

# Republic of the Philippines City of Tagaytay



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPTS FROM THE MINUTES OF THE 63RD REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGAYTAY CITY HELD ON OCTOBER 23, 2023 AT THE SANGGUNIAN SESSION HALL, 3/F HALL OF JUSTICE BLDG., MAHOGANY MARKET COMPLEX, KAYBAGAL SOUTH, TAGAYTAY CITY

#### PRESENT:

IV I .		
Hon. Michael Francis C. Tolentino	****	City Councilor, Presiding Officer, Pro-Tempore
Hon. Lorna S. Toledo		City Couniclor, Majority Floor Leader
Hon. Joel B. Tibayan		City Councilor, Asst. Majority Floor Leader
Hon. Yolanda A. Marasigan		City Councilor
Hon. Jojit S. Desingaño	12121	City Councilor
Hon. Marcelo A. Austria		City Councilor
Hon. Reynoso M. Espiritu	1 10 1 10 1°	City Councilor
Hon, Bianca Camille U. Pello		City Councilor
Hon. Gener M. Vergara		City Councilor
Hon, Annabelle M. Solis		City Councilor
Hon, Eric A. Causaren		Ex-Officio Member, ABC President
Hon, Maria Theresa O. Llorente		Ex-Officio Member, SKF President
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#### OIC-CITY MAYOR:

Hon. Agnes D. Toler tino, DMD City Vice Mayor, Presiding Officer

#### CITY ORDINANCE NO. 2023-493

# **ZONING ORDINANCE OF TAGAYTAY CITY** 2023-2032

# ARTICLE I TITLE OF THE ORDINANCE

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

# ARTICLE II **AUTHORITY AND PURPOSE**

Section 2. Authority. This Ordinance is enacted pursuant to the provisions of the New Local Government Code, RA 7160, Section 458 a.2 (7-9) and 447 a.2 (7-9), dated 10 October 1991, Authorizing the City, through the Sangguniang Panlungsod to adopt the Zoning Ordinances, subject to the provisions of existing laws and in conformity with E.O. No. 72.

Section 3. Purposes. This Ordinance is enacted for the following purposes:

- 1. Guide, control and regulate the future growth and development of Tagaytay City in accordance with its Comprehensive Land Use Plan.
- 2. Protect the character and stability of the urban uses such as residential, commercial, open space, institutional, and other non-urban uses such as forestry and agricultural zones within the locality and promote the orderly and beneficial development of the
- 3. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants of the locality.

4. Ensure and protect the sustainable growth and development of the community.

HON, MICHAEL FRANCIS C. TOLENTINO





**Section 4.** General Zoning Principle. This Zoning Regulation is based on the approved Land Use Plan per Resolution No. 2023-714 dated October 23, 2023 for the City of Tagaytay.

#### ARTICLE III DEFINITION OF TERMS

The definition of the technical terms used in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, the Water Code, the Philippine Environmental Code, the Urban and Housing Development Act, and their implementing Rules and Regulations. The words, terms and phrases enumerated hereunder shall be understood to have the meaning indicated as follows:

- 1. Agricultural Development Zone (ADZ) area intended for the cultivation and pastoral activities e.g. farming, cultivation of crops, backyard goat/cattle raising, etc.
- 2. DHSUD shall mean the Department of Human Settlement and Urban Development.
- 3. Building Height and Limitation (BHL) the maximum height allowed for buildings as specified in the condition of this Ordinance.
- 4. Built-up Area a contiguous grouping of ten (10) or more structures.
- 5. Certificate of Non-Conformance certificate issued to owners of all uses existing prior to the approval of this Zoning Ordinance which do not conform to the zone per provision of the same Ordinance.
- 6. Compatible Use uses or land activities capable of existing together harmoniously e.g. residential use and parks and playground.
- 7. Comprehensive Land Use Plan (CLUP) a document embodying the specific land use plan and development proposals for guiding, regulating growth and/or development. The main elements of the CLUP are the sectoral components; land use, socio-economic, infrastructure and utilities, environment, local administration and the capital investment program.
- Conflicting Uses uses or land activities with contrasting and incompatible characteristics located adjacent to each other e.g. residential units adjacent to industrial plants.
- 9. Conforming Use a use which is in accordance with the zone classification as provide for in the Zoning Ordinance.
- 10. Easement open space imposed on any land use/activities sited along waterways, road-right-of-way, cemeteries/memorial parks and utilities.
- 11. Ecological Development Zone (EDZ) areas intended primarily for agro-forestry uses and/or for forest purpose as enumerated in the IEMSD Guidebook.
- 12. Ecological Tourism Zone (ETZ) areas intended primarily for the development of low-density tourist facilities compatible with the natural setting and environment. All use shall be in conformance with the definition that "ecotourism is as an environmentally sound tourism activity in a given ecosystem yielding socio-economic benefits and enhancing natural and cultural diversity conservation."
- 13. Environmentally Critical Areas refer those areas, which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 14, 1981.

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- 14. Environmentally Critical Projects refer to those projects, which have high potential for negative environments impacts and are listed in Presidential Proclamation 2146 dated December 14, 1981.
- 15. Exception a device which grants a properly 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 more inconvenience or a desire to make more money.
- 16. Floor Area Ratio (FAR) is the ratio between the gross floor area of a building and the area of the lot on which it stands, determine by dividing the gross floor area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed floor area ratio multiplied by the lot area.
- 17. Geometric Center the centroid of a building or structure's elevation projected to a line defining the natural gradient.
- 18. General Development Zone (GDZ) areas intended primarily for dwelling/housing; institutional establishments e.g., government offices, schools, hospitals/clinics, academic/research, religious facilities, convention centers; and low to medium density commercial establishments.
- 19. Gross Floor Area (GFA) The GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:
  - Office area:
  - Residential areas;
  - Corridors;
  - Lobbies:
  - Mezzanine;
  - Vertical penetrations, which shall mean stairs, fire escapes, elevators shafts flues, pipes shafts, vertical ducts, and the like, and their enclosing walls;
  - Rest rooms or toilets;
  - Machine rooms and closets:
  - Storage rooms and closets;
  - Covered balconies and terraces;
  - Interior walls and columns, and other interior features;

# But exclude:

- Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;
- Uncovered areas for cooling towers, over-headed water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or Jacuzzis, gardens, court of plazas.
- 20. High Density Housing Zone (HDHZ) shall be the principally for socialized housing/dwelling purpose for the underprivileged and homeless as defined in R.A. 7279.
- 21. Impervious Surface type of surface which does not permit the penetration of water; the area coverage shall be considered as outside of the building envelope and is not included in PLO and FAR computations.

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- 22. Innovative Design introduction and/or promotion of new/creative designs and techniques in development projects e. g. Planned Unit Development (PUD), New Town, Etc.
- 23. Zoning Map a duly authenticated map delineating the different Zones into which the City is divided.
- 24. Locational Clearance a clearance issued to a project that is allowed under the provisions of this Zoning Ordinance and other rules and regulations on land use.
- 25. Mitigating Device a means to grant relief in complying certain provisions of Zoning Ordinance.
- 26. Non-Conforming Use existing non-conforming use/establishments in an area allowed to operate in spite of their non-conformity provisions o the Ordinance, subject to the conditions stipulated in this Zoning Ordinance.
- 27. Percentage of Land Occupancy (PLO) defined as percentage of the maximum allowable area of any building at any floor level to the total lot size.
- 28. Planned Unit Development (PUD) it is a land development scheme wherein the projects is comprehensive planned as an entity via unitary site plans which permits flexibility in planning/design; sitting of buildings; complementary of building types and land uses; usable open spaces and the preservation of significant natural land failures.
- 29. Primary Urban Zone (PUZ) this shall be the City's central business district to be developed as a PUD.
- 30. Rezoning a process of introducing amendments to or a change in the text and maps of the zoning ordinances. It also includes amendment of change arising from land reclassification under section 20 of RA 7160.
- 31. Rural area area outside of designated urban area.
- 32. Setback the open space left between a building and lot lines.
- 33. Secondary Urban Zone (SUZ) areas which quasi-business and service activities performing complementary /supplementary functions to the PUC; the SUC is further divided into two, SUC 1 which are areas on the northern side of the Tagaytay-Nasugbu-Calamba Road and SUC2 which areas to the south of the said road.
- 34. Special Conservation Zone (SCZ) area defined by one (1) kilometer radius from the center of the People's Park as provided in Presidential Proclamation No. 740 dated Feb. 16. 1996.
- 35. Taal Volcano Protected Landscape (TVPL) established as protected area under Republic Act (RA) No. 11038 known as Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018, as amended.
- 36. Tourism Zone (TZ) defined by the strip along Tagaytay-Nasugbu and Tagaytay-Calamba Roads which shall be the major tourism development area of the City; the TS is divided into three (3), 1)Northern TS which is located north of the Tagaytay-Nasugbu Road and Isaac O. Tolentino Avenue 2) Southern TS located at the southern part of the said roads, portion (northern and southern portions) of New By-Pass Road.

