a. Memorial Park Project	P3.00/sq.m.
b. Cemeteries	P1.50/sq.m.
c. Columbarium	P7.20/sq.m. of land area P3.00/floor P23.05/sq.m. of GFA
• Inspection Fee	
(Projects already inspected for PALC application may not be charged inspection fee)	
a. Memorial Park Project	P1,500.00/ha.
b. Cemeteries	P1,500.00/ha.
c. Columbarium	P1,500.00/ha.
3. Alteration of Plan	Same as Final Approval and Development Permit
2. Certificate of Registration	P2,880.00
3. License to Sell	
• Processing Fee	
a. Memorial Project	P72.00/2.5 sq.m.
– Apartment Type	P28.80/unit
b. Cemeteries	P28.80/tomb
c. Columbarium	P72.00/vault
• Inspection Fee	
a. Memorial Project	P1,500.00/ha.

Particulars	Fee/Charge
b. Cemeteries	P1,500.00/ha.
c. Columbarium	P1,500.00/floor
4. Extension of Time to Develop	
• Processing Fee	P504.00
Additional Fee (unfinished area for development)	
a. Memorial Project	P1,440.00
b. Cemeteries	P720.00/ha.
c. Columbarium	P1,500.00/floor
5. Certificate of Completion	
• Certification Fee	P216.00
• Processing Fee	
a. Memorial Project	P1,440.00
b. Cemeteries	P720.00/ha.
c. Columbarium	P580.00/sq.m. of GFA
• Inspection Fee	
a. Memorial Project	P1,500/ha.
b. Cemeteries	P1,500.00/ha.
c. Columbarium	P1,500.00/floor
7. OTHER TRANSACTIONS/CERTIFICATIONS	
A. Application/Request for:	
1. Advertisement Approval	P720.00
2. Cancellation/Reduction of Performance of Bond	P2,880.00
3. Lifting of Suspended License to Sell	P2,880.00
4. Exemption from Cease-and-Desist Order	P216.00
5. Clearance to Mortgage	P1,440.00
6. Lifting of Cease-and-Desist Order	P2,880.00
7. Change of Name/Ownership/Amendments of CRLS	P1,440.00
8. Voluntary Cancellation of CRLS	P1,440.00
9. Revalidation/Renewal of Permit (Condominium)	60% of current processing fee
B. Other Certifications:	
1. Zoning Certification	P720.00/ha. or fraction thereof
2. Certification of Town Plan/Zoning Ordinance Approval	P216.00
3. Certification of New Rights/Sales	P216.00
4. Certificate of Registration (form)	P216.00
5. License to Sell (form)	P216.00
6. Certificate of Creditable Withholding Tax (maximum of 5 lots per certificate)	P216.00/lot or unit
7. Other(s), to include:	
a. Availability of records/public request	P288.00

Particulars	Fee/Charge
b. Certificate of “No Record on File”	P288.00
c. Certification of with or without CRLS	P288.00
d. Certified true copy of documents (report size)	
• Document of five (5) pages or less	P43.20
• Every additional page	P4.40
e. Photocopy of documents	P3.00/page
f. Others not listed above	P216.00

Section 57. Violation and Penalty

Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine or imprisonment as provided under the Local Government Code 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.

Section 57.1 For Failure to Secure Zoning Clearance Prior to the Start of the Project.

CONFORMITY WITH LAND USE

Project Type	CONFORMING			NON-CONFORMING		
	Minimum	Medium	Maximum	Minimum	Medium	Maximum
Industrial	P2,500.00	P4,000.00	P5,500.00	P4,000.00	P7,000.00	P10,000.00
Agro-Industrial	P2,000.00	P3,500.00	P5,000.00	P4,000.00	P7,000.00	P10,000.00
Agricultural	P1,500.00	P3,000.00	P4,500.00	P3,000.00	P6,000.00	P9,000.00
Commercial	P1,500.00	P3,000.00	P4,500.00	P3,000.00	P6,000.00	P9,000.00
Institutional	P1,200.00	P2,400.00	P3,500.00	P2,400.00	P5,000.00	P7,000.00
Residential	P1,000.00	P1,500.00	P2,000.00	P7,000.00	P3,000.00	P4,000.00
Special Project	P3,500/00	P6,500.00	P10,000.00			

Section 57.2 Violations of the Terms and Conditions in the Zoning Clearance and all Other Violations on the Requirements for Zoning Clearance:

Minimum	Medium	Maximum
P2,000.00	P3,500.00	P5,000.00

Section 57.3 Circumstances to be Considered in the Imposition of Fines/Penalties

In determining whether a fine/penalty shall be imposed as well as the nature/extent/amount thereof, the following attending factors/circumstances shall be taken into consideration:

- a. The extent of impact, or gravity of the violation committed;

- b. The presence of attending circumstances and/or good or bad faith on the part of the violator;
- c. The presence or possibility of damage, prejudice or inconvenience to residents, neighbors and/or the community in general; or the physical, social or economic impact of the project or activity to the surrounding land/use neighborhood;
- d. The implication of the continued existence of the violation on the attainment of the objectives/purposes enunciated in the law and regulations;
- e. The presence, nature and frequency of history of violations.

