



Republic of the Philippines
CITY OF SAN PEDRO
Province of Laguna

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF SAN PEDRO, LAGUNA HELD THRU VIDEO CONFERENCE AT 9:00 IN THE MORNING ON OCTOBER 6, 2020.

**RESOLUTION NO. 2020-154
CITY ORDINANCE NO. 2020-26**

AN ORDINANCE APPROVING THE ZONING REGULATIONS OF THE CITY OF SAN PEDRO AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF.

Sponsored by: Coun. Rafael P. Campos

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

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

WHEREAS, the local governments are mandated to mainstream disaster risk reduction and climate change in development processes such as policy formulation, socio-economic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, energy, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing;

WHEREAS, the Housing and Land Use Regulatory Board (HLURB) has spearheaded and now assists in and coordinates the activities of local governments in comprehensive land use planning;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod of the City Government of San Pedro, Laguna in its regular session duly assembled, that:

**ARTICLE I
TITLE OF THE ORDINANCE**

Section 1. Title of the Ordinance.

This ordinance shall be known as the **Integrated Zoning Ordinance** of the City of San Pedro, Laguna.

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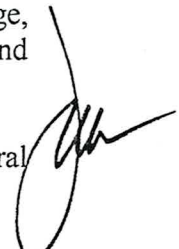

ARTICLE II AUTHORITY AND PURPOSE

Section 2. Authority.

This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, RA 7160 Sections 447, 448 and 458 a.2 (7-9) dated 10 October 1991, "Authorizing the City through the Sangguniang Panlungsod to adopt 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.

This Ordinance is enacted for the following purposes:

1. As a principal instrument for enforcing the locational policies and performance standards of the city in order to realize the Vision of San Pedro to become a highly urbanized community with a healthy environment. 
2. To guide, control and regulate future growth and development of the City of San Pedro in accordance with its 2014-2023 Comprehensive Land Use Plan (CLUP).
3. To protect the character and stability of residential, commercial, industrial, heritage, institutional, agricultural, open space and other functional areas within the locality and promote the orderly and beneficial development of the same.
4. To promote and protect the health, safety, peace, comfort, convenience, and general welfare of the growing number of people in the locality. 
5. To ensure the sustainability of the environment, taking into consideration Climate Change adaptation, in synergy with disaster risk reduction and management, in all development processes.
6. To mainstream climate change adaptation and disaster risk reduction and management in the Comprehensive Land Use Plan and Zoning Ordinance. 
7. Establish a resilient community from the effects of disasters and climate change.

Section 4. General Zoning Principle.

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. 2019-30 dated April 24, 2019 as follows:

1. The Ordinance reflects the City's vision to be "A highly urbanized and self-reliant community of inspired citizenry, living in a healthy environment and effectively governed by honest and dedicated public servants."
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;

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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 technical terms in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, Water Code, Philippine Environmental Code, Climate Change Act of 2009, Disaster Risk Reduction and Management of 2010, and other Implementing Rules and Regulations, promulgated by the HLURB. The words, terms and phrases enumerated hereunder shall be understood to have the meaning corresponding indicated as follows:

Accessory Use – a use supplementary to the primary use of the building and located on the same lot of the primary use

Adaptation – refers to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

Agricultural Zone (AGZ) – an area within SAN PEDRO CITY intended for cultivation/fishing and pastoral activities e.g. fishing, farming, cultivation of crops, goat/cattle raising, etc.

Back Yard – the part of the lot at the rear of the structure constructed therein.

Buffer Area – 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.

Buildable area – the remaining space in a lot after deducting the required minimum open spaces.

Built Area – a contiguous grouping of ten (10) or more structures.

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Cemetery – an area set aside for burial of deceased persons.

Central Business District (CBD) – shall refer to an area designated principally for trade, services and business purposes (Commercial 1 Zone).

Certificate of Non-Conformance – certificate issued to owners of all uses existing prior to the approval of the Zoning Ordinance which do not conform in a zone as per provision of the said Ordinance.

Climate Change – refers to a change in climate that can be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity.

Compatible Use – uses or land activities capable of existing together harmoniously enumerated as follows:

- a. residential use and agricultural use
- b. residential use and parks and recreation
- c. residential use and commercial use
- d. commercial use and parks and recreation
- e. commercial use and buffer zones
- f. institutional use and parks and recreation
- g. institutional use and residential use
- h. institutional use and commercial use
- i. industrial use and buffer zones

Comprehensive Land Use Plan (CLUP) – is a technical document embodying plan/proposals and strategies for guiding, regulating growth and/or development that is implemented through the Zoning Ordinance. The main components of the Comprehensive Land Use Plan in this usage are the land use plan and sectoral studies including Demography, Ecosystems Analysis (Terrestrial and Coastal), and Special Area Studies such as Climate Change Adaptation, Disaster Risk Reduction and Management, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.

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

Conforming Use – a use which is in accordance with the zone regulations as provided for in the Ordinance.

Disaster - a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.

Disaster Risk Reduction – refers to the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and environment, and improved preparedness for adverse events.

Easement – open space imposed on any land use/activity sited along waterways, roads-right-of-way (ROW), cemeteries/memorial parks, utilities and the like.

Ecotourism – a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors.: (Tourism Act and DENR AO 2013-19 Guidelines on Ecotourism Planning and Management in Protected Areas).

Elevated Walkways – pedestrian connections between two buildings or a major node or terminal. It consists of a covered or enclosed corridor / cat walk, along buildings and over roads.

Environmentally Critical Areas (ECA) – refers to those areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated 14 December 1981, as follows:

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

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

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

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

Exception – a device which grants a property owner relief from certain provisions of a Zoning Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

Flood Overlay Zone (FLD-OZ) – an area within the city identified as prone to flooding hazards and requires specific plans of action in the zoning ordinance in order to minimize its potential negative effect to developments.

Flood Protection Elevation – the minimum elevation to which developments are required by this Ordinance to be elevated, with reference to the Base Flood Elevation, in order to be flood proofed.

Floor Area Ratio or “FAR” – is the ratio between the gross floor area of a building and the area of the lot on which it stands, determined by dividing the gross area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed floor area ratio (FAR) multiplied by the lot area. The FAR of any zone should be based on its capacity to support development in terms of the absolute level of density that the transportation and other utility networks can support.

Front yard – refers to the area of the lot fronting a street, alley or public thoroughfare.

Green Open Space – land that has no buildings or built structures and is completely covered with grass, trees, shrubs, or other vegetation such that the whole surface of the area allows water to percolate.

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Gross Floor Area (GFA) – the GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:

- Office Areas;
- Residential Areas;
- Corridors;
- Lobbies;
- Mezzanine;
- Vertical penetrations, which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls;
- Restrooms or toilets;
- Machine rooms and closets;
- Storage rooms and closets;
- Covered balconies and terraces;
- Interior walls and columns, and other interior features;

But Excluding:

- Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;
- Uncovered areas for air conditioners (AC) cooling towers, overhead water tanks, roof decks laundry and areas and cages wading or swimming pools, whirlpools or jacuzzis, gardens, courts or plazas.

General Zoning Map – duly authenticated map delineating the different zones in which the whole city is divided.

Hazard – a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.

High Density Commercial Zone (C-3) – an area within the city intended for regional shopping centers such as large malls and other commercial activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and requires Provincial Level Development Planning and Implementation. High-rise hotels, sports stadium or sports complexes, residential and institutional establishments, are also allowable in this zone, subject to studies such as feasibility and traffic assessment.

High-Density Residential Zone (R-3) – a subdivision of an area principally for dwelling/housing purposes with a density of 66 or more dwelling units per hectare. The integration of establishments of other uses such as commercial and institutional, upon verification of their compatibility and feasibility are also allowable in this zone.

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

Human Occupancy – Any portion of any enclosed structure wherein humans principally live or sleep such as mobile homes, permanent residential activities, semi-transient residential activities, healthcare community facilities, nursing home community facilities, orphanages, family care facilities, group care facilities, or transient habitation.

Innovative Design – Introduction and/or application of new/creative designs and techniques in development projects e.g. planned unit development, new town, etc.

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Institutional (INZ) – an area within the city principally for general types of institutional establishments e.g. government offices, schools, hospital/clinics, academic/research, convention centers coupled by another compatible land use.

Laguna de Bay Shoreland Area – that part of the lake bed along the lakeshore lying at elevation 12.50 meters and below alternately submerged or exposed by the normal annual rising and lowering of the lake levels. Datum elevation is a point 10.00 meters below Mean Lower Low Water (M.L.L.W.).

Land Use – A manner by which land is occupied or utilized.

Less Restrictive Zone – a zone which allows more variety or degrees of uses, e.g. higher allowable density, higher risk facilities.

Light Industrial Zone (I-1) – a subdivision of an area principally for the following types of industries:

- Non-pollutive/non-hazardous
- Non-pollutive/hazardous

Linear Park – a long and narrow park at least three (3) meters wide.

Liquefaction – is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading.

Liquefaction Overlay District (LOD) – an area within the city identified as prone to liquefaction hazards and requires specific plans of action in the zoning ordinance in order to address this development challenge.

Local Zoning Board of Appeals (LZBA) – a local special body created by virtue of this Ordinance mandated to, among others, handle appeals for Variances and Exceptions.

Locational Clearance (LC) – a clearance issued by the Zoning Administrator/Officer to a project that is allowed under the provisions of this Ordinance.

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

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

Low-Density Commercial Zone (C-1) – an area within the city principally for trade, services and business activities.

Low-Density Residential Zone (R-1) – an area within the city principally for dwelling/housing purposes with a density of 20 dwelling units and below per hectare combined with another compatible land use.

Medium-Density Commercial Zone (C-2) – an area within the city with quasi-trade business activities and service industries performing complementary/ supplementary functions to principally commercial zone.

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Medium-Density Residential Zone (R-2) – an area within the city principally for dwelling/housing purposes with a density of 21 to 65 dwelling units per hectare combined with another compatible land use.

Medium Industrial Zone (I-2) – an area within the city principally for the following types of industries:

- Pollutive/non-hazardous
- Pollutive/hazardous

Mitigating Device – a means to grant relief in complying with certain provision of the Ordinance such as, but not limited to, those pertaining to use, building bulk and density and performance.

Mixed-Use Development – development characterized by two or more significant revenue-producing uses such as retail, office, residential, hotel/motel, and entertainment/cultural/recreation that in well-planned projects are mutually supporting and compatible.

N.E.C. – acronym for “not elsewhere classified”.

Non-Conforming Use – uses existing prior to the approval of this Zoning Ordinance that are not in conformity with its provisions but are allowed to operate subject to the conditions of this Zoning Ordinance.

Notice of Non-Conformance – notice issued to owners of all uses existing prior to the approval of the Ordinance which do not conform to the provisions herein provided.

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

Open Space (OS) – as used in this Ordinance, an area where permanent buildings shall not be allowed and which may only be used as forest, buffer/greenbelts, parks and playgrounds.

Parks and Recreation Zone (PRZ) or Parks and Open Spaces – areas designed for diversion/amusements and for the maintenance of ecological balance of the community.

Percentage of Land Occupancy – the percentage of land occupied by buildings or physical infrastructure exclusive of court yards and light wells.

Piggery (Backyard) – involving one sow and 10 heads or less and allowed in rural areas only. Piggery project with 11 or more heads are considered commercial.

Piggery Farm – shall refer to any parcel of land devoted to the raising or breeding, depasturing, feeding or watering of pigs/swine, generally under the management of a tenant or owner.

Planned Unit Development – a land development scheme wherein the project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complimentary of building types and land uses, usable open spaces and the preservation of significant natural land features.

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Rezoning – a process of introducing amendments to or a change in the text and maps of the Zoning Ordinance. It also includes amendment or change in view of reclassification under Section 20 or RA 7160.

Right-of-Way (ROW) – land secured and reserved to the public for highway purposes and also includes carriageway, pedestrian walkway, landscape areas, and utilities.

Road-Right-Of-Way – means a public open space for the continuous flow of pedestrian and vehicular traffic, including the airspace above such RROW that must be free of all forms of prohibited physical obstructions.

Sangguniang Barangay – the legislative body of the barangay composed of the punong barangay as presiding officer, and the seven (7) regular Sangguniang Barangay members elected at large and Sangguniang Kabataan chairman, as members. In addition thereto, there shall be three (3) sectoral representatives and one from the other sectors, including the urban poor, indigenous cultural communities, or disabled persons as members.

Sangguniang Panlungsod – the legislative body of the city composed of the city vice-mayor as the presiding officer, the regular sanggunian members, the president of the city chapter of the liga ng mga Barangay, the president of the pambayang pederasyon ng mga Sangguniang Kabataan, and the sectoral representatives, as members.

See-through Fence – type of fence that allows a view of the inner yard and the improvements therein when viewed from most angles. (Examples: cyclone fence, picket fence, chain link fence, wooden lattice etc.)

Setback – the open space left between the building and lot lines.

Socialized Housing – refers to housing [programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA).

Socialized Housing Zone (SHZ) – shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279 combined with another compatible land use.

Sow – shall refer to female swine.

Special Institutional Zone (SIZ) – an area within the city 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.

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

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

Transit-Oriented Development – a mixed-use community within an average of 400-meter walking distance of a transit stops and core commercial area.

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

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

Urban Areas – include all barangays or portions of which comprising the Poblacion, CBD and other built up areas including the urbanizable land in and adjacent to said areas and where at least more than fifty (50%) of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes.

Utilities – land uses that indicate the location of facilities and utilities such as power supply, waterworks, telecommunications, drainage/sewerage, disposal facilities, materials recovery facilities, etc.

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

Variance – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

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

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

Water Zone (WZ) – are bodies of water within the city which include rivers, streams, lakes and seas except those included in other zone classification.

Yard – as defined in the National Building Code, this is “the required open space left between the outermost face of the building/structure and the property lines, e.g. front, rear, right and left side yards. The width of the yard is the setback.”

Zone/District – an area within the city for specific land use as defined by man-made or natural boundaries.

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

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

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ARTICLE IV ZONE CLASSIFICATIONS

Section 5. Division into Zones.

To effectively carry out the provisions of this Ordinance, the City is hereby categorized into the following zones or land uses as shown in the Official Zoning Maps:

1. Residential Zones:
 - a. Medium -Density Residential (R-2)
 - b. High-Density Residential (R-3)
2. Commercial Zones
 - a. Low-Density Commercial (C-1)
 - b. Medium-Density Commercial (C-2)
 - c. High- Density Commercial (C-3)
3. Industrial Zones:
 - a. Light Industrial Zone (I-1)
 - b. Medium Industrial Zone (I-2)
4. Institutional Zones:
 - a. General Institutional Zone (GI-Z)
 - b. Special Institutional Zone (SI-Z)
5. Parks and Recreation Zone (PRZ)
6. Cemetery/Memorial Park Zone (CEM)
7. Utilities, Transportation, and Services Zone (UTS-SZ)
8. Sanitary Landfill Zone
9. Water Zone (WZ) / Lakeshore Development Zone
10. Socialized Housing Zone (SHZ)
11. Tourism Zone (TZ)

Section 6. Zoning Maps.

It is hereby adopted as an integral part of this Ordinance; the Official Zoning Maps for the whole city, wherein the designation, location and boundaries of the zones herein established are shown and indicated. Such Official Zoning Maps shall be signed by the local chief executive and duly authenticated by the HLURB/Sangguniang Panlalawigan.

The Zoning Map shall be drawn to the scale of 1:5,000.

Section 7. Zone Boundaries.

The locations and boundaries of the abovementioned various zones into which the city is classified are hereby identified and specified in Annex "A".

Section 8. Interpretation of the Zone Boundaries.

In the interpretation of the boundaries for any of the zones/districts indicated on the Zoning Map, the following rules shall apply:

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

- 2. Where zone boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries.
- 3. Where zone boundaries are so indicated that they are approximately parallel to the center lines or right-of-way (ROW) lines of streets and highways, such zone/district boundaries shall be construed as being parallel thereto and at such distance there from as indicated in the zoning map.
- 4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad ROW.
- 5. Where the boundary of a zone follows a river, creek, stream, or other bodies of water, said boundary line shall be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following the bank or side of a river, stream or creek, shall be construed to follow such banks or sides, provided that uses along such boundaries shall have to comply with the easements and setback imposed by the Clean Water Act and other applicable laws or regulations. Should there be a change in the existing banks or sides of rivers or creeks, the boundaries shall be construed as moving with the actual banks or sides.
- 6. Where a lot of one ownership, as of record at 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.
- 7. Where the zone boundary is indicated as one-lot-deep, said depth shall be construed to be average lot depth of the lots involved within each particular city block. Where, however, any lot has a depth greater than said average, the remaining portion of said lot shall be construed as covered by the one-lot- deep zoning district provided the remaining portion has an area less than fifty percent (50%) of the total area of the entire lot. If the remaining portion has an area equivalent to fifty percent (50%) or more of the total area of the lot then the average lot depth shall apply to the lot which shall become a lot divided and covered by two or more different zoning districts, as the case may be.