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- 37. Variance a special locational clearance which grants a property owner relief from certain provisions of Zoning Ordinance where, because of the particular physical surrounding, shape or topographical conditions of the property, compliance with the height, area, setback, bulk and /or density requirements would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to gain benefits or profits.
- 38. Water Zone (WZ) area where bodies of water are located within cities and municipalities which includes rivers, streams, lakes and seas, except those included in other zone classification.
- 39. Zone an area within the city or for delineated for specific land use as defined by this Ordinance.
- 40. Zoning Administrator/Zoning Officer a municipal /city/government employees, responsible for the implementation/enforcement of the Zoning Ordinance in a community.

# ARTICLE IV **ZONE CLASSIFICATIONS**

Section 5. Division into Zones or Areas. To effectively carry out the provisions of this Ordinance, the city is hereby divided into the following zones or areas as shown in the Official Land Use and Zoning Map.

- 1. Tourism Zone
- 2. a. Southern Tourism Zone
- 3. b. Northern Tourism Zone
- 4. Primary Urban Zone (Commercial 1)
- 5. Secondary Urban Zone (Commercial 2)
- 6. General Development Zone (Residential)7. Agricultural Development Zone
- 8. Ecological Development Zone (Forestland)
- 9. High Density Housing Zone
- 10. Special Conservation Zone (Per Presidential Proclamation No. 740)
- 11. Ecological-Tourism Zone

Section 6. Zoning Map. The official zoning map for the entire city, wherein the designation, location and boundaries of the districts/zones herein established are shown, are hereby adopted as an integral part of this Ordinance. Such official zoning maps shall be signed by the local chief executive and duly authenticated by the Sangguniang Panlalawigan.

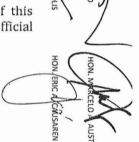
Section 7. Zone Boundaries. The locations and boundaries of the zones into which the city has been divided are hereby identified and specified as follows:

ZONE	LOCATION
1. TOURISM ZONE	12. Northern Tourism Sub Zone
	Bounded on the North by a 60 meter
	distance from the road right-of-way line
¥	of Tagaytay-Nasugbu and Tagaytay-
	Calamba Roads;
	Bounded on the South by the Tagaytay-
	Nasugbu and Tagaytay-Calamba Roads;
	Bounded on the West by Tagaytay City's
	boundary with the Municipality of
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Alfonso;  Beginning on the New By-Pass Road at Brgy, Maitim 2nd Central with 100 meters depth both sides of the road-right of-way line up to the junction of lieroes Farm Road and New By-Bass Road at Barnagay Patutong Malaki North  Bounded on the East by the Special Conservation Area (SCA).  1. Southern Tourism Sub Zone Bounded on the North by the Tagaytay-Nasugbu and Tagaytay-Calamba Roads; Bounded on the South by slopes having a downward gradient of more than 18 percent (18%) from the road right-of-way line of the Tagaytay-Nasugbu and Tagaytay-Calamba Roads;  At Barangay Kaybagal South bounded on the North by J.P. Rizal Avenue bounded on the South by the Tagaytay Nasugbu Road Whole Area of the following Barangay:  All areas covered by Barangay Iruhin East, Iruhin Central, Iruhin West boundaries except the areas in the ridge area (Southern areas of Isaac Tolentino Avenue) Portion of the following Barangay Iruhin East, Iruhin Central, Iruhin West boundaries except the areas in the ridge area (Southern areas of Isaac Tolentino Avenue) Portion of Brgy. Zambal – 500 meters depth in the southern part of Tagaytay-Alfonso By-Pass Road and bounded on the northern side by Municipalities of Alfonso and Mendez.  All areas covered by Barangay Tolentino East, Tolentino West, San Jose boundaries in the Northern portion of Tagaytay-Nasugbu Road.  All areas covered by Barangay Maharilika West boundaries in the Northern portion of Tagaytay - Nasugbu Road.  All areas covered by Barangay Maharilika West boundaries in the Northern portion of Tagaytay - Nasugbu Road.  All areas covered by Barangay Silang Crossing East, Silang Crossing West boundaries in the Northern portion of Tagaytay - Nasugbu Road.  All areas covered by Barangay Calabuso boundaries except areas covered by Proclamation 740  Portion of Barangay Sungay East 500m Depth in the Northern portion of Isaac Tolentino Avenue and 700m Depth in Southern portion of Isaac Tolentino Avenue		. 27	1
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HON. MICHAEL FRANCIS C. TOLENTINO

ZONE	LOCATION	* 1
	bounded on the East by Kaykulot Road and on the West by Sungay Lane Road.	THE .
	At Barangay Patutong Malaki North and Patutong Malaki South	PEVB. TIB.
	500m M Depth, Right and Left Side of Tagaytay – Mendez – Indang Road from Mayors Drive going to Mendez up to City Boundary.	
	From the boundary of Maitim II East and Maitim II Central with 100 meter depth both sides on road-right-of-way line up to the approach of the new Tagaytay-Alfonso By-pass	Molanda Danisa volanda
	Road.	E &
SECONDARY URBAN ZONE	MAHOGANY SUC  Bounded on the North by Heroes Farm Road up to the rear property line of Mahogany Market Compound:	ASIGAN
	Bounded on the South by J.P. Rizal Avenue Bounded on the East by Mahogany Compound Bounded on the West by Heroes Farm Road	S. TILOL NOH
	MENDEZ CROSSING WEST SUC  50M Depth from the Road right of way Tagaytay – Mendez Indang Road	JOJIT S. DESINGAÑO
	CRISANTO DELOS REYES AVENUE SUC 50Meters Depth- Right and Left side of Crisanto Delos Reyes Avenue Bounded on the North by City Boundary Bounded on the South by J.P. Rizal Avenue	AON, MARCE
	Bounded on the South by J.P. Rizal Avenue  TAGAYTAY – STA. ROSA ROAD SUC  50 Meters Depth – Right and Left side of Tagaytay – Sta. Rosa Road	O ALAUSTRIA
	Bounded on the North by City Boundary	НО
	Start from the Junction of Heroes Farm Road and New By-Pass Road at Barangay Patutong Malaki North with 100 meters depth both sides at the road-right-of-way line up to the boundary of PUC at Barangay Patutong Malaki North, from the boundary of PUC at Patutong Malaki North going to Guinhawa North up to the boundary of PUC at Barangay Zambal.	DN. RESPIRITU
GENERAL DEVELOPMENT ZONE	Bounded on the North by the general direction defined by the following:  Road linkingTagaytay – Zambal Road and Tagaytay – Neogan St. Asisan barrio road; Northern boundary of Soto	S ioi (
1	and the state of t	× 5

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ZONE	LOCATION
	Kaybagal PC Camp Road; Road leading to Metro Gate Subdivision; Sta. Rita Road from Crisanto Delos Reyes avenue to Magallanes Drive; From Tagaytay – Tolentino East Road to Tagaytay Sta. Rosa Road; Proposed Arterial Hi- way to Kaybagal Road  Bounded on the South by the Tagaytay- Nasugbu Road and LP Rizal Avenue and Isaac Tolentino Avenue
	Bounded on the South by the Tagaytay- Nasugbu Road and J.P. Rizal Avenue and Isaac Tolentino Avenue.
	Bounded on the East by Kaykulot Road at Barangay Sungay East.
	Bounded on the West by Tagaytay – Zambal Road: The following are spot-zoned; Pueblo Del Sol Subd. At Brgy. Patutong Malaki North; Altamonte Subdivision; Greenville Subdivision; Richmore Subdivision; Katigbak Subd.; Hollywood Subdivision; Monte Vista Subd.; Regalado Pasos Subd.; 50mtrs strip along Ligaya Drive; Ridge View Subd.;
AGRICULTURAL DEVELOPMENT ZONE	Bounded on the North by City Boundary with the Municipality of Mendez, Amadeo and Silang;
	Bounded on the South by the General Direction defined by the following; Road linking Tagaytay Zambal Road and Tagaytay Neogan Road; Bario Asisan Road; Northern boundary of Soto Grande Subd.; St. Joseph – Las Brisas Subd.; Sarmiento Subdivision, Projected to Tagaytay Indang Road; Llamado Property from Heroes Farm Road to the Northern boundary of Tagaytay Heights Subd., Kaybagal PC Camp Road; Road leading to Metro Gate Subd.; Sta. Rita Road from Crisanto Delos Reyes Avenue to Magallanes Drive; Boundaries of Barangay Silang Crossing East and West at the Northern Portion; Tagaytay – Tolentino Road leading to Tagaytay – Sta. Rosa Road;  Bounded on the East by Kaykulot Road Bounded on the West by Tagaytay – Asisan-Zambal Road
ECOLOGIOCAL DEVELOPMENT ZONE	Bounded on the North by the Tourism Strip Bounded on the South by the Tagaytay City Boundary with the Municipality of Talisay and Laurel Bounded on the East by the Tagaytay Barangay Road Bounded on the West by the City Boundary with the Municipality of Laurel
HIGH DENSITY HOUSING ZONE	Sungay HDHZ  Bounded on the North by Matang Tubig Creek Bounded on the South by the Picnic Grove Kaykulot Road Bounded on the East by 7th BCT Subd. Bounded on the West by the Matang Tubig Creek Other Sites; Kaybagal Central

