

CITY ORDINANCE NO. 2017-11**Series of 2017****AN ORDINANCE ENACTING THE INTEGRATED ZONING REGULATIONS OF
THE ALAMINOS CITY, PANGASINAN AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT
AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.**

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

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

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

WHEREAS, the integrated Zoning Ordinance is anchored on the new Comprehensive Land and Water Use Plan of the City of Alaminos, Pangasinan covering the period CY 2017-2026 based on the new planning guidebook promulgated by the Housing and Land Use Regulatory Board in CY 2014;

NOW THEREFORE, premises considered and on motion of Councilor Cirilo B. Radoc, duly seconded by Councilor Carolyn D. Sison,

BE IT ENACTED, as it is hereby ENACTED by the Sangguniang Panlungsod of the City of Alaminos City, Pangasinan in session duly assembled that:

Article I Title of the Ordinance

Section 1. Title of the Ordinance

This Zoning Ordinance shall be known as the Integrated Zoning Ordinance (ZO) of the City of Alaminos, Pangasinan and shall hereinafter be referred to as the Ordinance or ZO.

Article II Authority and Purpose

Section 2. Authority

This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, 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, RA 8550 Fisheries Code, PD 705 Forestry Code, PD 1067 Water Code, PD 1096 National Building Code, and Executive Order No. 72.

Section 3. Purposes

The ZO is enacted for the following purposes:

1. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the City;
2. Guide, control and regulate the growth and development of public and private lands in (name of City) 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 Principles

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. 112-2017 dated August 7, 2017, as follows:

1. The Ordinance reflects the City's Vision 2030 stated as follow: " *We envision Alaminos City by 2030 to be a Major Growth Center and Prime Tourism Hub in Region I propelled by a sustainable, competitive and progressive local economy, with adequate, appropriate and world-class facilities within a conserved and ecologically-balanced environment, which are inhabited by a healthy, God-loving and educated citizens, and served by transparent, united and responsive local government leaders*".
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 Terms used in this Zoning Ordinance which is enumerated in **Annex "A"** that shall form part of this 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.

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 as shown in **Annex "B"** which form part of this Ordinance.

Section 6. Base Zones

The following are designated as Base Zones:

1. Forest Zone (FZ)

Protection Forest Sub-Zones

- NIPAS: Strict Protection Sub-Zone (NSP-SZ)

Production Forest Sub-Zones

- NIPAS: Multiple Use Sub-Zone (NMU-SZ)
- Industrial Forest Plantation Sub-Zone (IFP-SZ)
- Special Use Sub-Zone (SU-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)
- 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)
- Municipal Fishing Sub-Zone (MF-SZ)
- Sealane Sub-Zone (SL-SZ)

5. Residential Zone-1 (RZ-1)
6. Residential Zone -2 (RZ-2)
7. Residential Zone-3 (RZ-3)
8. Socialized Housing Zone (SH-Z)
9. Commercial Zone-1 (CZ-1)
10. Commercial Zone-2 (CZ-2)
11. Commercial Zone-3 (CZ-3)
12. Industrial-1 Zone (I1-Z)
13. General Institutional Zone (GI-Z)
14. Special Institutional Zone (SI-Z)
15. Parks and Recreation Zone (PR-Z)
16. Cemetery/Memorial Park Zone (C/MP-Z)
17. Buffer/Greenbelt Zone (B/G-Z)
18. Utilities, Transportation, and Services Zone (UTS-SZ)
19. 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. Ecotourism Overlay Zone (ETM-OZ)
4. Storm Surge Overlay Zone (SS-OZ)
5. Tsunami Inundation Overlay Zone (TI-OZ)

Section 8. Zoning Maps

It is hereby adopted as an integral part of this Ordinance, the duly authenticated and Official Zoning Maps of the City showing location and boundaries of the Base Zones, Sub-zones and Overlay Zones herein established as Zoning Maps in **Annex "B"** which form part as an integral part of this Zoning Ordinance.

Section 9. Zone Boundaries

The locations and boundaries of the above mentioned various zones into which the City has been subdivided are identified and specified in the **"Zone Boundaries Document denoted as Annex "C" which form part as an integral part of this Zoning Ordinance;**

Section 10. Interpretation of Zone Boundaries

1. The following rules shall apply in the interpretation of the boundaries indicated on the Official Zoning Map:
2. Where zone boundaries are so indicated that they approximately follow the center of streets or highway, the streets or highways right-of-way lines shall be construed to be the boundaries.
3. Where zone boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries.
4. 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.

5. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
6. 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.
7. Where a lot of one ownership, as of record the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.
8. 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.
9. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.

Article V

Zone Regulations

Section 11. General Provisions

Zone regulations refer to Use and Building Regulations as described below:

Allowable Uses

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

Building Regulations

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

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

Section 12. Regulations in Base Zones

Base Zones refer to the primary zoning classification of areas within the City and that are provided with a list of allowable uses and regulations on building density and bulk, among others

Section 12.1 Regulations in Forest Zone

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

Section 12.1.1 Regulations in NIPAS Strict Protection Sub-Zone

Per the NIPAS Act, this is an area 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."*

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 12.1.2 Regulations in 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 12.1.3 Regulations in Special Use Sub-Zone**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 with 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 Regulations in Protection Agriculture Sub-Zone

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

Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat and cattle raising
- Fishpond activities
- Backyard raising of livestock and fowl, provided that a) For livestock – maximum of 1 sow and 10 heads b) For fowl – a maximum of 500 heads
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tenants, tillers and laborers
- Engaging in home businesses such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
 - No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
- Home Industry classified as cottage industry provided that:
 - Such home industry shall not occupy more than thirty percent of the floor area of the dwelling unit.
 - There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance; and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.

Building Regulations

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

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

Section 12.2.2 Regulations in Production Agricultural Sub-Zone

These are areas that are outside of NPAAAD and declared by the City for agricultural use.

Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat raising and cattle fattening
- Fishpond activities
- 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 cono mill)
- Rice/corn warehouses and solar dryers
- Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
- Plant nursery
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tillers and laborers
- Engaging home business such as dressmaking, tailoring, baking, running a sarisari store and the like provided that:
 - The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and

- No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
 - Home Industry Classified as cottage industry provided that:
 - Such home industry shall not occupy more than thirty percent of the floor area of the dwelling unit.
 - There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.
- Class "A" slaughterhouse/abattoir

Building Regulations

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

Section 12.3. Regulations in Agri-Industrial Zone

These are areas within Cities/Municipalities 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 City Waters Zone

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)."*

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 Regulations in Fishery Refuge and Sanctuary Sub-Zone

Per 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 Regulations in Mangrove Sub-Zone

Per 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 12.4.3 Regulations in Fishery Reserve Sub-Zone

Per 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 12.4.4 Regulations in 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 12.4.5 Regulations in Aquaculture Sub-Zone

Per the Fisheries Code, this an area within the Municipal Waters Zone of the City 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 12.4.6 Regulations in 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 12.4.7 Sea Lane Sub-Zone

An area within the Municipal Waters Zone of a 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 Residential Zone-1

Allowable Uses

- Single-detached dwelling units
- Semi-detached family dwelling units, e.g. duplex
- Residential Subdivisions approved per P.D. 957 standards
- Home occupation for the practice of one's profession such as offices of physicians, surgeons, dentists, architects, engineers, lawyers, and other professionals or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - The number of persons engaged in such business/industry shall not exceed five (5), inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;

- No home occupation shall be conducted in any customary accessory uses cited above;
- No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
- No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
- Home Industry classified as cottage industry, provided that:
 - Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
 - It shall be classified as non-pollutive/non-hazardous as provided in this integrated ZO;
 - Allotted capitalization shall not exceed the capitalization as set by the DTI; and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment/process under Home Occupation of this section.
- Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - Swimming pool
 - Tennis courts
 - Basketball courts
- Parks and Open Spaces
- Nursery/Elementary School
- Tutorial services
- Sports club
- Religious use
- Multi-purpose/Barangay hall
- Clinic, nursing and convalescing home, health center
- Plant nursery
- Customary accessory uses incidental to any of the principal uses provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes such as:
 - Servants quarters

- Private garage
- Guardhouse
- Laundries
- Non-commercial garages
- Houses for pets such as dogs, birds, rabbits and the like of not more than 4.00 sq. m. in floor area
- Pump houses
- Generator houses

Building Regulations

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

Section 12.6 Regulations in Residential Zone-2

Allowable Uses

- **All uses allowed in R-1 Zone subject to other rules and regulations of the City**
- 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 12.7 Regulations in Residential Zone-3

Allowable Uses

- All uses allowed in R-1 and R-2 Zones subject to existing rules and regulations of the City
- Residential condominiums
- Pension houses
- Hotel apartments or apartels
- Hotels
- Parking buildings (aboveground/ underground)

Section 12.8 Regulations in Socialized Housing Zone

An area within City designated to housing [programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA)

Allowable Uses

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

Building Regulations

- Applicable provisions of BP 220.