Section 57.4 General Rules in the Imposition of Fines/Penalties

In the Imposition of Fines/Penalties, the following Rules shall apply:

- a. In the absence of any mitigating or aggravating circumstances the Medium Range of Penalties shall apply;
- b. Each circumstance shall be generally considered as of equal weight, i.e., one mitigating circumstance shall be equivalent to, and shall offset or cancel an aggravating circumstance, except in following cases:
 - Special Aggravating circumstance of repeated violation shall be offset only by two (2) mitigating circumstances.
 - Lack of foreknowledge, ignorance of the law, where any one of the circumstances mentioned in II D.6. are absent, which shall be considered as a privileged mitigating circumstance that can be offset only by two (2) aggravating circumstances.
- c. Within each range (minimum, medium, maximum) there shall be equal sub-ranges based on project classification by land use 'intensity (e.g. R1, R2, C1, C2, 11, 12, etc.) with those lowest in intensity being imposed the minimum amount for each range and those highest in intensity, the maximum amount in the range;
- d. Within each sub-range shall be "High" and "Low" periods with the applicability of the periods in question being dependent on the presence or absence of local zoning regulations at the time the offense is committed;
- e. To determine the extent of a period or a sub-range, the sum of the minimum and maximum amounts of each periods or sub-range shall be divided by the number of periods/sub-range to be created and the resulting quotient shall be considered as the extent of such period or sub-range, which shall then be reckoned from the minimum amount of the range or the maximum amount of the preceding sub-range, as the case may be.

Section 57.5 Circumstances Justifying Exemption from Fine(s)

The following circumstances shall be sufficient to exempt the violator from liability for fines.

- a. Where the proponent has secured zoning clearance and/or other permits from a local zoning administrator or building official and/or other local officials with apparent authority to issue the same, provided that:
 1. Said permit is secured prior to establishment of the project;
 2. Proponent subsequently voluntarily applies for proper clearance from the city;
 3. In case there are existing complaints, proper remedial measures shall be instituted.
- b. Where project is undertaken by other government agencies and/or corporations;
- c. Where the project is established without development plans/zoning ordinances provided other permits justifying its existence have been secured;
- d. Where the property is located within an APD/ULRZ but is not occupied by qualified tenants, and is sold/mortgaged or encumbered under any of the following circumstances:
 1. When the sale/mortgage is between members of the same family or relatives (up to third degree);
 2. When the same arose out of partition among co-heirs and co-owners;
 3. When the area of the property is less than one hundred (100) square meters;
 4. When the sale/mortgage or other encumbrance was due to an immediate medical emergency which require medical expenses or to a need to defray funeral expenses of the immediate members of the families and extra-ordinary expenses in case of fire, flood and other natural calamities;
- e. Where non-completion of the development of a portion of the subdivision is beyond the control of the developer such as (deterioration of peace and order, occurrence of force majeure, or the area has been established to be illegally occupied; shortage or materials, extraordinary devaluation of the currency;
- f. Lack of foreknowledge in the establishment of any land use/development project, and/or ignorance of the laws and regulations on zoning clearance/subdivision regulations provided that both of the following circumstances are also present:
 1. Either project location is in a remote area, or responsible officials failed to disseminate information concerning pertinent requirements; or require the same.
 2. Existence of analogous facts/information that may warrant exemption from fine.

Section 57.6 Mitigating Circumstances Justifying the Imposition of Minimum Range of Fines

The following mitigating circumstances shall warrant the Imposition of the Minimum Level of Fine:

- a. When the violation has very minimal adverse impact on the adjoining areas or projects or on the rights of affected parties, if any;
- b. When the failure to do a required act was due to unforeseen or unavoidable circumstances not totally beyond the control of and brought about by the violator;
- c. When the violation although not conforming does not pose any present danger to public health, safety, convenience and peace and order;
- d. When the violation can be easily rectified, i.e., the law/regulation/condition can still be complied with;
- e. Where there was negligence on the part of the violator in failing to immediately comply with the requirements of the law but no adverse consequences have been noted;
- f. Other additional facts/information that may mitigate the imposition of minimum range of fine.

Section 57.7 Aggravating Circumstances Shall Serve to Increase the Liability of the Violator and Authorize the Imposition of Maximum Penalties or Fines

- a. Where the status/standing/experience and other qualifications of the violator is such that he may be presume to be already aware of the pertinent requirements of the law and regulations;
- b. When the violator has a history of similar offenses or violation over several occasions;
- c. Where no remedial/corrective measures are made despite due notices, or even if measures are undertaken the same are still not adequate;
- d. Where owner/developer fails to complete the development of the project without just cause or despite the grant of extension;
- e. Where the violation has been established to be deliberately committed or completely without any or reasonable cause;
- f. When the project/transaction is subject of actual complaints found or established to be valid after proper investigation.