HON. MICHAEL FRANCIS C. TOLENTINO

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ZONE	LOCATION				
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SPECIAL CONSERVATION ZONE	Defined by a one (1) kilometer radius from the People's Park per Proclamation No. 740 dated Feb. 16, 1996.  Bounded on the North by the Special Institutional Area; Bounded on the South by Tagaytay City's boundary with the municipality of Talisay; Bounded on the East by Tagaytay City's boundary with the municipality of Calamba; Bounded on the Northwest by Tagaytay-Kabangaan and Tagaytay-Banawan Roads.				
3. 17	Thirty (30) meters deep from the Northern, Eastern and Western boundaries of Tagaytay City  Bounded on the North by Tagaytay City's boundary with the municipality of Cabuyao; Bounded on the South by the ETA (as scaled from the northern City boundary);				
ECOLOGICAL TOURISM ZONE	Bounded on the East by Tagaytay City's boundary with the municipality of Calamba; Bounded on the West by the Tagaytay-Kabangaan Road.				

**Section 8.** <u>Interpretation of the Zone Boundary</u>. In the interpretation of the boundaries for any of the zones indicated in the zoning map, the following rules shall apply:

- Where zone boundaries indicate that they approximately follow the center of the street or highway, the street or highway right-of-way lines shall be construed to be the boundaries;
- 2) Where zone boundaries indicate that they approximately follow the lot lines, such lot shall be construed to be the boundaries.
- 3) Where zone boundaries indicate that they are approximately parallel to the center lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
- 4) Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
- 5) Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should 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. In the event of change in the shorelines, the boundaries shall be construed as moving with the actual shorelines.

HON. MICHAEL FRANCIS C. TOLENTINO

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- 6) 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. In case the lot is bisected by the boundary line, it shall fall within the zone where the principal structure falls.
- 7) Where the zone boundary is indicated as one-lot-deep, said depth shall be construed to be the average lot depth of the lots involved within each particular city block. Where, however, any lot has a depth greater than said average, the remaining portion of said lot shall be construed as covered by the one-lot-deep zoning district. Provided, that the remaining portion has an area less than fifty percent (50%) of the total area of the entire lot. If the remaining portion has an area equivalent to fifty percent (50%) or more of the total area of the lot, then the average lot depth shall apply to the lot which shall become a lot divided and covered by two or more different zoning districts, as the case may be.

In case of any remaining doubt as to the location of any property along zone boundary lines, such property shall be considered as falling within the less restrictive zone.

8) The textual description of the zone boundaries shall prevail over that of the official zoning maps.

# ARTICLE V ZONE REGULATIONS

**Section 9.** <u>General Provision</u>. The uses enumerated in the succeeding sections are not exhaustive nor all-inclusive. The Local Zoning Board of Appeals (LZBA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

Allowance of further uses shall be based on the intrinsic qualities of the land and the socioeconomic potential of the locality with due regards to the appropriate sustainable development principles and the maintenance of the essential qualities of the zone. Lien

Specific uses/activities of lesser density within a particular zone may be allowed within the zone of higher density but not vice versa, nor in another zone and its subdivisions except for uses expressly allowed in said zones, such that the cumulative effect of zoning shall be intra-zonal and non inter-zonal.

# Section 10. Use Regulations in Tourism Zone (TZ)

- 1. Allowable Uses
  - 1.1 Commercial Housing
    - a. hotel, motel, apartelle
    - b. club house
  - 1.2 Commercial condominium (with residential units in the upper floors)
  - 1.3 Restaurants and other eateries
  - 1.4 Recreational areas like:
    - a. play court e.g. tennis court, swimming pool, horseback riding
  - 1.5 Parks and Playgrounds
  - 1.6 Vacation Houses/Holiday Villas

2. Bulk and Density Northern Tourism Zone

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HON, ABRAHAM N, TOLENTINO



Building Height Limits (BHL) shall be two (2) storeys but not more than eight (8) from the natural grade line up to the building's highest point;

Percentage of Land Occupancy (PLO) shall be no more than 40% of the total lot area.

#### Southern Tourism Zone

Southern Tourism Zone (south side of Isaac O. Tolentino Avenue and Tagaytay- Nasugbu Roads.

All structures to be constructed along the Southern Tourism Zone adjacent to the National, City and Barangay Roads shall have a Percentage Land Occupancy (PLO) of 30% and a Building Height Limit (BHL) of five (5) meters from the geometric center of the structure. Structures shall be terraced and working along with the terrain with minimal cut-and-fill operations.

#### Viewing Decks

It is further required that viewing decks be provided by developments which are for public use.

#### Slope Orientation

These provisions shall apply to all sites within Tourism Strip whether slopes are oriented to the North, East, West or South.

#### 3. Impervious Surfaces

Impervious surface area shall not be more than 5% of the allowed PLO.

### 4. Fencing

Fencing along the Tagaytay-Nasugbu and Tagaytay-Calamba Roads, as well as those directly viewing Taal Lake, shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.50 meters from the finished grade line; side fencing between adjacent lots (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

#### 5. Landscaping

A landscaping plan shall be prepared for approval by the Office of the Zoning Administrator;

Each development shall be required to plant at least ten (10) trees within its premises.

No planting development shall be allowed which shall obstruct the view of Taal Lake from the road; recommended height of planting materials (except trees) such as bushes along the Tagaytay-Nasugbu Road is 0.80 meters.

# 6. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code:

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

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HON JOJIT S. DESINGA

HON, MANUELO A. AUSTRIJ

ON. REPORTED ESPIRITU

HOM, LORNA S. TOLEDO

### 7. Setbacks

Minimum building setback from the front and rear property lines shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

Minimum building setback from the side property lines shall be four (4) meters.

#### 8. Building Color

All buildings shall be of earth tone or nature color.

Section 11. <u>Use Regulations in Primary Urban Zone (PUZ) – Commercial 1 (Commercial 3 Zone)</u>. A high-density commercial area within a city or municipality intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and require metropolitan level development planning and implementation. High rise hotels, sports stadiums or sports complexes are also allowed in this zone. This zone may also be called the Central Business District (CBD). The PUC shall be a Planned Unit Development but subject to the following general regulations:

#### 1. Allowable Uses

- 1.1 Commercial housing
  - a. hotel, motel, apartelle
  - b. clubhouse
- 1.2 Commercial condominium (with residential units in the upper floors)
- 1.3 Office building/condominium
- 1.4 General retail/store and shops like:
  - a. Department store/shopping center, bookstore and office supply shop
  - b. Car shop
  - c. Home appliance store
  - d. Photo shop
  - e. Flower shop
- 1.5 Food markets and shops like:
  - a. bakery, bakeshop and wine store
  - b. grocery and supermarket
- 1.6 Personal Service shops like:
  - a. beauty parlor and barber shops
  - b. sauna bath and massage clinic
  - c. dressmaking and tailoring shop
- 1.7 Recreational centers/establishments like:
  - a. movie house/theater
  - b. play court e.g. tennis court, swimming pool, bowling alleys, biiliard halls
  - c. day and night clubs
  - d. stadium, coliseum, gymnasium
  - e. other sports and recreational establishments
- 1.8 Restaurants and other eateries
- 1.9 Short-term educational facilities like:
  - a. dancing and driving schools
  - b. school for self-defense
  - c. speech clinic
- 1.10 Storeroom and warehouse but only as may be necessary for the efficient conduct of business
- 1.11 Embassy/Consulate

HON. MICHAEL FRANCIS C. TOLENTINO

HON ARRAHAM N. TOLENTING





- 1.12 Library, museum, scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- 1.13 Filling/Service Stations
- 1.14 Clinic
- 1.15 Bank and other financial institutions
- 1.16 Radio and Television stations
- 1.17 Building garage, transportation terminal/garage
- 1.18 Repair of optical instruments and equipment's and cameras, clocks and watches
- 1.19 Government centers to house national, regional or local offices in the area
- 1.20 Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
- 1.21 General hospitals, medical centers, multipurpose clinics
- 1.21 Convention centers and related facilities
- 1.22 Other uses similar, related or directly incidental to the above uses.