Section 12.9 Regulations in Commercial Zone-1

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
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- 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
 - Apartelle
 - Boarding house

- Dormitory
- Pension house
- All uses allowed R-1 Zones subject to existing rules and regulations of the City
 - Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Parking lots/Building garage
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Building Regulations

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

Section 12.10 Regulations in Commercial Zone-2

Allowable Uses

- All uses allowed in C-1 Zone subject to existing rules and regulations of the City
- 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 subject to existing rules and regulations of the City

Building Regulations

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

Section 12.11 Regulations in Commercial Zone-3

Allowable Uses

- All uses allowed in C-1 and C-2 Zones subject to existing rules and regulations of the City
- All uses allowed in R-3, R-4 and R-5 Zones subject to existing rules and regulations of the City
- Regional shopping malls/centers

Section 12.12 Regulations in Industrial-1 (I-1) Zone

An area within cities or municipalities 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 a) Staff houses/quarters b) Offices c) Eateries/canteens d) Parking lots/garage facilities e) Storerooms and warehouses but only as may be necessary for the efficient conduct of the business f) Pump houses g) Generator houses

Non-Pollutive/Hazardous Industries

- Manufacture of house furnishing
- Textile bag factories
- Canvas bags and other canvas 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 a) Staff houses/quarters b) Offices c) Eateries/canteens d) Parking lots/garage facilities e) Storerooms and warehouses but only as may be necessary for the efficient conduct of the business f) Pump houses g) 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 12.13 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 a) Staff houses/quarters b) Offices c) Eateries/canteens d) Parking lots/garage facilities e) Storerooms and warehouses but only as may be necessary for the efficient conduct of the business f) Pump houses g) 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 12.14 Regulations in Special Institutional Zone

An area within the City of Alaminos 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 addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
- Military camps/reservations/bases and training grounds
- Jails, prisons, reformatories and correctional institution
- Penitentiaries and correctional institutions
- Leprosaria
- Psychiatric facilities, such as mental hospitals, mental sanitaria/asylums,
- Parks, playgrounds, pocket parks, parkways, promenades and playlots
- Customary accessory uses incidental to any of the above uses such as a) Staff houses/quarters b) Offices c) Eateries/canteens d) Parking lots/garage facilities e) Storerooms and warehouses but only as may be necessary for the efficient conduct of the business f) Pump houses g) Generator houses

Building Density and Bulk Regulations

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

Section 12.15 Regulations in Parks and Recreation Zone

An area designed for diversion/amusements and for the maintenance of ecological balance in the community.

Allowable Uses

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

An area in the City intended for the interment of the dead.

Allowable Uses

- Memorial Parks
- Cemetery
- Columbarium
- Crematorium

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

Building Density and Bulk Regulations

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

Section 12.17 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
- 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

- Per the relevant 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 12.18 Regulations in Utilities, Transportation, and Services Zone

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

Allowable Uses

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

Building Density and Bulk Regulations

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

Section 12.19 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 (LSD-OZ)

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% for Parks and Recreation uses
- 30% for all other uses/ activities

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 (FLD-OZ)

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: 70 % of TLA
- USA: not less than 15 % 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 Ecotourism Overlay Zone (ETM-OZ)

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 (xx) meters from highest grade to roof apex line.
- The minimum setback of buildings from the inland foreshore line is 25 meters, 8 meters and 45 meters from agricultural land, urban and forestland respectively
- The maximum building footprint shall be 70 % 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.
- The use of firewalls along property lines shall not be allowed.

Section 13.4 Storm Surge Overlay Zone (SS-OZ)

Objective

- SS-OZ regulations are applied in areas that have been determined in the CLUP as potential area that can be affected by storm surge. The objective of the Storm Surge Overlay Zone is to protect lives and properties from the harmful effects of storm surge.

Allowable Uses

- Mangroves Development
- Agricultural
- Recreational
- Residential with restrictions on building design and environmental performance
- Commercial with restriction on building design and environmental performance

Building Design Requirements For Residential and Commercial Use Within SS-OZ

- Required elevation requirements for the lowest floor line of new constructed and improved buildings
- Requirements for construction of structures on stilts as applicable
- Limitations on uses of enclosed spaces below flood elevation (for parking, access, or limited storage only)
- Wet and dry flood proofing measures such as backflow valves, waterproofing for doors and windows, elevated electric circuits, etc.