Section 57.8 Grounds for Reconsideration of Penalties/Fines

A Motion for Reconsideration (MR) of an Order Imposing Penalties/Fines may be filed on any of the following grounds:

- a. The penalty or fine imposed is not in accordance with nor authorized by law or existing regulations;
- b. The fine imposed is excessive, unreasonable, oppressive or arbitrary;
- c. The findings of facts do not conform to the truth or do not provide sufficient basis for imposition of fine.

Section 57.9 Administrative Penalty

An administrative penalty of Five Hundred Pesos (P500.00) per day shall be imposed against any person who undertakes pre-development or pre-construction of a project in any area or land without the necessary zoning clearance or Preliminary Subdivision Development Plan (PSDP) and/or Development Permit (DP) reckoned from the start of the conduct of any activity of the construction on the land or property to be determined by the Zoning Administrator. Fines and penalties imposed by the Zoning Administrator is appealable to the CZBAA.

Section 58. 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 city.

Section 59. Conflicting Regulations

Where there exist a conflict between any of the regulations or limitations prescribed in this Ordinance and any regulations application to the same area, whether the conflict be with respect to the height of structures, the use of land, or any other matter, the more stringent limitations or requirements shall govern and prevail.

Section 60. Non-Diminution of National Standards

The rules and standards provided in this Zoning Ordinance 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 61. 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 Zoning Ordinance.

Section 62. 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 63. 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 64. Effectivity Clause

This Zoning Ordinance shall take effect upon approval by the Sangguniang Panlalawigan of Surigao del Norte, and by authentication of the Department of Human Settlements and Urban Development (DHSUD) Caraga Region, and after compliance with the publication requirements of the Local Government Code.

Enacted on _____.

APPROVED by the Sangguniang Panlungsod on _____.

ALFONSO S. CASURRA

City Vice Mayor

Presiding Officer

HON. CACEL R. AZARCON
City Councilor

HON. SEBASTIAN RIC A. NAGAS
City Councilor

HON. JOENIL B. ALDONZA
City Councilor

HON. HOEL CHRISTIAN G. CATRE JR.
City Councilor

HON. JOSHUA EMILIO S. GELI
City Councilor

HON. BALTAZAR C. ABIAN
City Councilor

HON. JOSE EXPEDITUS B. BAYANA
City Councilor

HON. JOEL E. TINIO
City Councilor

HON. JOSEPH JOEY S. YUIPCO
City Councilor

HON. KARL DUANE A. CASURRA
City Councilor

HON. FLORENILLO B. RAVELO
City Councilor

HON. JENELYN EDULZURA
City Councilor

ATTESTED:

EDNA B. SIEGA
Sanggunian Secretary

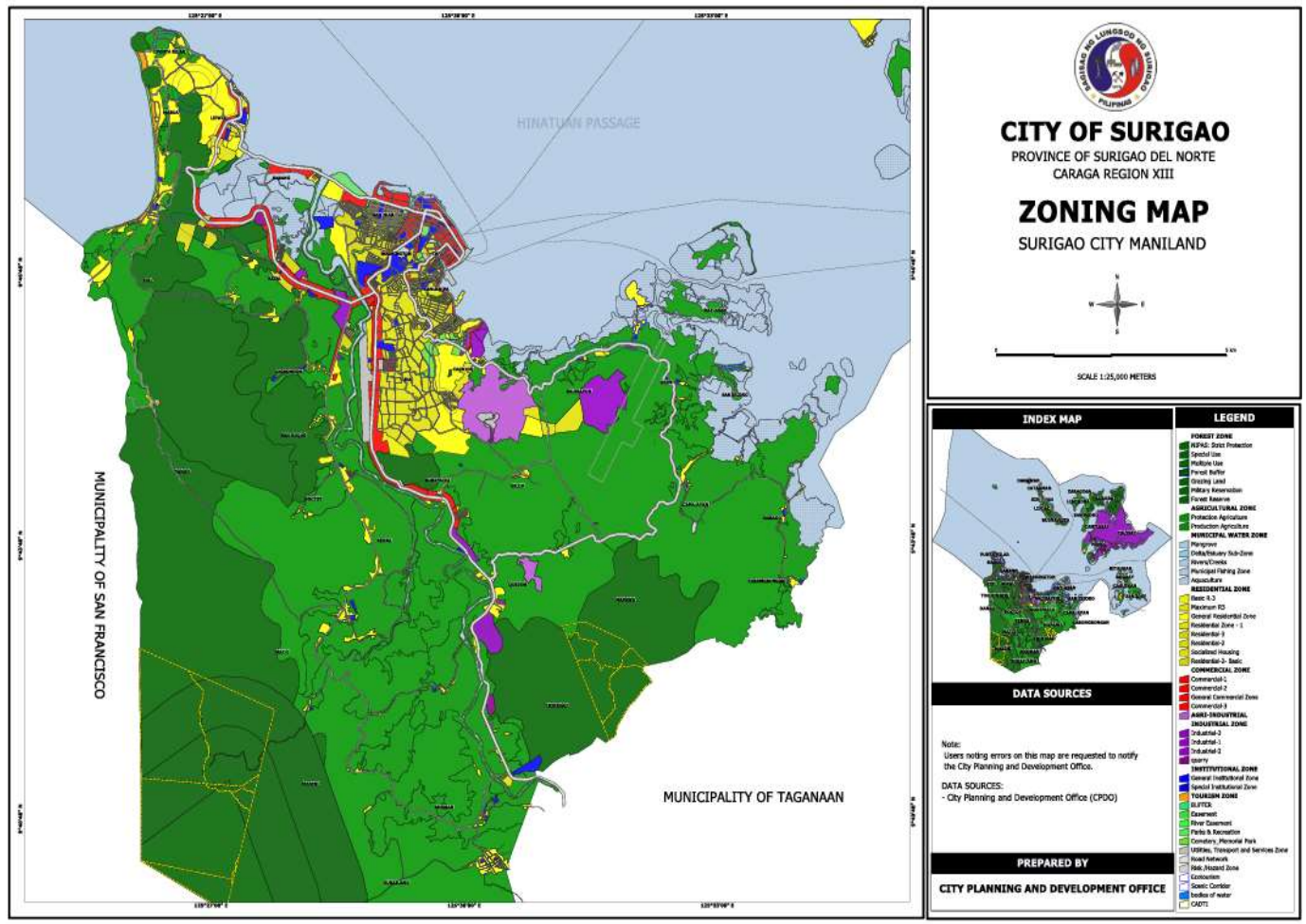
APPROVED:

PABLO YVES L. DUMLAO II
City Mayor

Annex 1

Zoning Maps

Comprehensive Land Use Plan 2023-2032



Annex 2

Zone Boundaries

Comprehensive Land Use Plan 2023-2032

Zone Boundaries

BASE ZONE	SUB ZONE	LOCATION
FOREST ZONE (Protection)	NIPAS Strict Protection	Parang-parang Watershed at Brgy. Mabini and Brgy. Sukailang 125.43490758281601 : 9.673518694626944 125.45629087446724 : 9.6612598804024135 125.46139072411803 : 9.6646675406385416 125.45236160574916 : 9.6881539382661472 125.43492087463666 : 9.6764395789367832
	Military Reservation	Located in the island of Nonoc bounded on the north by an industrial area, on the east by a cove, on the west by a sea, and on the south by a General Residential of Brgy. Nonoc
	Forest Reserves	Hikdop Island- 1. Peak mountain area of Telegrafo within the area of Brgys. Alang-alang and Alegria 2. An area in Brgy. Baybay at the southern tip of Hikdop Island Awasan Island- All areas with slopes above 50% Hanigad Island- All areas with slopes above 50% Sibale Island- Areas within Brgys. San Jose and Cagutsan with slopes above 50% Brgy. Rizal- A rocky area in Sitio Kinabutan
FOREST ZONE (Production)	NIPAS Multiple Use Sub-Zone	All areas above 30% but below 50% slope
	Forest Buffer	An area of 2 kilometers wide buffering the Parang-parang watershed
	Special Use	Located in Brgy. Sabang bounded by water body on the Southeast; thence by Ocean Ridge Subdivision on the Northwest
	Grazing Land	Located in the Island of Sibale and Awasan
AGRICULTURAL	Protection Agriculture	All rice and corn lands in Brgys. Cabongbongan, Nabago, Capalayan, Orok, Silop, Balibayon, Cagniog, Rizal,

BASE ZONE	SUB ZONE	LOCATION
		Togbongon, San Roque, Poctoy, Serna, Mat-i, Luna, Bonifacio, Quezon, Trinidad, Mabini, Anomar, Mabua, Ipil and Danao.
	Production Agriculture	All agricultural areas planted with other crops in mainland and in the island barangays
MUNICIPAL WATERS	Mangrove	All mangrove areas of the municipal waters located in the following barangays: ISLAND: Bitaugan, Cagutsan, Manjagao, Nonoc, Talisay, Cantiasay, San Pedro, Aurora, Lisondra, Zaragosa, Baybay, Alegria and Bilabid MAINLAND: Cabongbongan, Nabago, San Isidro, Orok, Day-asan, Balibayon, Cagniog, Rizal, Sabang and Lipata
	Aquaculture	Fishpond areas located in the following Barangays: Capalayan, San-Isidro, Cagniog and Sabang
	Municipal Fishing	All areas of the municipal waters
RESIDENTIAL	General Residential Zone (GRZ)	NEW TOWNSHIP DEVELOPMENT SITE, Brgys. Punta Bilar, Lipata , and Mabua Bounded on the north by agricultural zone (cocoland); thence on the south by swampland. On the east by surigao strait, and on the west by a production forest. All Built up areas of rural barangays
RESIDENTIAL		Barangay Cagniog Bounded on the north by a Memorial Park; on the east by a proposed subdivision of the Provincial Government; on the west by a proposed cemetery; on the south by Surigao Mountain View Homes
		Barangay Silop 14. 0 has. area owned by City Government of Surigao. Bounded on the north by Country Homes subdivision; on the east by the property of Nueva Segovia; on the south by lot 7165
		Barangay Luna Areas in Sitio Toril