In case of any remaining doubt as to the location of any property along zone boundary lines, such property shall be considered as falling within the less restrictive zone, e.g. between a residential and commercial zone, the structure's location will be presumed as commercial.

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

Zone Boundaries

Block 1 (Lakeshore Development Project)

Bounded on the	N	-	Muntinlupa
	S	-	Biñan
	E	-	Laguna de Bay
	W	-	Block 2

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Utility Transport Zones (UTZ)

- Ferry Terminal
- Terminal
- Waste Water Treatment Plant

Parks and Recreational Zone

Institutional Zones

- Government Office(s)

Tourism Zone

- Tourism Projects or Tourist Related Activities (novelty/souvenir shops, hotels, resorts, etc.)

Residential Zone

Commercial Zone

Block 2

Bounded on the	N	-	Muntinlupa
	S	-	Biñan
	E	-	Laguna Lake/Lakeshore Development
	W	-	National Highway

Industrial Zone

- Existing industrial zones located in Brgys. Cuyab, Landayan, San Roque, and San Antonio

Utility Zone

- Existing utility zones located at Brgys. Cuyab, Landayan, and San Antonio

Institutional Zone

All Existing:

1. Schools
2. Old Municipal Building
3. New City Hall Building
4. Existing School(s) - Brgys. Landayan
5. Barangay Halls - Brgys. San Roque
6. Churches - located at Brgys. Cuyab, San Roque, Poblacion, Landayan, and San Antonio

Tourism Zone

- 1 lot deep along National Highway
- 1 lot deep on both sides of Provincial Road

Commercial Zone

- 1 lot deep on both sides along San Roque St., to San Luis St., to Hernandez St., going to South Fairway, Brgy. Landayan
- 1 lot deep on both sides along Rizal St. (both sides), Luna St. (both sides), Garcia St., and Ramirez Ave., Brgy. Poblacion, to Cataquiz 3, Brgy. Landayan
- Existing commercial area in Brgy. Landayan
- 1 lot deep on both sides of San Vicente St., Garcia St.

Residential Zone

- All the rest

Block 3

Bounded on the	N	-	Muntinlupa
	S	-	Biñan
	E	-	National Highway
	W	-	South Luzon Expressway (SLEX)

Industrial Zone

All Existing Industrial Zone in Brgy. San Antonio, San Vicente, Fatima, and Nueva

1. Alaska Milk Corporation
2. MMG (Brgy. San Antonio/Landayan)
3. URC (Brgy. San Antonio)
4. Polyresin
5. Former Viva Footwear (Brgy. San Vicente)
6. Former Tegula (Brgy. Fatima)

Institutional Zone

All Existing Institutional Zones such as:

1. Schools
2. Brgy. Hall
3. Churches
4. Daycare Center
5. Fire/Police Station
6. San Pedro Astrodome

Located at Brgys. San Antonio, San Vicente, San Lorenzo, Fatima, Pacita 2, Pacita 1, and Nueva

Tourism Zone

- 1 lot deep on both sides along Pacita Ave., going to big/small tunnel
- 1 lot deep along National Highway, Nueva
- 1 lot deep on both sides along Magsaysay Rd., Brgy. San Antonio

Commercial Zone

- All existing commercial at Brgys. San Antonio, San Vicente, Nueva, Fatima, San Lorenzo, Pacita 2, and Pacita 1
- Existing gas station along South Luzon Expressway (SLEX)
- 1 lot deep on both sides of Maharlika Ave., USPS
- 1 lot deep on both sides of San Vicente Rd., Chapel Rd., to Garcia St.
- 1 lot deep on both sides Crismor Ave., Brgy. Fatima/Nueva
- 1 lot deep on both sides of Pacita 2 Main Ave. to Rainbow Ave.
- 1 lot deep on both sides of 18th St. to Macaria Ave.

Open Space

- All existing open spaces within subdivision projects

Residential Zone

- All the rest

Block 4

Bounded on the	N	-	San Isidro River
	NE	-	Creek/Carmona, Cavite
	S	-	Carmona, Cavite
	E	-	South Luzon Expressway (SLEX)

Industrial Zone

- Existing at San Vicente Rd., Brgys. San Vicente, Maharlika, Chrysanthemum, and Rosario

Institutional Zone

1. Schools - All existing institutional at Brgy. Maharlika, Brgy. Chrysanthemum, Brgy. Rosario, and Brgy. San Vicente
2. Brgy. Halls
3. Daycare Center
4. Evacuation Center
5. Health Center
6. Church
7. Covered Court

Commercial Zone

- 1 lot deep on both sides along San Vicente St.
- 1 lot deep (both sides) along Balagtas St., up to Villa Olympia Ph. 4, Brgy. Chrysanthemum
- Existing commercial area at Brgys. Maharlika, San Vicente, Chrysanthemum, and Rosario

Open Space

- All within Brgy. Maharlika, Brgy. Chrysanthemum, Brgy. Rosario, Brgy. San Vicente

Tourism Zone

- 1 lot deep along Olympia Main Rd., Maharlika going to Juan Luna, Brgy. Chrysanthemum and Amorsolo St., Brgy. Rosario

Residential

- All the rest

Block 5

Bounded on the	N	-	Muntinlupa
	NE	-	Muntinlupa
	S	-	San Isidro River/Creek/Lots 257, 258, 259, 461, 872
	SW	-	Dasmariñas
	E	-	South Luzon Expressway (SLEX)

Industrial Zone

- All existing Industrial Project and Proposed Industrial Zones within Brgy. San Antonio (colored Violet)

Commercial

- Existing commercial project
- 1 lot deep on both sides of Magsaysay Rd. Going to Victoria Ave.
- 1 lot deep on both sides of Narra Rd., going to Main Road of Holiday Park Subdivision, Brgy. San Antonio
- 1 lot deep on both sides of Fr. Masi St. - Existing bus garage of Cher Transit
- 1 lot deep on both sides of Maharlika Drive going to Fr. Masi and Pagsanjan St.

Open Spaces

- Existing cemeteries
- Subdivisions

Proposed landfill in San Antonio

- Colored Gray

Tourism Zone

- 1 lot deep on both sides along Magsaysay Rd., until existing TAT Filipinas Golf Course
- 1 lot deep (both sides) of Magsaysay going to Fr. Masi St., Brgy. GSIS
- TAT Filipinas Golf Course

Institutional Zone

- All existing institutional zones including the following:
 1. Schools
 2. Brgy. Halls
 3. Police/Fire Station
 4. Daycare Center
 5. Church
 6. Health Centers

Residential Zone

- All the rest

Block 6

Bounded on the	N	-	San Isidro River/Creek/Lots No. 257, 258, 259 461, 872
	S	-	GMA, Cavite/Creek
	SW	-	San Isidro River/Creek
	E	-	Dasmariñas, Cavite

Industrial Zone

- Proposed Industrial Zone (colored violet) at Brgy. Langgam
- All existing industrial zones, located at Brgys. GSIS, Sampaguita, Calendola, Magsaysay, UB, Riverside, Narra, Laram, Langgam, Bagong Silang, and San Vicente

Commercial Zone

- 1 lot deep on both sides along Acacia St., Brgy. Calendola, going to R. Magsaysay Ave., up to St. Joseph Village, up to Sitio Rustan St., Brgy. Langgam
- 1 lot deep on both sides of F. Benito St., Brgy. Langgam, going to Bayan-Bayanan Main Rd.
- Proposed Mall, Brgy. Langgam
- Villa Antonio, Brgy. Bagong Silang
- All existing commercial located at Brgys. GSIS, Sampaguita, Calendola, Magsaysay, UB, Riverside, Narra, Laram, Langgam, Bagong Silang, San Vicente

Institutional Zone

- All existing institutional zones including the following:
 1. Schools
 2. Brgy. Halls
 3. Daycare Center
 4. Church

Open Space

- Open space of subdivisions
- Heaven's Cradle Key Memorial Park

Tourism Zone/Belt

- 1 lot deep on both sides of Narra St., Brgy. Calendola going to Sampaguita Ave., Brgy. Sampaguita, New Year's Ave., Brgy. GSIS, up to Fr. Masi St., Brgy. San Antonio

Residential Zone

- All the rest

ARTICLE V ZONE REGULATIONS

Section 9. General Provision.

The uses enumerated in the succeeding sections are neither exhaustive nor all-inclusive. The Sangguniang Panlungsod (SP) as per recommendation from the City of San Pedro Zoning Board of Appeals (SAN PEDRO CZBA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

Allowance of further uses shall be based on the intrinsic qualities of the land and the socio-economic potential of the locality with due regard to the maintenance of the essential qualities of the zone.

Specific uses/activities of lesser density within a particular zone (e.g. R-1) may be allowed within the zone of higher density (e.g. R-2) but not vice versa, nor in another and its subdivisions (e.g. R-1, R-2), except for uses expressly allowed in said zones, such that the cumulative effect of zoning shall be intra-zonal and not inter-zonal. The zone with the lesser density however, must exert all efforts to comply with the zone of greater density.

Developments of mixed-use character (R-2, C-1) shall implement sharing of compatible uses; where the majority of the development must be the principal use (e.g. R-2 – the principal use is residential) and the remaining portion can be any of the allowed or compatible uses within the zone category.

All new development shall provide/comply with Green Building Design Regulations in compliance with Climate Change Adaptation and Disaster Risk Reduction (CCA-DRR) such as Rain Collector, use of LED bulbs, Solar Power, and other sources of Energy Reducing Equipments, in compliance with RA 9003 provisions on Reduce, Reuse, and Recycle of wastes.

In areas identified as Flood prone and highly susceptible to Liquefaction, planting of Mahogany, Bamboo, and Agoho trees are encouraged to mitigate the negative effects of hazards.

All areas underneath the Thirty (30) meter NPC Right-of-Way (ROW) shall be considered as Non-Buildable, as such no new structures shall be constructed nor existing ones be repaired or expanded.

In highly susceptible to flooding, no new structures shall be allowed, if the construction is not compliant.

In compliance to DENR-EMB Clean Water Act, residential structures shall provide a minimum of three (3) chambers septic tank for a five or less members and six (6) or more chambers for commercial establishments to maintain class-C water quality of Laguna Lake. For Industrial projects, the same shall strictly comply with ECC/LLDA requirements, including specific provisions of the proposed City Development Code of 2018.

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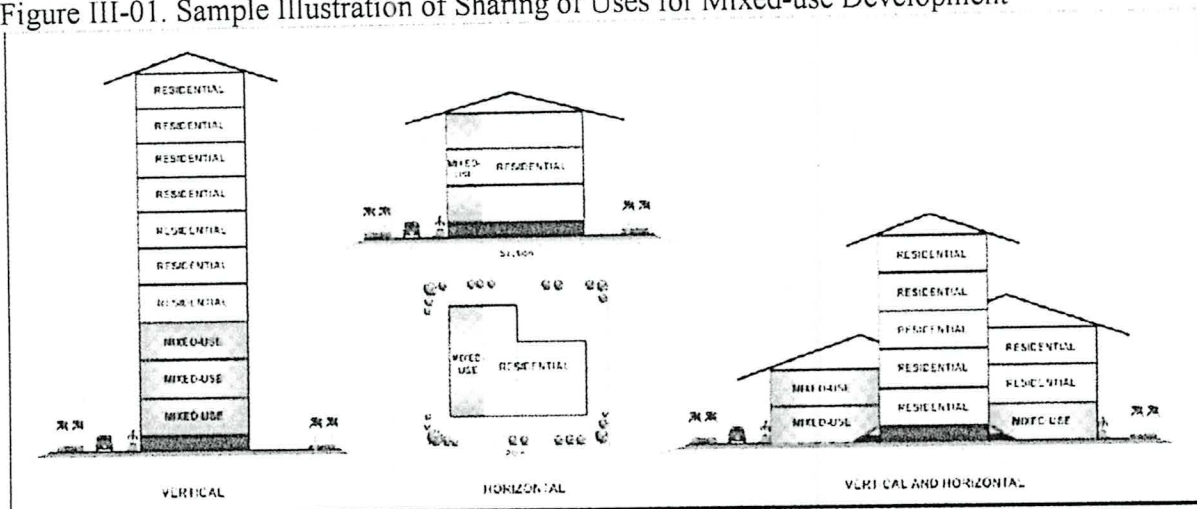
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Figure III-01. Sample Illustration of Sharing of Uses for Mixed-use Development



Section 10. Height Regulations.

Unless otherwise stipulated in this ordinance, building heights must conform to height restrictions and requirements of the Civil Aviation Authority of the Philippines regulations of the city related to land development and building construction and the various safety codes.

Exempted from the imposition of height regulations are church structures, covered courts, utility and other structures not covered by the height regulations of the National Building Code, and/or CAAP.

High rise buildings shall not be allowed in Highly Susceptible to Flooding, Liquefaction, Landslide, and areas adjacent to the identified fault.

Section 11. Building and Area Regulations.

Unless otherwise stipulated in this ordinance, building specifications, materials, design, etc., must conform to the restrictions and requirements of the existing codes such as:

1. P.D. 957 – the “Subdivision and Condominium Buyers’ Protective Law” and its revised implementing rules and regulations.
2. B.P. 220 – Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects” and its revised implementing rules and regulations.
3. P.D. 1096 – National Building Code
4. P.D. 1185 – Fire Code
5. P.D. 856 – Sanitation Code
6. R.A. 6541 – Structural Code
7. Batas Pambansa 344 – Accessibility Law
8. Rules and Regulations – HLURB Town Planning and Zoning Program
9. CA 141 or Public Land Act – public lands, including foreshore and reclaimed lands;
10. PD 705 or Revised Forestry Code – forestlands;
11. PD 1067 or Water Code of the Philippines – inland and coastal waters, shorelines and riverbank easements;
12. RA 6657 or Comprehensive Agrarian Reform Law – agrarian reform lands.

13. RA 7279 or Urban Development and Housing Act (UDHA) – socialized housing and settlements development;
14. RA 7586 or National Integrated Protected Areas Act – protected areas in both land and seas;
15. RA 7942 or Philippine Mining Act – mining areas;
16. RA 8371 or Indigenous People's Rights Act (IPRA) – ancestral lands;
17. RA 8435 or Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural lands;
18. RA 8550 or Revised Fisheries Code – city/municipal waters and coastal zones;
19. RA 9593 or Philippine Tourism Act – tourism zones and estates;
20. RA 9729 or Philippine Climate Change Act, as amended;
21. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas; and,
22. RA 100121 or Disaster Risk Reduction and Management Act – disaster-prone and geo-hazard areas.
23. All policies embodied in the City Comprehensive Land Use Plan
24. Other relevant guidelines promulgated by the national agencies concerned and all related policies embodied in the CLUP.

Areas at risk for hazards such as liquefaction, flooding, earthquake, landslide, fault, etc. should strictly comply with the proper engineering standards and undergo relevant engineering studies such as soil studies, geologic studies, hydrologic studies, seismic studies, etc.

Section 12. Percentage of Land Occupancy Regulations.

Buildings or structures shall only be built on the land area allowable to the Percentage of Land Occupancy (PLO) allocated for the particular zone category. PLO may be 60:40 or 80:20 ratio.

To allow the infiltration of storm water to the ground, a minimum of ten percent (10%) of the total land area shall be preserved for natural soil and green open space. Cementing or application of any substance that will impede the groundwater infiltration on this land area is prohibited. The use of Grasscrete is hereby suggested (combination of grass and concrete paving of block).