Environmental Conservation and Protection Standards For Residential and Commercial Use Within SS-OZ

- Development shall build only in the allowable areas beyond the required coastal easement
- Development shall preserve and maintain mangroves and natural vegetation along the coast

Section 13.5 Storm Surge Overlay Zone (SS-OZ)

Objective

- TI-OZ regulations are applied in areas that have been determined in the CLUP as potential area that will be affected by inundation if tsunami will struck the coastal area of the City. The objective of the Tsunami Inundation Overlay Zone is to protect lives and properties from possible destructions should tsunami struck the City of Alaminos.

Allowable Uses

- Agricultural
- Recreational
- Residential
- Commercial
- Industrial

The following critical facilities should not be built in Tsunami Inundation Area to wit:

- Government Centers especially City Hall
- Civil Emergency Structures such as evacuation centers and hospitals

However, should the building of this facilities will become unavoidable, the following should be ensured:

- The structure can withstand a tsunami
- Vertical evacuation is possible

Section 14. Zoning Incentives

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

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

Article VI General Regulations

Section 15. Height Regulations

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

Exempted from the imposition of height regulations in residential zones are the following: towers, 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 or to build structures of any kind.

Mandatory five-meter (5m) easement on both sides of earthquake fault traces on the ground identified by PHIVOLCS.

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 shall be provided along entire boundary length between two or more conflicting zones/sub-zones allocating two (2) meters from each side of the zone/sub-zone boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

Section 19. Specific Provisions in the National Building Code

Specific provisions stipulated in the National Building Code (P.D. 1096), as amended thereto, relevant to traffic generators, advertising and business signs, erection of more than one principal structure, dwelling on rear lots, access yard requirements and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

Section 20. Advertising, Billboards and Business Signs

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

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

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

Article VII Performance Standards

Section 21. Application of Performance Standards

The following performance standards are intended to ensure land use and neighborhood compatibility. Proposed developments shall comply with the applicable performance standards which shall form part of the requirements for Locational Clearance. These standards are by no means exhaustive or all inclusive. The Local Zoning Board of Appeals (LZBA) may require other standards, when deemed necessary, to ensure land use and neighborhood compatibility.

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

Section 22. Environmental Conservation and Protection Standards

It is the intent of the ZO to protect the natural resources of the City. In order to achieve this objective, all developments shall comply with the following regulations:

1. Views shall be preserved for public enjoyment especially in sites with high scenic quality by closely considering building orientation, height, bulk, fencing and landscaping.
2. Deep wells shall not be allowed unless a Water Permit is obtained from the National Water Resources Board.
3. Land use activities shall not cause the alteration of natural drainage patterns or change the velocities, volumes, and physical, chemical, and biological characteristics of storm water. Streams, watercourses, wetlands, lakes or ponds shall not be altered, re-graded, developed, piped, diverted or built upon.
4. All developments shall ensure that storm water runoff shall be controlled through appropriate storm water drainage system design.
5. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage;
6. The internal drainage systems of developments shall be so designed as not to increase turbidity, sediment yield, or cause the discharge of any harmful substances that will degrade the quality of water. Water quality shall be maintained according to DENR's latest Revised Water Usage and Classification/Ambient Water Quality Criteria;
7. Municipal and industrial wastewater effluents shall not discharge into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters;
8. 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 Locational Clearance.

Section 23. Agricultural Land Conservation and Preservation Criteria

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

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

Section 24. Network of Green and Open Spaces

The City intends to develop a network of green and open spaces as a way to minimize the occurrence of urban heat islands. Developments shall conform to the following provisions, as applicable:

1. All residential, commercial, industrial and mixed-use subdivisions, in compliance with the rules and regulations of PD 1216, PD 953, PD 957 and BP 220, are respectively required to provide tree-planted strips along their internal roads.
2. Similar developments shall also be required to provide landscaped tree parks that may be made part of the open space requirements mandated by PD 957, BP 220 and related laws, These mandated open spaces shall be classified as non-alienable public lands, and non-buildable.
3. Roof decks of all buildings shall be landscaped, as applicable.
4. Parking lots having at least 20 car parking slots shall be:

- a. Landscaped with suitable trees. The minimum height of trees at the time of securing an Occupancy Permit shall be 1.80 meters from the base to the crown.
- b. 50% paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.