BASE ZONE	SUB ZONE	LOCATION
	Residential-1	<p>Green Homes to Airport Runway area Bounded on the right portion of the national road if going to Butuan direction; thence by the Surigao River on the north, along airport runway on the west and extending to airport compound and along a commercial strip on the east side.</p> <p>Brgy. Cagniog (Ouano Ceniza Subdivision and areas downsouth) Bounded beginning from Ceniza Heights Subdivision, by the boundary of Luna and Cagniog on the west and along a national road of Arellano on the east.</p>
		<p>Surigao Mountain View Home Subdivision Along the boundary of Cagniog and Luna on the southwest; thence along a built-up zone and agro-industrial zone on the west. The area is being traversed by a Brgy. Road from the Memorial Park to Brgy. Silop</p>
		<p>Villa Corito, Brgy. Washington By a commercial strip of a national road on the southeast, by the SEC compound on the southeast and by the Kinabutan river on the northwest.</p>
RESIDENTIAL		<p>TEACHER'S VILLAGE, Brgy. Cagniog Bounded along the boundary line of Canlanipa and Cagniog on the north, By a national road going to Arellano on the west and along a proposed national circumferential road on the east.</p>
		<p>OCEAN RIDGE, Brgy. Lipata Bounded along the national road to Lipata on the northwest, by a body of water on the south called Banahaw and by a built-up area in the west where Sitio Panubigon is located.</p>
		<p>Provincial Government Proposed Housing Bounded on the north by National Road of Arellano; on south by Surigao Mountain View homes; on the west by an Agro Industrial Zone of Cagniog; on east by General Residential Zone adjacent to Surigao Mountainview Homes</p>

BASE ZONE	SUB ZONE	LOCATION
	Residential-1	<p>Alta Vista Subdivision Located along the national road to Lipata Port fronting Ocean Ridge Subdivision</p>
		<p>PCUM, NAVALCA, SITIO LAKTURAN AND KABALAWAN, Brgy. San Juan Bounded on the national coastal road on the north and adjacent to the proposed commercial complex reclamation; thence by Kinabutan river on the southeast and by the proposed arterial highway on the west.</p>
		<p>MALINAO SETTLERS, Brgy. Taft Bounded along a commercial strip parallel to Espina extension on the northwest; thence by the causeway going to resettlement area until it reaches to the boundary of Taft and Canlanipa; thence along with the boundary line to the last point of Nueva St. going to Canlanipa housing.</p>
	Residential 2 (R-2)	<p>ESPINA-NUEVA Block, Brgy. Taft Bounded along a commercial strip of Espina St. and reaching to the junction of Espina and Capitol extension; thence going downsouth and reaching the boundary line of Taft and Canlanipa.</p>
		<p>CASSETTA 1, Brgy. Cagniog Bounded along the teachers village on the northwest; thence by the proposed arterial coastal road on the northeast; adjacent to the surigao memorial park on the south and by the national road on the south west.</p>
		<p>ESPINA-CAPITOL BLOCK Bounded along Capitol road extension going to Ceniza heights on the north and along Espina Extension on the south.</p>
		<p>PENARANDA, NAVARRO, ESPINA and Silay Hills Block, Brgy. Taft Bounded by the General Institutional Zone of Surigao High on the northwest;</p>
		<p>KASKAG, BAGONG SILANG and Back portion of Miranda Hospital, Brgy. Washington Bounded on the northwest by Kinabutan River; thence on the east by commercial</p>

BASE ZONE	SUB ZONE	LOCATION
		strips along Ortiz St. and on the southwest is Villa Corito Subdivision; thence on the southeast by a commercial strip along the national road.
		Barangay Rizal Bounded by a Riceland on the southwest; and another riceland on the northeast. It is traversed by a national road, paralleled by a commercial strip.
		Capitol Hills Bounded along an Institutional zone of Provincial Capitol Compound on the southwest; thence along a commercial strip of Capitol Road on the east.
		Canlanipa Housing I and DOJURAI Bounded on the north by the boundaries of Brgys. Taft and Canlanipa; thence along the MSC property lot on the southeast; thence on the boundary of Brgys. Cagniog and Canlanipa on the south and along the national road to arellano on the west.
		CASSETTA 3, Brgy. Cagniog Bounded along a national road going to Arellano District on the northeast; thence near the boundary of Brgys. Cagniog and Luna on the west. It is located adjacent to Casetta 1.
		TH PAL Property The area is traversed by the National Highway. It is bounded on the north by a fishpond. By Commercial strips on the east. By Production Forest on the south and west.
		PROPOSED HOUSING AREA (Tiro lot), Brgy. Ipil Bounded along the boundary of Ipil and Rizal on the north; thence along a production forest on the west.
		CHECKPOINT AREA, Brgy. Luna Bounded on the north by the Maharlika highway to Lipata; thence on the east by the national road going to butuan and on the west by a 20 m easement of the Surigao River.
		TOGBONGON AREA Bounded on the west by a barangay road