Figure III-02. Sample illustration of PLO

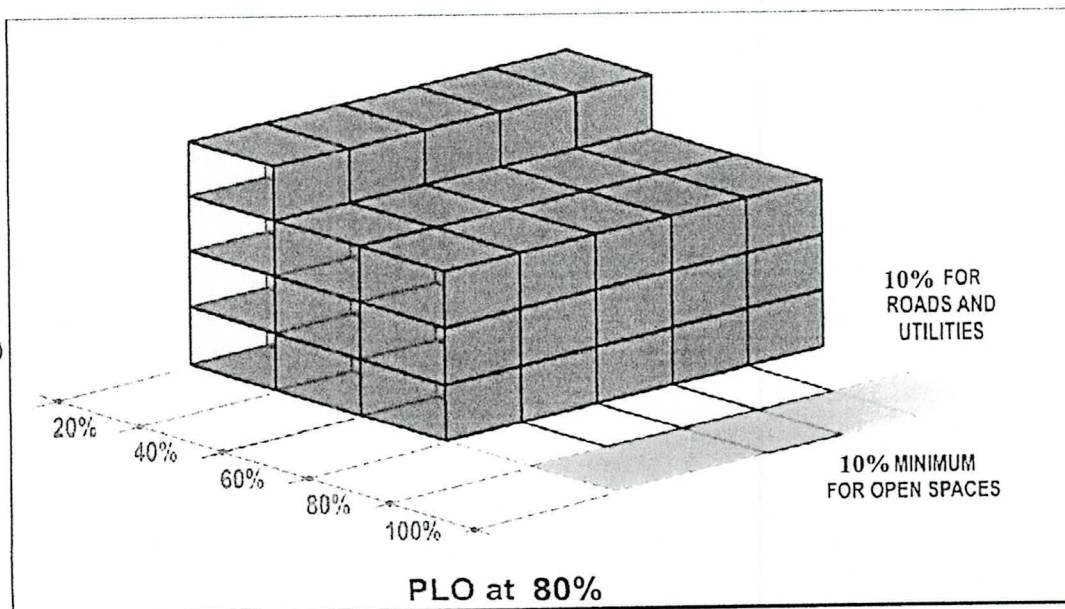
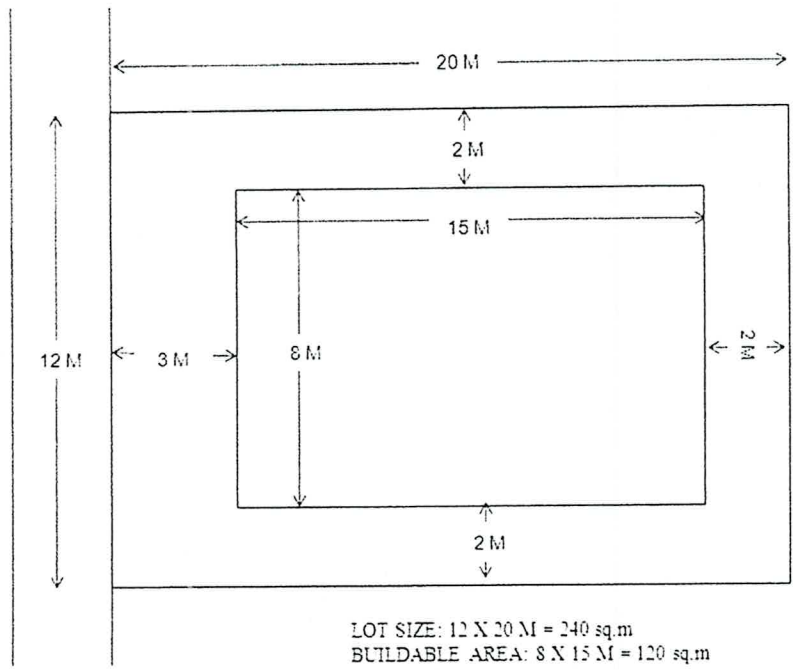


Figure III-03. Sample illustration of PLO



PLO at 50%

Table III – 01. Maximum PLO per Zone Classification

Zone Classification	Maximum PLO
R-1	Retained Setback
R-2	0.80
R-3	0.80
C-1	0.60
C-2	0.60
C-3	0.60
SHZ	0.80
I-1	0.60
I-2	0.60
INZ	0.60
SIZ	0.60
TZ	0.60
PRZ	0.25
CEM	0.25

Section 13. Use Regulations in Socialized Housing (SHZ)

SHZ shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279 as amended by RA 10884. In addition in these zones, structures may allow to integrate commercial establishments such as shops and stores. This integrative development stimulates walkable neighborhoods due to the close proximity of nearby amenities at the same time the establishment's enhanced revenue-generating activities of the homeowners.

1. All uses allowed in R-2 and R-3 zones.

The proposed Resettlement Project in Brgy. Bagong Silang and Langgam with an area of 2.8 hectares is allotted for Informal Settler Families (ISF) living in flood prone areas in Brgy. Landayan and other lakeshore barangays. The project is a mixed Medium Rise building and Row houses to maximize space and compliant with BP 220 Socialized Housing Guidelines.

Section 14. Use Regulations in Medium Density Residential (R-2)

R-2 zones shall be for housing/dwelling purposes i.e. 21 to 65 dwelling units per hectare. The following are the allowable uses:

1. Detached family dwelling
2. Semi-detached family dwelling, e.g. duplex, row house
3. Customary accessory uses like:
 - a. Servants quarters
 - b. Private garage
 - c. Guardhouse
4. Apartment
5. Boarding houses
6. Dormitory
7. Branch library and museum
8. Elementary school
9. High school
10. Home occupation for the practice of one's profession or for engaging an in-house business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
 - a. The number of persons engaged in such business/industry shall not exceed five (5), inclusive of the owner;
 - b. There shall be no change in the outside appearance of the building or premises;
 - c. No home occupation shall be conducted in any customary accessory uses cited above;
 - d. 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 of the street and in a place other than in a required front yard;
 - e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses and visual or audible interference in any radio or television receivers or causes fluctuation in line voltage of the premises.
11. Home industry classified as cottage industry provided that:
 - a. 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/nuisance;
 - b. Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry(DTI);
 - c. Shall consider same provisions as enumerated in 4.c, d and e, home occupation, and this section.
12. Recreational facilities such as swimming pools, play courts and the like provided that:
 - a. The number of persons engaged in the facility shall not exceed five (5)
 - b. No traffic shall be generated by such recreational facility in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such shall be met of the street and in a place other than in a required front yard.

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13. Religious use
14. Multi-purpose/Barangay hall
15. Preschool
16. Sports club
17. Clinic, nursing and convalescing home, health center
18. Plant nursery

All R-2 and R-3 zones converted as commercial and/or Tourism Belt Zone shall be required to apply for new Locational Clearance and Building Permits, the same may be granted subject to the applicable provisions of Article V, Section 9 of this ordinance, including additional basic utilities to meet the carrying capacity of the commercial activities. Setback requirements shall likewise be complied and sufficient parking must be provided. A No Parking Policy along the road and a No Parking No Permit Policy shall be strictly implemented.

Section 15. Use Regulations in High Density Residential (R-3).

R-3 zones shall be used primarily for high-density housing/dwelling purposes i.e. 66 or more dwelling units per hectare and limited complementary/supplementary trade, services and business activities. The following are the allowable uses:

1. All uses allowed in R-2/MXD zone
2. Commercial housing e.g. hotel, apartment, apartelle, boarding house, dormitory, pension house, club house, motel residential inn/condotel/condominium
3. Branch library, art gallery, exhibit area and museum
4. Pre-school/elementary school, high school, vocational school
5. Multi-purpose/Barangay Hall
6. Nursing and convalescing
7. Plant nursery
8. Welfare/charitable institution
9. Public utility facility
10. Fire and security station
11. Office
12. General retail store (not shopping center) e.g. bookstore and office supply shop, car shop, home appliance store, photo shop, flower shop
13. Food markets and shops e.g. bakery, bakeshop, wine store, grocery, supermarket
14. Personal services shops e.g. beauty parlor, barber shop, sauna bath and massage clinic, dressmaking and tailoring shops
15. Parks, garden, playgrounds, sports-related/recreational center/establishments e.g. movie house/theater, playcourt, swimming pool, gymnasium, entertainment/amusement center, billiards hall.
16. Restaurant, canteen or food-serving establishment, provided that except in hotels, such restaurant, canteen, or food-serving establishment is not located on the ground or basement floor
17. Short-term special education/training (e.g. dancing schools, schools for self- defense, driving schools, speech clinics, computer/internet centers)
18. Embassy/consulate
19. Filling station/service station
20. Convention center and related facilities
21. Messengerial service
22. Janitorial service
23. Security agency

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24. Bank, finance, insurance, money exchange service and other financial institutions
25. Radio and television station, media service
26. Commercial and job printing
27. Computer/information technology-related activity/service
28. Typing and photo engraving services
29. Repair of optical instruments and equipment and cameras
30. Repair of clocks and watches
31. Place of religious worship/use
32. Accessory uses such as:
 - a. health center/clinic/daycare center
 - b. club house/gym/sports/recreation facility
 - c. utility installation for use of zone/lot occupants
 - d. guardhouse
 - e. showroom/display
 - f. office/school support service
 - g. servants quarters parking lot/garage facilities

Section 16. Use Regulations in Low Density Commercial (C-1).

A C-1 shall be principally for trade, services and business activities on a local scale. Within the zone the following types of establishments shall be allowed:

1. Uses allowed in R-2/MXD
2. Offices like:
 - a. office building
 - b. office condominium
3. General retail stores and shops like:
 - a. Department store/shopping center
 - b. Bookstore and office supply shop
 - c. Car shop (retail only, not repair)
 - d. Home appliance store
 - e. Photo shop
 - f. Flower shop
4. Food markets and shops like:
 - a. Bakery and bakeshop
 - b. Wine store
 - c. Grocery
 - d. Supermarket
5. Personal services shops like:
 - a. Beauty parlor
 - b. Barber shop
 - c. Spa
 - d. Dressmaking and tailoring shops
6. Recreational center/establishments like:
 - a. Movie house/theater
 - b. Playcourt e.g. tennis, bowling, billiard
 - c. Swimming pool
 - d. Day and night club
 - e. Stadium, coliseum, gymnasium
 - f. Other sports and recreational establishments

7. Restaurants and other eateries
8. Short term special education like:
 - a. Dancing schools
 - b. Schools for self-defense
 - c. Driving schools
 - d. Speech clinics
9. Storeroom and warehouse but only as may be as necessary for the efficient conduct of the business and not to be incompatible with the general character of its neighborhood.
10. Commercial housing like:
 - a. Hotel
 - b. Apartment
 - c. Apartel
 - d. Boarding house
 - e. Dormitory
 - f. Pension house
 - g. Club house
 - h. Motel
11. Preschool, kindergarten school, elementary school, high school
12. College/university, cultural educational center
13. Commercial condominium (with residential units in upper floors)
14. Government facility
15. Embassy/consulate
16. Library, museum
17. Clinic/health center/club, gym
18. Sanitarium, nursing home
19. General/specialized hospital, medical center
20. Dance/voice/music, other specialty studio
21. Convent, seminary and related uses
22. Vocational/technical school
23. Convention center and related facilities
24. Messengerial service
25. Security agency
26. Janitorial service
27. Bank and other financial institution
28. Radio and television station
29. Building garage
30. Commercial job printing
31. Typing and photo engraving services
32. Repair of optical instruments and equipment and cameras
33. Repair of clocks and watches
34. Manufacture of insignia, badges and similar emblems except metal
35. Transportation terminal/garage
36. Plant nurseries
37. Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities.

Section 17. Use Regulations in Medium Density Commercial (C-2).

A C-2 Zone shall be used primarily for medium intensity mixed use and commercial development for quasi-trade, business activities and service industries. Enumerated below are the allowable uses:

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1. All uses in C-1 may be allowed in C-2.
2. All allowable uses in R-2 Zone provided that commercial uses would have the greater area footprints
3. Transportation terminals/garage with and without repair
4. Repair shops e.g. house appliance repair shops, motor vehicles and accessory repair shops, home furnishing shops
5. Printing/Publishing
6. Machinery display shop/center
7. Filling station/service station
8. Gravel and Sand
9. Lumber/hardware
10. Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
11. Manufacture of signs and advertising displays (except printed)
12. Chicharon factory
13. Welding shops
14. Machine shop service operation (repairing/rebuilding, or custom job orders)
15. Repair of motorcycles
16. Lechon or whole pig roasting
17. Medium scale junk shop
18. Biscuit factory - manufacture of biscuits, cookies, crackers and other similar dried bakery products
19. Doughnut and hopia factory
20. Other bakery products and those not elsewhere classified
21. Repacking of food products e.g. fruits, vegetables, sugar and other related products
22. Funeral parlors, mortuaries and crematory services and memorial chapels
23. Carpark buildings, parking lots, garage facilities
24. Government facility provided that commercial uses would have greater area footprint.
25. Cultural/educational center
26. General/Specialized hospital, medical center, provided that commercial uses would have greater area footprint.
27. Shopping center/department store

Section 18. Use Regulations in High Density Commercial (C-3).

A C-3 Zone shall be used primarily for high intensity mixed use and commercial developments for trade, business activities and service industries. The service area covers a metropolitan to national scale of operations. Enumerated below are the allowable uses:

1. All uses in C-2 Zone provided that commercial uses would have the greater area footprint
2. Manufacture of wood furniture including upholstered products
3. Manufacture of rattan furniture including upholstered products
4. Manufacture of box beds and mattresses
5. Small-scale commercial warehousing activity
6. Large-scale commercial warehousing activity
7. Other commercial activities and those not elsewhere classified

Section 19. Use Regulations in Light Industrial Zone (I-1).

An I-1 Zone shall be used for non-pollutive/non-hazardous and non-pollutive/hazardous manufacturing/processing establishments. Large-scale warehousing and private-initiated residential projects for industrial components are also included. Enumerated below are the allowable uses:

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A. Non-Pollutive, Non-Hazardous Industries

1. Drying fish
2. Biscuit Factory - manufacture of biscuits, cookies, crackers and other similar dried bakery products
3. Doughnut and hopia factory
4. Manufacture of pasta and other noodles
5. Other bakery products and those not elsewhere classified (n.e.c.)
6. Popcorn/rice factory
7. Small-scale manufacture of ice cream
8. Life belts factory
9. Manufacture of luggage, handbags, wallets and small leather goods
10. Manufacture of miscellaneous products of leather, leather substitute and those n.e.c.
11. Manufacture of shoes except rubber, plastic and wood
12. Manufacture of slippers and sandals except rubber and plastic
13. Manufacture of footwear parts except rubber and plastic
14. Printing, publishing and allied industries and those n.e.c.
15. Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines
16. Manufacture or assembly of electronic data processing machinery and accessories
17. Renovation and repair of office machinery
18. Manufacture or assembly of miscellaneous office machines and those n.e.c.
19. Manufacture of rowboats, bancas, and sailboats
20. Manufacture of animal-drawn vehicles
21. Manufacture of baby carriages except rubber and plastic
22. Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
23. Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, thermometer, etc.
24. Manufacture or assembly of surgical, medical, dental equipment and medical furniture
25. Quick freezing and cold packaging for fish and other seafood
26. Quick freezing and cold packaging for fruits and vegetables
27. Manufacture of medical/surgical supplies – adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
28. Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.)
29. Manufacture of photographic equipment and accessories
30. Manufacture or assembly of optical instruments
31. Manufacture of eyeglasses and spectacles
32. Manufacture of optical lenses
33. Manufacture of watches and clocks
34. Manufacture of pianos
35. Manufacture of string instruments
36. Manufacture of wind and percussion instruments
37. Manufacture or assembly of electronic organs
38. Manufacture of sporting gloves and mitts
39. Manufacture of sporting balls (not of rubber or plastic)
40. Manufacture of gym and playground equipment
41. Manufacture of sporting tables (billiards, ping-pong, pool)
42. Manufacture of other sporting and athletic goods, and those n.e.c.

43. Manufacture of toys and dolls except rubber and mold plastics
44. Manufacture of pens, pencils and other office and artist materials
45. Manufacture of umbrellas and canes
46. Manufacture of buttons except plastic
47. Manufacture of brooms, brushes and fans
48. Manufacture of needles, pens, fasteners and zippers
49. Manufacture of insignia, badges and similar emblems (except metal)
50. Manufacture of signs and advertising displays

B. Non-Pollutive/Hazardous Industries

1. Manufacture of house furnishing
2. Textile bag factories
3. Canvas bags and other canvas products factory
4. Jute bag factory
5. Manufacture of miscellaneous textile goods, embroideries and weaving apparel
6. Manufacture of fiber batting, padding and upholstery filling except coir
7. Clothing factory
8. Manufacture of hats, gloves, handkerchief, and neckwear and related clothing accessories
9. Manufacture of raincoats and waterproof outer garments except jackets
10. Manufacture of miscellaneous apparel except footwear and those n.e.c.
11. Manufacture of miscellaneous fabricated millwork and those n.e.c.
12. Manufacture of wooden and can containers
13. Sawali, nipa and split cane factory
14. Manufacture of bamboo, rattan and other cane baskets and wares
15. Manufacture of cork products
16. Manufacture of wooden shoes, shoe lace and other similar products
17. Manufacture of miscellaneous wood products and those n.e.c.
18. Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.
19. Manufacture of paper stationery, envelopes and related articles
20. Manufacture of dry ice
21. Repacking of industrial products e.g. paints, varnishes and other related products.

