



Republic of the Philippines
Province of Bohol
MUNICIPALITY OF LOON

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 141st REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 12th DAY OF MARCH 2007 AT THE SANGGUNIANG BAYAN SESSION HALL-

PRESENT:

Hon. Edwin R. Ladeza,	Vice Mayor
Hon. Josephat B. Palma,	SB Member
Hon. Priscila C. Branzuela,	SB Member
Hon. Titus Clark U. Miranda,	SB Member
Hon. Thomas Raul L. Cartagenas,	SB Member
Hon. Zenon R. Perez,	SB Member
Hon. Timoteo L. Legitimas,	SB Member
Hon. Julius M. Simbajon,	SB Member, Acting Presiding Officer
Hon. Ignacio M. Castil, Jr.	SB Member
Hon. Artemio M. Sangarios,	LnB President, Ex-Officio Member

ABSENT:

Hon. Allan Rey M. Palban,	SKMF President, Ex-Officio Member
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MUNICIPAL ORDINANCE NO. 07- 002
Series of 2007

THE ZONING CODE OF THE MUNICIPALITY OF LOON-

Be it enacted by the 9th Sangguniang Bayan of the Municipality of Loon Bohol:

ARTICLE I

TITLE

Section 1. Title. This code shall be known as the “Zoning Code of the Municipality of Loon”.

ARTICLE II

AUTHORITY AND PURPOSE

Section 1. Authority. This code is enacted pursuant to Section 446 (2) (vii-ix) of RA. 7160, otherwise known as the Local Government Code.

Section 2. Purpose. This code is enacted for the following purposes:

1. To provide a guide, control and regulate the future growth and development of the Municipality of Loon, Bohol pursuant to the adopted Comprehensive Land Use Plan of this coastal town.

2. To ensure the stability of residential, commercial, industrial, institutional, parks and open spaces and agricultural and other functional areas in the municipality in order to promote beneficial development of the town.
3. To establish policies and proposals for the strategic areas wherein the infrastructure projects and public utility system will be developed.
4. To identify the proposed area for housing development and economic enterprises in order to prevent undue concentration of growing population and properties.
5. To promote and protect the health, safety, morals, peace, comfort, convenience and general welfare of the inhabitants in the locality
6. To provide adequate potable water, light, air, privacy and convenience of access to property.
7. To ensure and protect the sustainable growth and development of the municipality.
8. To provide an efficient settlement pattern and prevent pollution, habitation and high risk activities from taking place in environmentally critical areas.
9. To influence the public and private sectors in the proper use, management and disposition of land.
10. To regulate the location, height and bulk of buildings and land use ratios, floor area ratios, open space ratios in general, the relationship of buildings to land in such a manner as to obviate the danger to public safety.
11. To protect the forest and water resources of the town and preserve the character and ecological balance between the sea and the land.

Section 3. General Zoning Principle. This zoning code is based on the approved Comprehensive Land Use Plan as per Resolution No. 351, series of 2006, dated November 27, 2006, for the Municipality of Loon, Bohol.

ARTICLE III

DEFINITION OF TERMS

Section 1. Definitions. The definition of technical terms used in the Zoning Code 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 Environment Code and other implementing Rules and Regulations promulgated by the Housing and Land Use Regulatory Board (HLURB). The words, terms and phrases enumerated hereunder shall be understood to have the meaning correspondingly indicated as follows:

1. **Accessory Use.** A use customarily incidental and subordinate to the principal use of the building or land and located on the same lot with such principal use.
2. **Additions, alterations, repairs.** Are changes in a building involving interior or exterior work and/or increase or decrease of the area of the building.
3. **Agricultural Zone.** An area within the municipality intended for cultivation of crops, fishing, goat/cattle raising and other agricultural related activities.
4. **Agro-Industrial Zone.** An area within the municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar among others.

5. **Apartment.** A dwelling unit of two or more rooms, designed and intended for or occupied by one (1) family provided with separate living, sleeping and cooking facilities and joined physically with other dwelling units.
6. **Barangay.** The basic political unit in the Philippines composed of all persons, who are residents and members of the barangay for at least six months.
7. **Bearing Plantation.** A tract of farmland planted primarily to flower bearing plant species.
8. **Boarding House.** Any house which admits boarders for compensation and usually serves meal.
9. **Boundary Line.** The abstract line formed by the technical description of bearing and distances given on the certificate of title of the property or as defined herein.
10. **Buffer Area.** These are linear open spaces or forest areas designed to separate incompatible elements or uses, to control pollution, nuisance and identifying and defining development areas or zones.
11. **Building.** A constructed edifice designed to stand more or less permanently, covering a space of land usually by a roof and more or less enclosed by walls and supported activities.
12. **Buildable Area.** The remaining space in a zone, district or lot after deducting the required minimum open spaces, steep, agricultural or conservation areas.
13. **Building Accessory.** A building subordinate to a main building and located on the same lot, the use of it is either; a) necessary to the enjoyment or operation of a lawful principal use, transitional use or conditional use, b) appropriate, incidental and subordinate to any such use as servants-quarters, garage or among others.
14. **Built-Up Area.** A contiguous grouping of ten or more structures. The built-up area/zone is composed only of compatible land uses such as residential, commercial, institutional and other related uses. This area is basically a settlement area where social, economic and infrastructure support facilities are also present.
15. **Bus and Jeepney Terminal.** A station where buses and/or jeepneys discharge and receive passengers and where the vehicles are repaired and maintained within the premises, outside of any street.
16. **Business.** A commercial activity customarily engaged in as a means of livelihood and typically involving some independence of judgment and power of division.
17. **Carrying Capacity Level.** The natural, physical or social capability of an area to withstand use and provide a desired quality of exploitation, experience, the amount of utilization of a resource which is most appropriate for the protection of the resources and satisfaction of the population.
18. **Central Business District.** Refers to areas designated principally for trade, services and business purposes (C-1).

19. **Certificate of Non-Conformance.** Certificate issued by the Zoning Administrator to all uses existing prior to the approval of the Zoning Code which do not conform in a zone as per provision of the said code.
20. **Certificate of Zoning Compliance.** A permit issued by the Zoning Administrator in accordance with the provisions of this Code.
21. **Cemetery.** An area for burial or entombment.
22. **Church.** A place of religious worship, having been consecrated as such, has a permanent full-time priest, pastor, and among others to perform the religious activities.
23. **Commercial Offices.** Commercial buildings used to house offices for lease or rent. It may concern a single occupancy use or mixed occupancy uses not involving retail merchandising except professional services.
24. **Communal Tree Farming.** Refers to any tract of land planted to the tree crops farmed by a duly recognized entity such as association, cooperative, foundation, civic or religious organization acting for and in behalf of residents of a community.
25. **Compatible Use.** Uses of land activities capable of harmonious existence with the other use..
26. **Comprehensive Land Use Plan (CLUP).** The official document embodying specific proposals for guiding, regulating growth and development of the municipality. The main components of the plan in this usage are the sectoral studies and analysis covering the physical, environment, social, cultural, economic, infrastructure and development administration (financial and institutional aspects).
27. **Conflicting Use.** Uses or land activities with contrasting characteristics.
28. **Conforming Use.** A use, which is in conformity with the zone classification as provided for in the Code.
29. **Cottage Industry.** Establishments of firms, which conform to the standards, set forth by the Department of Trade and Industry.
30. **Dam.** A barrier built across a watercourse to prevent the flow of water.
31. **Development.** Refers to a change in capability of social, economic, political, physical and environmental structures or systems of the municipality due to man-made actions, programs or plans.
32. **District.** Refers to specific subdivided areas for a prescribed range of uses that may comprise a zone. It covers a smaller geographic boundary of a zone and has no reference to political boundaries.
33. **Dwelling Unit.** A building or portion thereof, providing complete living facilities for one family.
34. **Environmental Impact Assessment (EIA).** A legal document required under PD 1151 which applies to every proposed government-owned or controlled projects, as well as privately financed projects or undertakings, which would

significantly affect the quality and integrity of the environment, and the diverse resources. It supports; it processes, it consists of identifying and predicting impacts of proposed projects and programs on the bio-geophysical environment and on mass-health and well-being.

35. **Easements.** An open space imposed on any land use/activities located along waterways, road-right-of-ways, cemeteries, memorial parks and utilities.
36. **Eco-tourism.** 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 the economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors.
37. **Exception.** A device which grants a property owner relief from certain provisions of the 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.
38. **Family Approach to Reforestation.** Refers to a reforestation approach entered into by and between the government represented by the DENR and the head of the family. A scheme of reforestation wherein the government contracts association or individual family heads to undertake reforestation within the occupied forest lands either through bidding or negotiation.
39. **Fish Culture.** A body of water (artificial or natural) where the fish and other aquatic species are cultivated, raised or cultivated under controlled conditions.
40. **Floor Area Ratio (FAR).** It is the maximum number of square meters of gross building floor area, which will be permitted, divided by the number of square meter of available gross land area.
41. **Forest Resources.** Means timber, pulpwood, firewood, bark, treetop, resin, gum, wood, oil, honey, nipa, rattan, or other forest growth such as grass, shrubs, flowering plants. the associated water, fish game, scenic, historical and recreational and geologic resources in forest lands.
42. **Forest Zone/Agro Forest Zone (FZ).** A forest zone is a division of an area intended primarily for forest used while agro forest zone is intended also for forest use but planting of crops or inter-cropping, including animal raising and other farming activities, is allowed whenever slope consideration allows.
43. **Garage.** A building where cars or other motor vehicles are housed and maintained.
44. **Garbage Dump Site.** A lot or land or part thereof used primarily for the disposal by dumping, burial, burning or any other means and/or whatsoever purpose of garbage, sewage, trash, junk, refuse, discarded machinery, vehicles, or parts thereof, or waste materials of any kind.
45. **General Recreational Park.** An area, which provides recreational opportunities for two or more neighborhood. It is designed for recreational pursuit and for the maintenance of ecological balance of the community. These consist of parks and playground, botanical gardens, community plazas, and among others.