BASE ZONE	SUB ZONE	LOCATION
		<p>of Togbongon;thence on north by the bachelor bus complex; on the east by the 20 m easement of the Surigao River.</p> <p>Gregorio T. Yap Property Bounded on the East by Lot No. 7166 and Lot No. 2816; on the Southeast by Lot No. 2818; on the South by Lot No. 2820; on the West by Lot No. 2822 and on the Northwest by Lot No. 2812-A</p>
	Residential 3 (R-3)	<p>CASSETTA 2, Brgy. Rizal Bounded along a production forest on the north, east and west; thence along a cocoland on the south and located near the national road of sitio bioborhan.</p>
		<p>CANDAVA, Rizal St., Brgy. Washington Bounded along Rizal St. (traffic area) on the northwest; thence along CARAGA Hospital on the southwest. Along a commercial strip of Capitol Road on the southeast and along a Residential 2 zone on the northeast.</p>
		<p>DICSUPOI, Brgy. Taft It is situated between the Espina extension and Capitol Road. Bounded along Public Cemetery on the northeast and along the DPWH Compound on the southwest.</p>
		<p>DICHAJ This area is traversed by Espina extension. Bounded near the junction of Espina and Capitol road extensions on the west; thence along the DPWH compound on the southeast. Along the Residential 2 area that paralled to the Capitol Road Extension.</p>
		Lot of Kaimo-Bonilla, Sitio Bacud
	Socialized Housing Zone (SHZ)	<p>DOJURAI PRIVATE and adjacent areas, Brgy, Canlanipa Bounded by the MSC shrine on the west; thence along a Residential 2 portion of DOJURAI on the north. Along a forest</p>

BASE ZONE	SUB ZONE	LOCATION
		reserve on the south and along the coastal road.
		Gregorio T. Yap Property Bounded on the East by Lot No. 7166 and Lot No. 2816; on the Southeast by Lot No. 2818; on the South by Lot No. 2820; on the West by Lot No. 2822 and on the Northwest by Lot No. 2812-A
		RESETTLEMENT SITE, Brgy. Canlanipa Bounded by the forest park and a risk hazard area on the north; thence along a coastal road on the east. Along the boundary of Canlanipa and Cagniog on the north and along the Canlanipa Housing on the west.
		Caraga Regional Hospital Employees Multi-Purpose Cooperative-Senator Barbers Village, Brgy. Rizal Surrounded by ricelands of Sitio Lumaban, Brgy. Rizal with the following coordinates: Longitude Latitude 549791.68610074301: 1080866.0793021077 549753.65610109305 : 1080899.9292531672 549767.75187103904 : 1080997.7793499015 549754.84813307435 : 1081009.2940561613 549662.24610214983 :1081038.579350519 549667.96610218042 : 1081058.0693505567 549779.70610174839 : 1081117.0293510135
		MANA PEPANG VILLAGE, Brgy. Rizal Located along the National Road to Lipata Longitude Latitude 550850.56609921379 : 1082122.5297466321 550927.13609867007 : 1082096.8897957697 550893.74021732167 :

BASE ZONE	SUB ZONE	LOCATION
		1082015.0739865475 550896.24832423613 : 1081967.42 550878.53603680676 : 1081892.0374385756 550847.29274598567 : 1081801.2408248396 550815.81337019289 : 1081784.1172313418 550805.76321536698 : 1081779.2958244313 550803.31858311291 : 1081688.0295535938 550764.88194866618 :1081727.955774341 550755.16195559141 : 1081739.1656736608 550724.6376685123 :1081778.9017680793 550700.59269949479 : 1081852.7336219507 550687.19855100685 : 1081951.5065854767 550713.95609939122 : 1081955.0597948157 550736.78609948233 : 1082017.2097949618 550754.42593801743 : 1082021.7897139336 550794.10609913734 : 1082013.7497463187
		NHA-Surigao Country Homes, Brgy. Cagniog Bounded along the boundary of Brgys. Silop and Cagniog on the north; thence along the boundary of Cagniog and Balibayon on the east. It is bounded on the north and west by an Agro-Industrial zone. CL Francisco Housing – Along Arellano Highway in Brgy. Balibayon ACEAN Heights 125.49724788249777 : 9.7356678636665581 125.49723187384139 : 9.7359459450535599 125.49707266783572 :