C. Large-scale warehousing activity

D. Private-initiated Residential Projects for industrial components

E. Accessory Uses:

1. clinic/health center/club, gym
2. canteen/food serving establishment
3. place of religious worship
4. library, museum, exhibit area, art gallery
5. multi-purpose hall/room
6. retail store (outlet store-type)
7. utility installation for zone/lot occupants
8. sports/recreation facility
9. transportation terminal/garage e.g. parking structure, waiting shed
10. guardhouse
11. showroom/display

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The following setbacks shall also be observed:

1. A buffer of 5.0 meters minimum from commercial areas.
2. A buffer of 5.0 meters minimum from residential areas.

Section 20. Use Regulations in Medium Industrial Zone (I-2).

An I-2 Zone shall be for pollutive/non-hazardous and pollutive/hazardous manufacturing and processing establishments. Enumerated below are the allowable uses:

A. Pollutive/Non-Hazardous Industries

1. Manufacture and canning of ham, bacon and native sausage
2. Poultry processing and canning
3. Large-scale manufacture of ice cream
4. Corn mill/rice mill
5. Chocolate and cocoa factory
6. Candy factory
7. Chewing gum factory
8. Peanuts and other nuts factory
9. Other chocolate and confectionery products
10. Manufacture of flavoring extracts
11. Manufacture of food products n.e.c. (vinegar, seasoning)
12. Manufacture of fish meal
13. Oyster shell grading
14. Manufacture of medicinal and pharmaceutical preparations
15. Manufacture of stationary, art goods, cut stone and marble products
16. Manufacture of abrasive products
17. Manufacture of miscellaneous non-metallic mineral products n.e.c.
18. Manufacture of cutlery, except table flatware
19. Manufacture of hand tools
20. Manufacture of general hardware
21. Manufacture of miscellaneous cutlery hand tools and general hardware n.e.c.
22. Manufacture of household metal furniture
23. Manufacture of office, store and restaurant metal furniture
24. Manufacture of metal blinds, screens and shades
25. Manufacture of miscellaneous furniture and fixture primarily of metal n.e.c.
26. Manufacture of fabricated structural iron and steel
27. Manufacture of architectural and ornamental metal works
28. Manufacture of boilers, tanks and other structural sheet metal works
29. Manufacture of other structural products n.e.c.
30. Manufacture of metal cans, boxes and containers
31. Manufacture of stamped, coated and engraved metal products
32. Manufacture of fabricated wire and cable products
33. Manufacture of heating, cooking and lighting equipment except electrical
34. Sheet metal works generally manually-operated
35. Manufacture of other fabricated metal products except machinery and equipment n.e.c.
36. Manufacture or assembly of agricultural machinery and equipment
37. Native plow and harrow factory
38. Repair of agricultural machinery
39. Manufacture or assembly of service industry machines
40. Manufacture or assembly of elevators and escalators

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41. Manufacture or assembly of sewing machines
42. Manufacture or assembly of cooking ranges
43. Manufacture or assembly of water pumps
44. Refrigeration industry and cold storage
45. Manufacture or assembly of other machinery and equipment except electrical n.e.c.
46. Manufacture or repair of electrical apparatus
47. Manufacture or repair of electrical cables and wires
48. Manufacture of electrical cable and wires
49. Manufacture of other electrical industrial machinery and apparatus n.e.c.
50. Manufacture or assembly of electric equipment radio and television, tape recorders, stereo
51. Manufacture or assembly of radio and television transmitting, signaling and detection equipment
52. Manufacture or assembly of telephone and telegraphic equipment
53. Manufacture of other electronic equipment and apparatus n.e.c.
54. Manufacture of industrial and commercial electrical appliances
55. Manufacture of household cooking, heating and laundry appliances
56. Manufacture of other electrical appliances n.e.c.
57. Manufacture of electric lamp fixtures

B. Pollutive/Hazardous Industries

1. Flour mill
2. Cassava flour mill
3. Manufacturing of coffee
4. Manufacturing of unprepared animal feeds, other grain milling n.e.c.
5. Production of prepared feeds for animals
6. Weaving hemp textile
7. Jute spinning and weaving
8. Miscellaneous spinning and weaving mills, n.e.c.
9. Hosiery mill
10. Underwear and outwear knitting mills
11. Fabric knitting mills
12. Miscellaneous knitting mills n.e.c.
13. Manufacture of mats and mattings
14. Manufacture of carpets and rugs
15. Manufacture of cordage, rope and twine
16. Manufacture of related products from abaca, sisal, henequen, hemp, cotton, paper, etc.
17. Manufacture of linoleum and other surface coverings
18. Manufacture of artificial leather, oil cloth and other fabrics except rubberized
19. Manufacture of coir
20. Manufacture of miscellaneous textile, n.e.c.
21. Manufacture of rough lumber, unworked
22. Manufacture of worked lumber
23. Resaw mills
24. Manufacture of veneer, plywood and hardwood
25. Manufacture of doors, windows and sashes
26. Treating and preserving of wood
27. Manufacture of wood and cane blinds, screens and shades
28. Manufacture of containers and boxes of paper and paper boards
29. Manufacture of miscellaneous pulp and paper products, n.e.c.
30. Manufacture of perfumes cosmetics and other toilet preparations

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31. Manufacture of waxes and polishing preparations
32. Manufacture of candles
33. Manufacture of inks
34. Manufacture of miscellaneous chemical products, n.e.c.
35. Tire retreating and rebuilding
36. Manufacture of rubber shoes and slippers
37. Manufacture of industrial and molded rubber products
38. Manufacture of plastic footwear
39. Manufacture of plastic furniture
40. Manufacture of other fabricated plastic products, n.e.c.
41. Manufacture of table and kitchen articles
42. Manufacture of pottery, china and earthenware n.e.c.
43. Manufacture of flat glass
44. Manufacture of glass containers
45. Manufacture of miscellaneous glass and glass products, n.e.c.
46. Manufacture of clay bricks, clay tile and hollow clay tiles
47. Manufacture of miscellaneous structural clay products, n.e.c.
48. Manufacture of structural concrete products
49. Manufacture of engines and turbines except motor vehicles, marine and aircraft
50. Manufacture of metal cutting, shaving and finishing machinery
51. Manufacture of wood working machinery
52. Manufacture, assembly, rebuilding, repairing of food and beverage marking machinery
53. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
54. Manufacture, assembly, rebuilding, repairing of paper industry machinery
55. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
56. Manufacture of rice mills
57. Manufacture of machines for leather and leather products
58. Manufacture of construction machinery
59. Manufacture of machines for clay, stove and glass industries
60. Manufacture, assembly, repair, rebuilding of miscellaneous special industrial machinery and equipment, n.e.c.
61. Manufacture of dry cells, storage battery and other batteries
62. Boat building and repairing
63. Manufacture of locomotives and parts
64. Manufacture of railroad and street cars
65. Manufacture or assembly of automobiles, cars, buses, trucks and trailers
66. Manufacture of wood furniture including upholstered
67. Manufacture of rattan furniture including upholstered
68. Manufacture of box beds and mattresses

The following setbacks shall also be observed:

1. A buffer of 5.0 meters minimum from commercial areas.
2. A buffer of 5.0 meters minimum from residential areas.

Section 21. Use Regulations in Institutional Zone (INZ).

An INZ shall be primarily used for government, religious, cultural, educational, medical, civic, residential, and supporting commercial and service uses. Enumerated below are the allowable uses:

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1. Parks, gardens, playgrounds, sports-related/recreational center/establishments (e.g. playcourt, swimming pool, stadium/gymnasium)
2. Government center to house national, regional or local offices in the area e.g. City Hall, Police and Fire Departments, City Court, City Jail, and CDRRM Center
3. Barangay centers
4. Zoological parks and other nature centers
5. Day care centers, pre-school/elementary school, high school, colleges, universities, professional business schools, vocational and technical schools and other institutions of higher learning
6. General hospitals, medical centers, multi-purpose clinics, maternity hospitals, and barangay health centers
7. Fire and police station buildings
8. Scientific, cultural and academic centers and research facilities, except those related to nuclear and radioactive science
9. Local civic centers, auditorium, exhibition and convention centers and related facilities
10. Auditorium, theater, performance/civic center (not commercial cinema)
11. Religious structures e.g. church, seminary, convents, temples, mosques, and chapels
12. Welfare and charitable institutions
13. Museums, library, exhibit area, art gallery
14. Embassies/consulates
15. Student housing e.g. dormitories, boarding house within campus property
16. Government housing projects
17. Radio/TV station, media service
18. Accessory Uses:
 - a. Office/school support service
 - b. parking structure
 - c. Multi-purpose hall/room
 - d. Clubhouse/gym/sports/recreation facility
 - e. Transit station/terminal (loading and unloading facility)
 - f. Retail store (not department store or shopping center)
 - g. Restaurant, canteen, other food serving establishments

All new buildings/structures shall likewise comply with Green Building Design and Regulations and other permits but exempted from paying of fees except those activities that are proprietary in nature such as markets.

Section 22. Use Regulations in Special Institutional Zone (SIZ).

An SI Zone shall be used 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.) and the following uses shall be allowed:

1. Rehabilitation and vocational training center for unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
2. Welfare homes, orphanages, boys and girls town, home for the aged and the like
3. Penitentiary and correctional institution
4. Crisis Centers of DSWD, Women & Children Center, Senior Citizen Center
5. Sports & Cultural Complexes and Evacuation Center

Section 23. Use Regulations in Parks and Recreation Zone (PRZ).

A PRZ shall primarily be used as an area designed for diversion/amusement and for the maintenance of the community's ecological balance. The following uses shall be allowed in Parks and Recreation Zones:

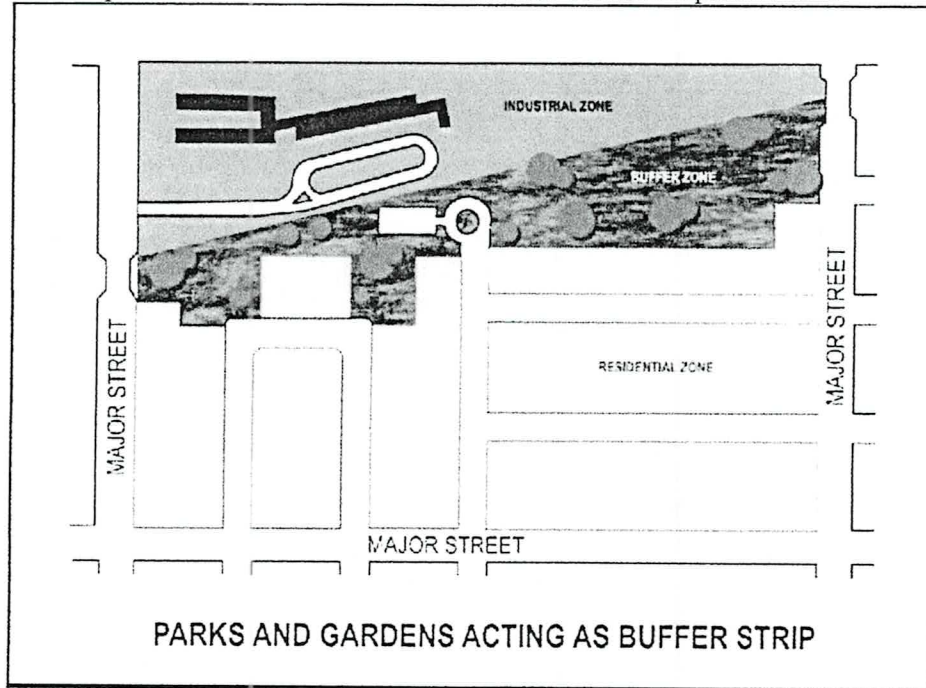
1. Parks/playground, promenade, garden, and other nature center, with customary park structures such as park office, gazebo, clubhouse
2. Resort areas e.g. Open Parks, including accessory uses, such as toilets except accommodation facilities
3. Plaza complete with amenities for tourists (toilets, souvenir shops)
4. Arboretum and botanical gardens, urban vegetable gardening
5. Playfields or athletic fields and support facilities, including low-rise stadiums, gyms, amphitheaters and swimming pools
6. Golf courses, ball courts, race tracks and similar uses
7. Memorial/shrine monuments, kiosks and other park structures
8. Specialty School/training facility like Sports Clinics
9. Dance/Voice/Music, other specialty studio
10. Underground parking structures/facilities with open spaces on ground level
11. Club/multi-purpose hall/room
12. Health center/clinic/club, gym
13. Accessory uses:
 - a. Tourist Information Center
 - b. Community/village association office
 - c. Fire/Security station
 - d. Place of religious worship
 - e. Multi-purpose hall/room
 - f. Sports/recreation facility
 - g. Day care center
 - h. Utility installation for use of zone/lot occupants
 - i. Public utility facility
 - j. Auditorium, theater, performance/civic center
 - k. Library, museum, exhibit area, art gallery
 - l. Sporting goods/souvenir shop
 - m. Restaurant, café, canteen, other food-serving establishments
 - n. Shops
 - o. Personal service/repair
 - p. Massage/sauna/bath house facility
 - q. parking structure

Section 24. Use Regulations in Buffer Zone (BZ).

The BZ shall be used to separate incompatible land uses where no permanent structures are allowed. The following are the allowable uses:

1. Parks/ gardens
2. Plantations/forest
3. Jogging Path
4. Bicycle Lanes
5. Fire Wall if the project is a fire hazard

Figure III-03. Sample illustration of a Buffer Zone between incompatible uses



Section 25. Use Regulations in Cemetery (CEM) Zone.

The CEM Zone shall be used primarily for burial and related activities, provided that the uses enumerated below are in consonance with the Implementing Rules and Regulations to govern the processing of applications for Locational Clearance of Memorial Parks and Cemeteries (HLURB Resolution No. 681 Series of 2000):

1. Cemetery, with customary ancillary uses, such as cemetery administration, service, and maintenance facilities, provided that:
 - a. Cemeteries shall be located in the town periphery with the least amount of hazard to human life possible
 - b. It is not located in areas where the water table is not higher than 4.5 meters below the ground surface
 - c. It is not located in environmentally critical areas as defined in Proclamation No. 2146
 - d. The site must have road access with a minimum of eight (8) meters road right-of-way
 - e. If located along national primary and secondary roads as defined by EO 113, a buffer of at least 25 meters shall be imposed where no burials will be allowed.
 - f. The cemetery shall be enclosed by a perimeter fence as prescribed in the Implementing Rules of the National Building Code (Rule XII, 3.1)
 - g. No burial ground shall be located within 50 meters from either side of the river or within 50 meters from any source of water supply as prescribed in the Sanitation Code of the Philippines or PD 856
 - h. A burial ground shall be at least 25 meters distant from any dwelling house and no house shall be constructed within the same distance from any burial ground.

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2. Crematorium
3. Place of religious worship
4. Mausoleum
5. Columbarium
6. Memorial shrines / monuments
7. Accessory uses:
 - a. Parking structure
 - b. Fire/security station
 - c. Health facility/clinic
 - d. Utility installation for use of zone/lot occupants
 - e. Public utility facility
 - f. General retail store and food serving establishments, e.g. Flower shop, mini-mart, canteen
 - g. Funeral parlors, mortuaries

All existing non-conforming Funeral Parlors shall be allowed to continue its operations for five (5) years from the approval of this ordinance, provided no complaint from adjacent residents and the provisions of Article XII, Section 72 are complied with and HLURB Standard and Guidelines.

Section 26. Use Regulations for Utility Zone (UTL).

In UTL, the following uses shall be permitted only with its necessary buffer.

1. Mobile phone base stations or cell sites or any similar telecommunications infrastructure.
2. Power facilities and related infrastructures such as roads, bridges and river control.
3. Transit station/terminal/depot or any similar transportation infrastructure, including support facilities to passengers and tourists
4. Waterworks facilities and infrastructure
5. Mini-dams and water-impounding basin to mitigate flooding
6. Drainage/sewerage facilities
7. Disposal facilities, materials recovery facilities
8. Air strip / helicopter landing pads
9. Flood control infrastructure
10. Port/Terminals along the lakeshore

Section 27. Use Regulations in Water Zone (WZ).

The utilization of the water resources for domestic and industrial use shall be allowed provided it is in consonance with the development regulations of DENR, provisions of the Water Code, fishery laws and the Revised Forestry Code of the Philippines, as amended and provided further; that is subjected to an environmental impact assessment prior to the approval of its use.