#### 2. Bulk and Density

The Floor Area Ratio (FAR) shall be 5.0 and the BHL shall be twenty (20) storeys but not more than sixty (60) meters above the Reference Elevation (as defined in Section 10). The PLO shall be 60%.

### 3. Impervious Surface

Impervious surface area shall not be more than 5% of the resultant PLO.

#### 4. Fencing

Fencing frontage shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclon wire fences are also allowed.; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.50 meters from the finished grade line.

# 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator.

#### Parking

Parking area requirements shall be the per minimum requirements of the National Building Code.

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit phone.

Basement and upper level parking are encouraged; parking buildings may also be built provided that these are designed to appear as regular buildings.

Open and un-landscaped parking lots are not allowed; should open parking be provided, these shall be so landscaped to have a park-like character.

#### 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

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# 8. Building Color

All buildings shall be of earth tone or nature color.

# Section 12. Use Regulations in Secondary Urban Zone (SUZ) - Commercial 2

### 1. Allowable Uses

- 1.1 All uses in PUZ except those that are institutional in nature;
- 1.2 Shops such as:
  - a. repair shops for house appliances
  - b. motor vehicles and accessory shops
  - c. home furnishing shops
- 1.3 Transportation terminal/garage with repair
- 1.4 Publishing companies;
- 1.5 Medium scale junk shop;
- 1.6 Machinery display shop/canteen;
- 1.7 Gravel and sand stores, lumber/hardware;
- 1.8 Manufacture of ice, ice blocks, cube, tubes, crushed except dry ice;
- 1.9 Manufacture of signs and advertising displays (except printed);
- 1.10 Welding shops, machine shops service operations (repair/rebuilding or customs job orders), repair of motorcycles;
- 1.11 Lechon or whole pig roasting stalls;
- 1.12 Factory engaged in the manufacture of biscuits, cookies, crackers and other similar dried bakery products, doughnuts, hopia factory, other bakery products not elsewhere classified;
- 1.13 Repacking of food products, e.g. fruits vegetables, sugar and other related products;
- 1.14 Parking lots, garage facilities;
- 1.15 Wet and dry market (limited to their presents sites in the Tagaytay-Amadeo and Sta. Rosa junctions);
- 1.16 Other commercial activities not elsewhere classified.

#### 2. Bulk and Density

The FAR shall be 2.40; the PLO shall be 60%; and the BHL shall be 16 meters or four storeys.

# 3. Impervious surfaces

Impervious surface area shall not be more than 5% of the allowed PLO.

# 4. Fencing

Fencing along roads shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed.; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.40 meters from the finished grade line; side fencing between adjacent lost (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

# 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator

#### 6. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code:

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HON JOJIT S. DESINGAÑO
DA MACSIGAN
HON, ANNABELLE M. SOLIS

HON, RAMA ESPIRITU

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

# 8. Building Color

All buildings shall be earth tone or nature color.

Section 13. <u>Use Regulation in General Development Zone (GDZ) - Residential (General Residential Zone)</u>. This is an area within a city or municipality intended principally for dwelling/housing purposes.

#### 1. Allowable Uses

- 1.1 Detached family dwelling
- 1.2 Multi-family dwelling e.g. row-houses, apartments
- 1.3 Residential condominium
- 1.4 Apartment
- 1.5 Hometel
- 1.6 Pension house
- 1.7 Hotel apartment or apartel
- 1.8 Dormitory
- 1.9 Boarding house
- 1.10 Branch libraries and museums
- 1.11 Customary accessory uses such as:
  - a. Servants quarter
  - b. Private garage
  - c. Guard house
- 1.12. 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 subject to the following conditions:
  - a. That the number of person engaged in such business/industry shall not exceed five (5), inclusive of the owner;
  - b. That there shall be no change in the outside appearance of the building premises;
  - c. That no home occupation shall be conducted in any customary accessory uses
  - d. That no traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighbourhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other that the required front yard; and
  - e. That no equipment or process shall be use in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal sense and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage of the premises.
- 1.13. Home industry classified as cottage industry:
  - 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;

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- b. Allotted capitalization shall not exceed the capitalization set by the Department of Trade and Industry (DTI);
- c. It shall comply with the same provision enumerated in paragraph 12c, d and e on home occupation.
- d. Backyard livestock and fowl raising provided that the total number of heads does not exceed six (6) and provided that adequate sanitation facilities (e.g. septic tanks) are provided; permit to engage in such activities may be revoked by the Zoning Administrator upon proper justification should the activity become a nuisance to the public in general and the neighbours in particular.
- 1.14. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as swimming pool and pelota court
- 1.15. Nursery/elementary school, high school, vocational school
- 1.16. Sports club
- 1.17. Buildings for religious use multi-purpose hall/barangay halls
- 1.18. Clinic, nursing and convalescing home, health center
- 1.19. Plant nurseries
- 1.20. College, universities, professional business schools, vocational and trade schools and other institutions of higher learning.
- 1.21. General hospitals, medical centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- 1.22. Convention centers and related facilities
- 1.23. Religious structures limited to churches and convents
- 1.24. Museums
- 1.25. Embassies/Consulate
- 1.26. Parks/gardens; memorial/shrines/monuments, kiosk and other park structure
- 1.27. Open air or outdoor sports activities and support facilities, including low-rise stadium, gyms, amphitheaters, swimming pools, basketball courts and similar uses
- 1.28. Pre-schools, primary schools, secondary schools, day care centers, public utilities, civic centers and cultural facilities.
- 1.29. Government buildings and offices
- 1.30. Other uses similar, related or directly incidental to the above.

#### 2. Bulk and Density

For areas that are not classified as Residential Subdivisions, the FAR shall be 2.0; the RLO shall be 50%; and the BHL shall be 16 meters or four (4) storeys;

Areas that are classified as Residential Subdivisions shall be governed by the respective Deeds of Restriction which shall be subject to the review and approval of the Zoning Administrator to ensure conformity to the provisions of this Ordinance; further, residential structures within Subdivisions shall be required to have a PLO of 50% and a BHL of eight (8) meters.

Cluster housing units or row apartments shall be allowed provided that these shall not exceed six (6) units per cluster or row.

Southern GDA (south side of Isaac O. Tolentino Avenue and Tagaytay- Nasugbu Road)

Areas that are classified as Residential Subdivisions shall be governed by the respective Deed of Restrictions of the subdivision which shall be subject to the review and approval of the Zoning Administrator to ensure the conformity to the provisions of this Ordinance, further, residential structures within the subdivisions adjacent to National, City and Barangay Roads, shall be required to have a PLO of 2004 and a DUL of first (Table 1).







# 3. Impervious Surface

Impervious surface area shall not be more than 5% of the allowed PLO.

#### 4. Fencing

Fencing along roads shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed; fence base made of concrete, hollow blocks, rock or any material shall have a height of not more than 0.50 meters from the finished grade line; side fencing between adjacent lots (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

#### 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator

# 6. Parking

Parking area requirements shall be per the minimum requirements of the national Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

# 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec.26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

#### 8. Building Color

All buildings shall be of earth tone or nature color.

Section 14. <u>Use Regulation in High Density Housing Zone (HDHZ) (Socialized Housing Zone)</u>. An area within cities and municipalities designated to housing [programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA). This shall be for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279. All relevant ancillary uses of the GDZ shall be allowed in the HDHZ. The Floor Area Ratio (FAR) shall be 2.0

#### 1. Allowable Uses

All uses allowed according to the provisions of BP 220.

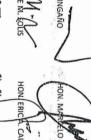
#### 2. Building Regulations

Applicable provisions of BP 220.

Section 15. <u>Use Regulation in Agricultural Development Zone (ADZ) (Production Agricultural Zone).</u> These are areas that are outside of NPAAAD and declared by the City for agricultural use.