Section 25. Site Development Standards

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

Further, designs should consider the following:

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

Section 26. Infrastructure Capacities

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

The Zoning Administrator shall require the following:

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

Article VIII Mitigating Devices

Section 27. Deviation

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

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

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

- a. Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner of the property due to physical conditions of the property (topography, shape, etc.), which is not self-created.
- b. The proposed variance is the minimum deviation necessary to permit reasonable use of the property.

- c. The variance will not alter the intended physical character of the zone and adversely affect the use of the other properties in the same zone such as blocking-off natural light, causing loss of natural ventilation or encroaching in public easements and the like.
 - d. That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the public health, safety or welfare.
 - e. The variance will be in harmony with the spirit of this Ordinance.
2. Exceptions (deviations from Allowable Use provisions) Exceptions may be allowed provided that proposals satisfy all of the following conditions:
- a. The exception will not adversely affect the public health, safety and welfare and is in keeping with the general pattern of development in the community.
 - b. The proposed project shall support economic based activities/provide livelihood, vital community services and facilities while at the same time posing no adverse effect on the zone/community.
 - c. The exception will not adversely affect the appropriate use of adjoining properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like.
 - d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

Section 28. Procedures for Evaluating Variances and/or Exceptions

The procedure for evaluating applications for Variances and/or Exceptions is as follows:

1. The project proponent shall file a written application for Variance and/or Exception with the LZBA citing the section(s) of this Ordinance under which the same is sought and stating the ground/s thereof.
2. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site. This sign shall be maintained until the LZBA has rendered a decision on the application.
3. The LZBA shall conduct preliminary studies on the application. These application papers shall be made accessible to the public.
4. A written affidavit of no objection to the project by the owners of the properties immediately in front of and abutting the project site shall be filed by the applicant with the LZBA within fifteen (15) days upon filing of application.
5. The LZBA shall hold public hearing(s) to be held in the concerned barangay.
6. At the hearing, any party may appear in person, or be represented by agent/s. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
7. The LZBA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing(s).

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

Article IX Administration and Enforcement

Section 29. Approved Zoning Maps

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

- Office of the City Mayor
- Office of the City Vice Mayor
- Office of the Zoning Administrator
- City Planning and Development Office
- City Assessor's Office
- City Engineer's Office
- City Disaster Risk Reduction and Management Office
- City Tourism Office
- City Agriculture Office
- City General Service Office

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

Section 30. Locational Clearance

All owners/developers shall secure Locational Clearance from the Zoning Administrator/Zoning Officer or, in cases of Variances and/or Exceptions, from the LZBA prior to conducting any activity or construction on their property/land. This will include property/land located in 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.

Section 31. Projects of National Significance

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

Section 32. Major and/or Innovative Projects

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

Section 33. Subdivision Projects

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

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

Section 34. Planned Unit Development Projects

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

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

Section 35. Environmental Compliance Certificate

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

Section 36. Building Permit

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

Section 37. Business Permit

The Business Permit and Licensing Office shall require a Locational Clearance for new developments.

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

Section 38. Occupancy Permit

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

Section 39. Validity of Locational Clearance

Upon issuance of an LC, the grantee thereof shall have one(1) year within which to commence or undertake the use, activity or development covered by such clearance on his property. Non-use of LC 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 Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 40. Notice of Non-Conformance

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

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

Section 41. Existing Non-Conforming Uses, Buildings and Structures

The lawful uses of any building, structure or land at the time of adoption of this Ordinance may be continued, although such uses do not conform with the provisions of the integrated ZO, provided:

1. That no such non-conforming use shall be expanded or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part, to any other portion of the lot or parcel of land where such non-conforming use exists at the time of the adoption of this Ordinance.
2. That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use.
3. 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 should not cause nuisance effects to its neighborhood, such as but not limited to pollution of whatever form (air, noise, land, water, etc.), undesirable traffic (whether vehicular or pedestrian) and the like and should further not pose health and safety hazards and as further provided in the Performance Standards provision of this Ordinance.
9. The owner of a non-conforming use and/or structure shall program the phase-out and relocation within ten (10) years from the effectivity of this Ordinance.

Section 42. Responsibility for Administration and Enforcement

This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with existing rules and regulations on the subject.

Section 43. Qualifications of the Zoning Administrator/Zoning Officer

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

Section 44. Powers and Functions of a Zoning Administrator/Zoning Officer

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

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

2. Planning

Coordinate with the Regional Office of the HLURB regarding proposed amendments to the integrated ZO prior to adoption by the Sangguniang Panlungsod.