Other uses as recreation, fishing and related activities, floatage/transportation shall be also allowed provided it is in consonance with the provisions of the Water Code, fishery laws and the Revised Forestry Code of the Philippines, as amended.

Such bodies of water shall include Laguna Lake, San Isidro River and creeks and their tributaries.

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Allowable uses within the Lakeshore Development Zone:

1. Propagation of Pet, Fish/Aquarium Species
2. Fish feeding in Fish cages and other similar activities
3. Floating Restaurant
4. Skateboarding and other Water Sports activities
5. Fish Spa
6. Ferry Boat rides
7. Walkable Footpath
8. Entertainment Center
9. Cafeteria/Coffee Shops
10. Novelty Shops
11. Restaurants/Eateries
12. Water Lily Bag making
13. Ferry Boat Terminals
14. Theme Parks

No vertical structures shall be constructed at the 257 hectares Lakeshore Development. Only walkable platform on stilts will be used to protect and conserve the ecosystem underneath the structures.

Parking spaces shall be provided at a Transit center, but only e-cars or golf cart may be allowed to be used by tourists, clients, and Persons with Disabilities (PWDs).

Section 28. Use Regulations in Tourism Zone (TZ).

Tourism projects or tourist related activities particularly related to religious and pilgrimage tourism shall be allowed in tourist zones provided that they foster and promote community participation and protection and management of natural resources. The establishment shall be environmentally sound and developed or undertaken in accordance with Department of Tourism (DOT) guidelines and standards. It shall have strategic access through transportation infrastructure, and reasonable connection with utilities and infrastructure systems. The following uses shall be permitted:

1. Travel and tour services bureaus
2. Accommodation establishments such as but not limited to hotels, resorts, apartment hotels, tourist inns, pension houses, private homes used for homestay, ecolodges, condotels, serviced apartments, and bed and breakfast facilities
3. Meetings, incentives, conventions and exhibition organizers and facilities
4. Sports and recreational facilities such as but not limited to golf courses, amusement parks, adventure and ecotourism facilities
5. Attraction facilities identified and recognized by the San Pedro Tourism Office
6. Restaurants, souvenir shops, and other tourist amenity establishment identified and recognized by the San Pedro Tourism Office.
7. Religious tourism activities to visit, churches such as Sto. Rosario Church, Lolo Uweng Shrine - Sto. Sepulcro, St. Peter Church, proposed Risen Christ shrine and identified houses of ancestry and historical sites.
8. Permitted uses in Tourism Zone may be allowed in Commercial Zones such as Resorts and other related activities within the Lakeshore Development Zone.

Section 29. Use Regulations in Sanitary Landfill Zone (SLZ).

This zone is solely for the purpose of a sanitary landfill and its related facilities. The following guidelines, standards, and criteria shall be applied in siting and designing landfills as specified in the Philippine Ecological Solid Waste Management Act of 2000 or RA 9003 and the Sanitation Code of the Philippines or PD-856:

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1. There shall be no dwelling unit closer than 200 meters to any portion of the premises designated as the landfill area.
2. The site shall be accessible from major roadways and thoroughfares, provided that if it is not accessible, the project design shall include means of access.
3. The facility shall at least be 50 meters away from any perennial stream, lake or river.
4. Locations of public water supply intakes located within one kilometer from the facility, including active public drinking water supply wells, shall be shown on a facility map.
5. The design of the landfill shall be statistically stable and shall be able to withstand the effects of a ground acceleration generated by an earthquake of 100-year or more recurrence interval.
6. The facility shall not be constructed within 75 meters from a Holocene fault or known recent active fault.
7. The site shall be large enough to accommodate the city's wastes for a period of five years or more during which people must internalize the value of environmentally sound and sustainable waste disposal.
8. The site shall not be located in a floodplain.
9. A separation of at least two meters shall be maintained between the top of the liner system and underlying groundwater.
10. The site shall be chosen with regard to the sensitivities of the community's residents. The Sangguniang Panlungsod of San Pedro shall adopt a resolution confirming compliance with the pertinent siting, design criteria and standards.
11. Closure of the landfill shall be completed within one year of cessation of landfill operation.

Allowable uses within the Sanitary Landfill Zone:

1. Junk Shops
2. Garbage Collector Garage
3. Material Recovery Facility
4. Backyard Gardening
5. Tree Planting
6. Recycling Activities

ARTICLE VI OVERLAY DISTRICTS

Section 30. Division into Overlay Districts.

In addition to zones, specific areas within the city are also classified according to Overlay Districts.

These districts shall overlay the zones shown on the official zoning map. In addition to other requirements of this Ordinance applicable to development in the underlying zoning classifications, compliance with the requirements of this section shall be necessary for all development occurring within the overlay districts. Conflicts between the requirements of this chapter and other requirements of this Ordinance or any other ordinance shall be resolved in favor of this section except where the conflicting requirement is more stringent and would further the objectives of this chapter. In such cases the more stringent requirement shall be applied.

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1. Flood Overlay Districts (FOD)
2. Liquefaction Overlay Districts (LOD)
3. Fault Overlay Zone (F-OZ)
4. Tourism Overlay Zone (T-OZ)
5. Heritage Overlay Zone (H-OZ)
6. Landslide Overlay Zone (L-OZ)
7. Urban Corridor Overlay Zone (UCD-OZ)
8. Billboard Overlay Zone (B-OZ)

Section 31. Overlay District Boundaries.

The locations and boundaries of the above mentioned overlay districts into which the city is classified are hereby identified and specified in the Multiple Hazard Maps.

**ARTICLE VII
OVERLAY DISTRICT REGULATIONS**

Section 32. 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 33. Use Regulations in Flood Overlay District (FLD-OZ).

It is the intent of this FLD-OZ to apply special regulation to the use of land in those areas subject to periodic inundation. Such regulation is deemed necessary to protect the public health, safety, and general welfare and to reduce public and private expenditures imposed on the community and its residents by such periodic flooding. These regulations are also intended to reserve areas for the impoundment of water, to stabilize stream flow and to maintain a proper ecological balance.

Official FLD-OZ Map

The regulations and controls set forth in this article shall be applied within the areas designated as FLD-OZ on the zoning map found in Annex B and may be viewed upon request at the office of the CPDO; however, nothing contained herein shall prohibit the application of these regulations to lands which can be demonstrated by competent engineering survey to lie within any FLD-OZ; conversely, any lands which can be demonstrated by competent engineering to lie beyond the FLD-OZ shall not be subject to these regulations. Any alterations to the FLD-OZ shall be so noted as an alteration to the FLD-OZ on the zoning map.

Alterations of FLD-OZ

Any duly approved alterations of the flood plain will be so noted on the official zoning map as a matter of information. This notation shall be made upon certification by the Director of Public Works and Highways to the CPDO that such alteration has been completed in accordance with an approved plan.

The following uses shall be permitted within the FLD-OZ provided they are not prohibited by any other code or ordinance:

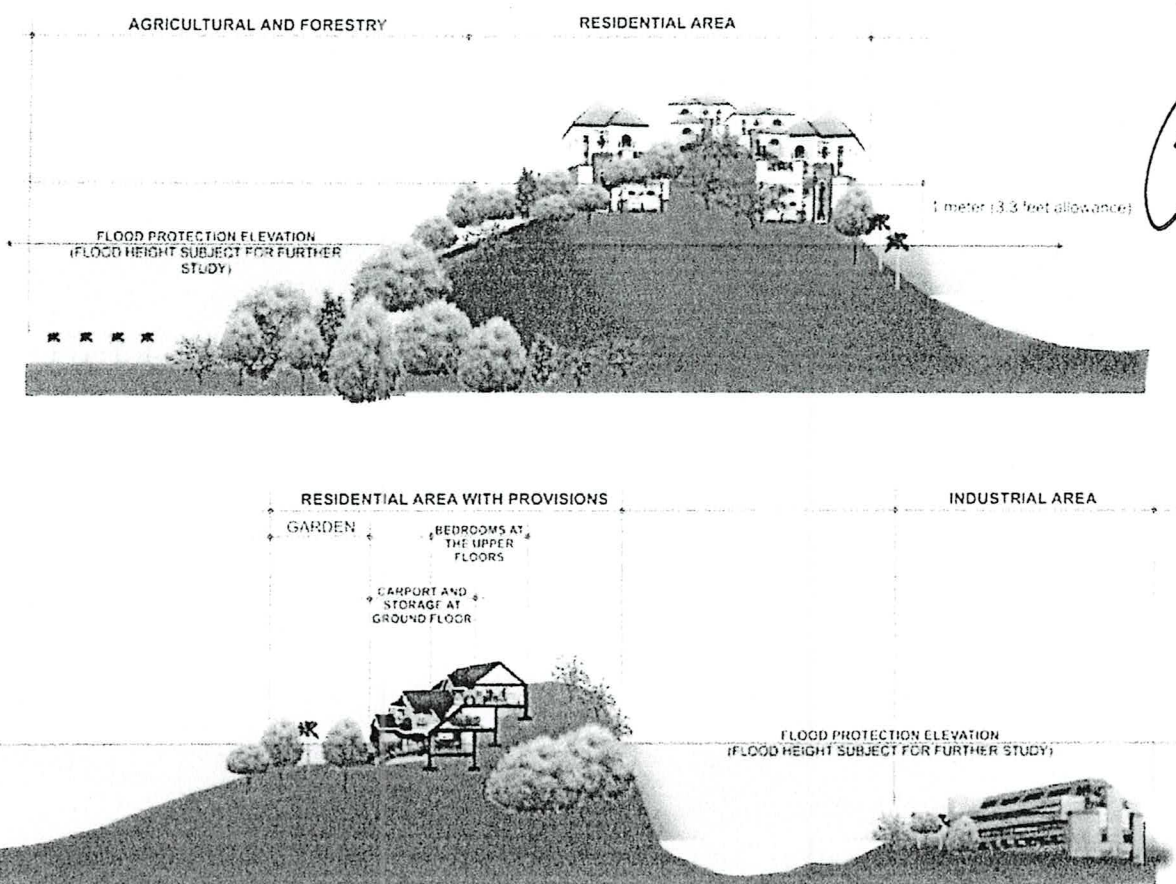
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1. Agricultural uses
2. Forestry uses
3. Industrial or commercial accessory uses such as loading areas, parking areas, rail sidings, and airport landing strips, if located within an underlying zoning in which the use is permitted.
4. Residential accessory uses such as lawns, gardens, parking areas, and play areas, if located within an underlying Zoning District in which the residential use is permitted.

In addition to the requirements of the applicable zoning district, The SAN PEDRO CZBA may grant a conditional use permit for the construction of structures and accessory structures thereto of residential, community facility, commercial, manufacturing, and agricultural and extractive activities within the FLD-OZ only under the following conditions:

1. The approval must be based on a plan prepared by a registered architect.
2. The minimum floor elevation of that portion of any structure intended for human occupancy shall be either equal to or higher than three (3) feet or approximately one (1) meter above the flood protection elevation.
3. Those portions of such structures not intended for human occupancy shall be either equal to or higher than the flood protection elevation.

Figure III-04. Structures Considering Flood Protection Elevation



4. All other related facilities thereto such as electrical equipment, water service, and sanitary sewer connections shall be either equal to or higher than the flood protection elevation or shall be flood proofed to the flood protection elevation.

5. The minimum floor elevation of any structure not intended for human occupancy, as defined, shall be either equal to or higher than the flood protection elevation.
6. Flood proofing of these structures will only be authorized by the DPWH as specific individual exceptions to minimum floor elevation requirements, where it can be shown that the proposed flood proofing is acceptable from an engineering standpoint.
7. Structures shall be placed on the site so as to minimize obstruction to the flow of floodwaters.
8. No new residential houses shall be constructed in Highly Susceptible to flooding at Brgy. Landayan, Brgy. San Roque, and Brgy. Cuyab.

Building Density and Bulk Regulations

- MAPSO: 60% of TLA
- USA: not less than 40% of TLA

Building/Structure Design Regulations

- Buildings shall be made flood proof through any or combination of the following means:
 1. 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;
 2. Providing roof decks that can be used for evacuation purposes;
 3. Building utility connections such as those for electricity, potable water and sewage shall be located at elevations higher than the FPE;
 4. Natural drainage patterns should not be altered; and
 5. 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 34. Use Regulations in Liquefaction Overlay District (LFOD).

It is the intent of this LFOD to apply special regulation to the use of land in those areas which are high risk for liquefaction. Such regulation is deemed necessary to protect the public health, safety, and general welfare and to reduce public and private expenditures imposed on the community and its residents by such danger.

Official LFOD Map

The regulations and controls set forth in this article shall be applied within the areas designated as LFOD on the zoning map found in Annex B and may be viewed upon request at the office of the CPDO; however, nothing contained herein shall prohibit the application of these regulations to lands which can be demonstrated by competent engineering survey to lie within any LFOD; conversely, any lands which can be demonstrated by competent engineering to lie beyond the LFOD shall not be subject to these regulations. Any alterations to the LFOD shall be so noted as an alteration to the LFOD on the zoning map.

Alterations of LFOD

Any duly approved alterations of the liquefaction prone areas will be so noted on the official zoning map as a matter of information. This notation shall be made upon certification by the Director of Public Works and Highways to the CPDO that such alteration has been completed in accordance with an approved plan.

The following uses shall be permitted within the LFOD provided they are not prohibited by any other code or ordinance:

1. Agricultural uses
2. Forestry uses

In addition to the requirements of the applicable zoning district, The SAN PEDRO CZBA may grant a conditional use permit for the construction of structures and accessory structures thereto of residential, community facility, commercial, and manufacturing activities within the LFOD only under the following conditions:

1. The approval must be based on a plan prepared by a registered architect.
2. Engineering studies shall be conducted such as geologic, hydrologic, geomorphic studies and soil tests and the use of piling system.
3. Strict compliance with the National Structural Code of the Philippines.

Section 35. Use Regulations in Fault Overlay Zones (FLT-OZ)

FLT-OZs are applied in barangays Calendola, G.S.I.S., San Antonio, Sampaguita, and San Vicente defined by five (5)-meter wide strips on both sides of and running along identified earthquake fault. The objective of these regulations is to minimize the possible harmful effects of fault movements to properties.

Allowable Uses

Only the following uses shall be allowed within identified FOZs:

1. Parks, playgrounds, pocket parks, parkways, promenades and play lots
2. Legal easements

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

Building Density and Bulk Regulations

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

Section 36. Use Regulations in Landslide Overlay Zone (LSD-OZ)

LSD-OZ regulations are applied in the upland barangays of San Pedro City that are highly susceptible to landslides: Calendola and Magsaysay. 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
 - 20% 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 60% 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 37. Use Regulations in Heritage Overlay Zones (HTG-OZ)

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

Allowable Uses

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

Building Density and Bulk Regulations

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

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

- For new construction:

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

Building/Structure Design Regulations

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

Other Regulations

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

Section 38. Use Regulations in Scenic Corridor Overlay Zone (SCD-OZ)

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

The identified scenic corridors are the following:

1. Lakeshore Development overlooking the lake
2. Risen Christ shrine overlooking the adjoining cities and the lake
3. Existing City Hall from the vintage as you enter coming from the highway

Allowable Uses

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

Building Density and Bulk Regulations

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

Building/Structure Design Regulations

- Building facades, roofs and other exterior elements shall be either be painted with earth-tone colors or made of natural stone;
- Perimeter fences along the front, rear and sides of properties shall have a maximum height of three (3) meters reckoned from the crown of the new access road coming from the highway. The base may be made of opaque materials, such as concrete hollow blocks or rock, with a maximum height of 400mm reckoned from the said street crown and the upper portion shall be made of see-through materials; and
- Landscape materials, particularly continuous hedge planting, should not obstruct views from the road. These shall have maximum heights of 600mm reckoned from the said street crown.

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ARTICLE VIII
GENERAL DISTRICT REGULATIONS

Section 39. Building or Structure Use.

No building, structure or land shall hereafter be occupied or used and no building or structure or part thereof shall be erected, constructed or structurally altered except in conformity with the provisions of this zoning ordinance.

Section 40. Petition to Homeowners' Association or Barangay.

Where a person plans to establish a in terms of aesthetic design or traffic to be generated and/or opening the area certain use/activity which will necessarily affect the character of a residential zone to outsiders which may result in loss of privacy of its residents, the prior social acceptability of the majority of the household heads of the homeowner's association or in its absence, the barangay, most especially the persons immediately adjacent to the proposed site, will have to be secured as one of the preliminary criteria for the approval of the zoning permit (locational clearance) and building permit.