# 3. Allowable Uses

3.1 Cultivation, raising and growing of stable crops such as rice, corn, camote, cassava and







support facilities such as palay dryers and rice threshers and storage bars and warehouse; and ancillary dwelling units /farmhouses for tillers and laborers

- Sericulture, mushroom culture, fishing, fish culture and the like; 3.2
- Agricultural research and experimentation facilities such as breeding station, nurseries, demonstration farm, etc.
- Pastoral activities such as goat raising and cattle fattening 3.4
- 3.5 Home occupation for the practice of one's profession or engaging in home business such as dressmaking, tailoring, baking, running, a sari-sari store and the like, subject to the following condition:
  - That there shall be no change in the outside appearance of the building premises;
  - That no home occupation shall be conducted in any customary accessory uses cited
  - That no traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighbourhood. Any need for parking generated by the conduct of such home occupation shall be met by off street parking and in places other than the front yard;
  - That no equipment or process shall be used in such occupation which creates noise, vibration, glare fumes, odors and electric interference detectable to the normal senses; cause visual or audible interference in any radio or television receiver, and fluctuations in line voltage off the premises.
- 3.6 Home industry classified as cottage industry e.g. mat weaving, pottery, making, food preservation, etc. subject to the following conditions:
  - a. That such home industry shall not occupy more than thirty (30%) of the floor area of the dwelling unit. There shall be no change on alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
  - That the allotted capitalization shall not exceed the capitalization set by the department of Trade and Industry (DTI); and
  - That such use shall consider comply with the same provisions enumerated in letters c, d, and e of section 10a paragraph 4 on Home Occupation
- 3.7 Backyard raising of livestock and fowl subject to the following limitations in
  - For livestock a maximum of 10 heads
  - For fowl a maximum of 500 birds

Further, adequate septic tanks another proper environmental management measure shall be provided.

# 4. Fencing

Fencing shall be see-though and have a maximum height 1.80 meters;

Parking area requirements shall be per the minimum requirements of the National Building Code:

#### 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

#### 7. Building Color

All buildings shall be of earth-tone or nature color

HON, MICHAEL FRANCIS C. TOLENTINO



# Section 16. Use Regulation in Special Institutional Zone

#### 1 Allowable Use

1.1 Religious Structure e.g. church, seminary, convents

# 2. Bulk and Density

The BHL shall be four (4) storeys but no greater than 16 meters; the PLO shall be 40%.

#### 3. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

#### 4. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 5. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

#### 6. Building Color

All buildings shall be of earth-tone or nature color.

**Section 17.** Ecological Development Zone (EDZ) - Forest. No development use or activity shall be allowed unless consistent with DENR's development regulations for forest zones:

# 1. Allowable Uses

- 1.1 Forestry and agro-forestry;
- 1.2 Crop production on suitable sites provided that (Sloping Agricultural Land Technology (SALT) is employed;
- 1.3 Ancillary dwelling units of lot owners, tillers and laborers.

### 2. Impervious Surface

Impervious surface area shall not exceed 30% of the land area.

#### 3. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

# 4. Parking

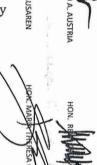
Parking area requirements shall be per the minimum requirements of the National Building Code:

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

HON, MICHAEL FRANCIS C. TOLENTINO

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Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

# 5. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

# 6. Building Color

All buildings shall be of earth-tone or nature color.

#### Section 18. Ecological Tourism Zone (ETZ)

#### 1. Allowable Use

All uses allowed in EDZ. Low density and ecologically friendly tourism facility

#### 2. Bulk and Density

BHL shall be eight (8) meters from the geometric center; PLO shall be 30%. However, structures to be constructed adjacent to National, City and Barangay Roads shall have a PLO of 30% and BHL of five (5) meters.

# 3. Impervious Surface

Impervious surface area shall not exceed 30% of the land area.

#### 4. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

#### 5. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

# 7. Building Color

All buildings shall be of earth-tone or nature color.

# Section 19. Special Conservation Zone (SCZ)

# 1. Allowable Uses

All uses allowed in EDZ;

All uses specified in Proclamation No. 740 i.e., recreational, tourism, scientific, planned area for a new development and other similar purposes.

### 2. Bulk and density

BHL shall be eight (8) meters from the geometric; PLO shall be 30%, however, structures to be constructed adjacent to national, city and barangay roads shall be required to have a PLO of 30% and BHL of five (5) meters

HON PULANDA A. MARISIGAN

BY TIBAVYS

HON PULANDA A. MARISIGAN

HON GENER M. VERGARA

ANNABELLE M. SOLIS







# 3. Impervious Surfaces .

Impervious surface area shall not exceed 5% of the allowable PLO

#### 4. Fencing

Fencing along the streets shall be see-through and have a maximum height of 1.80 meters.

#### 5. Parking

Parking area requirements shall be per the minimum requirements for the National Building Code:

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planning strip with district entry and exit points.

#### 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

# 7. Building Color

All buildings shall be earth tone or nature color.

# ARTICLE VI GENERAL DISTRICT REGULATION

**Section 20.** <u>Development Density</u>. The permitted density shall be based on the regulations specified in the previous section on Use Regulation.

**Section 21.** Height Regulation. Building height shall conform to the height restrictions as provide by the article V of this ordinance, regulations of the Air Transportation Office (ATO) and the pertinent provision of the National Building Code, Structural Code as well as the laws, ordinance, design standard, and rule and regulations related to land development and building construction and the various safety codes.

Tower shall have a maximum height of 50 meters. Other vertical structure such as steeples water tanks and other utilities not covered by the height regulations of this ordinance, the National building Code and/or the ATO shall seek relief under the provisions of Art. IX. Mitigating Devices.

# Section 22. Private Landing Strips, Heliports and Helipads

These shall be subject to the conditions/rules prescribed the Bureau of Air Transportation (BAT).

**Section 23.** Area Regulations. Area regulation in all zones shall conform with the minimum requirements of Volume II, III, and IV of the IEMSD guidebooks and of existing codes such as:

- a. P.D. 957 the "Subdivision and Condominium Buyer' Protective Law" and its revised implementing rules and regulations.
- B.P. 220 'Promulgation of Different Levels of standards and technical Requirements for Economic and Socialized Housing Projects' and its revised implementing rules and regulations

HON JOEL B. TIBAYANI
HON BIANGET CHITLE U. PELLO









- c. P.D. 1096 National Building Code
- d. Fire Code
- e. Sanitation code
- f. Plumbing Code
- g. Structural Code
- h. Philippine Electrical Code
- i. Philippine Environmental Code
- j. Executive Order no. 648 Charter of the HLRB
- k. Other relevant guidelines promulgated by the national and the local agencies concerned.
- l. All pertinent provision of this ordinance.

**Section 24.** Advertising, billboard and Business Signs. No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put for public view without clearance from the Zoning Administrator. Clearance for such signs or billboards maybe granted only when the same is appropriate for the permitted use for a zone and the sign thereof is not excessive, taking into account the bulk or the size of the building or structure and the business practices or usages of the locality and same shall in no case obstruct the view of the lake and other scenic spots.

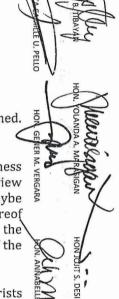
Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area and no sign project or extend to public property. Temporary sign and billboards for not more two (2) months may be allowed by the Zoning Administrator upon payment of corresponding fees to the City. The Permit for such sign shall indicate the location, size, slope, contents and type of construction.

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

Section 25. Road Setback Regulations and Zone Regulation Matrix. The following road setback regulation shall be applied.

#### ROAD SETBACK

	4206	11.43.1	`	/ /_ *
Zoning Classification	Major Thoroughfare	Secondary Road	Tertiary Road	HOW HON
	30 m. 7 above	- 14	6m. & below	
	National Road	City Roads	Barangay Roads	RESA O.
Tourism Zone Primary Urban Zone	10 m. 20m.	10m. 20m.	3m. 7m.	ESPIRITU .
General Development Zone	20m.	20.m	7m.	+O
High Density Housing Zone	10m.	10m. t	3m.	HOÑ. LORNA S. TOLEDO
Agricultural Development Zone	20m.	20m.	7m.	LEDO







Page 23 - City Ordinance No. 2023-493

Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

Zoning Classification			Tertiary Road	
		20m.	7m.	
Ecological Development Zone	20m.	25m.	10m.	
Ccological Tourism Zone	30m.	25m.	10m.	
Special Conservation Zone	30m.			

The above setback requirement starts from the edge of the road right-of-way. For major thoroughfares and roads with established grade, a5 meter setback is already annotated on the titles of the affected property owner.

In case of conflict between regulation on parking specified as specified in previous section and the above, the former shall be deemed as applicable.