46. **General Zoning Map**. A duly authenticated map delineating the different zones into which the whole municipality is divided.
47. **Institutional Zone**. A division of an area intended principally for the general types of institutional establishments, e.g. government offices, schools, hospitals, clinics and other related activities.
48. **Industrial Zone**. A subdivision of an area principally devoted to manufacturing and processing activities and other compatible uses.
 - Highly Pollutive/Non-Hazardous
 - Highly Pollutive/Hazardous
 - Highly Pollutive/Extremely Hazardous
 - Pollutive/Extremely Hazardous
 - Non-Pollutive/Extremely Hazardous
49. **Innovative Design**. Introduction and/or application of new/creative designs and techniques in development projects.
50. **Locational Clearance**. Clearance issued upon compliance to specific guidelines and standards outside the Zoning Ordinance provisions for projects of national significance.
51. **Low Density Commercial Zone (C-1)**. An area within a municipality for trade, services and business activities ordinarily referred to as the Central Business District.
52. **Low Density Residential Zone (R-1)**. An area within a municipality principally for dwelling/housing purposes with a density of 20 dwelling units and below per hectare.
53. **Medium Density Commercial Zone (C-2)**. An area within a municipality with quasi-trade business activities and services industries performing complementary/supplementary functions to principally commercial zone (CBC).
54. **Medium Density Residential Zone (R-1)**. An area within a municipality principally for dwelling/housing purposes with a density of 21 to 65 dwelling units per hectare.
55. **Medium Industrial Zone (I-2)**. An area within a municipality for the following type of industries: a) Pollutive/Non-Hazardous; b) Pollutive/Hazardous.
56. **Mitigating Devices**. A means to grant relief in complying with certain provisions of the Ordinance.
57. **Non-Conforming Use**. Existing non-conforming uses/establishments in an area allowed to operate in spite of its non-compatibility to the provisions of the Ordinance subject to the conditions stipulated in this Zoning Code.
58. **Nuisance**. Is an act, omission, establishment, business, condition of property, or anything else, which according to the New Civil Code of the Philippines; a) injures or endangers the health and safety of others; b) annoys or offends the senses; c) shocks, defies or disregards decency or morality; d) obstructs or

interferes with the free passage of any public highway or street of any body of water; and e) hinders or impairs the use of property.

59. **Open Space**. An unoccupied space open to the sky on the same lot with the building.
60. **Pasture Land**. Refers to that portion of the public domain, which has been set aside, in view of the suitability of its topography and vegetation, for the raising of livestock.
61. **Parks and Recreation Zone**. A public or private land set aside for aesthetic, educational, recreational or cultural use. It is designed for diversion and amusements and for the maintenance of ecological balance community.
62. **Pocket Parks**. A small park or mini-park.
63. **Plaza**. A public square in a municipality.
64. **Pollution**. The addition of foreign matter to the natural environment or wildlife or co-inhabitants of the earth to air, land, water and noise pollution.
65. **Protection Zone**. Areas defined as Environmentally Critical Areas (ECAs), risk areas, or areas of restraint, that requires special management and conservation practices. Where uncontrolled development could result in irreparable damage to the environment and its attributes.
66. **Recreational Facilities**. Buildings and other physical features on improvements designed, constructed and managed for recreational use.
67. **Reforestation Area**. An area where forest cover is renewed and restored on by seeding or planting of trees.
68. **Rehabilitation Forest**. A forest area preserved for rehabilitation of forest stands, which primarily consists of second growth or residual forest and thin forests.
69. **Residential Zone**. A division of an area principally for dwelling/housing purposes
70. **Rural Area**. The areas outside of designated urban area.
71. **Rezoning**. An amendment to or a change in the text maps of the Zoning Ordinance.
72. **Setback**. The open space left between the building and the lot lines.
73. **Special Use Permit**. A permit issued for a use not inherently allowed by the district regulations and subject to special review of the Municipal Planning and Development Officer (MPDO).
74. **Subdivision**. Means the division of a tract or parcel of land in two or more lots, or the consolidation of two or more new lots, sites or other division for the purpose whether immediate or future, for inheritance, extra judicial partition, or building development. It includes re-subdivision, and when appropriate to the content relates to the process of subdividing.

75. **Tourism Zone.** Areas for preservation and development characterized by scenic environmental qualities, either natural or man-made' areas of cultural and historical value.
76. **Transition Zone.** A non-Built-Up area whether agricultural or otherwise, which has already been zoned as urban and is intended to be developed for urban use within the planning period specified in the approved development plan.
77. **Urban Area.** Refers to barangays or part of which comprising the Central Business District (CBD) and the Built-up area, including its urbanizing land, in and adjacent to the CBD.
78. **Urbanizable Land.** Area designated as suitable for urban expansion by virtue of land use studies conducted.
79. **Urban Zoning Map.** A duly authenticated map delineating the different zones into which the urban area and its expansion area are divided.
80. **Zone District.** A division of an area or territory for specific land use as defined by manmade or natural boundaries. It corresponds geographically to a broad classification of land and water uses shown in the Land and Water Strategy and covers a broad geographic area, which may further be subdivided into districts. It has no reference to political boundaries.
81. **Variance.** A device which grants a property owner relief from certain provisions of a Zoning Ordinance where, because of the particular physical surroundings, shape or topographical conditions of the property, compliance of height, area, setback, bulk and/or density would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
82. **Warehouse.** Refers to a storage and/or depository of those in business of performing warehouse services for others and for profit.
83. **Water Zone.** Are bodies of water within municipalities, which includes rivers, streams, lakes and seas except those included in other zone classification.
84. **Wildlife Sanctuaries and Park Reservations.** Refers to a forestland designated for the protection of animals, birds and fish and closed to hunting and fishing in order that the excess population may flow and restock surrounding areas.
85. **Zoning Administrator.** A municipal government employee responsible for the implementation/enforcement of the Zoning Code in the community.
86. **Zone/District.** An area within a municipality for specific land use as defined by manmade or natural boundaries.
87. **Zoning Code.** A local legal measure, which embodies regulations affecting land and water use.

ARTICLE IV

ZONE AND DISTRICT CLASSIFICATIONS

Section 1. Division Into Zone or District. To carry out effectively the provisions of this Code and the development policies enunciated in the land and water use strategy, the Municipality of Loon is hereby divided into the following zones or districts map of the municipality as integral part hereof.

A. General Land Use Zone

1. Built-Up Zone
2. Agricultural Zone
3. Forest/ Timberland Zone (including Water Zone)
4. Fishpond Zone
5. Industrial Zone
6. Tourism Zone
7. Parks/Plaza/ Recreation Zone
8. Infrastructure Utilities and Roads Zone
9. Cemetery Zone
10. Mineral/Quarry Zone
11. Dumpsite Zone
12. Rivers/Buffer Zone
13. Cockpit Zone
14. Socialized Housing Zone

B. Urban Land Use Zone

1. Residential Zone
2. Commercial Zone
3. Institutional Zone
4. Parks/Plaza/Recreation Zone
5. Agricultural Zone
6. Cemetery Zone
7. Infrastructure Utilities and Roads Zone
8. Timberland/ Mangrove Zone
9. Industrial Zone
10. Tourism Zone
11. Cockpit Zone

Section 2. Official Land Use Plan and Zoning Maps. It is hereby adopted as an integral part of this Code, an official General Land Use and Urban Land Use Plans and Zoning Maps duly prepared in accordance with the Comprehensive Socio-economic and Land Use Plan of the municipality wherein the designation, location and boundaries of the zones or districts herein established are shown and indicated. Such Official Zoning Maps shall be signed by the Local Chief Executive and authenticated by the HLURB. In case of loss, damage and/or destruction of the Official Zoning Map, the Sangguniang Bayan may, by resolution, adopt a new official zoning map, which likewise shall be in accordance with the development plan of the community; Provided, that all prior maps or any significant parts thereof left shall be preserved together with all available records pertaining to their adoption and/or amendment.

Section 3. Zone Boundaries. The boundaries and location of each zone and district shall be strictly observed by the Zoning Administrator. Where public boundaries are impossible or difficult to describe due to absence of natural boundaries (i.e. road, rivers, creeks, etc.) zone locations are presented by stating the barangay where they are located.

A) GENERAL LAND USE ZONE

1. Built-up Area

Each barangay have at least one site designated as built-up zone and the location of these areas are the existing barangay centers where the clusters of structures are of various forms and sizes. Designated built-up zones are generally devoted to residential, commercial and institutional uses. The Built-up Zone is divided into urban and rural built-up.

Urban built-up zones are the center of its barangay where economic, social and other related services extended to the people were being done. It is where the barangay center is located along with commercial areas and usually the residential area surrounds the barangay center or purok.

The rural built-up areas are also the barangay center of the rural barangays. It is where the commercial, social and economic activities of the barangay are located. It has a total of 512.30 hectares, or 4.28% of the total land area of the town.

2. Agricultural Areas

All areas classified as alienable and disposable lands within the 3 to 18 degrees slope excluding the identified built-up area and forestland. These areas are located in the upland and in the coastal barangays of Loon. It has a total land area of 8,287.54 hectares or 69.20% of the total land area of the town.

3. Timberland or Forestland

All areas within the municipality with 30-50 degrees slope and above and areas with an elevation of 1,000 meters or above the sea level are classified as protection forest. All areas with slopes ranging from 18 to 50 degrees and whose vegetative cover is mostly grass and shrubs are classified as production forest. The existing area of 2,520 hectares, or 21.04% of the total land area of the town, shall be protected and maintained for ecological balance. These areas are located in all coastal barangays of the mainland and island barangays of Cabilao and Sandingan.

Fish sanctuaries are located in Pantudlan, Cabacungan, Song-on, Cuasi, Pig-ot, Tangnan, Basdacu, Pondol, Canhangdon Occidental, Ubayon, Calayugan Sur, Cogon Norte and Sondol.

4. Industrial Areas Zone

An area designated principally for non-pollutive and non-hazardous activity. These areas are proposed in barangay Canhangdon Occidental, Ubayon and Catagbacan Sur. It has a total area of 67 hectares or 0.56% of the total area of the town.

5. Infrastructure Utilities and Roads Zone

All areas in the municipality identified as road network, bridges, irrigation, docking port, parking area or bus terminal, drainage and sewerage, abattoir or slaughterhouse and other related infrastructure activities. It has an area of 350 hectares or 2.92% of the total area of the town.

6. Tourism.

All areas designated by the Municipality of Loon as tourism sites. It is specifically categorized as follows:

▪ **Heritage Structures and Historical Sites:**

- Our Lady of Light Church
- Inang-angan
- Spanish-style Kiosk
- Old circular cemetery with chapel
- American-era Town plaza
- Other stone structure: old bridges and ruins
- Moalong cliff and River (Battle of Moalong)
- Tubig-Loon Spring (origin of the town's name)
- Barangay Cantaongon (Guerilla Camp)

▪ **Outstanding Scenery**

- Pantudlan dive site
- White beaches in Cabilao, Sandingan, Basdacu and Lintuan
- Piong Falls (Nagtuang and Canmaag)
- Bakwang Spring (Bugho)
- Danicop Falls (Ticugan)

▪ **Cultural Sites**

- Sandingan (Binago processing)
- Cantaongon (Tuba Processing)
- Napo (Community Theater)
- Basdio, Tiwi, Canmanoc, Cabadug, Cabug, Badbad Occidental, Badbad Oriental, Agsoso, Tobodacu, Tubodio, Tan-awan, Cogon Sur, and Quinobcoban (Farming on rocky slopes)
- Tontonan (aggie tourism)
- Cabilao island, Nagtuang, Bugho, Tobodacu, Bongco, Tubuan and Cansubayon (mat weaving)
- Upland barangays of Campatud, Casubayon, Genomoan and Canmaag (Handicraft)
- Big Cross of Barangay Cabug (Good Friday Pilgrimage)
- Poblacion barangays (Lenten and Easter Rites; Sidlakasilak)

It has a total area of 27 hectares or 0.23% of the land area of the town.