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Section 41. Road Setback Regulations.

The following road setback regulations shall be applied:

ROAD SETBACK (in Meters)

Zoning Classification	Major Thoroughfare 30m & above Diversion/Railways	Secondary Road Provincial	Tertiary Road 6m & below City/Brgy.
Residential	10	10	3
Commercial	20	20	7
Industrial	30	25	10
Agro-Industrial	30	25	10
Institutional	20	20	10
Parks & Recreation	10	10	3
Tourism Zones	20	20	7

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Source: DPWH

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INSTRUCTIONS: The road setback requirements of DPWH starts from the edge of the road right-of-way for major thoroughfares and roads with established grade, a five meter setback for residential areas is allowed. The required setback is already annotated on the titles of affected property owners.

Section 42. Easement.

No permanent structure shall be constructed within a zone of fifty (50) meters from the mean high watermark along the Laguna Lake Shore and three (3) meters for rivers and creeks.

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. Plant or trees that shall be planted along the buffer zones shall consider varieties that have very good water retentive capacity.

Likewise, a five (5)-meter easement on both sides of the fault line identified on ground by PHIVOLCS is mandatory. Also, a 50-meter easement on both sides of the NAPOCOR line is enforced.

The above easement regulations shall be the minimum as provided for by PD 1067 and shall be increased or enlarged subject to climate change and disaster risk reduction management strategies.

Figure III-05. Sample illustration of 3-meter easement along rivers and creek

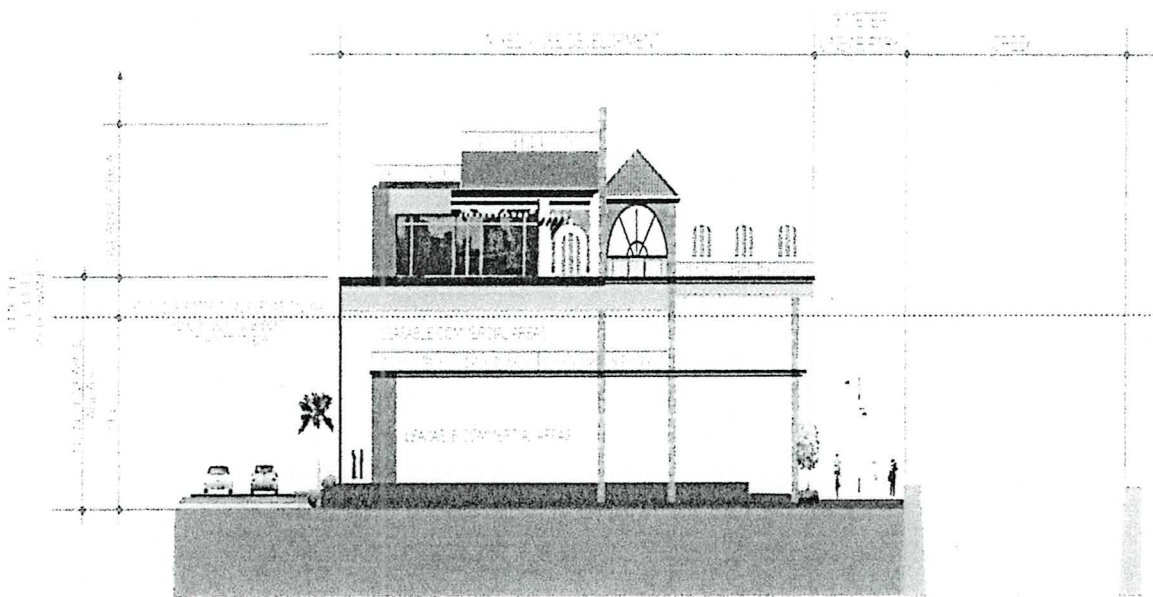
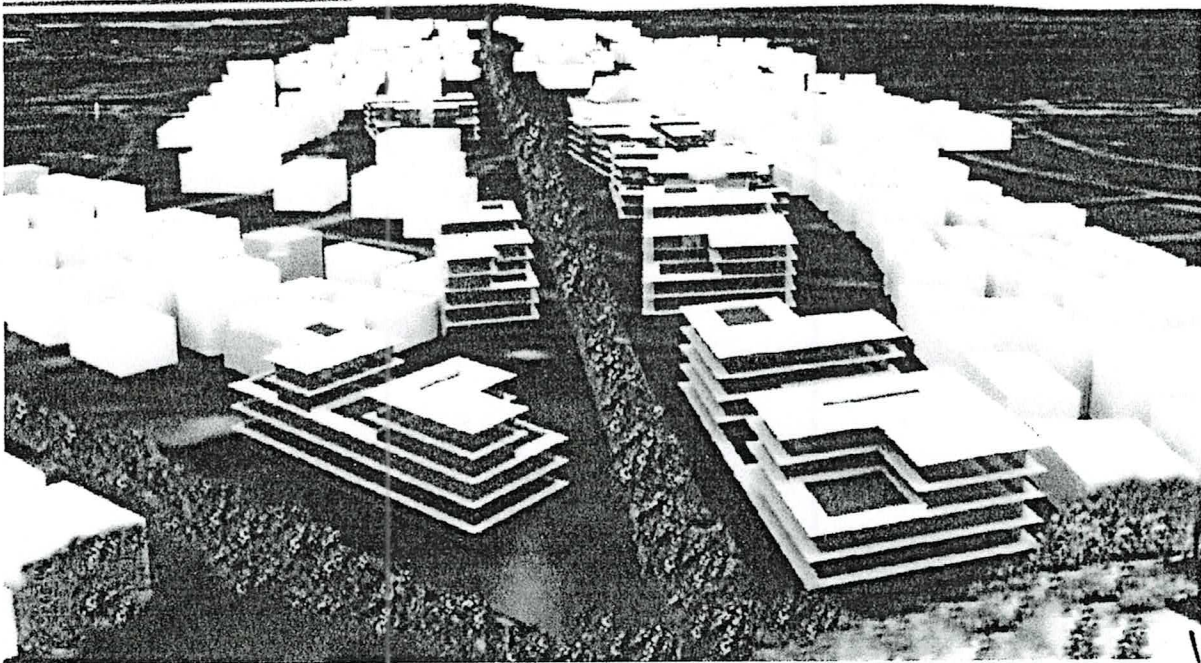


Figure III-06. Sample Illustration of the 5-meter easement on each side of the fault line



Section 43. 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 or rear lots, access yard requirements and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

Section 44. 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.

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Section 45. Specific Provisions in the Laguna Lake Development Authority Resolution No. 248, Series of 2005.

Specific provisions stipulated in the Laguna Lake Development Authority Resolution No. 248, Series of 2005 which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

Section 46. Yard, Off-Street Parking Space.

No part of a road, off-street parking space, loading space, or other open space required of any building shall, for the purpose of complying with this Ordinance, be included as part of the yard, open space, off-street parking or loading space similarly required of any adjacent neighboring building. However, this shall not apply to building/s with common party walls or adjacent building lines, in which case, only the yard for the free or non-abutting sides will be required.

Section 47. Traffic Generators.

All traffic-generating buildings and structures allowed in any of the districts must provide for adequate parking spaces for their employees, clients and visitors. Such shall, however, be subject to additional parking requirements as evaluated by the City Planning and Development Office (CPDO) based on Presidential Decree No. 1096.

Section 48. Advertisements/Business Signs/Billboards or Street Graphics.

Advertising, business signs and billboards to be displayed or put up for public view in any of the districts herein enumerated must comply with existing laws, rules and regulations. Further, they shall not be allowed to obstruct scenic areas of parks, recreation zones, and heritage buildings or structures of significant value to the people, as provided for in the IRR of this Ordinance.

Section 49. Erection of More Than One Principal Structure.

In any district where more than one structure may be permitted to be erected on a single lot, the yard and other requirements of this Ordinance shall be met for each structure as though it was to be erected on an individual lot.

Section 50. Dwelling Group.

When it is impractical to apply the requirements of these Zoning Regulations to an individual building unit in a residential compound, consisting of two or more buildings, a permit for the construction of such compound may be issued, PROVIDED, that the plan thereof conforms to the following conditions:

1. That the buildings are to be used only for residential purposes and such uses are permitted in the district where the compound is located.
2. That the average lot area per family of dwelling unit in the compound, exclusive of the area used or to be used for streets or driveways, is not less than the lot area per family required in the districts.

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3. That there is provided, within the tract on which the residential compound is to be located, an open space for playground purposes with an area equivalent to at least an aggregate area of five (5%) percent of the required lot area per family, but in no case less than one hundred square meters; PROVIDED, That where the residential compound is intended for less than ten families, the setting aside of such area for playground purposes may be dispensed with; and PROVIDED FURTHER, That an open space may be used as part of the yard requirements for the compound; and
4. That there is provided within the tract on which the residential compound is to be erected or immediately adjacent thereto, an adequate private garage or off-street parking area, depending on the needs of the residents and their visitors.

Section 51. Pollution Control.

For effective pollution control, all zoning permit (locational clearance) granted for all development/activities must be subject to the condition of compliance with the Department of Environment and Natural Resources-Environmental Impact Statement System (DENR-EIS System-ECC Requirements as per Presidential Decree No. 1586 and its corresponding Department Administrative Orders [DAO No. 2003-30]) rules and regulations.

ARTICLE IX PERFORMANCE STANDARDS

Section 52. 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 Zoning Ordinance.

All land uses, developments or constructions shall conform to the noise, vibration, smoke, dust, dirt and fly ash, odors and gases, glare and heat, industrial wastes, sewage disposal, storm, drainage, pollution control, and other similar environmental standards of the National Building Code, The Clean Air and Water Act, The Ecological Solid Waste Management Act, and other applicable laws, rules and regulations.

Section 53. 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.

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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. City and industrial wastewater effluents shall not discharge into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters;
8. Developments that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements of and approved by the DENR;
9. Floodplains shall not be altered, filled and/or built upon without proper drainage design and without proper consideration of possible inundation effects on nearby properties;
10. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures;
11. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke, gas or any other air polluting material that may have harmful effects on health or cause the impairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR's latest Air Quality Standards.
12. Developments that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
13. Industrial processes/activities should not cause negative impact to the environment. The Zoning Administrator/Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance.

Section 54. Site Development Standards.

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

The design, construction, operation and maintenance of every facility shall be in harmony with the existing and intended character of its neighborhood. It shall not change the essential character of the said area but will be a substantial improvement to the value of the properties in the neighborhood in particular and the community in general.

Furthermore, 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 55. Infrastructure Capacities.

All developments shall not cause excessive requirements at public cost for public facilities and services and shall not be detrimental to the economic welfare of the community. All developments shall exhibit that their requirements for public infrastructures (such as roads, 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.

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ARTICLE X SUPPLEMENTARY REGULATIONS

Section 56. 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 57. Innovative Techniques or Designs.

When it is impractical to apply the requirements of these Zoning Regulations to certain developments, the proponent may apply for a permit with the CPDO on grounds of innovative development techniques, PROVIDED, that the following conditions are complied with:

1. The proposed land use will not alter the essential character of the zone, especially its population density, number of dwelling units per hectare, and the dominant land use of the zone.
2. Both preliminary and final development plans must be submitted to CPDO for approval.
3. The preliminary plan must generally set forth any existing or proposed arrangements of lots, streets, access points, buffer strips, rail, water, highway or other transportation arrangements and the relationship of the tract of land involved to surrounding properties.
4. The final plan must, in addition to the above cited requirements, describe the noise, smoke, odor, vibration, dust, dirt, obnoxious gases, glare and heat, fire hazards, industrial wastes, and traffic which may be produced by the development.
5. The area subject to application is a consolidated parcel of land of at least two (2) hectares.
6. In cases of pollutive/hazardous or high category of industries, they shall not be allowed in a residential area.

Section 58. Special Use Permits.

A special use permit shall be required for each of the following uses, subject to such terms and conditions as hereunder prescribed:

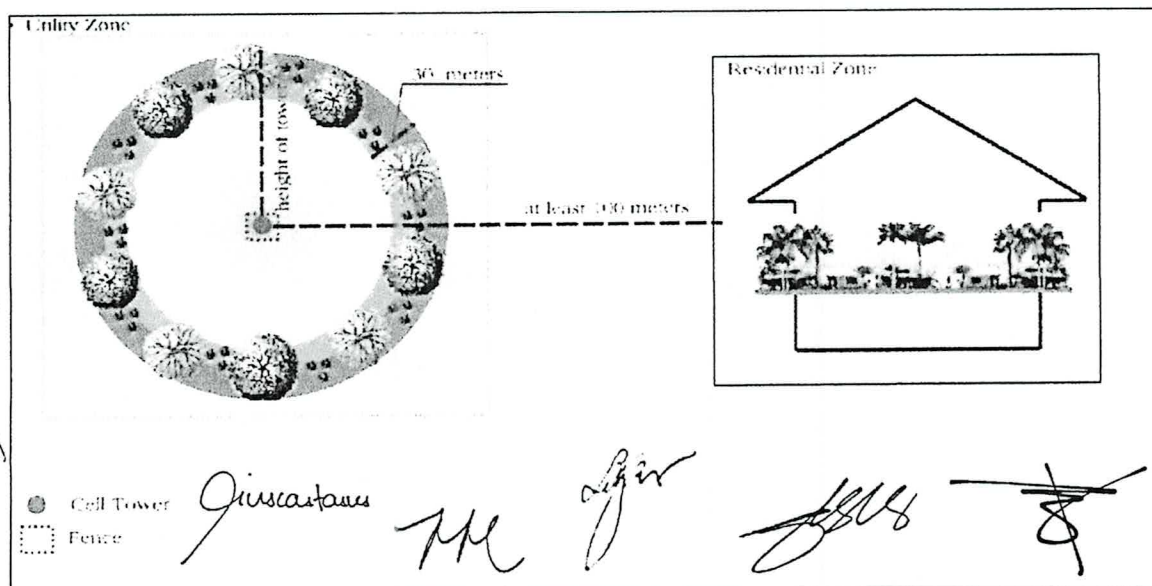
1. Transfer Stations / Materials Recovery Facilities (MRF)

- Adequate buffers with a minimum distance of 3.5 meters shall be put up to prevent undue scattering of wastes.
- Eradication of rats and spraying of flies and the general maintenance of the dumping site shall be the sole responsibility of the proponent.
- RA 9003 (Ecological Solid Waste Management Act of 2000) provisions shall at all times be complied with.
- Other sanitary requirements of the City and the Department of Health (DOH) shall be complied with.

2. Radio Transmitting Stations/Telecommunication Towers

- Radio Transmitting Stations and Telecommunication Towers shall be located within transport and utilities zones, but not within 100 meters from residential zones.
- They must conform to the standards set by the Department of Health (DOH), National Building Code, and HLURB Board Resolution No. 779
- The proper maintenance of such station shall be the exclusive responsibility of the proponent and/or persons operating them.
- Where the public welfare demands, however, radio transmitting stations/telecommunication towers may be located in some residential zones, provided that the preceding condition is complied strictly, and neither interference nor damage to local electrical appliances or other property will likely result.
- The radial setback of the station or tower shall be directly equal to its height. No permanent structure should be within the radius.
- A 30 meter buffer shall be required within the setback, consisting of trees not more than three (3) meters apart with a minimum height of 1.5 meters.
- No advertising is permitted anywhere on the facility, with the exception of identification signage.
- Adequate fencing should be provided to prevent access to the tower and its facilities with a minimum height of 2.5 meters.

Figure III-8: Cell Tower Buffer Zone



3. Filling Stations

- a. They must conform to the standards set by the Department of Energy (DOE).
- b. Filling stations shall be located at least fifty (50) meters away from the nearest residential area, schools, churches, hospitals and other similar structures/institutions and at least one hundred (100) meters away from the nearest actual or potential groundwater sources, banks of rivers, or other bodies of water traversing or adjoining the facility.
- c. Filling stations shall be located at least one thousand (1,000) meters away from the nearest airport or airstrip.
- d. They shall not constitute safety hazards in a community developed entirely for residential purposes.
- e. Traffic studies shall be conducted and presented to the CPDO for approval.
- f. Buffer strip at least five (5) meters and adequate firefighting equipment must be provided.

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4. Open Storage Except Hazardous/Pollutive Substances

- i. Open storage except hazardous/pollutive substances shall be located within at least two hundred (200) meters from schools, churches, hospitals and other similar institutions.
- j. Their sound maintenance shall be the sole responsibility of the proponent.