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Page 24 - City Ordinance No. 2023-493

Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

# **Zoning Regulation Policy Matrix**

	17 1	Surface	Fencing	Landscaping	Parking	Setback	Building Color		
Cone	FAR = 5.0 BHL = 60m Storey max =20 PLO = 60%	Not more than 5% of the resultant PLO	Max. height =1.8m Front facing the road - see through; 0.50 meter concrete base w/ opaque material	Landscaping plan shall be prepared for approval by the Zoning Administrator	Per min. reqt of NBC Basement and upper level Landscaped	As per requiremen t of the National Building Code (NBC)	Earthtone or nature color	HON, ERCA, KAUSAREN	HON: LORNAS, TOLEDO HO
Secondary Urban Cone			·					F /	N. MON JO.
• Northern TZ	BHL-2 storey but not more than 8.0m from the nat. grade line up to the bldg. highest point PLO= 3 0% of the total lot area	Shall not be more than 5% of the allowed PLO	-do-	-do-	Per min. reqt of NBC Basement and upper level Landscaped;	-do-	-do-	N. MARIATINGRESA O. LLORENTE	EXAMILLE U. PELLO HON.
• Southern TZ	Obstructive     structures     BHL=5.0m     from the     geometric			No planting dev't. shall be allowed w/c will obstruct the view of	No on-street parking nor parking w/o buffer strip	Minimum building set back is 4.0meters		CELSCO	N. MARTENDA. AUSTR

Page **25 – City Ordinance No. 2023-493**Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

	center of the structure - PLO=30% of the total lot area  • Unobstructive structures - BHL=8.0m from the geometric center; terraced according to terrain w/minimal cut			Taal lake from the road Recommende d height of planting materials (pref. bushes) (except trees) is 0.80 m	shall be allowed			HON. YOLANDA A. MARASIGAN HON JOJIT S.  HON. BEPIRITU HON. LORNA S. TOLEDO HON. BÁNCOM  HON. ANNABELLE M. SOLIS HON. ERIC A CAUSAREN  HON. ANNABELLE M. SOLIS
General Development Zone	& fill PLO=50%  Areas not classified as subd. FAR=2.0; PLO=50% BHL= 4 storey or 16.0m  Areas classified as subd. Shall be governed by the respective Deeds of	, do-	-do-	Landscaping plan shall be prepared for approval by the Zoning Administrator	Per min. reqt of NBC Basement and upper level Landscaped; No on-street parking nor	As per requiremen t of the National Building Code (NBC)	-do-	MILLE U. PELLO HON. GENER MANGELO A. AUST

Page **26 – City Ordinance No. 2023-493**Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

	Zoning Ordinance of Ta				<b>P</b>		*	HON. HON.
	Restrictions subject to review/approval				parking w/o buffer strip			
	of Zoning				shall be			
	Administrator				allowed			M. YESPI
gr.	BHL= 2 storey or 8.0m.							
e e e e e e e e e e e e e e e e e e e	Cluster housing				46		1.	'
	units or row house		1000					
	shall be allowed	tra e	4.5		59			HON- NOH- NOH-
	provided that they						/	
	will not exceed to six (6) units per							3 3 3 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5
	cluster/row							AUSAREN
gricultural Zone	-	_	Fencing shall	Landscaping	Per minimum	-do-	-do-	E DO SAN
			be see	plan shall be	requirement of		20	d. /
			through and a	prepared for	NBC			₩ F
			max height of 1.8 meters	approval by the Zoning				Ja Maria
			1.0 meters	Administrator			\	S. S
				•	1			HON JOJIT S. DESIN
								U. PELLO
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Page **27 – City Ordinance No. 2023-493**Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

Ecological Fourism Zone	BHL= 8.0m from the geometric center	Shall not exceed 30% of the total land	1.8 m Fence along the streets	-	Per min. reqt of NBC	-do-	-do-	ASPIRITU LEM SOLIS
	PLO=30%	area	shall be see through		Basement and upper level Landscaped;	, s	٠.,	HON
				and the second second	No on-street parking nor parking w/o buffer strip shall be allowed	, , , , , , , , , , , , , , , , , , ,		ON. LORNA S. TOLEDO
Ecological Development Zone	-	Shall not exceed 30% of the total land area	-do-	-	Per minimum requirement of NBC	-do-	-do-	HON. BIANCA CANALTE U. PE
Special Conservation Zone	BHL=8.0m from geometric center PL0=30%	Shall not be more than 5% of the allowed PLO	1.8 m Fence along the streets shall be see through	Landscaping plan shall be prepared for approval by the Zoning Administrator	Per min. reqt of NBC Basement and upper level Landscaped;	-do-	-do-	ESINGAÑO HON THERESA O. LIORENTE
					No on-street parking nor parking w/o buffer strip shall be allowed			N. MARCELO A: AUSTRIA  GELSO P. DE CASTRO

HON. MICHAEL FRANCIS C. TOLENTINO

HON, ABRAHAM N. TOLENTINO

**Section 26.** Easement. Pursuant to the provisions of the Water Code: 1.) The banks of rivers and streams and shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban area; twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to the easement of public use in the interest of creation, navigation, floatage, fishing and salvage.

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

Section 27. <u>Buffer Regulations</u>. A buffer of four (4) meters (or as declared by the LGU) shall be provided along the entire boundary length between two or more conflicting zones/sub-zones allocating two (2) meters from each side of the zone/sub-zone boundary. Such buffer strips should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

**Section 28.** Specific Provisions in the National Building Code. Specific provisions of the National Building Code (P.D. 1096), as amended, concerning traffic generators, advertising and business signs, construction 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 this Zoning Ordinance, shall be observed.

# ARTICLE VII INNOVATIVE TECHNIQUES

**Section 29.** Innovative Techniques or Designs. For projects that introduce flexibility and creativity in design or plan such as but not limited to Planned Unit Development; housing projects by New Town Development under RA 7279; BLISS Commercial Complexes, etc., the Zoning Administrator/Zoning official shall submit the applications to HLRB for appropriate action, unless the local government units concerned has the capacity to process the same.

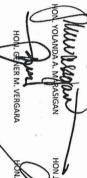
# ARTICLE VIII MISCELLANEOUS PROVISIONS

**Section 30.** Projects of National Significance. Projects may be declared by the NEDA Boards as projects of National significance, pursuant to Section 3 of EO 72. When so declared by the NEDA Board, the locational clearance shall be issued by HLRB pursuant to EO 72.

Section 31. <u>Environmental Compliance Certificate (ECC)</u>. Notwithstanding the issuance of locational clearance as provided in this Ordinance, no environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements of an Environmental Compliance Certificate have been complied with.

**Section 32.** <u>Subdivisions Projects</u>. All owners and/or developers of subdivisions projects shall, in addition to securing a locational clearance under Section 37 of this ordinance, be required to secure a Development Permit (DP) pursuant to provisions of PD 957 and its implementing rules and regulations. They shall also comply with the provisions of BP220 and its implementing rules and regulations in the case of socialized housing, and in accordance with the procedures laid down in EO 71, series of 1993.

Section 33. Reclassification. Section 20 of the Local Government Code of 1991 provides that the Local Government Units (I GUs) is granted the negret to reclassification the local Government Units (I GUs) is granted the negret to reclassification to the local Government Units (I GUs) is granted the negret to reclassification.









purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the Ordinance:

- (1) For highly urbanized and independent component cities, fifteen percent (15%);
- (2) For component cities and first to the third class municipalities, ten percent (10%); and
- (3) For fourth to sixth class municipalities, five percent (5%): Provided, further, that agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered Sixty-six hundred fifty-seven (R.A. No. 6657). otherwise known as "The Comprehensive Agrarian Reform Law", shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.

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

# ARTICLE IX MITIGATING DEVICES

**Section 34.** <u>Deviation.</u> Exceptions, variances or deviations from the provisions of this Ordinance may be allowed by the Local Zoning Board of Appeal (LZBA) only when the following terms and conditions exist:

#### 1. Variance

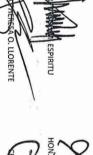
a. The property is unique and different from other properties in the adjacent locality and because of its uniqueness, the owner/s cannot obtain a reasonable return on his/their property.

This condition shall include at least 3 of the following provisions.

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

# 2. Exceptions

- a. The exception will not adversely affect health, safety and welfare and is in keeping the general pattern of development in the community.
- The proposed project shall be economic-based activities, provide livelihood,





**Section 35.** Procedures For The Grant of Exceptions and Variances. The Procedure for the granting of exception and/or variance shall be as follows:

- 1. A written application for an exception or variances shall be filed with the Local Zoning Board of Appeals (LZBA) citing the section of this Ordinance under which the same is sought, and stating the ground/s thereof.
- 2. Upon the filing of the application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site.
- 3. The Local Zoning Board of Adjustment and Appeals shall undertake preliminary studies on the application, including the conduct of ocular survey.
- 4. A written affidavit of non-objection to the project by the owners of the properties adjacent to the project shall be filed by the applicant with the LZBA at least fifteen (15) days prior to the decision for exception/variance.
- 5. In case of objection coming from any of the adjacent owners, the LZBA shall hold public hearing/s.
- 6. At the hearing, any party may appear in person, or be presented by agent/s. An interested parties shall be accorded the opportunity to be heard and to present evidences and testimonies.
- 7. The LZBA shall render a decision within thirty (30) days from the filing of the application. Exclusive of the time spent for the preparation of the written affidavit of non-objection and the public hearing in case of any objection to the grant of the exception/variance.