Section 45. Complaints and Oppositions

A complaint for violation of any provision of the integrated ZO or any clearance or permit issued pursuant thereto shall be filed with the LZBA. Oppositions to applications for Locational Clearance, Variance or Exception shall be treated as a complaint and shall likewise be filed with the LZBA.

Section 46. Functions and Responsibilities of the Local Zoning Board of Appeals

There is hereby created a LZBA which shall perform the following functions and responsibilities:

1. Act on applications of the following nature:
 - a. Variances
 - b. Exceptions
 - c. Non – Conforming Uses
 - d. Complaints and Oppositions to Application/s
2. Act on appeals on Grant or Denial of Locational Clearance by the Zoning Administrator/ Zoning Officer.
3. Act on appeals regarding the non-conformity of existing uses, buildings or structures to the applicable provisions of this Ordinance.
4. Decisions of the LZBA shall be carried by an absolute majority vote (50% + 1) of its members.

Section 47. Appeals to LZBA Decisions

Decisions of the LZBA shall be appealable to the HLURB.

Section 48. Composition of the Local Zoning Board of Appeals (LZBA)

The LZBA shall be composed of the following members:

1. City Mayor as Chairman
2. SP Committee Chairperson on Public Works, Infrastructure, Land Utilization, Housing, Planning and Development

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

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

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

Section 49. Review of the Zoning Ordinance

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

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

Section 50. Composition of the Local Zoning Review Committee (LZRC)

The Local Zoning Review Committee shall be composed of the following:

1. SP Committee Chairperson on Public Works, Infrastructure, Land Utilization, Housing, Planning and Development
2. City Planning and Development Coordinator
3. City Zoning Administrator/Zoning Officer

4. City Assessor
5. City Legal Officer
6. City Engineer
7. City Community Environment and Natural Resources Officer or its equivalent
8. City Agriculturist
9. City Tourism Officer
10. City Disaster Risk Reduction and Management Officer
11. President, Association of Barangay Captains
12. Three (3) Private Sector Representatives such as from Local Chamber of Commerce, local housing industry, federation of homeowner's associations, and academe.
13. Two (2) non-government and civil society organization representatives

The City Planning and Development Office shall serve as the Secretariat to the LZRC. The LZRC may invite resource persons in support of the performance of its functions.

Section 51. Functions of the Local Zoning Review Committee

The Local Zoning Review Committee shall have the following functions:

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

Section 52. Amendments to the integrated ZO

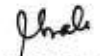
Changes in the integrated ZO, as a result of the review by the LZRC shall be treated as an amendment, provided that any proposed amendment to the Zoning Ordinance or provisions thereof shall be subject to public hearing and shall be carried out through a three-fourths (3/4) vote of the Sangguniang Panlungsod.

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

Section 59. Effectivity Clause

This Zoning Ordinance takes effect upon approval by the Sangguniang Panlalawigan after compliance with the publication requirements of the Local Government Code.
Approved this 7th day of August 2017

I HEREBY CERTIFY to the correctness of the foregoing Ordinance .


LUZ B. VALE
Secretary

ATTESTED:


JOSE ANTONIO MIGUEL Y. PEREZ
City Vice-Mayor/SP Presiding Officer


APOLONIA G. BACAY
Councilor


JOSELITO O. FONTELERA
Councilor


CAROLYN D. SISON
Councilor


MARGIELOU ORANGE H. VERZOSA
Councilor


ALFRED FELIX E. DE CASTRO
Councilor



RUFINA J. GABRIEL
Councilor



RANY S. DE LEON
Councilor


PERLITO V. RABAGO
Councilor


CIRILO B. BADO C
Councilor


FROEBEL A. RANOY
Councilor


RAUL B. BACAY
Councilor

APPROVED BY:

ARTHUR F. CELESTE
City Mayor

Section 53. 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 54. Suppletory Effect of Other Laws and Decrees

The provisions of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letters of instruction and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

Section 55. Non-Diminution of National Standards

The rules and standards provided in this ZO shall conform to the rules and standards provided by national agencies and shall not in any way diminish those that have been set by national laws and regulations.

Section 56. Consistency between National and Local Plans, Programs and Projects

Plans, programs and projects of national agencies that will be implemented within the locality, shall as much as practicable, be consistent with the provisions of the ZO.

Section 57. 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 58. 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.