BASE ZONE	SUB ZONE	LOCATION
		9.7364133724852113 125.49943157202769 : 9.7376334937335596 125.49988136976351 : 9.7373522354682276 125.50031659066153 : 9.7363268583602718 125.50029537994594 : 9.7359055849827012 PNP-AFP SMART HOMES 125.50752233643325 : 9.6887379242465563 125.50792934351519 : 9.6881790224159179 125.50830217040074 : 9.6878848832735969 125.50809458970861 : 9.6867028181734529 125.50720827241329 : 9.686601699527003 125.50690026092494 : 9.6871060775207898 125.50613178186168 : 9.6876631365549226
COMMERCIAL	General Commercial Zone	Brgy. Rizal Strip along both sides of Maharlika Highway from checkpoint to boundary of Brgys. Rizal and Ipil Brgy. Lipata Strip along Maharlika Highway from Alta Vista Subdivision to the gate of Lipata Ferry Terminal Brgy. Luna (Cortes Estate) Located at the back of City Bus and Jeepney Terminal Brgy. Bonifacio Strip along national highway, beginning from the end of existing airport runway to Acean Heights
	Commercial-1	Borromeo-Rizal-Riverside Major Block Bounded on the north by Borromeo St. Bounded on the east by Rizal St. Bounded on the south by Rizal St. Bounded on the west by Kinabutan River

BASE ZONE	SUB ZONE	LOCATION
		<p>Kaskag Area</p> <p>One to two lots deep on both sides of kaskag major roads.</p> <p>National Road Strip (Barangay Washington)</p> <p>20.00 meters deep from the edge of the 60.00 meter wide national road starting from corner of Roxas St. to the junction of Ortiz Extension.</p> <p>Capitol Road Strip</p> <p>One to two lots deep from the edge of Capitol road starting from the corner of Rizal St. where Caltex station is located to the point fronting the entrance of the Public Cemetery.</p> <p>National Road Strip (Barangay Luna)</p> <p>20 to 100 meters deep on both sides of the 60-meter wide national road, starting from the boundary of Brgys. Luna and Washington down to the boundary of Brgys. Luna and Bonifacio.</p> <p>UMRC Lot</p> <p>Along National Roads at the checkpoint and Bounded by Surigao River at the back portion</p> <p>Strip Along Togbongon Road</p> <p>Strip 1 is 50 meters deep from the edge of Togbongon-Mat-I road, starting from the boundary of brgys. Rizal and Togbongon down to Bachelor Express compound.</p>

BASE ZONE	SUB ZONE	LOCATION
		<p>Strip 2 is 50 meters deep from the edge of Togbongon-Mat-I road starting from Tongsan compound to the entrance road of Brgy. Togbongon proper.</p> <p>Proposed Commercial Complex (Brgy. San Juan)</p> <p>Bounded on the north, east and west by the body of water. Bounded on the south by the national coastal road of PCUM brgy. San Juan.</p> <p>Strip along Alilo Ensomo St.</p> <p>3-lots deep along Alilo Ensomo st. from the corner of the national coastal road down to Rafael Eliot St.</p> <p>Brgy. Sabang</p> <p>Area 1. Bounded by National Road on the north, on the south by Lakturan, on the east by a body of water and on the west by a new road leading Motorpool area.</p> <p>Area 2. Along National Road going to Lipata on the left side from the barangay proper to Sabang-Sitio Bioborhan Road</p>
	Commercial-2	<p>Brgy. Taft</p> <p>All commercial zone in Barangay Taft</p> <p>Strip from CAsETTA to Nueva along the coastal road</p>
	Commercial-3	<p>Strip along Brgy. Luna National Road from Gateway Hotel area to Sitio Bacud</p>
AGRI-INDUSTRIAL	Agri-Industrial	<p>Brgy. Cagniog</p> <p>Bounded on the north by Arellano Highway. Bounded on the south by boundary of Brgys. Silop and Cagniog. Bounded on the east by the proposed Housing and Cemetery. Bounded on the west by Residential and Built-up areas.</p>

BASE ZONE	SUB ZONE	LOCATION
INDUSTRIAL	Industrial-1	<p>Recabo Area, Check Point Bounded on the north by Maharlika Highway. Bounded on the east, west and south by a Residential 2 zone.</p> <p>Junction of Togbongon Road and Maharlika Highway Block Bounded on the north by Maharlika National Highway. Bounded on the south by an Agricultural Zone (Riceland). Bounded on the east by Togbongon-Mat-I road. Bounded on the west by an Agricultural Zone (Riceland).</p> <p>Danaque Properties, Brgy. Togbongon Bounded on the north, east and south by an Agricultural Zone (Riceland). Bounded on the west by Togbongon-Mat-i Road.</p> <p>PACEMCO AREA, Brgy. Cagniog Bounded on the north by a Proposed National Road. Bounded on the south by a National Road of Arellano. Bounded on the east by a coastal road Bounded on the west by Surigao Memorial Park Area</p> <p>Mini Industrial Estate Complex Bounded on the north, south and east by Agricultural Zone (Cocoland). Bounded on the west by a Residential-1-B zone.</p> <p>Strip along National Road in Brgy. Bonifacio</p> <p>Quarry area in Bioborjan, Brgy. Rizal</p>