7. Dumpsite

Area designated by the Municipality of Loon for the final disposal of garbage which is located in Nueva Vida constituting an area of 7 hectares, or 0.06% of the land area of the town.

8. Cemetery

All areas designated as cemeteries within the Municipality of Loon. These burial grounds are located in Moto Norte (2), Looc (1), Sondol (1), Catagbacan Handig (1) and Moto Sur (1) occupying an area of 6.92 hectares. The proposed *cemetery is to be located in Cuasi with an area of 2 hectares. It has a total area of 8.92 hectares or 0.07% of the land area of the town.

9. Parks/Plaza and Recreation

All areas within the municipality designated for amusement, recreation and leisure. The Church Plaza and Rizal Park has an area of 2 hectares. A 6-hectare

Recreational and Sports Area is located in barangay Tangnan. It has a total area of 8 hectares, or 0.06% of the land area of the town.

10. Fishpond

The area utilized for fishpond development of 66.08 hectares with Fishpond Lease Agreements (FLAs). The area planted to various types of crop production is 4,137 hectares. It has an area of 66.08 hectares or 0.55% of the town area.

11. Mining/Quarry Zone

Mining areas are located in barangays Catagbacan Handig, Pondol, Taytay, Cuasi, Tangnan, and Cabadug.

12. Rivers Easement/Buffer Zone

Areas included under this zone are those rivers, creeks, coastal (shoreline) within the territorial jurisdiction of the Municipality of Loon. It has an area of 45 hectares ,or 0.38% of the land area of the town.

13. Cockpit Zone

It is an area specified for the operation of cockpit which is located in Cogon Norte with an area of 2 hectares, or 0.02% of the land area of the town.

14. Socialized Housing Zone

It is an area reserved for Socialized Housing located in Pig-ot (6 hectares), Cabadug (24 hectares), Cogon Sur (30 hectares), or a total of 60 hectares.

B) URBAN LAND USE ZONE

The whole areas of barangays of Moto Sur, Moto Norte, Napo, Cogon Norte, Cuasi (95.80 has.),and Basdacu (83.83 has.); portions of barangays Catagbacan Norte (83.83 has.), Catagbacan Sur (71.85 has.), Catagbacan Handig (95.80 has.), Basac (75 has.), Canhangdon Occidental (100 has.), and Ubayon (28.58 has.) are declared urban areas in the municipality with a combined area of 1,074.79 hectares or 8.9% of the total land area of Loon. The urban zone is shown in the official Urban Zoning Map. The following are the zones and boundaries:

A. URBAN RESIDENTIAL ZONE

- | | | |
|------------|---|---|
| Block No.1 | - | Along F. Soria (south-west) and Sevilla street |
| Block No.2 | - | Along F. Soria (south-east) |
| Block No.3 | - | Rev. G. Pueblos St. (north), Solomon St. (east)
F. Soria St. (south) |
| Block No.4 | - | Rev. G. Pueblos St. (north), Back of Commercial Area
Along National Highway (east), F. Soria St. (south) |
| Block No.5 | - | Rev. G. Pueblos St. (north), Barangay Road (east),
F. Soria St. (south), national highway minus institutional area
(west) |
| Block No.6 | - | Along the barangay roof Moto Sur |

- Block No.7 - Along the Ricafort Street (west)
- Block No.8 - P. Relampagos Street (north), Salomon St. (east)
Rev. G. Pueblos St. (south), Ricafort St. (west)
- Block No.9 - P. Relampagos St. (north), Back Commercial area along
National highway (east), Rev. Pueblos St. (south),
Salomon St. (west)
- Block No.10 - P. Relampagos St. (north), Perez St. (east),
Rev. G. Pueblos St. (south), Back of Commercial Area
Along National highway (west)
- Block No.11 - P. Relampagos St. (north), Perez St. (west),
Rev. G. Pueblos St. (south)
- Block No.12 - Rev. F. Posas St. (north), Salomon St. (east)
P. Relampagos St. (south), Ricafort St. (west)
- Block No.13 - Rev. F. Posas St. (north), Back of Commercial Area
Along national highway (east)
P. Relampagos St. (south), Salomon St. (west)
- Block No.14 - Back of commercial and institutional areas along
Capitan Bendok St. (north), Perez St. (east), back of the
Commercial area along national highway (west)
- Block No.15 - Capitan Bendok St. (north), P. Relampagos st. (south)
Perez St. (west)
- Block No.16 - Nazareno St. (north), Inang-angan Stone stairs (south),
Sevilla St. (west)
- Block No.17 - Nazareno St. (north), Capitan Bendok St. (north),
Perez St. (west)
- Block No.18 - Garcia St. (north), Sabaricos St. (east),
Nazareno st. (south)
- Block No.19 - Mesina St. (north), Capitan Bendok St. (east),
Nazareno st. (south)
- Block No.20 - Sabaricos St. (east), Dalugdog St. (north),
Sevilla st. (west)
- Block No.21 - Garcia St. (north), Mesina St. (south)
- Block No.22 - Along Garcia St. (north)
- Block No.23 - Maluenda St., Perez St.
- Block No.24 - Maluenda St. (north), Perez St. (east), Salazar St.
(south) back of commercial area along national
highway (west)

- Block No.25 - Sevilla St. (north), Back of commercial area along the National highway (east), Capt. Salazar St. (south), Dalugdog St. (west)
- Block No.26 - Cogon Norte-Badbad road (north), Mellijor St. (east), Maluenda St. (south), Back of commercial area along National highway (west)
- Block No.27 - Cogon Norte barangay road leading to Cogon Norte Elementary School, Maluenda St., Mellijor St.
- Block No.28 - Along Sevilla St. leading to national highway
- Block No.29 - Cogon Norte-Badbad road, Cogon Norte barangay Road leading to Cogon Norte Elementary School, Mellijor St.
- Block No.30 - Mellijor St. (west), Cogon Norte to Badbad Road
- Block No.31 - Cogon Norte to Badbad Road, Mellijor St. (east)

B. COMMERCIAL ZONE

- Block No.1 - Moto Sur West; Bounded by the following:
F. Soria St. (north)
Lintuan-Moto Sur boundary 50 meters width from the National highway (south), national highway (east)
- Block No.2 - Moto Sur East; Bounded by the following:
F. Soria St. (north)
Lintuan-Moto Sur boundary 50 meters width from the National highway (south), national highway (west)
- Block No.3 - Moto Sur West; Bounded by the following:
G. Pueblos St. 50 meters width from the national highway (north), F. Soria St. (south), national highway (east)
- Block No.4 - Moto Sur East; Bounded by the following:
P. Relampagos St. (north), G. Pueblos St. 50 meters width from the national (south), national highway (west)
- Block No.5 - Moto Sur West; Bounded by the following:
P. Relampagos St. (north), G. Pueblos St. 50 meters width from the national (south), national highway (east)
- Block No.6 - Moto Sur East; Bounded by the following:
Capt. Bendok St. (north), P. Relampagos St. 50 meters Width from the national highway (south), national Highway (west)
- Block No.7 - Moto Sur West; Bounded by the following:
P. Posas St. (north), P. Relampagos St. 50 meters Width from the national highway (south), national Highway (west)

- Block No.8 - Moto Norte; Bounded by the following:
Nazareno St. (north), Capt. Bendok St. (south),
Perez St. (east), national highway (west)
- Block No.9 - Bounded by the following:
Mesina St. (north), Nazareno St. (south), national
Highway (east), Sabaricos st. (west)
- Block No.10 - Moto Norte; Bounded by the following:
Mesina St. (north), Nazareno St. (south),
Perez St. (east), National Highway (west)
- Block No.11 - Moto Norte; Bounded by the following:
Mesina St. (north), Nazareno St. (south),
Perez St. 50 meters width (west)
- Block No.12 - Moto Norte; Bounded by the following:
Garcia St. (north), Mesina St. (south), national highway
(east), Sabaricos St. (west)
- Block No.13 - Moto Norte; Bounded by the following:
Garcia St. (north), Mesina St. (south), Perez St. (east)
national highway (west)
- Block No.14 - Moto Norte; Bounded by the following:
Garcia St. (north), Mesina St. (south), boundary
UB-Loon (east), Perez St. (west)
- Block No.15 - Moto Norte; Bounded by the following:
Ramirez St. (north), Garcia St. (north), national highway
(east), Sabaricos St. (west)
- Block No.16 - Moto Norte; Bounded by the following:
Ramirez St. (north), Garcia St. (south), Perez St. (east)
national highway (west)
- Block No.17 - Moto Norte; Bounded by the following:
Perez St. 50 meters width (west), Mormons Church (north),
Garcia St. 5 meters width (south)
- Block No.18 - Moto Norte; Bounded by the following:
Capt. Salazar St. (north), Ramirez St. (south), national
highway (east), Sabaricos St. (west)
- Block No.19 - Moto Norte; Bounded by the following:
Capt. Salazar St., Ramirez St., Perez St.
National Highway
- Block No.20 - Cogon Norte West; Bounded by the following:
Loon Municipal Building (north), Capt. Salazar St.(south)
National Highway, 50 meters width (east)
- Block No.21 - Cogon Norte East; Bounded by the following:
Maluenda St. (north), Capt. Salazar St.(south)
National Highway, 50 meters width (west)

- Block No.22 - Cogon Norte West; Bounded by the following:
 Sevilla St. (north), Rural Bank.(south)
 National Highway, 50 meters width (east)
- Block No.23 - Cogon Norte East; Bounded by the following:
 Cogon Norte to Badbad Road (north)
 Maluenda St. (south), National Highway, 50 meters width
 (west)
- Block No.24 - Cogon Norte West; Bounded by the following:
 Boundary of Basac (north), Sevilla St. (south),
 National Highway, 50 meters width (east)
- Block No.25 - Cogon Norte East; Bounded by the following:
 Boundary of Basac (north), Cogon Norte-Badbad Road
 (south), National Highway, 50 meters width up to the
 boundary of Basac (west)

Catagbacan Area:

- Block No.1 - Catagbacan Sur West; Bounded by the following:
 National Highway, 50 meters width, Barangay Hall,
 Junction Provincial and National Road
- Block No.2 - Catagbacan Sur East; Bounded by the following:
 National Highway, 50 meters width,
 Eastern Side to Baptist Church,
 Barangay Hall Opposite Catagbacan Sur
- Block No.3 - Catagbacan Sur East; Bounded by the following:
 National Highway, 50 meters width,
 Baptist Church to junction national road
- Block No.4 - Catagbacan Sur South; Bounded by the following:
 Junction National Highway Tubigon 50 meters width,
 Provincial Road opposite Catagbacan Public Market
- Block No.5 - Catagbacan Sur Southwest; Bounded by the following:
 Junction Provincial Road 50 meters width,
 Pump-boat wharf
- Block No.6 - Catagbacan Handig East; Bounded by the following:
 Junction National Highway to Calape 50 meters width to
 Cemetery road, National Highway to Antequera 50 meters
 width
- Block No.7 - Catagbacan Norte; Bounded by the following:
 Junction National Highway 50 meters width to Saint
 Therese Academy, Provincial Road 50 meters width,
 Coastal Provincial road
- Block No.8 - Catagbacan Norte; Bounded by the following:
 Junction Provincial road 50 meters width
 Pump-boat wharf
- Block No.9 - Catagbacan Handig; Public Market Area

- Block No.10 - Catagbacan Norte; Lot No. 9185
- Block No.11 - Catagbacan Norte; Lot No. 9184
- Block No.12 - Catagbacan Norte; Lot No. 9186, 9187, 9188 and 9189

C. INSTITUTIONAL ZONE:

- Block No.1 - Loon South Central School Area
- Block No.2 - Napo Primary School
- Block No.3 - Our Lady of Light Church and Sacred Heart Academy
- Block No.4 - Municipal Health Center and Senior Citizen Care Center
- Block No.5 - Loon Cultural Center
- Block No.6 - UB Loon
- Block No.7 - Church of the Latter Day Saints
- Block No.8 - Loon Municipal Hall Building
- Block No.9 - Cogon Norte Elementary School
- Block No.10 - Cong. Natalio P. Castillo Memorial Hospital
- Block No.11 - Basac Elementary School
- Block No.12 - Canhangdon Primary School
- Block No.13 - Loon North Central School
- Block No.14 - Baptist Church
- Block No.15 - St. Theresa Academy
- Block No.16 - San Lorenzo Church and Lawis Elementary School.