5. Abattoir/Slaughterhouse

- a. The abattoir shall not be located within two hundred (200) meters from residential, institutional, and some commercial areas. In cases where residential areas are downwind from an abattoir, the minimum distance shall be extended to five hundred (500) meters. Abattoirs shall not be located within Twenty Five (25) meters from public markets and other food establishments. The development of Abattoirs/Slaughterhouses shall conform to the Board Resolution No. R-650, Series of 1999 of the HLURB.
- b. Abattoirs shall be located at least two hundred (200) meters away from the nearest actual or potential groundwater sources, banks of rivers, or other bodies of water traversing or adjoining the facility.
- c. A written authority to operate shall be secured from the local health and sanitation office by the applicant at least 90 days before the intended date of operation, and a notice shall be posted in the city hall to determine public opposition, if any, to the proposed abattoir procedures must be adopted.
- d. Proper waste disposal, odor control and other abatement.
- e. The proponent shall obtain sworn statements from the owners of land immediately adjacent to the proposed site signifying their conformity or non-conformity to the proposed activity as one of the pre-requisites for the granting of a special use permit.

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6. Funeral Parlors

- a. Other sanitary requirements by the City and the Department of Health (DOH) shall be complied with.

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- b. Funeral Parlors shall not be located within Twenty Five (25) meters from restaurants, food centers, and other food establishments, and not within Fifty (50) meters from markets, and not within two hundred (200) meters within abattoirs, schools, hospitals, and residential and institutional areas. The development of Funeral Parlors shall conform to the Implementing Rules and Regulations to Govern the Processing of Applications for Locational Clearance of Funeral Establishments from the HLURB (Resolution No. R- 638 Series of 1999).
 - c. Where such project is traversed by a water course, drainage way, channel or stream, an easement of right-of-way prescribed by the Forestry and Water Code must be maintained.
 - d. Written consent of the majority of households (50%+1) within the 50-meter radius of the proposed site.
 - e. No funeral establishment/s shall be allowed in flood prone areas.
- 7. Machinery display shop/center, machine shop service operation (repairing/rebuilding, or custom job orders), small and medium-scale junkshop, and welding shops
 - a. Adequate fencing shall be put up to prevent undue scattering of waste, fuel, and oil spills.
 - b. It shall be located within at least one hundred (100) meters from schools, churches, hospitals and other similar institutions.
 - c. Their sound maintenance shall be the sole responsibility of the proponent.
- 8. Private Heliports
 - a. Heliports may be allowed on commercial or institutional buildings provided safety requirements are complied with.
 - b. A written authority to operate shall be secured from the Civil Aeronautics Board and the Civil Aviation Authority of the Philippines days before the intended date of operation, and a notice shall be posted or published in at least one of the daily newspapers to determine the proposed landing site.
- 9. Transport Terminal
 - a. Transport terminals shall provide measures to abate noise, vibration and odors such as by constructing structural enclosures, provision of buffer yards, etc.
 - b. Backing-up and maneuverings shall be done only within the terminal compound so as not to unduly disrupt traffic flow on public roads.
 - c. Wastes shall be properly disposed at all times be practiced and the direct discharge to public sewer and drainage of waste oils, grease and the likes is not permitted.
- 10. Transport Garage
 - a. Garages for public utility buses and/or cargo transport vehicles with more than three (3) units and garages for public utility jeepneys and accommodating more than six (6) units shall be considered only within commercial zones or in industrial zones. However, no garage shall be established along the national road.

- b. Measures to abate nuisances and hazards, such as noise, fumes, odors and wastes shall be provided.
- c. Installation of gasoline filling station within the garage may be allowed only with prior approval of the Department of Energy and use thereof shall be exclusive to the vehicles housed in that particular garage facility.
- d. Wastes shall be properly disposed at all times. The direct discharge to public sewers and drainage of waste oils, grease and the like is not permitted.
- e. Clearance of the Barangay, and, if the site abuts a residential zone, consent of the homeowners' association or in its absence all the immediate neighbors are also required.

11. Poultry and Piggery

- a. Piggery and poultry farm shall be situated preferably in a rolling terrain to have good drainage. Flood prone areas, and other environmentally critical areas like watershed, source of water supply, etc. as defined by the Environmental Management Bureau (EMB) shall be avoided.
- b. Piggery and poultry farm shall not be built on soils with high moisture level. The soil must be well drained and porous.
- c. There shall be a buffer zone of at least five (5) meters in width around the boundaries of the lot and shall be planted with trees or shrubs.
- d. Piggery and poultry farms shall be located outside urban areas.
- e. A piggery and poultry farm shall be located 25 meters radius from sources of ground and surface drinking water.
- f. Existing small, medium, and large scale poultry and medium and large scale piggery projects that are non-conforming use shall not be allowed to expand and may continue their operations provided:
 - i. That they shall be obliged to use chemical control of flies, its larvae to minimal source of pollutants
 - ii. That no such non-conforming use shall be enlarged or expanded to occupy a greater area of land than that already occupied by such use or moved in whole or in part, to any other portion of the lot or parcel or land where such non-conforming use exists.
 - iii. That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use.
 - iv. That an idle/vacant structure may not be used for non-conforming activity.
 - v. That any non-conforming structure or structures under one ownership which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than 50% of its replacement cost at the time of destruction; it shall not be constructed, except in conformity with the provisions of these rules.
 - vi. That no such non-conforming use may be moved to displace any non-conforming use.
 - vii. That no such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
 - viii. That should such structure be moved for any reason to whatever distance, it shall therefore conform to the regulation of the district in which it is moved or relocated.
 - ix. The owner of a non-conforming use shall program the phase out and relocation of the non-conforming use within 5 years.

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Locational Design Standards for Poultry Farms

Classification	Distance from Source of Ground Water (M)	Distance from Built-Up (M)	Distance from Major Rd. / Highway (M)	Distance Between Poultry Farms (M)
1. Backyard	25	N/A	N/A	N/A
2. Small	25	500	200	500
3. Medium	25	1,000	200	1,000
4. Large	25	1,000	200	1,000

Source: HLURB Resolution No. 674, Series of 2000

Locational Design Standards for Piggery Farms

Classification	Distance from Source of Ground Water (M)	Distance from Built-Up (M)	Distance from Major Rd. / Highway (M)	Distance Between Poultry Farms (M)
1. Backyard	25	N/A	N/A	N/A
2. Medium	25	1,000	500	1,000
3. Large	25	1,000	500	1,000

Source: HLURB Resolution No. 674, Series of 2000

Section 59. Provision of Incentives for Inclusionary Zoning.

In consonance with the objectives of "Urban Development and Housing Act of 1992" and to encourage private sector participation in the provision of affordable housing units to families in SAN PEDRO which are classified as low-income sector, it is hereby made available through this zoning ordinance the following incentives for housing development which will incorporate inclusionary zoning:

1. Waiver of permit fees
2. Tax incentives such as discounts on real property tax for the first year
3. And other fiscal incentives such as discounts on clearance and inspection fees
4. Fast tracking of plan review and permits

Owners and/or developers have the option to avail any one of these incentives provided that they meet all of the requirements stated:

1. The owner and/or developer shall enter into a signed agreement with the San Pedro CZBA.
2. The owner and/or developer shall submit the following documents to the SAN PEDRO CZBA:
 - a. A letter of application to the SAN PEDRO CZBA stating the intention to avail of the chosen incentive for inclusionary zoning.
 - b. A completed application form.
 - c. A plan which reflects the location of socialized housing units.

An offer from SAN PEDRO CITY CZBA shall be designated to review and approve applications for incentives.

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Criteria for approval:

1. The developer proposes a housing development within the jurisdiction of SAN PEDRO CITY.
2. The owner and/or developer of the new housing development shall allocate at least twenty (20) percent of its total land area, total FAR, or at least twenty (20) percent of its total project cost for socialized housing units. Socialized housing units shall be located WITHIN the project area.
3. Socialized housing units can use affordable building materials provided that it shall not be noticeably inferior in appearance from commercially available units.

The socialized housing units shall be made available at affordable prices to applicants who have the following qualifications:

- a. Must be a Filipino citizen;
- b. Must be a resident of SAN PEDRO for at least five (5) years
- c. Must be an underprivileged and homeless citizen, as defined in Section 3 of RA 7279 UDHA;
- d. Must not own any real property; and
- e. Must not be a professional squatter or a member of squatting syndicates. Provisions for enforcement of the agreement shall be detailed.

The SAN PEDRO CZBA officer shall grant a certificate of approval to the owner and/or developer with corresponding terms-of-agreement. In case where the owner and or developer failed to meet its end of the agreement, the local government shall have the right to revoke the certificate and the corresponding incentives such as tax incentives, waiver of permit fees, fast tracking of plan review and permits, and other fiscal incentives.

Section 60. Provision of Green Building Density Incentive.

Buildings that will be certified by the US Leadership in Energy and Environmental Design (LEED) rating system or the PHILGBC Building for Ecologically Responsive Design Excellence (BERDE) will be entitled to incentives. LEED and BERDE are third party certifications for green building designs aimed at reducing the negative environmental impacts of buildings. LEED is administered by the U.S Green Building Council while BERDE is initiated by Philippine Green Building Council and is a more adapted to local need.

The following incentives will be made available:

1. Priority in development permit applications
2. Fiscal Incentives such as tax holidays and discounts in permit fees

Section 61. Projects of National Significance.

Projects may be declared by the NEDA Board as projects of national significance pursuant to section 3 of EO 72. When a project is declared by the NEDA Board as a project of national significance the locational clearance shall be issued by HLURB pursuant to EO 72.

Section 62. Environmental Compliance Certificate (ECC).

Notwithstanding the issuance of locational clearance under Section 60 of this ordinance, no environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless an Environmental Compliance Certificate (ECC) has been secured.

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Section 63. Subdivision Projects.

All owners and/or developers of subdivision projects shall, in addition to securing a locational clearance under Section 60 of this ordinance be required to secure a development permit pursuant to provisions of PD 957 and its implementing rules and regulations or BP 220 and its implementing rules and regulations in the case of socialized housing projects in accordance with the procedures laid down in EO 71, series of 1993.

Section 64. Roof Gardens.

In the absence of areas available for parks, recreation and open spaces, roof gardens are encouraged in accordance with the proposed network of open spaces.

Section 65. Zoning the Pedestrian Paths.

In line with creating a pedestrianized city wherein connectivity is given importance, the sidewalk shall be zoned to ensure that there is a minimum clear space allotted for passing through of pedestrians and a host of activities for the pedestrians as well.

General Pedestrian Zones

Street Façade Zone (exterior)

An extension of the building into the sidewalk that houses cafes, sidewalks sales, window shopping, front stoops, and/or display gardens. The zone ranges from 0.46 to 6.1 meters. Multiple floors of balconies occupy this zone.

The Walking Aisle

Protect paths from stalls for the mobility impaired. In order to mark the edge of this zone for the visually impaired, the surfaces that border on the walking aisle may be noticeable fixtures. Three dimensional objects should not be closer than six (6) inches (15.2 cm) from the edge of this zone and should be painted in high-contrast colors.

The Furniture Zone

A buffer along traffic or parking lanes that ranges from six (6) inches for parking meters to many feet. This buffer may contain such things as street furniture, public sculpture, street trees, seating areas, and places for street musicians or other artists. Together with the following zones, it provides a buffer between pedestrians and moving traffic that allows for driveway and walkway curb cuts, provides a place to pile dirt and park construction/repair equipment and reduces exposure to noise, road spray, and the perception of hazard.

The Loading Zone

An 18-30 inch (.46 to .76 m) zone on the sidewalk along the curb that provides a place for people getting into or out of cars. Along van-accessible curb parking there should be a clear space of five (5) feet deep by 12 feet (1.52 by 3.66 m) centered on a parallel parking space (this space can overlap other zones as long as it is kept clear of obstructions.)

Adjacent zones within the street, parking lot, and/or buildings should be incorporated in the design of the sidewalk. Typical zones include the following:

The Street Margin. The curb parking lane can also provide for underground facilities, street cafes, and street performers.

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Bike Lanes. Bike lanes and curb parking are a different mix. Bike lanes may replace curb parking or be separated from curb parking by a planting strip.

Street Façade Zone (interior)

The street level front of a building should support the sidewalk. It may be storefront, display case, lobby, news, and sundries store, or sheltered area for ATMs and street vendors.

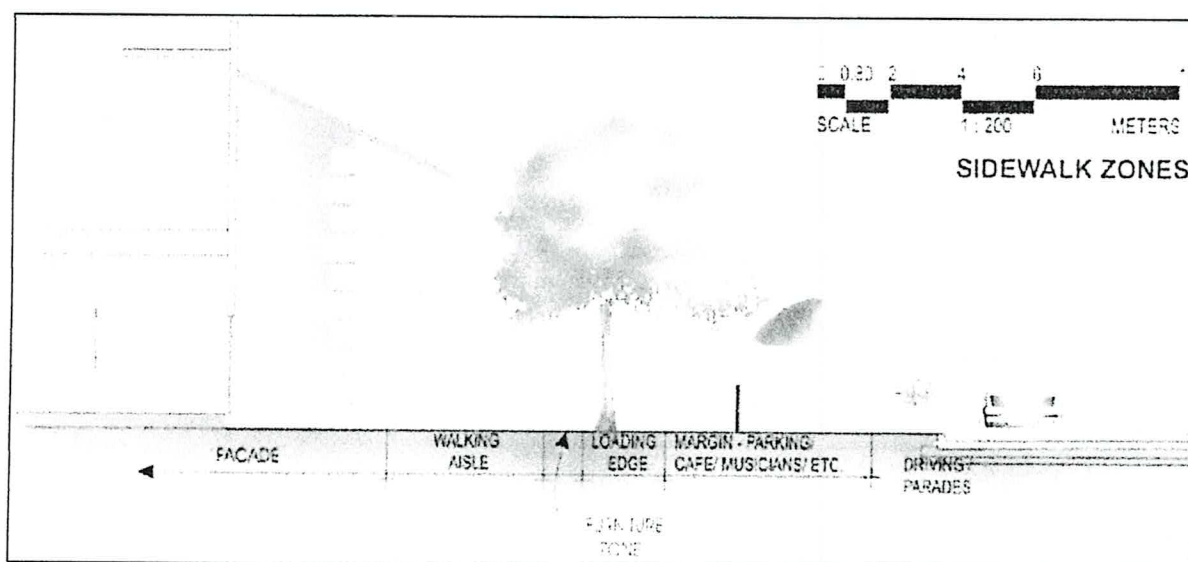


Figure III-9: Pedestrian Zones

Section 66. Zoning Charge and Zoning Bond.

It is hereby imposed a Zoning Charge and Zoning Bond for all buildings which have outstanding violation/s of the terms and conditions of their building/occupancy permit issued prior to the enactment of the City Zoning Ordinance.

For buildings constructed in violation of the height/Floor Area Ratio (FAR) restrictions, the amount of Zoning Charge and Zoning Bond shall be determined by multiplying the excess floor area (the total floor area exceeding the allowable height or density limit) by the demolition cost and further multiplied by the moratorium period, that is:

$$\text{Zoning Charge} = \frac{1}{4} (\text{Excess Floor Area}) \times (\text{Demolition Cost}) \times (\text{Moratorium Period})$$

$$\text{Zoning Bond} = \frac{3}{4} (\text{Excess Floor Area}) \times (\text{Demolition Cost}) \times (\text{Moratorium Period})$$

For buildings constructed in violation of the use and/or other terms and conditions of building/occupancy permit, the amount of the Zoning Charge and Zoning Bond shall be determined by multiplying the moratorium period by regulation/enforcement costs. Seventy Five Percent (75%) of the product will be applied to Zoning Bond while the remaining 25% will constitute Zoning Charge.

The SAN PEDRO CZBA, through appropriate resolution, shall set the moratorium period, the rates of demolition and/or enforcement costs using the prevailing rates in the industry as reference.

Only bonds issued by the accredited government banks [i.e. Land Bank of the Philippines (LBP), Development Bank of the Philippines (DBP), and Philippine National Bank (PNB)] shall be accepted.

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The Zoning Bond will be returned to the building owner, without interest, if the required rectification/compliance has been made prior to the end of the moratorium period; Otherwise, the cash shall be forfeited or bond is called upon in favor of the City Government to cover the demolition/enforcement expense.

ARTICLE XI MITIGATING DEVICES

Section 67. Deviation.

Exceptions, variances or deviations from the provisions of this Ordinance may be allowed by the SAN PEDRO CZBA only when the following terms and conditions are existing:

1. Variance

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

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

- 1) Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner or occupant of the property due to the physical conditions of the property which is not self-created.
- 2) The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
- 3) The variance will not alter the physical character of the district or zone where the property for which the variance is sought is located, and will not substantially or permanently injure the use of the other properties in the same district or zone
- 4) That the variance will not weaken the general purpose of the Ordinance and will not adversely affect public health, safety or welfare.
- 5) The variance will be in harmony with the spirit of this Ordinance.