# ARTICLE X ADMINISTRATION AND ENFORCEMENT

**Section 36.** Locational Clearance. All owners/developers shall secure a locational clearance of Zoning Ordinance compliance from the Zoning Administrator/Zoning Office or, in cases of variance and exemptions, from the Local Zoning Board of Appeals (LZBA) prior to conducting any activity or undertaking construction on their property/land.

- 1. Non-conforming use which has ceased operation for more than one (1) year be revived as non-conforming use.
- 2. That an idle/vacant structure may not be used for non-conforming activity.
- 3. That any non-conforming structures under one ownership which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.
- 4. Processing of Locational Clearance under the following circumstances
  - a. Application on areas covered by Taal Volcano Protected Landscape (TVPL). Inasmuch as the portion of Tagaytay City, Province of Cavite, specifically the ridge area overlooking Taal Lake/volcano is covered under the provisions of R.A. 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992 as amended by R.A. No. 11038, or the Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018, developments, considered as environmentally critical projects shall be required to secure the necessary clearance from the concerned Protected Areas Management Board (PAMB) prior to securing Environmental Compliance Certificate (ECC).
  - b. Application for Locational Clearance within the hazard prone areas. Massive development (such as residential subdivisions, commercial buildings and the like) on these areas will be strictly discouraged/not allowed. However Other







c. Application on areas covered by Presidential Proclamation No. 740. Since the area covered (1,000 meter/1km radius surrounding the People's Park) is a carry over of the previous comprehensive land use and zoning ordinance, locational clearance will be issued provided that the proposed development is in accordance with allowable uses stipulated in the said Proclamation.

**Section 37. Building Permit.** No building permit shall be issued by the local building officer without a valid locational clearance granted in accordance with this Ordinance.

**Section 38.** Non-User of Locational Clearance. Upon issuance of a locational clearance, the grantee thereof shall have one year within which to commence or undertake the use, activity or development covered by such clearance on his/her property. Non-use of said clearance withis said period shall result in its automatic expiration and cancellation. The grantee shall not proceed with his project without applying for a new clearance.

**Section 39.** Certificate of Non-Conformance. A certificate of Non-Conformance shall be applied for by the owner of the structure of operator of the activity involved within the six (6) months from the ratification of the zoning ordinance by the Sangguniang Panlalawigan (SP). Failure on the part of the owner to register/apply for certificate on Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fine/penalties.

Upon approval of this ordinance, the Zoning Administrator shall immediately notify owners of knowing existing non-conforming use to apply for a certificate of non-conformance.

**Section 40.** Existing Non-Conforming Uses and Buildings. The lawful use of any building, structure or land at the time of the adoption or amendment of this Ordinance may be continued, although such use does conform with the provision of this Ordinance, Subject to the following conditions:

- 1. That no such non-conforming use shall be enlarged or extended to occupy a greater area of land than that already occupied by such use at the same time of the adoption of this ordinance, or move in whole or in part, of any other portion of the lot or parcel or land where such non-conforming use exists at the time of the adoption of this Ordinance.
- 2. That no such non-conforming use which has ceased operation for more than one (10 year be revived as non-conforming use.
- 3. That an idle land/vacant structure may not be used for non-conforming activity.
- 4. That any non-conforming structure, or structure under one ownership which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of its replacement cost.

  That should such non-conforming portion of structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost of the time of destruction.

extent of more than fifty percent (50%) of its replacement cost of the time of destruction, it shall not be reconstructed except in conformity with the provision of this Ordinance.

- 5. That no such non-conforming use 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.
- 6. That no such non-conforming use may be moved to another site to displace any conforming use.
- 7. That should such structure be for any reason moved to whatever distance, it shall thereafter conform to the regulation of the district to which it is moved or relocated.
- 8. In cases where the non-conforming structure becomes extremely hazardous to public health, public safety and contrary to the greater interest of the City, the City Government

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Furthermore, all such non-conforming use shall be required to conform to the requirements of sustainable development as specified by the IEMSD Guidebooks.

**Section 41.** Responsibility for Administration and Enforcement. This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with existing rules and regulations on the subject.

**Section 42.** Powers and Function of a Zoning Administrator. Pursuant to the provisions of EO72 implementing RA 7160 in relation to Sec. 5, Paragraph a and d, and Section 7 of EO 6486 dated 07 February 1981, the Zoning Administrator shall perform the following functions, duties and responsibilities.

#### 1. Enforcement

- A. Act on all applications for locational clearances for all projects by:
  - Issuing locational clearances for projects conforming with the zoning regulations
  - Recommending to the Local Zoning Board of Appeals (LZBA) the grant or denial
    of applications for variances and exemptions and the issuance of Certificates of
    Non-Conformance for non-conforming projects lawfully existing at the time of
    the adoption or amendment of the zoning ordinance, including clearances for
    repairs/renovations on non-conforming uses consistent with the guideline
    therefore.
- B. Monitor on-going/existing projects within their respective jurisdiction and issue notices and show cause to owners, developers, or managers of projects that are violative of zoning ordinance where necessary, pursuant to Sec. # of EO 72 and Sec. 2 of EO 71, refer subsequent actions thereon to the HLRB.
- C. Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this ordinance.
- Coordinate with the City Fiscal/Attorney for other legal actions/remedies relative to the foregoing.
- II. Planning: Coordinate with the regional Office of the HLRB regarding proposed amendments to the zoning ordinance prior to its adoption by the Sangguniang Panlungsod.

**Section 43.** Action of Complaints and Oppositions. Any complaint for violation of any provision of the zoning ordinance or any clearance or permits issued pursuant thereto shall be filed with the LZBA.

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

<u>Section 44. Functions and Responsibilities of the Local Zoning Board of Appeals.</u> There is hereby created a LZBA which shall perform the following functions and responsibilities:

A Act on applications of the following nature and complaints and opposition to such





B. Act on appeals on the grant or denial of locational clearance by the zoning administrator/zoning officer.

The decision of the Local Zoning Board of Appeals shall be appealable to the Department of Human Settlements and Urban Development (DHSUD).

**Section 45.** <u>Composition of the Local Zoning Board of Appeals (LZBA).</u> The City Development Council shall create a sub-committee, which shall act as the LZBA composed of the following members:

- 1. City Mayor as Chairman
- 2. City Legal Officer
- 3. City Assessor
- 4. City Engineer
- 5. City Planning and development Coordinator (if other than the Zoning Administrator.)
- 6. Two (2) representatives of the private sector nominated by their respective organizations and confirm by the City Mayor. In case of non-availability of any of the officials enumerated above, the Sangguniang Panlungsod shall elect as representative such number of its member as may be necessary to meet the total number above set forth.

For the purposes of policy coordination, said committee shall be attached to the City Development Council.

The decision of the LZBA shall be appealable to the Human Settlements and Adjudication Commission (HSAC) pursuant to R.A. 11201.

**Section 46.** <u>Interim Provision</u>. Upon approval of the ordinance, the LZBA is automatically constituted as provided in Section 45.

Section 47. Review of the Zoning Ordinance. The City Development Council shall create a subcommittee to be known as the Local Zoning Review Committee (LZRC) that shall review the Zoning Ordinance considering the Comprehensive Land Use Plan, as the need arises, based on the following reasons/situations:

- a. Change in local development plans
- b. Introduction of projects of national significance
- c. Petition for rezoning
- d. Other strong and valid reasons which justify consideration.

Section 48. <u>Composition of the Local Zoning Review Committee</u>. The Local Zoning Review Committee shall be composed of sectoral experts:

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

- a. City Planning Development Coordinator
- b. City Health Officer
- c. City Agriculturist
- d. President, Association of Barangay Captains
- e. City Engineer
- f. Community Environment and Natural Resources Officer (CENRO)
- g. District School Supervisor



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

**Section 49.** Functions of the Local Zoning Review Committee. The Local Zoning Review Committee shall have the following powers and functions:

- A. Review the Zoning Ordinance for the following purposes:
  - 1. Determine amendments or revision necessary in the Zoning Ordinance because of changes that might have been introduce in the Comprehensive Land Use Plan.
  - 2. Determine the changes to the introduce in the Comprehensive Land Use Plan in the light of permits given, and exception and variances granted.
  - 3. Identify provision of the Ordinance, which are difficult to enforce or are unworkable.
- B. Recommend to the Sangguniang Panlungsod necessary legislative amendments and to the local planning and development staff the needed changes in the plan as a result of the review conducted.
- C. Provide information to the HLRB that would be useful in the exercise of its functions.