D. PARKS AND PLAYGROUND ZONE:

- Block No.1 - Church Plaza
- Block No.2 - Rizal Park
- Block No.3 - Loon Sports Center (Tangnan)

E. AGRO-INDUSTRIAL ZONE

- Block No.1 - Sandingan Island
- Block No.2 - Cabilao Island

- Block No.3 - Bounded by Municipality of Maribojoc, Song-on, Tontonan, Taytay, Cuasi, Tangnan, Cabadug, Pig-ot, Cabug, Tan-awan, and portion of Tiwi, Canmanoc, Agsoso, Bugho, Quinobcoban, Lintuan
- Block No.4 - Bounded by portions of Basac, Ticugan, Tubodacu, Nagtuang, Bongco, Canmaag, Cantaongon, Cantam-is Baslay, Biasong, Genomoan, Cansubayon, Campatud, Bagacay Saong
- Block No.5 - Bounded by Municipality of Calape, portions of Bagacay Kawayan and Katipunan, Candaigan, Cansuaguit, Nueva Vida, Bahi, Cantomucad, Panangquilon, Pondol and Catagbacan Handig

F. AGRICULTURAL ZONE:

- Block No.1 - Portion of Lintuan, Canmanoc, Tiwi, Agsoso, Tubuan, Quinobcoban, Bugho, Campatud, Cansubayon, Bongco Nagtuang, Tubodaco, Ticugan
- Block No.2 - Portion of Bagacay Saong, Bagacay Katipunan, Bagacay Kawayan, Candaigan, Canmaag, Cantaongon, Cansuaguit, Cantam-is Bago, Canhangdon Oriental, Biasong, Genomoan and whole of Cantam-is Bago

G. QUARRY SITES:

Taytay, Tangnan, Cabadug, Cuasi, Catagbacan Handig and Pondol

H. PROTECTION ZONE:

A) Network of Protected Areas for Agriculture & Agro-Industrial Development (NAPAAD)

- 1) Rice Production Areas. Existing rice paddies are located in Bagacay Saong, Bagacay Kawayan, Bagacay Katipunan, Panangquilon, Bahi, Cantaongon, Canmaag, Cansubayon, Tubuan, Nagtuang, Bongco, Genomoan, Campatud, Candaigan, Cantam-is Bago, and Cantam-is Baslay
- 2) Mangrove Reforestation Areas. Located in Barangay Canigaan, Cuasi, Tontonan, Tangnan, Song-on, Cogon Norte, Calayugan Norte, Napo, Catagbacan Norte, Pondol, Pig-ot, Basdacu, Basac, Canhangdon Occidental and Ubayon
- 3) All irrigable Areas
- 4) Fish sanctuaries of Cabacungan, Pantudlan, Calayugan Sur, Sondol, Song-on, Cuasi, Tangnan, Basdacu, Pondol, Ubayon, Canhangdon Occidental, Pig-ot and Cogon Norte

B) Protected Areas

- 1) National Integrated Areas System (NIPAS), located in Cabilao Island and Sandingan Island
- 2) All mangrove areas planted in the coastal barangays
- 3) Very steep sloping area (30-50% more) in the upland barangay of Cabadug and along the river traversing the east-west direction at almost the mid-section of the municipality
- 4) Coastal area buffers
- 5) Rice catchment areas
- 6) River and lake buffers. Easement of 40 meters from either bank of rivers traversing forest lands and along lakeshore in the forest lands the barangays of Genomoan, Canmaag, Cantaongon, Cantam-is Baslay, Ticugan, Biasong and Basac. Easement of 20 meters either bank of ricers that the drain built-up areas in the barangays of Basac and Canhangdon Occidental.

B) Environmentally Critical Areas. Areas that should be planned carefully and non-suitable land uses should not be allowed.

- 1) Areas set aside for aesthetic value such as potential tourist destination
- 2) Areas classified as prime agricultural lands
- 3) Watershed areas
- 4) Vantage point areas of outstanding scenery
- 5) Other reservation

I. PRODUCTION LAND USE ZONE:

- A. **Production Forest Zone.** Areas where commercial trees can be planted in each barangay consisting of at least one (1) hectare.
- B. **Agro-forest Zone.** Areas where fruit trees can be planted for commercial purposes
- C. **Pasture Zone.** Areas where livestock raising, free range chicken raising and contract growing can be put-up.

Section 4. Interpretation of the Zone Boundary. In the interpretation of the zone boundaries for any of the zones indicated on the Zoning Map, the following rules shall apply:

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

indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.

4. Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following the shorelines shall be construed to follow such shorelines and in the event of change in the shorelines, shall be construed as moving with the actual shorelines.
5. Where the lot of one owner on 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 by the boundary line, it shall fall within the zone where the principal structure falls.
6. Where the zone boundary is indicated as one-lot-deep, said depth shall be constructed to be the average lot depth of the lots involved within each particular municipal 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, that the remaining 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 land 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.
7. In case of any remaining doubt as to the location of any property zone boundary lines, such property shall be considered as falling within the less restrictive zone.
8. The textual description of the zone boundaries shall prevail over that of the official zoning maps.

Specific uses/activities of lesser density within a particular zone (R-a) may be allowed within the zone of higher density (R-2, R-3), but not vice versa, nor in another zone and its subdivision (e.g. GC, C-1, C-2) except for use expressly allowed in said zones, such as that the cumulative effect of zoning shall be intra-zonal and inter-zonal.

ARTICLE V

ZONE AND DISTRICT REGULATIONS

Section 1. General Provisions. The uses enumerated in the succeeding sections are not exhaustive nor all inclusive. The Zoning Administrator may, subject to the requirements of this Section, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

Section 2. Use Regulation in General Residential Zone (GRZ). A Residential Zone or District shall be used primarily for dwelling/housing so as to maintain the peace and quiet of the area within the zone. The following are the only allowable construction/uses:

1. Detached family dwelling
2. Multi-family dwelling e.g. row-houses, duplex
3. Residential condominiums
4. Apartment
5. Hotel
6. Apartel

7. Pension House
8. Dormitory
9. Boarding House
10. Branch Libraries and Museums
11. Customary accessory uses like servants quarter, private garage, guard house, and other related uses.
12. Home occupation for the practice of one's profession or for engaging in home 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 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 may need for parking generated by the conduct of such home occupation shall be met of the street in a place other than the required front yard;
 - e. No equipment process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors and electrical interferences detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises;
13. 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 or nuisance;
 - b. Allotted capitalization shall not exceed more than one hundred thousand pesos (P100,000.00) during its entire operation or as set by the Department of Trade and Industry (DTI).
 - c. Such shall consider same provisions as enumerated in letters c,d, and e of number 12, home occupation, this section.
14. Recreational facilities for the exclusive use of the members of the family residing within the premises such as swimming pool, pelota court, and others.
15. Backyard raising of livestock and fowl provided that:
 - a. for livestock a maximum of two (2) heads in urban and ten(10) heads in rural areas. And for fowl, a maximum of 20 birds in urban and 50 birds in residential rural areas:
 - b. No undue noise is created by those livestock and fowls;
 - c. No foul smelling is emitted;
 - d. Other sanitary requirements enforced in the municipality are complied with;
 - e. In case of residential subdivision, the provisions stipulated in the contract shall prevail over that of the Zoning Ordinance.
16. Nursery/Elementary School
17. High School
18. Vocational School
19. Sports Club
20. Religious Use
21. Multi-purpose hall/Barangay Hall

- 22. Clinic, Health Center, Nursing and Convalescing Home
- 23. Plant nurseries

Section 3. Use Regulation in General Commercial Zone. The GC shall be principally used for business, trade and services uses. Within the zone the following types of establishments shall be allowed:

- 1. Offices like:
 - a. Office building
 - b. Office condominium
- 2. General Retail Stores and Shops like:
 - a. Department Stores and Shops
 - b. Bookstore and office supply shop
 - c. Car shop
 - d. Home appliance store
 - e. Photo shop
 - f. Flower shop
- 3. Food Markets and shops like:
 - a. Bakery and bakeshop
 - b. Wine store
 - c. Grocery
 - d. Supermarket
- 4. Personal Services shops like:
 - a. Beauty parlor
 - b. Barber shop
 - c. Sauna bath and massage clinic
 - d. Dressmaking and tailoring shops
- 5. Recreational Center/Establishments like:
 - a. Movie house/theater
 - b. Playcourt e.g. tennis, bowling, billiard, basketball
 - c. Swimming pool
 - d. Day and night club
 - e. Stadium, coliseum, gymnasium
 - f. Other sports and recreational establishments
 - g. Cockpit arena
- 6. Restaurants and other eateries
- 7. Short term special education like:
 - a. Dancing schools
 - b. School for self-defense
 - c. Driving schools
 - d. Speech clinic
 - f. Boxing training school
- 8. Storerooms and warehouse but not only as maybe necessary for the efficient conduct of the business.
- 9. Commercial housing like:
 - a. Hotel
 - b. Apartment

- c. Apartel
 - d. Boarding house
 - e. Dormitory
 - f. Pension house
 - g. Club house
 - h. Motel
10. Commercial Condominium with residential units in upper floors
 11. Library and museum
 12. Filling and service stations
 13. Clinic
 14. Vocational/technical school
 15. Messengerial services
 16. Security Agency
 17. Janitorial service
 18. Banks and other financial institution
 19. Radio, television station, Cable TV station
 20. Building garage, parking lot
 21. Commercial job printing
 22. Typing and photo engraving service
 23. Repair of cameras, optical equipments
 24. Repair of clock and watches
 25. Manufacture of insignia, badges and similar emblems except metal
 26. Transportation and terminal/garage with and without repair
 27. Plant nurseries
 28. Scientific, cultural and academic centers and research facilities except nuclear, radioactive chemical and biological facilities.
 29. Repair shops like:
 - a. House appliances
 - b. Motor vehicles and accessory
 - c. Home furnishing shops
 30. Transportation terminal, repair garage
 31. Printing/Publishing of books, pamphlets, cards and stationary
 32. Medium scale junk shop
 33. Machinery display shop/center
 34. Gravel and sand
 35. Lumber/hardware
 36. Manufacture of signs and advertising displays (except printed)
 37. Welding shops
 38. Machine shop service operation (repairing, rebuilding, or custom job orders)
 39. Repair of motorcycles
 40. Lechon or pig roasting and other similar dried bakery products
 41. Repacking of food products e.g. fruits, vegetable, sugar and other related products
 42. Manufacturer of ice, ice blocks, cubes, tubes, crushed except dry ice
 43. Chicharon factory
 44. Manufacturer of wood furniture including upholstery
 45. Manufacturer of rattan furniture including upholstery
 46. Manufacturer of box beds and mattresses
 47. Manufacture of biscuits, cookies, crackers and other similar dried items.
 48. Doughnut and hopia factory
 49. Funeral parlors, mortuaries and crematory services and memorial chapels
 50. Other commercial activities not elsewhere classified

Section 4. Use Regulation Light Industrial Zone. The designated industrial zones in the municipality are intended for all types of light industries, preferably agro-based industries. Allowed in the zone are any of the following industries.