2. Exceptions

- a. The exception will not adversely affect the public health, safety and welfare and is in keeping with the general pattern of development in the community.
- b. The proposed project shall support economic 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 or adjoining property in the same district.
- d. The exception will not alter the essential character and general purpose of the district where the exception sought is located

Section 68. Procedure for Granting Exceptions and Variances.

The procedures for the granting of exception and/or variance are as follows:

1. A written application for an exception or variance shall be filed with the SAN PEDRO CZBA citing the section of this Ordinance under which the same is sought and stating the grounds thereof.
2. Upon filing of application, a public announcement shall be required. A visible project sign, indicating the name and nature of the proposed project shall be posted at the project site, as well as at the city hall at least fifteen (15) days prior to the filing of an Affidavit of Non-objection of the project by the owners of the properties adjacent to the project.
3. The SAN PEDRO CZBA shall conduct preliminary evaluation on the application.
4. The applicant shall file with the SAN PEDRO CZBA an Affidavit of Non-objection of the project by the owners of the properties adjacent to the project at least fifteen (15) days prior to the decision for exception/variance.
5. In case of objection, the SAN PEDRO CZBA shall hold a public hearing.
6. At the hearing, any party may appear in person, or by representative. All interested parties shall be accorded the opportunity to be heard and present evidence and testimonies.
7. The SAN PEDRO CZBA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of Affidavit of Non-objection and the public hearing in case of any objection to the granting of exception/variance.

ARTICLE XII ADMINISTRATION AND ENFORCEMENT

Section 69. Locational Clearance/Zoning Permit.

All owners/developers shall secure a Locational Clearance/Zoning Permit from the Zoning Administrator prior to conducting any activity or construction on their property and a Certificate of Zoning Compliance subsequently thereto.

The Zoning Administrator shall require documents such as but not limited to Certificate of Title, Tax Declaration, Real Property Tax Receipt/Clearance, Vicinity Map, Technical Specification, Site Development Plan, Bill of Materials, Barangay Clearance, Affidavit showing explaining some lacking documents, and such other documents of similar nature. An Authority to Follow Up/Claim shall be required in case the applicant could not personally receive the said Locational Clearance and Certificate of Zoning Compliance.

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Section 70. Period of Zoning Permit's Approval/Disapproval.

The approval/disapproval of zoning permit shall not be withheld for more than fifteen (15) days from receipt of application. Failure to act on the application within the period stated above shall be deemed as approved thereof. Likewise, zoning permit applications shall be posted in public places such as the city hall and shall also be posted at the official city government website for not less than fifteen (15) days.

Section 71. Validity of Zoning Permit.

The issuance of a Zoning Permit (Locational Clearance) shall not be construed as an approval or authorization to the permittee to disregard or violate any of the provisions of this Ordinance.

A Zoning Permit issued under the provisions of this Ordinance shall expire and become null and void if the building, work or business activity authorized therein is not commenced within a period of one year from the date of such permit, or if the building, work or business activity so authorized is suspended or abandoned at any time after it has been commenced, for a period of 120 days.

Section 72. Period of Processing for Zoning Permit.

Processing Period. The processing, evaluation and issuance of Zoning Permit (Locational Clearance) by the Zoning Administrator/Officer shall not exceed ten (10) working days in compliance to DTI's "Ease of Doing Business Policy."

Processing Period on Appeals. The processing period on appeals shall not exceed fifteen (15) working days to be acted upon by the CZBA.

Section 73. Building Permit.

The Local Building Official shall not issue any building permit for new construction, rectification, alteration, repair and expansion without a valid Locational Clearance in conformity with the ordinance.

Section 74. Business Permit

The Business and Licensing Division shall require a Locational Clearance for new developments. Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

Section 75. 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 76. 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 77. Non-User of Zoning Permit (Locational Clearance).

Upon issuance of a zoning permit (locational clearance), the grantee thereof shall have one (1) year within which to commence or undertake the use, activity or development covered by such clearance on his property. Non-use of said clearance within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his project without

Section 78. Certificate of Non-Conformance.

The owner of the structure or operator of the activity involved shall apply for Certificate of Non-Conformance within six (6) months from the approval of the Sangguniang Panlungsod. Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fines/penalties.

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

1. Procedure

- a. A certificate of non-conformance shall be secured from the CPDO or Zoning Administrator/Officer.
- b. All requests for such certificate shall be made in writing, stating the reasons for non-conformance and accompanied by 1:10,000 vicinity map showing the exact location of the non-conformance use, lot or structure.
- c. The request for such certificate shall be acted upon and transmitted to the appropriate parties within fifteen (15) days from the receipt of the request.

Section 79. Existing Non-Conforming Uses and Buildings.

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

1. That no such non-conforming use shall be enlarged or extended to occupy a greater 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 or 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. An idle/vacant structure may not be used for non-conforming activity.
4. That any non-conforming structure, or structures under one ownership which has been damaged can be reconstructed and used as before provided that such reconstruction is not more than fifty (50%) of the replacement cost.
5. That should non-conforming portion of 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 provision of this Ordinance.
6. That no such non-conforming use can be moved to displace any conforming use.
7. That no such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof maybe altered to decrease its non-conformity.

8. That should such structure be moved for any reason to whatever distance, it shall thereafter conform to the regulations and ordinances of the barangay or area in which it is moved or relocated.

IN ADDITION, THE OWNER OF A NON-CONFORMING USE SHALL PROGRAM THE PHASE-OUT AND RELOCATION OF THE NON-CONFORMING USE WITHIN REASONABLE TIME NOT TO EXCEED THE PERIOD OF FIVE YEARS FROM THE EFFECTIVITY OF THIS ORDINANCE.

Section 80. Status of Approved Appeals from the SAN PEDRO CZBA.

All approved appeals from the SAN PEDRO CZBA will be classified as non-conforming uses and all the provisions under Section 74 shall apply.

Decisions of the CZBA shall be final and executory.

Section 81. Permit for Innovative Techniques.

1. Initiation

- a. Any person who wishes to apply for a permit for innovative techniques shall secure the appropriate form from the CPDO; PROVIDED, that the terms and conditions specified in this article are met.

2. Procedure for application

- a. Together with a vicinity map drawn to the scale of 1:10,000 meters which shows the land use of the adjacent area, approximately a two (2) kilometer radius distance from the proposed site, the applicant shall submit the form containing the detailed description of the project.
- b. The CPDO/Zoning Administrator/Officer shall evaluate the viability of the proposed project in relation to its environmental impact.
- c. The CPDO/Zoning Administrator/Officer shall then decide and prescribe such terms and conditions under which the project may be allowed to locate and operate.

Section 82. Responsibility for Administration and Enforcement.

This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator who shall be appointed/designated by the former. The Zoning Administrator must possess the following qualifications:

1. Must be a graduate of Law, Engineering, Architecture, Urban Planning, Public Administration or a related degree.
2. Must have a legal or planning background.
3. Must have a working knowledge of the Revised CLUP/Zoning Ordinance.
4. A resident of the city
5. of good moral character and have not been convicted of a crime involving moral turpitude.
6. Must not be the City Planning and Development Coordinator
7. Must be a licensed Environmental Planner pursuant to RA10587 of 2013

Section 83. Powers and Functions of a Zoning Administrator.

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

1. Enforcement

- a. Act on all applications for locational clearances for all projects:
 - 1) Issue Locational Clearance for projects conforming to zoning regulations.
 - 2) Recommend to the SAN PEDRO CZBA the grant or denial of applications for variances and exceptions and the issuances of Certificate of Non-conformance for non-conforming projects.
- b. Monitoring on-going/existing projects within their respective jurisdictions and issue notices of violation and show cause order to owners, developers, or managers of projects that are in violation of the zoning ordinance and if necessary, pursuant to Section 3 of EO 72 and sec. 2 of EO71 refer subsequent actions thereon to the HLURB.
- c. In cases where tender of orders/processes are proper, the representative of the Zoning Administrator may require a return of service stating the reasons/grounds why tender of orders/processes are resorted to. When necessary, call and coordinate with the Philippine National Police for enforcement of orders and processes issued in the implementation of this ordinance.
- d. Coordinate with the City Prosecutor/City Legal Officer for other legal actions/remedies relative to the foregoing.

2. Planning. Coordinate with the CPDO and the Regional Office of the HLURB regarding any amendments to the zoning ordinance prior to adoption by the Sangguniang Panlungsod and shall be transmitted to the Sangguniang Panlalawigan for ratification.

Section 84. Action on Complaints and Opposition.

A verified complaint for any violations of any provision of the Zoning Ordinance or of any clearance or permits issued pursuant thereto shall be filed with the SAN PEDRO CZBA.

However, oppositions to application for clearance, variance or exception shall be treated as a complaint and dealt with in accordance with the provision of this ordinance.

Section 85. Functions and Responsibilities of the SAN PEDRO CZBA.

The SAN PEDRO City Zoning Board of Adjustment (SAN PEDRO CZBA), which is hereby created, shall perform the following functions and responsibilities:

1. Act on Applications of the following nature:
 - a. Variances
 - b. Exceptions

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- c. Non-Conforming Uses
 - d. Complaints and opposition to applications
 - e. Special Use Permits (SUP)
 - f. Innovative Technique or Design/Planned Unit Development.
2. Act on Appeals on grant or denial of locational clearance by the Zoning Administrator.
 3. Rule on other concerns such as but not limited to sites, building height, and similar matters.

Decisions of the SAN PEDRO CZBA shall be appealable to the HLURB within a period prescribed by the latter Board. The SAN PEDRO CZBA shall serve copies to both parties of the decision within reasonable time from its approval.

The grant or denial of the application especially concerning Environmentally Critical Projects (ECP) decided by the Board in the form of a resolution shall be signed by the regular members themselves as enumerated in the next succeeding section. In case only a representative was present during the deliberation, it shall be duly noted in the minutes of the meeting the rationale and explanation of the vote cast for the grant or denial of such absent member.

Section 86. Composition of the SAN PEDRO CZBA.

The City Development Council-Executive Committee shall create a committee immediately after the approval of this Ordinance within six (6) months which shall act as the SAN PEDRO CZBA composed of the following members:

1. City Mayor
2. City Legal Officer
3. City Assessor
4. City Engineer
5. City Planning and Development Coordinator
6. City Treasurer
7. City Environment and Natural Resources Officer
8. Chairman, Committee on Land Use, Housing and Urban Development of the Sangguniang Panlungsod
9. Two (2) representatives from the private sector appointed by the City Mayor.
10. City DRRMO

The City Mayor shall assume the Chairmanship of the Board or may appoint an officer alternate from among the Board members except a representative from the private sector to avoid conflicts of interest, and shall preside over all its meetings and hearings.

Section 87. Procedure for Re-Zoning.

Any association or group of persons who wishes to prepare a re-zoning of a certain area, may file a petition with the SAN PEDRO CZBA for initial evaluation.

The SAN PEDRO CZBA shall then endorse the proposal together with its preliminary findings to the City Planning & Development Office (CPDO) for further evaluation. Whenever necessary, site inspection of the vicinity subject to rezoning shall be made, the CPDO shall then recommend for approval the re-zoning of the subject area to the City Council.

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Section 88. Review of the Zoning Ordinance.

The City Zoning Review Committee (CZRC) shall convene at least once a year to review the Zoning Ordinance considering the amendments in the Comprehensive Land Use Plan, based on the following reasons/situations:

1. Change in local development plans
2. Introduction of projects of national significance
3. Petition for rezoning
4. Other reasons which are appropriate for consideration
5. Issuance of Locational Clearance based on Variance and Exception

Section 89. Composition of the City Zoning Review Committee (CZRC).

The City Zoning Review Committee shall be composed of sectoral experts, as follows:

1. City Planning and Development Coordinator
2. City Health Officer
3. City Agriculturist
4. President, Association of Barangay Captains
5. City Engineer
6. City Environment and Natural Resources Officer (CENRO)
7. City Agrarian Reform Officer (CARO)
8. District School Supervisor
9. Three (3) Private Sector Representatives
10. Two (2) NGO Representatives

For purposes of policy and program coordination, the CZRC shall be attached to the City Development Council.

Section 90. Functions of the CZRC.

The CZRC shall have the following powers and 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. Determine changes, to be introduced in the Comprehensive Land Use Plan in the light of permits given, and exceptions and variances granted.
 - c. Identify provisions of the Ordinance that are difficult to enforce, are unworkable, or are no longer practical to implement.
2. Recommend to the Sangguniang Panlungsod necessary legislative amendments; and to the City Planning and Development Office the needed changes in the plan as a result of the review conducted.
3. Furnish copy to the Housing and Land Use Regulatory Board (HLURB) for their review and approval.

Section 91. Amendment to the Zoning Ordinance.

Changes/amendments in the Zoning Ordinance shall be subject to review by the CZRC; provided that any amendment to the Zoning Ordinance or provisions thereof shall be SUBJECT TO PUBLIC HEARING AND FAVORABLY ENDORSED BY CZRC. The amendments shall be acceptable and eventually approved; PROVIDED. That there is sufficient evidence and justification for such proposal; PROVIDED, FURTHER, That such proposal is consistent with the development goals, planning objectives and strategies of the City of San Pedro Comprehensive Land Use Plan. SAID AMENDMENTS SHALL BE carried out through an ordinance of the Sangguniang Panlungsod. The same shall be furnished the Regional Office of the Housing and Land Use Regulatory Board – Southern Tagalog Region (HLURB-STR).

ARTICLE XIII PENAL PROVISIONS

Section 92. Penal Provisions.

Any person violating any provision of this Ordinance, shall, upon conviction, be punished by a fine of Five Thousand Pesos (Php5,000.00) in addition to the payment of costs or damages that may be incurred by the City Government or any aggrieved person or private entity resulting from the direct effects of the violation(s) or by imprisonment for not more than one (1) year or both such fine and imprisonment, at the discretion of the Court, per violation of any of the provisions hereof.

If the violation is committed by a firm, corporation, partnership or any other juridical person, the manager, managing partner, director or any other person who actually participated in the violations should be held responsible criminally as provided by this section.

Furthermore, any person or government official found to have committed any violation of this Ordinance, directly or indirectly, who actually participated in the violations should be held responsible criminally as provided by this Ordinance.

Section 93. Separability Clauses.

- 1) 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. Any portion thereof not affected by such declaration shall remain in full force and effect.
- 2) If any provision/s of this Ordinance or any portion thereof may be found violative of any national laws, rules and regulations, local orders and the like, the same is hereof, declared invalid or null and void; unless modified and/or amended accordingly.

Section 94. 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.

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Res. 2020-154

City Ord. 2020-26

Section 95. Effectivity Clause.

This Ordinance shall take effect fifteen (15) days after publication in a newspaper of local circulation.

APPROVED: October 6, 2020 in its 62nd Regular Session.

THIS IS TO CERTIFY THAT THE ABOVE RESOLUTION/ORDINANCE IS TRUE AND CORRECT.

Pandagani
VISITACION D. PANDAGANI
Acting Secretary to the Sanggunian

Rafael P. Campos
HON. RAFAEL P. CAMPOS
Member, Sangguniang-Panlungsod

Leslie E. Lu
HON. LESLIE E. LU
Member, Sangguniang-Panlungsod

Bernadeth Olivares-Cuevas
HON. BERNADETH OLIVARES-CUEVAS
Member, Sangguniang-Panlungsod

Carlton S. Ambayec
HON. CARLTON S. AMBAYEC
Member, Sangguniang-Panlungsod

Marlon A. Acierito
HON. MARLON A. ACIERITO
Member, Sangguniang-Panlungsod

Kent S. Lagasca
HON. KENT S. LAGASCA
Member, Sangguniang-Panlungsod

Michael M. Casacop
HON. MICHAEL M. CASACOP
Member, Sangguniang-Panlungsod

Edgardo M. Berroya
HON. EDGARDO M. BERROYA
Member, Sangguniang-Panlungsod

Diwa T. Tayao
HON. DIWA T. TAYAO
ABC President

Giuseppe Z. Castasus
HON. EARL GIUS Z. CASTASUS
SK Federation President

ATTESTED BY

APPROVED:

Aaron Calixto S. Cataquiz
HON. AARON CALIXTO S. CATAQUIZ
Member, Sangguniang-Panlungsod
Temporary Presiding Officer

Lourdes S. Cataquiz
HON. LOURDES S. CATAQUIZ
City Mayor

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