BASE ZONE	SUB ZONE	LOCATION
	Industrial-3	Nonoc Island Bounded PACEMCO, Brgy. Quezon
INSTITUTIONAL	General Institutional Zone	<ol style="list-style-type: none"> 1. Proposed Boulevard Expansion (Tondo Area) 2. City Hall Compound 3. Sant Paul University-Main Campus 4. NEMCO 5. Navarro Memorial Elem. School 6. UCCP 7. CATHEDRAL 8. Surigao City Central Elem. School 9. SNSU and Surigao City Pilot School Block 10. SJTIT 11. San Sebastian School of Law 12. MEMCES 13. SNNHS 14. DepEd Province 15. SEC 16. Motorpool Area 17. CV Diez Memorial Central Elem School 18. CARAGA Regional Hospital 19. Provincial Capitol Compound 20. DPWH Compound 21. Miranda Family Hospital 22. Surigao Medical Center 23. Pope John XXIII Pastoral Center 24. IFI Cathedral 25. Taft National High School 26. MSC Shrine, Brgy. Canlanipa 27. MGB Regional Office 28. RP Lot, Sitio Kabalawan 29. Surigao Doctors Hospital 30. Saint Paul Hospital 31. SPUS New Site 32. Surigao City National High School 33. PENRO Office

BASE ZONE	SUB ZONE	LOCATION
		34. CARAGA Regional Science High School 35. SNSU Campus Barangay Trinidad
	Special Institutional Zone	1. PNP Provincial Compound 2. PNP City Compound 3. Bahay Kalinga and Drug Rehab Center, Barangay Anomar
TOURISM	Tourism Zone	1. Sito Looc, Brgy. Punta Bilar 2. Strip after Easements in Barangays Ipil and Lipata 3. Basul Island
PARKS AND RECREATION	Parks and Recreation Zone	1. Provincial Sports Complex 2. Luneta Park 3. Sabang Area- Bounded along national road going to Barangay Lipata on south and Hinituan Passage on the north.
CEMETERY/MEMORIAL PARK	Cemetery/Memorial Park Zone	1. Public and Catholic Cemetery at the Capitol Road 2. Surigao Memorial Park 3. Cortes lot at Barangay Cagniog 4. Lipata Cemetery 5. Ipil Cemetery 6. Mat-I Cemetery
UTILITIES, TRANSPORTATION AND SERVICE ZONE		PPA Port Area, Brgy. Taft, Bounded on the northwest by Borromeo St. and on the southwest by Bilang-bilang bay. SURNECO Area, Espina Brgy. Taft 125.49110858486682 : 9.7841796136657404 125.49128600662156 : 9.7842032550749529 125.49207939681227 : 9.7842254357982004 125.49239763946723 : 9.7835040701637794 125.4922084523887 :

BASE ZONE	SUB ZONE	LOCATION
		<p>9.7833485264352511 125.4920705175405 : 9.7831944555086157 125.49189148985815 : 9.7828427262045583 125.49133095187264 : 9.7836505594276844 SMWD Reservoir, Ceniza Heights 125.48568319432857 : 9.7741183531223825 125.48571430574218 : 9.774656124519316 125.48563722270804 : 9.7752305534230448 125.48648623556488 : 9.7751436459619825 125.48635170294023 : 9.7740686326262871 Bachelor Bus Yard, Brgy. Togbongon Bounded on the north by a commercial strip and a Riceland, on the east by a Riceland. on the south by a Residential-2 subdivision, and on the west by a city road. Lipata Ferry Terminal On the northeast by the sea, on the southwest by the road going to Barangay Punta Bilar. Surigao City Airport Bounded on the north by Surigao River, on the east by the national highway, on the south by rice land and on the west by a riceland. Surigao Bus and Jeepney Terminal 125.48239136846252 : 9.7629636360453826 125.48323715042451 : 9.7629364226178339 125.48329032130631 : 9.7648598857338396 125.48278376590778 : 9.7648797339393685 125.4824642754234 : 9.764892495551134 125.48246568845104 : 9.7648818484326849</p>

BASE ZONE	SUB ZONE	LOCATION
		Landfill Site, Brgy. Cagniog 125.50620069792618 : 9.7540228707989804 125.50608904816941 : 9.7546857067505961 125.50566619069544 : 9.754950986473359 125.50541897815687 : 9.7547437544351698 125.50487956144967 : 9.754773758708307 125.50439322224008 : 9.7551292772367137 125.50343656158135 : 9.7548553700576388 125.50299784821408 : 9.755063254835612 125.50213065455381 : 9.7548272776961511 125.5016278460821 : 9.7542888578732789 125.50231849073825 : 9.7536065442566517 125.50295356072151 : 9.7533656396044464 125.50620069792618 : 9.7540228707989804 125.50608904816941 : 9.7546857067505961 125.50566619069544 : 9.754950986473359 125.50541897815687 : 9.7547437544351698 125.50487956144967 : 9.754773758708307 125.50439322224008 : 9.7551292772367137 125.50343656158135 : 9.7548553700576388 125.50299784821408 : 9.755063254835612 125.50213065455381 : 9.7548272776961511 125.5016278460821 : 9.7542888578732789

BASE ZONE	SUB ZONE	LOCATION
		125.50231849073825 : 9.7536065442566517 125.50295356072151 : 9.7533656396044464