A. Non-Pollutive/Non-hazardous Industries

1. Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharon.
2. Milk processing plants (manufacturing filled, reconstituted, or recombined milk, condensed or evaporated)
3. Butter and cheese processing plants
4. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling or natural animal milk and cream related products)
5. Other dairy products
6. Canning and preserving of vegetable sauces
7. Canning and preserving of fruits and fruit juices.
8. Miscellaneous canning and preserving of fruits and vegetables
9. Dry fish and fish canning
10. Patis factory
11. Bagoong factory
12. Processing, preserving and canning of fish and other seafood
13. Manufacture of desiccated coconuts
14. Manufacture of starch and its products
15. Manufacture of wine from juices of local fruits
16. Manufacture of malt and malt liquors
17. Manufacture of soft drinks carbonated water
18. Manufacture of instant beverage and syrups
19. Other non-alcoholic beverages
20. Other slaughtering, preparing and preserving meat products
21. Manufacture of boats, bancas, sailboats
22. Repair and renovation of office machinery
23. Manufacture of animals drawn vehicles
24. Manufacture of children vehicles and baby carriages
25. Quick freezing and cold packaging for fish and other seafoods
26. Quick freezing and cold packaging for fruits and vegetables
27. Popcorn and rice factory
28. Manufacture of eyeglasses and spectacles
29. Manufacture of optical lenses
30. Manufacture of watches and clocks
31. Manufacture of string instruments
32. Manufacture of wind and percussion instrument
33. Manufacture of gym playground equipment
34. Manufacture of sporting table billiards, ping-pong pool
35. Manufacture of other sporting and athletic goods
36. Small scale manufacture of ice cream

B. Non-Pollutive/Hazardous Industries

1. Manufacture of house furnishing textiles bag factories
2. Canvass bags and other canvass products factory
3. Jute bag factory
4. Manufacture of miscellaneous textile, goods, embroideries and weaving apparel
5. Manufacture of fiber batting, padding and upholstery filing except choir
6. Men's garment factory
7. Ladies garment factory

8. Manufacture of hats, gloves, handkerchief, neckwear and other related clothing accessories
9. Manufacture of miscellaneous fabricated mill work
10. Manufacture of wooden and cane containers
11. Manufacture of raincoats and waterproof outer garments except jackets
12. Sawali, nipa and split cane factory
13. Manufacture of bamboo, rattan and other cane baskets and wares
14. Manufacture of cork products
15. Manufacture of wooden shoes, shoe lace and other similar products
16. Manufacture of miscellaneous wood products
17. Manufacture of miscellaneous furniture and fixture except primarily of metals
18. Manufacture of paper stationery, envelopes and related articles
19. Manufacture of dry ice
20. Repacking of industrial products e.g. prints, varnishes and other related products

Section 5. Use Regulation in Medium Scale Industrial Zone. 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. Candy factory
5. Corn and rice mill
6. Chocolate and cocoas factory
7. Chewing gum factory
8. Peanuts and other factory
9. Other chocolate and confectionery products
10. Manufacture of flavoring extracts
11. Manufacture of food products (e.g. vinegar, vetsin)
12. Manufacture of fish metal
13. Oyster shell grading
14. Manufacture of medicinal and pharmaceutical preparations
15. Manufacture of stationery and art goods
16. Manufacture of abrasive products
17. Manufacture of miscellaneous non-metallic mineral products
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
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
26. Manufacture of fabricated structural iron and steel
27. Manufacture of architectural and ornamental metal works
28. Manufacture of boilers, tanks and other structural sheets metal works
29. Manufacture of metal cans, boxes and containers
30. Manufacture of other structural products
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 manual operation

35. Manufacture of other fabricated metal products except machinery and equipment

B. Pollutive/Hazardous Industries

1. Flour mill
2. Cassava flour mill
3. Manufacture of coffee
4. Manufacture of unprepared animal feeds, other grain milling
5. Production of prepared feeds for animals
6. Cigarette factory
7. Curing and re-dying tobacco leaves
8. Fabric knitting mills
9. Manufacture of mats and matting
10. Manufacture of carpets and mats
11. Manufacture of rope and twine
12. Manufacture of related products from abaca, cotton, paper
13. Manufacture of linoleum and other surfaced covering
14. Manufacture of artificial leather, oil cloth and other fabrics except rubberized
15. Manufacture of miscellaneous textile
16. Manufacture of rough lumber, un-worked
17. Manufacture of worked lumber
18. Manufacture of veneer, plywood and hardwood
19. Manufacture of doors, windows and sashes
20. Manufacture of charcoal
21. Manufacture of wood, cane blinds, screens and shades
22. Resawmills
23. Manufacture of container and boxes of paper and paper boards
24. Manufacture of miscellaneous pulp and paper products
25. Manufacture of perfumes, cosmetics and other toilet preparations
26. Manufacture of waxes and polishing preparations
27. Manufacture of candles
28. Manufacture of inks
29. Manufacture of miscellaneous chemical products
30. Manufacture of rubber shoes and slippers
31. Manufacture of industrial and moulded rubber products
32. Manufacture of plastic footwear
33. Manufacture of plastic furniture
34. Manufacture of other fabricated plastic products
35. Manufacture of table and kitchen articles
36. Manufacture of pottery, china and earthen ware
37. Manufacture of flat glass
38. Manufacture of glass container
39. Manufacture of clay bricks, clay tiles and hollow clay tiles
40. Manufacture of miscellaneous structural clay products
41. Manufacture of structural concrete products
42. Manufacture of asbestos products
43. Manufacture of engines and turbines except motor vehicles, marine and aircraft
44. Manufacture of metal cutting, shaving and finishing machinery
45. Manufacture of wood working machinery
46. Manufacture of assembly, rebuilding, repairing of food
47. Manufacture of assembly, rebuilding, repairing of textile machinery and equipment
48. Manufacture of rice mills
49. Manufacture of machines for leather and leather products
50. Manufacture of construction machinery
51. Manufacture of machines for clay, stove and glass industries

52. Manufacture or assembly of automobile, cars, buses, trucks and trailers
53. Manufacture of wood furniture including upholstery
54. Manufacture of rattan furniture including upholstery
55. Manufacture of box beds and mattresses

Section 6. Use Regulations in Institutional Zone. In the institutional zone only the following uses shall be allowed:

1. Government center to house national, regional or local offices in the area.
2. Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
3. General hospitals, medical centers, multi-purpose clinics
4. Scientific, cultural and academic centers and research facilities except nuclear radioactive chemical and biological facilities.
5. Convention centers and related facilities
6. Religious structures e.g. church, seminary, convents and museums
7. Embassies, consulate
8. Student housing, e.g. dormitories, boarding house
9. Welfare homes, orphanages, boys and girls town, home for the aged
10. Rehabilitation and vocational training center for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments.

Section 7. Use Regulations in Parks and Recreation (PR) Zones. Only the following uses shall be allowed in PR zones:

1. Open air or outdoor sports activities and support facilities, including low rise stadia, gyms and amphitheatres.
2. Golf Courses, ball courts, race tracks and similar use
3. Memorials, monuments, kiosks and other park structures
1. Other uses temporary in nature
2. Parks/gardens
3. Resort area e.g. beaches including accessory uses
4. Sports club
5. Underground parking structures/facilities

Section 8. Use Regulation in Agriculture Zone (AGZ). The following are allowed in the agriculture zone:

1. Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like.
2. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, sugar, cotton, tobacco, etc.
3. Silviculture, fish culture and mushroom culture
4. Customary support facilities such as palay dryers and rice threshers and storage barns and warehouses.
5. Ancillary dwelling units/farmhouses for tiller and laborers.
6. Agro-industries whenever necessary to support agriculture
 - a. Rice and corn mills
 - b. Commercial poultry, piggery, ranch and dairy farm, duck farm and balut manufacture and the like.

- c. Preparation, cooking or manufacture of native condiment paste out of cereals and sugar cane, such as matamis na bao, sapin-sapin, etc.
 - d. Slaughtering, drying, cleaning, curing and preserving of meat and its by-products and derivatives
 - e. Drying, smoking and airing of tobacco
 - f. Warehouse and cold storage
 - g. Other allied rural-farm based on farming activities
7. Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms.
 8. Pastoral activities such as goat raising and cattle fattening
 9. Home occupation for the practice of one's profession or engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - Number of persons engaged in such business/industry shall not exceed five (5) inclusive of the owner.
 - There shall be no change in the outside appearance of the building premises.
 - No home occupation shall be conducted in any customary accessory cited above.
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in the residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street in a place other than the required front yard.
 - No equipment or process shall be used in such occupation, which create noise, vibration, glue, fumes. Odors and electrical interference detectable to the normal senses and visual or audible interference in any radio, a television receiver or causes fluctuations in line voltage off the premises.
 10. Home industry classified as cottage industry e.g. mat weaving, pottery making, food preservation, provided that:
 - Such home industry shall not occupy more than 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 hazard or nuisance.
 11. Backyard raising of livestock and fowl, provided that:
 - for livestock – no limit
 - for fowl – no limit

Section 9. Use Regulation in Tourism Zone (TZ). In tourism areas, no establishment or development will be undertaken that will destroy its scenic environmental qualities. Only the following uses may be permitted, whenever, applicable and any physical or infrastructure development should be governed by environmental standard enforced by the Environmental Management Bureau (EMB). As such, an Environmental Impact Assessment (EIA) must be undertaken before any planned project is implemented in Environmentally Critical Areas (ECA) such as eco-tourism sites. Thus, all development plans under eco-tourism zones shall conform with the principles of environmental protection and preservation.

1. Flower shops
2. Nursery for flowers and plants
3. Food stand, fruit stand and take home Kiosk
4. Restaurants, drive-in restaurants

5. Canteens, ice-cream house
6. Amusement centers, indoors
7. Theaters, movie houses
8. Police and fire substations
9. Police outposts
10. Campsite Resorts
11. Clubhouse
12. Botanical Garden
13. Zoos and other nature reserve
14. Hotels and restaurants
15. Gaming and entertainment facilities
16. Convention centers
17. All other compatible, similar and related facilities.

Section 10. Use Regulation in Protection Forest Zone. Preservation areas include those areas in the municipality, which are set aside for protection so as to preserve their natural characteristics, basically, development and exploitative activities are prohibited in these areas. As such, the following conditions shall be complied with:

1. Only preservation/conservation and compatible forest activities such as gathering of minor forest products like bamboo and other similar/related products shall be allowed.
2. No settlement of whatsoever nature shall be allowed therein.
3. Reforestation and forestation activities shall be undertaken at all times by persons of entities granted permit/clearance under this section.

Section 11. Use of Regulation in Production Forest Zones/Agro-Forest. No development use, or activity shall be allowed except in accordance with Forest Code of the Philippines and the rules and regulations of the Bureau of Forestry of the Department of Environment and Natural Resources (DENR). In particular, no logging, settlement, or agricultural areas shall be allowed in forest zones except in production/commercial forest areas as classified by the Bureau and the necessary permits and clearances should be obtained beforehand. Reforestation and conservation measures shall be the responsibility of the concessionaires of such areas. However, in areas where slope permits for crops production, this should be allowed as inter-crops to the planting of trees. In particular, the following activities shall be allowed:

1. Forest Ecosystem Management
2. Forest Occupancy Management
3. Family Approach to Reforestation
4. Commercial Tree Farming
5. Industrial Tree Farming
6. Agro-forest Farms
7. Range Management Forest Industries Food Production Program
8. Other allowable uses:
 - Mining - no extraction, excavation or other mining activity shall be undertaken except in accordance with the Mining Laws and other conditions stipulated by the DENR/Bureau of Mines and Geo-Sciences.
 - Fishing and fish culture

Section 12. Fishpond/Salt-beds Zone. Fishing activities with the forest zone/protected areas zone shall be undertaken pursuant to Fisheries Code and its

implementing rules and regulations and the Revised Forestry Code of the Philippines as amended.

Section 13. Use Regulation in Transport and Utilities Zone. In this zone only the following uses shall be allowed:

1. Car barns, bus terminals and depots, garages and repair shops for transit vehicles
2. Loading, unloading areas, freight storage and handling areas and other accessory and ancillary facilities thereto
3. Airport and other facilities related thereto
4. Harbors, piers, roadsteads and the usual amenities
5. Power generating facilities and stations
6. Water and sewage treatment plants.

ARTICLE VI

INNOVATIVE TECHNIQUES AND PROJECTS OF VITAL AND NATIONAL OR REGIONAL ECONOMIC AND ENVIRONMENTAL SIGNIFICANCE

Section 1. Nature and Concept of Innovative Techniques and Designs. Innovative techniques and designs consist the employment, utilization and application of modern and unique architectural design and non-conventional pattern and strategies of development in particular integrated area, for the purpose of encouraging, creating, flexibility and economy in land uses. Conventional standards and criteria are liberalized in an area where innovative techniques are employed.

Section 2. Requirements and Procedures for Allowance of Innovative Techniques or Designs. Before innovative techniques maybe employed in any area, the owner or developer must first secure from the Zoning Administrator a Special Development Permit upon favorable recommendation from the Municipal Development Council (MDC). In addition, he shall conduct a public hearing on the application, following the procedures for the conduct of hearings prior to the granting of variances as set forth in Article IX herein. He may prescribe such terms and conditions that he may deem as reasonable and proper, provided, they are consistent with that set forth in the next succeeding section.

Section 3. Conditions for Granting of Innovative Techniques and Designs. The utilization of innovative techniques or designs in any area shall be permitted only if the following conditions are complied with:

1. It would be automatically impractical to apply the conventional standard of this ordinance to a particular area or the compliance with such requirements would unduly hamper efficiency, economy in design and space and creativity.
2. The owner/developer must submit to the Municipal Development Council and to the Zoning Administrator the preliminary and final plans for review. The preliminary plan must generally set forth any existing or proposed arrangements of lots, streets, access points, buffer strips and rail, water, highway or other transport arrangement, and the relations (in terms of existing and potential economic influence and environmental impact) of the land involved with the surrounding properties. The final plan must in addition to the above

requirements describe the noise, odor, smoke, vibration, dust, noxious, gases, glue and heat. Fire hazards, industrial wastes and traffic, which maybe produced by the development, or an Environmental Impact Statement will be required and upon proper evaluation of the local development staff may require an ECC or clearance from the DENR as they see fit.

3. The proposed development will not be incompatible with the existing and proposed adjacent and surrounding uses, and it should not defeat the purposes and objectives of the development plan and ordinance.
4. The area of the proposed development is a consolidated parcel of at least two (2) hectares.

ARTICLE VII

GENERAL DISTRICT REGULATIONS

Section 1. Height Regulations in Residential Zone. In Residential Zone, no building or structure for human occupancy whether public or private shall exceed 12 meters in height.

Section 2. Height Regulations in Zones Other Than Residential. Height regulations of buildings in zones other than residential shall be subject to the provisions stipulated in the National Building Code.

Section 3. Exemptions from Height Regulations in Residential Zone. Exempted from the imposition of height regulations in residential zones are the following: towers, church steeples, water tanks, and other utilities and such other structure not covered by the height regulations of the national Building Code.

Section 4. Area Regulations. Area regulation in all zones shall conform with the minimum requirement of the existing code such as:

- P.D. 957. The “Subdivision and Condominium Buyers Protective Law”
- B.P. 220. Promulgation of different levels of standards and technical requirements for economic and socialized housing projects.
- P.D. 1096 National Building Code
- E.O. 648. The New HSRC Charter
- E.O. 90. The creation of the Housing and Land Use Regulatory Board and its mandates.

Other relevant guidelines are promulgated by the national agencies concerned.

Section 5. Road Setback Regulations. The following road setback regulations shall be applied:

Zoning Classification	Major Road <u>National</u>	Secondary <u>Province/City</u>	Tertiary <u>Mun./Bar.</u>
Residential	10 meters	10 meters	3 meters
Commercial	20	20	7
Industrial	30	25	10
Agricultural	20	20	7

Agro-Industrial	30	25	10
Institutional	20	20	10
Parks and Recreation	10	10	3
Forest	30	25	10

Section 6. Buffer Regulations. A buffer of 3 meters shall be provided along the entire boundary length between two or more conflicting zones allocating 1.5 meters from each side of the district boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of yard or open space.

Section 7. Specific Provision in the National Building Code. Specific provisions stipulated in the National Building Code (PD 1096) relevant to traffic generations, 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.

ARTICLE VIII

ENVIRONMENTAL MANAGEMENT

Section 1. Performance Standards. All land uses, developments or constructions shall conform to the following standards:

1. **Noise and Vibrations.** All noise and vibrations producing machinery shall be enclosed by a building and shall be provided with effective noise absorbing materials, noise silencers and mufflers, an open yard of a distance of not less than twenty (20) meters from the street or adjoining property lines and property planted to dense trees as buffers. To Minimize vibrations, a machinery should be mounted on shock absorbing mountings, such as cork set on reinforced concrete foundations or a floating isolated foundation set on piles, as needed by the machinery concerned to reduce all noise and vibration to a reasonable minimum. Noise, which is objectionable due to intermittence beat frequency or high pitch prone building as tested and approved by the municipal officials concerned.
2. **Smoke.** Any smoke emitted from any source for a period aggregating seven (7) minutes in any thirty minutes particularly when starting a new fire, shall have a density not greater than no. 2 of the Ringlemann Chart.
3. **Dust, Dirt and Fly Ash.** The emission of dust, dirt or fly ash from any source of activity, which shall pollute the air and render it unclean, destructive, unhealthful or hazardous or cause visibility to be impaired, shall not be permitted. In no case whatsoever shall dust, dirt or fly ash be allowed to exceed .30 grams per cubic meter of flu gas at stack temperature of zero degrees centigrade not to create a haze with opaqueness equivalent to or greater than No.1 of the Ringlemann Chart
4. **Odors and Gases.** The emission of foul odors and gases deleterious to public health, safety and general welfare shall not be permitted. Buildings and activity emitting foul odors and obnoxious gases shall be enclosed by air tight buildings provided with air conditioning system, filters deodorizing and other air cleansing equipment.

5. **Glare and Heat.** Glare and heat from any operation or activity shall not be allowed to be radiated, seen or felt from any point beyond the limits of the property.

Section 2. Environmental Compliance Certificate. All environmentally critical projects (ECP) and projects, which will be located within an Environmentally Critical Area (ECA) shall fall within the EIA system. All proponents of such projects are required to obtain an Environmental Compliance Certificate (ECC) from the government (DENR) prior to the issuance of other local permits and clearances.

Section 3. Buffer Strips/Easements. In the utilization, exploitation, developments, conservation, and protection of water resources the following setbacks and/or easements along the entire length of the banks of rivers and streams, shores of the seas and lakes shall be observed:

1. Three (3) meters setback for all urban uses
2. Twenty (20) meters easement for all agricultural uses
3. Forty (40) meters easement for all forest uses

The above setbacks/easement shall be subject for public uses such as for recreation, navigation, floatage, fishing, salvage and other similar activities.

Section 4. Cultivation/Utilization of River Beds and Sand Bars. No riverbed or sand bars shall be subject of cultivation or utilization except upon prior recommendation of the local planning and development staff and upon prior permission from the proper government agency. Provided further that no permission shall be granted if it obstructs the flow of water, or if it shall increase the flood levels so as to cause damage to other areas.

Section 5. Environmental Impact Assessment (EIA). Other projects, construction and development activities may be required by the Zoning Administrator or by the local government to submit an Environmental Impact Assessment for review by the local planning and development staff. The following requirements shall be submitted by the applicant:

1. Detailed description of the proposed development or action/construction.
2. Detailed description of the physical, biological, social environment within which the development/construction will occur.
3. Detailed description of existing plans, which will be affected by the proposed development project.
4. Detailed description of other actions planned, or in the course of realization, which will interact with the proposed action, so as to increase or reduce the environmental impact.
5. Detailed description of probable direct, and induced impact of the proposed action, on the physical, biological, and social environment.
6. Comparison of impact of alternative actions.
7. Special emphasis on adverse effects, long term effects, resource commitment, cost benefit analysis.

The local planning and development staff upon proper evaluation may recommend the proponent to secure an ECC from appropriate agency.

ARTICLE IX

MITIGATING DEVICES

Section 1. Existing Non-Conforming Uses and Buildings. The lawful use of any building, structure or land at the time of adoption or amendment of this Code may be continued, although such use does not conform with the provisions of this Code, provided:

1. That no such non-conforming uses shall be enlarged or increased or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Code or moved in whole or in part, to any other portion of the lot or parcel of land where such non-conforming uses exists at the time of the adoption of this Code.
2. That no such non-conforming use which has ceased for more than one (1) year has been changed to a use permitted in the district in which it is located be again revived as a non-conforming use.
3. That any non-conforming structure, or one or more of a group of non-conforming structures related to one use and under one ownership, which has been damaged by fire, flood, explosion, earthquake, war, riot or other such force majeure may be reconstructed and used as before, provided that such reconstruction is not more than fifty (50%) of the assessed value of the structure or structures.
4. That the local structural repair and alteration that may be made in a non-conforming structure shall not, during its remaining lifetime, that is subsequent to the adoption of the Code, exceed twenty five percent (25%) of its assessed value.
5. That such non-conforming use may be enlarged or extended only if the entire building is thereafter devoted to conforming use.
6. That such non-conforming use may be enlarged or increased. It may be moved to a place of conforming use.
7. That no such non-conforming use shall be changed to another non-conforming use.
8. That no such 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.
9. Should such non-conformity portion of a structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

10. Should such structure be moved for any reason to any distance whatsoever, it shall thereafter conform to the regulation of the district in which it moved or relocated.

Section 2. Certificate of Non-Conformance. A Certificate of Non-Conformance of all non-conforming uses shall be applied for by the owner or agent of the property involved within three (3) months from the approval of this Code. Failure to make such application within three (3) months shall be presumptive evidence that the property had a non-conforming use at the time of the enactment or amendment of the Code, and shall be considered in violation thereof.

Section 3. Deviations. Exceptions and variances or deviations from the provisions of this Code may be allowed by the Zoning Administrator only when the following terms and conditions are obtained:

A. Variances. It may be allowed only under the following conditions:

1. The property is unique and different from other properties in the adjacent locality and because of its uniqueness, the owners cannot obtain a reasonable return on the property.
2. Conforming to the provisions of the Code will cause undue hardship on the part of the owner or occupant of the property.
3. The hardship is not self-created.
4. The proposed variance is the minimum deviation necessary to permit a reasonable use of the property.
5. The variance will not alter the 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 other property in the same district or zone.
6. The variance will not weaken the general purpose of the Code and will not adversely affect the public health, safety and welfare.
7. The variance will be in harmony with the spirit of this Code.

B. Exemptions. The provisions of this Code shall be allowed either as a matter of right or as a matter within the discretion of the Zoning Administrator. Exceptions shall automatically be allowed as a matter of right in cases of uses of structures, which are expressly identified by this Code as being exempted from the application of the standards hereof, such as water, towers, belfries, transmitters, cupolas and the like, upon satisfactory proof that those do not pose a hazard to the following:

1. 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.
2. The exception will adversely affect the appropriate use of either property in the same district.
3. The exception will not alter the essential character of the district where the exception sought is located, and will be in harmony with the general purpose of the Code.

4. The exception will not weaken the general purpose of the regulation established for the specific district.

Section 4. Temporary Use Permit. The Zoning Administrator, upon prior recommendation of the Municipal Planning and Development Coordinator, may allow in a particular area as a use other than those expressly or implied allowed by the Zoning Regulations applicable to such area provided the following terms and conditions are complied with:

1. The use is temporary in nature, that is, the structures, machinery, operations and personnel are capable of or amenable to being terminated, transferred or relocated elsewhere within the community after the expiration of the permit or when conditions have become such that this transfer. Relocation or termination is necessary in order to promote the public health, safety and general welfare.
2. The area in which the proposed temporary use sought to be located is not yet built up, that is the designated use has not yet been consumed or used up a major portion of the zone and there is still sufficient available land that will accommodate the needs or demands of the designated use for the zone.
3. There are no predictable patterns of growth or increase in the designated uses of area, nor of any other particular development.
4. The proposed temporary use will not adversely affect public health, safety or general welfare, not the appropriate use of adjacent or surrounding uses in the vicinity of at least one (1) kilometer radius from its location.
5. The proposed temporary use shall be allowed to exist from a maximum period of five (5) years, which may be reviewed once more for a period not exceeding the maximum prescribed herein under the following conditions:
 - The project/use/activity cannot reasonably be expected to become profitable or recover capital outlay and operating expenses within 5 years, in which case, the necessary number of additional years shall be determined by the Zoning Administrator taking into considerations the proposal of the owner/operator, the planning and development coordinator, experts and other interested persons; or
 - The termination use at the end of such period would result in severe dislocation of personnel even if the required phase out program for the lay off personnel is carried out.
 - There is still no determination pattern of land use or the temporary use have shown some potential of suitability and desirability in the area.
6. In the Issuance of the Temporary Use Permit, environmental management measures should be considered.

All applications for Temporary Use Permit shall be acted upon on a case to case basis. If at any time during the period that a temporary use has been in existence, it appears that the trend of development definitely establishes a pattern of growth in favor of such class and it is desirable to retain and even encourage such class of uses, the Zoning Administrator may recommend to the Municipal Planning and Development Coordinator and subsequently to the Sangguniang Bayan for appropriate measures for the reclassification and rezoning of the area, which shall be adopted in the manners as that for all other amendments to this Code.

Section 5. Exceptions and Variances Procedures for Granting the Same. The procedure for the granting of an exception and/or variances is as follows:

1. A written application for an exception or variance is filled with the section of this Code under which the same is sought and stating the grounds therefore.
2. The Zoning Administrator shall make preliminary studies on the application and forward his recommendations on the said application to the Sangguniang Bayan, which will fix the time and place for the hearing, if found necessary.
3. A written notice to the public hearing shall be served on the applicant and the owners of the properties adjacent to the property, which is the subject of the application, at least fifteen (15) days prior to the scheduled public hearing. Notice of such hearing shall also be posted on the property for which the exception is sought, at the municipal hall, and in one other public place at least fifteen (15) days prior to the said public hearing.
4. At the public hearing, any party may appear in person, or by an agent or attorney.
5. At the hearing all interested parties shall be afforded the opportunity to be heard and based in the evidence and testimonies presented, the Sangguniang Bayan shall decide on whether or not to grant variances, through a Municipal Resolution granting the same.
6. The Sangguniang Bayan shall render a decision within sixty (60) days from the filing of the application, exclusive of the time spent for public hearing.

Section 6. Special Use Permit. Uses or structures that require the issuance of Special Use Permits before they may be permitted are those which:

1. Have significant impact on health, safety and environment.
2. Are generally supportive of the uses in other zones and the structures allowed therein but have significant physical and environmental effects that would make the unregulated allowance of such use undesirable.
3. Have significant or strategic economic, social and environmental impact on the area but are not numerous enough to warrant their inclusion or incorporation into a specific zone or such incorporation is not described on account of the need for evaluation of each particular application for the same class or use according to its merits.
4. Consonant with the following foregoing criteria, the following uses shall be subject to Special Use permit:
 1. **Cockpits.** Location of cockpits shall be subject to rules and regulations on cockpit as promulgated by the HLURB and the cock fighting law, P.D. No. 449 as amended by P.D 1802.
 - Cockpits shall be allowed only in accordance with the provisions of the cockfighting law.
 - Cockpits shall be located outside of residential and institutional zones and should be at least 200 meters away from the nearest residential area, school, church, hospitals or other similar public building.
 - Adequate off-street parking shall be provided.
 - They shall not be located along national highways unless they observe a setback of at least 50 meters there from. Along all other roads, a setback of not less than 30 meters shall be observed.
 - Adequate parking space shall be provided.

- Sanitary regulations should be complied with.
 - Buffer strip of at least 10 meters planted with trees and dense crops should be provided.
2. **Dumping Site.** Location and other considerations shall be governed by the Rules and Regulations promulgated by HLURB and EMB-DENR.
 - Adequate fencing shall be put up to prevent undue scattering of wastes.
 - Poisoning of rats and spraying of flies and the general maintenance of the dumping site shall be the sole responsibility of the applicant.
 - Dumping site shall not be located outside the applicant's premises if private, and shall be located within a reasonable distance from residential zone; if public.
 - Other sanitary requirements of the Sanitation Code shall be complied with.
 3. **Nuclear, Radioactive Chemical and Biological Research Centers.** Location and other considerations shall be subject to rules and regulations promulgated by HLRB/PAEC
 4. **Ports and Harbors.** Location of Ports and Harbors shall be subject to conditions prescribed by the Philippine Ports Authority (PPA).
 5. **Power Generating Plant/Station.** Location and other consideration shall be subject to the conditions prescribed by the National Power Corporation.
 6. **Private Landing Strip, Airports, Heliports and Helipads.** Locations and other considerations shall be subject to the rules and regulations as prescribed by Air Transportation Office (ATO).
 - They shall not be located within residential zones.
 - They must be at least 100 meters from the nearest residential zone and shall not pose hazards to the safety of the residents.
 - They must comply with all the requirements of the Civil Aeronautics Administration (C.A.A). A written authority to operate shall be obtained from the CAA by the applicant at least 90 days before intended date of operation, and the daily publication newspaper preparatory to a public newspaper to determine public opposition to the proposed building site.
 7. **Reclamation Site.** Location and other considerations shall be governed by the rules and regulations promulgated by HLRB and Public Estate Authority.
 8. **Rice and Corn Mill (Multi-Pass).** Location and other considerations shall be subject to the rules and regulations on Rice and Corn Mills as promulgated by HLRB.
 9. **Sawmill.** Location and other considerations shall be subject to rules and regulations on sawmill promulgated by HLRB.
 10. **Slaughterhouse.** Location and other considerations shall be governed by the rules and regulations promulgated by the National Meat Inspection Commission.
 11. **Cemeteries.**

- They shall be located in institutional or open space zones; in addition they shall be situated at least 100 meters from the nearest residence.
- The design of the structures such as museum, arcades shall blend with the surroundings.
- Their proper maintenance shall be exclusively the duty of the applicant or persons running them.
- They shall be located at least 50 meters away from the actual or potential ground water sources.
- Adequate drainage system should be provided to prevent contamination of surrounding areas.
- Shrubs and trees should be planted around the site and on open as buffer strip to preserve ecological balance.
- They shall not adversely affect the appropriate or profitable use of the other properties in the area.
- Sanitary requirements of the Sanitation Code, the Rural Code and other existing laws, particularly those referring to find procedures in cases of the incidence of epidemics or communicable diseases shall be complied with.
- Their proper maintenance shall be the exclusive duty of the applicant or persons running them.
- They shall not be located along the national road or major highways.
- They shall comply with the development standards prescribed by the HLURB (in case of memorial parks).
- They shall comply with the other requirements prescribed by the existing laws.

12. Incinerator Plants.

- They shall not as far as practicable be located within residential zones.
- A site inspection shall be required to determine that the proposed plants shall not constitute safety hazard to the adjacent land uses and to the community in general.
- Their sound maintenance shall be the sole responsibility of the applicant and/or the persons running them.

13. Radio Transmitting Stations.

- They shall be located within commercial or institutional utility zones.
- Their sound maintenance shall be the exclusive responsibility of the applicant and/or persons running them.
- Where the public welfare demands, however, they may not be denied location in some residential zones provided however that powerful, high voltage transmitter, antennas, which may cause electric interference, or excessive electromagnet radiation, which would be hazardous to health or safety as determined by the Radio Control Bureau and other competent national authorities shall not be allowed.

14. Fuel Filling Stations.

- They shall not be located within at least 50 meters from the nearest schools, churches, hospitals and other similar buildings.

- They shall not constitute safety hazards in a community developed entirely into residential purposes.
- The premises shall not be used for overnight parking transport vehicles and utility terminal for body building purposes.
- The number of stations allowed shall conform with the standard set by the Department of Energy.
- Filling stations shall be located at least 100 meters from each other and should have adequate fire fighting equipment.

15. Open Storage.

- They shall be located within reasonable distance from schools, churches, hospitals and other similar buildings preferably 100 meters away or more.
- Their sound maintenance shall be the sole responsibility of the applicant.

16. **Cellsites.** Shall be located in rural areas, provided, the same shall be constructed in area not less than 500 meters away from any residential building; provided further, that a public hearing is conducted in the barangay where the cellsite is proposed to be located and provided finally, that existing cellsites shall not be impaired.

The basic reason for the segregation and identification of these uses is that they are not automatically allowable in any identified zone. Each application must be evaluated on the basis of their potential environmental impact and hazardous effects. In this regard an Environmental Impact Statement will be required from the applicant and the Environmental Clearance Certificate (ECC) or DENR clearance will be secured, if applicable.

ARTICLE X

ADMINISTRATION AND ENFORCEMENT

Section 1. Responsibility for Administration and Enforcement. This Code shall be enforced and administered by a Zoning Administrator who shall be appointed by the Mayor in accordance with Republic Act 7160 or the Local Government Code of 1991.

Section 2. Qualifications of the Zoning Administrator. The qualifications of the Zoning Administrator shall be determined in accordance with the Civil Service requirements and guidelines.

Section 3. Powers and Duties. The Zoning Administrator shall administer and enforce the provisions of this Code. Specifically, he shall have the following powers and duties:

1. To grant and deny, with or without conditions, applications for the granting of Certificates of Zoning Compliance/development permits to all uses conforming with the use regulations of this Code.
2. To grant or deny, with or without conditions, applications for the Certificates of Non-Conformance in accordance with the criteria provided in Article IX, Section 2 of this ordinance.

3. To serve notice requiring the removal of any use in violation of this Code upon the owner, agent, or tenant of the building or land, or upon the architect, builder, contractor or other persons who commit or assist in any such violation
4. To call upon the Municipal Attorney/Provincial Fiscal to institute any necessary legal proceedings to enforce the provision of this Code. The Municipal Attorney/Provincial Fiscal is hereby authorized to institute the appropriate action to this end.
5. To call upon the Chief of Police and his authorized agents to assist in the enforcement of this Code.
6. To report to the Municipal Planning and Development Council and the Sangguniang Bayan all the exceptions and variances granted so that the Zoning Map can be correspondingly updated and also to report on the progress and problems encountered in the administration and enforcement of this Code making the necessary recommendations therefore.
7. To grant or deny with or without condition all other permits under this Code which are not by law or by this Code vested in any other offices or agency, including applications for variances exceptions, special; use permits and other permits except those set forth in the next number.
8. Receive, evaluate, recommend enforce to HLURB, for final decisions all applications for special use permits, temporarily use permits and exceptions involving projects of strategic national or regional economic or environmental significance which are determined to be such by HLURB.
9. Take any other action authorized by this Code to ensure compliance with or prevent violation of its provisions.

Section 4. Certificate of Zoning Compliance. In accordance with the provisions of the National Building Code, a Certificate of Zoning Compliance shall first be obtained from the Zoning Administrator before any building permit can be granted by the Building Official. Such Certificate of Zoning Compliance shall certify, among others, that the building or part thereof covered by the Certification for a building permit, as well as the proposed use of such building, are in conformity with the provisions of the Zoning Code.

Section 5. Expiration of the Certificate of Zoning Compliance. If the Zoning Compliance is not used for one year from the date of issue, said permit shall be cancelled by the Zoning Administrator and a notice thereof shall be given to the persons affected.

Section 6. Appeals. Any person aggrieved by the decision of the Zoning Administrator concerning the interpretation, administration or enforcement of this Code may appeal to the Zoning Board of Appeals. Such appeal shall be taken within a reasonable time but not exceeding thirty (30) days from the receipt of the notice of the decision or action taken by the Administrator (Zoning) by filling with the said administrator and with the Board a notice of appeal specifying the grounds.

The Zoning Administrator shall transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Appeals shall fix the date, time and place for the hearing of the appeal, give due notice to the parties and decide the same within a reasonable time but not exceeding sixty(60) days from the filing of the Notice of Appeal.

Section 7. Composition of the Local Zoning Board of Adjustment and Appeals (LZBAA). The Municipal Development Council shall create a sub-committee, which shall act as the LZBAA who shall be composed of the following:

1. The Municipal Mayor as Chairman
2. The Municipal Legal Officer
3. The Municipal Assessor
4. The Municipal Engineer
5. Municipal Planning and Development Coordinator
6. Two (2) representatives of the private sector nominated by their respective organizations and confirmed by the Municipal Mayor
7. Two (2) representatives from the Non-Government Organizations

In the event of non-availability of any of the officials enumerated above, the Sangguniang Bayan shall assist/elect such number of its members as may be necessary to meet the total number above set forth, as representative.

Section 8. Powers and Duties of the Zoning Board of Adjustment and Appeals. There is hereby created a LZBAA, which shall perform the following functions and responsibilities:

1. Act on applications of the following nature and complaints and opposition to such applications:
 - variances
 - exceptions
 - non-conforming use
2. Act on appeals on the grant or denial of locational clearance by zoning administrator or zoning officer.

Decisions of the Board of Appeals on appeals taken to it shall be appealed to the Housing and Land use Regulatory Board (HLURB).

Section 9. Interim Provision. Until such time that the Zoning Board of Appeals shall have been constituted, the HLURB shall act as the Zoning Board of Appeals. As an appellate board, the HLURB shall adopt its own rules and procedures to govern the conduct of appeals arising from the administration and enforcement of this Code.

Section 10. Creation of a Local Zoning Review Committee. The Zoning Code shall be reviewed every year or sooner when the need arises, by a Committee to be known as the Local Zoning Review Committee. The Committee shall be headed by the Zoning Administrator with a representative each from the Sangguniang Bayan, the private sector, the HLURB and the Municipal Planning and Development Coordinator. The representative of the Sangguniang Bayan shall be elected by the members of the legislative body while the representative of the private sector shall be appointed by the Mayor.

Section 11. Composition of Local Zoning Review Committee. The committee is composed of the following:

- Municipal Planning and Development Coordinator
- Municipal Health Officer

- Municipal Agriculturist
- President, Association of Barangay Captains
- Municipal Engineer
- Community and Environment and Natural Resources Officer (CENRO)
- Municipal Agrarian Reform
- Schools District Supervisor
- Three (3) private sector representatives
- Two (2) Non-Government Organization representatives

Section 12. Functions of the Review Committee. The Local Review Committee shall have the following powers and functions:

1. Review the Zoning Code for the following purposes:
 - a. Determine what amendments or revisions are necessary in the zoning code because of changes that might have been introduced in the local development plan.
 - b. Determine what changes would have to be introduced in the local development plan in the light of permits given, and exceptions and variances granted.
 - c. Identify what provisions of the code have been difficult to enforce or not workable.
2. Recommend to the Sangguniang Bayan the necessary legislative amendments and to the Municipal Planning and Development Council the needed changes in the plan as a result of the review conducted by it.
3. Provide information to the HLURB that would be useful in the exercise of the functions of the HLURB.

However, in areas specially reserved by existing laws as filling within the supervision and administration of the particular agency or agencies or areas where the land uses are to be determined, planned or regulated by such agencies, the provision of such special laws shall remain in force and effect and shall govern such matters not touched upon by his ordinance. Such laws shall have a supplementary effect over the provision thereof.

Section 13. Review of the Zoning Ordinance. The Municipal Development Council shall create a sub-committee to be known as the Local Zoning Review Committee (LZRC) that shall review the Zoning Code considering the Comprehensive Land Use Plan, as the need arises, based on the following reasons/situations:

- Change in local development plans
- Introduction of projects of national significance
- Petition of rezoning
- Other strong and valid reasons which justify consideration

Section 14. Building Permits Issued Prior to the Approval of this Code.

Except as otherwise provided in the National Building Code, nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part hereof for which a building permit has been duly granted prior to the adoption of the ordinance, provided that:

1. The construction of the building, structure or part thereof shall have started at the time of the enactment of this ordinance, and not later than six (6) months after the issuance of such building permit;
2. The structure or building will not be incompatible with the designated uses in the zone in which it is to be located, and will not adversely affect the public health, safety and general welfare.

Section 15. Issuance of Building Permit. Applicants for building permit are required to secure first barangay clearance.

Section 16. Amendment to the Zoning Code. The Sangguniang Bayan (SB) may, from time to time, on its own motion or upon recommendation by the Zoning Administrator amend, alter, or repeal this Code or any provisions thereof; provided that all proposed amendments initiated and/or recommended by the Zoning Administrator shall first be referred to the Municipal Planning and Development Office for comment and recommendation before the submission to the Municipal Council.

Upon favorable recommendation of the Municipal Planning and Development Office, an amendment to the Zoning Code shall become effective only upon the affirmative vote of majority of all the Sangguniang Bayan members. However, if the recommendation is unfavorable, it shall become effective only upon a resolution by three fourth (3/4) vote of the same.

Section 17. Violation and Penalty. Any person who violates any of the provisions of this Code shall upon conviction, be punished by a fine of not less than one thousand pesos (P1,000.00) or by an imprisonment of not less than one (1) month but not exceeding six (6) months or both at the discretion of the Court. Each day that the offense continues shall be considered as a separate offense. In case of a violation by a Corporation, partnership or association, the penalty shall be imposed upon the erring officers thereof.

Section 18. Suppletory Effects of Other Laws and Decrees. The provisions of this Code shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive and administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the development of the locality.

Section 19. Separability Clause. Should any section of this Code be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Code as a whole or any part thereof other than the part so declared to be unconstitutional or valid.

Section 20. Repealing Clause. All other ordinances, rules, or regulations in conflict with the provisions of this Code are hereby repealed, provided such rights that have vested upon the effectivity of this Code shall not be impaired.

Section 21. Effectivity Clause. This Code shall take effect upon approval of the Sangguniang Panlalawigan.

UNANIMOUSLY APPROVED

I hereby certify to the correctness of the above-quoted resolution.

JULIUS M. SIMBAJON
SB Member
Acting Presiding Officer

ATTESTED:

FIDELINO P. CORITICO, LIB
Secretary to the Sanggunian

NOTED:

EDWIN R. LADEZA
Vice Mayor

APPROVED:

CESAR TOMAS M. LOPEZ, M.D.
Municipal Mayor

Date: _____