Section 50. Amendments to the Zoning Ordinance. Changes in the Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as an amendment, provided that any amendment to the provisions of the Zoning Ordinance shall be carried out through a resolution three-fourths vote of the Sangguniang Panlungsod. Said amendments shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

Section 51. <u>Violation and Penalty</u>. Any person who violates any of the provision of this Ordinance, shall upon conviction, be punishable by a fine not exceeding P5,000.00 or an imprisonment for a period not exceeding one (1) year or both, at the discretion of the Court. In case of violation by a corporation, partnership or association, the penalty shall be imposed upon the erring officers thereof.

**Section 52.** Suppletory Effect of Other Laws and Decrees. The provision of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the LGU.

**Section 53.** <u>Separability Clause.</u> Should any section or provision of this Ordinances be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other that the part so declared to/be unconstitutional or invalid.

**Section 54.** Repealing Clause. All ordinance, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided, that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

**Section 55.** <u>Effectivity Clause.</u> This Ordinance shall take effect upon the approval by concerned government authorities

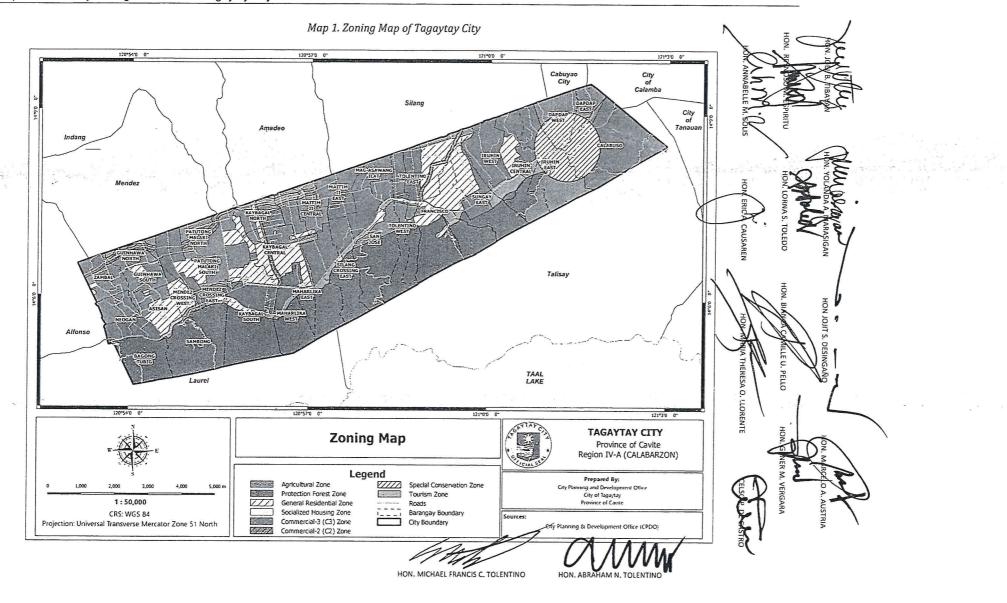
CLANDA MARASIGAN

MON. ANNABELLE M. SOLIS

ON. ERIC A. VAUSAREN

HON. PINOSO N. ESPIRITU





Concurred: 4

HON, JOJIT S. DESINGAÑ

City Councilor

HON. RENTOSOM. ESPIRITU

City Councilor

HON. BIANCA CAMILLE U. PELLO

City Councillo

HON. ANNABELLE M. SOLIS

City Councilor

HON YOLANDA A. MARASIGAN

City Councilor\_

HON. MARCELO A. AUSTRIA

City Councilor

HON. LORNAS. TOLEDO

City Councilor

HON GENER M. VERGARA City Councilor

HON. ERIC A. CAUSAREN

ABC President

HON. MARIA THERESA O. LLORENTE

SKP President

CERTIFIED CORRECT:

CELSO P. DE CASTRO

Secretary to the Sanggunian

ATTESTED:

HON. MICHAEL FRANCIS C. TOLENTINO

City Councilor

Presiding Officer Pro-Tempore

APPROVED ASABERO

HON. ABRAHAM N. TOLENTINO

City Mayor 2 7 OCT 2023



# Republic of the Philippines City of Tagaytay OFFICE OF THE SANGGUNIANG PANLUNGSOD



EXCERPTS FROM THE MINUTES OF THE 63RD REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGAYTAY CITY HELD ON OCTOBER 23, 2023 AT THE SANGGUNIAN SESSION HALL, 3/F HALL OF JUSTICE BLDG., MAHOGANY MARKET COMPLEX, KAYBAGAL SOUTH, TAGAYTAY CITY

#### PRESENT:

Hon, Michael Francis C. Tolentino City Councilor, Presiding Officer, Pro-Tempore City Couniclor, Majority Floor Leader Hon, Lorna S. Toledo City Councilor, Asst. Majority Floor Leader Hon, Joel B. Tibayan Hon, Yolanda A. Marasigan City Councilor City Councilor Hon, Jojit S. Desingaño Hon. Marcelo A. Austria City Councilor Hon. Reynoso M. Espiritu City Councilor Hon, Bianca Camille U. Pello City Councilor City Councilor Hon, Gener M. Vergara

City Councilor

Hon. Annabelle M. Solis Ex-Officio Member, ABC President Hon, Eric A. Causaren Hon. Maria Theresa O. Llorente Ex-Officio Member, SKF President

#### **OIC-CITY MAYOR:**

Hon, Agnes D. Tolentino, DMD City Vice Mayor, Presiding Officer

#### CITY ORDINANCE NO. 2023-493

# ZONING ORDINANCE OF TAGAYTAY CITY 2023-2032

### ARTICLE I TITLE OF THE ORDINANCE

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

# ARTICLE II **AUTHORITY AND PURPOSE**

Section 2. Authority. This Ordinance is enacted pursuant to the provisions of the New Local Government Code, RA 7160, Section 458 a.2 (7-9) and 447 a.2 (7-9), dated 10 October 1991, Authorizing the City, through the Sangguniang Panlungsod to adopt the Zoning Ordinances, subject to the provisions of existing laws and in conformity with E.O. No. 72.

Section 3. Purposes. This Ordinance is enacted for the following purposes:

- 1. Guide, control and regulate the future growth and development of Tagaytay City in accordance with its Comprehensive Land Use Plan.
- 2. Protect the character and stability of the urban uses such as residential, commercial, open space, institutional, and other non-urban uses such as forestry and agricultural zones within the locality and promote the orderly and beneficial development of the
- 3. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants of the locality.

4. Ensure and protect the sustainable growth and development of the community.

HON, MICHAEL FRANCIS C. TOLENTINO



**Section 4.** <u>General Zoning Principle</u>. This Zoning Regulation is based on the approved Land Use Plan per Resolution No. 2023-714 dated October 23, 2023 for the City of Tagaytay.

# ARTICLE III DEFINITION OF TERMS

The definition of the technical terms used in the Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, the Water Code, the Philippine Environmental Code, the Urban and Housing Development Act, and their implementing Rules and Regulations. The words, terms and phrases enumerated hereunder shall be understood to have the meaning indicated as follows:

- 1. Agricultural Development Zone (ADZ) area intended for the cultivation and pastoral activities e.g. farming, cultivation of crops, backyard goat/cattle raising, etc.
- 2. DHSUD shall mean the Department of Human Settlement and Urban Development.
- 3. Building Height and Limitation (BHL) the maximum height allowed for buildings as specified in the condition of this Ordinance.
- 4. Built-up Area a contiguous grouping of ten (10) or more structures.
- 5. Certificate of Non-Conformance certificate issued to owners of all uses existing prior to the approval of this Zoning Ordinance which do not conform to the zone per provision of the same Ordinance.
- 6. Compatible Use uses or land activities capable of existing together harmoniously e.g. residential use and parks and playground.
- 7. Comprehensive Land Use Plan (CLUP) a document embodying the specific land use plan and development proposals for guiding, regulating growth and/or development. The main elements of the CLUP are the sectoral components; land use, socio-economic, infrastructure and utilities, environment, local administration and the capital investment program.
- 8. Conflicting Uses uses or land activities with contrasting and incompatible characteristics located adjacent to each other e.g. residential units adjacent to industrial plants.
- 9. Conforming Use a use which is in accordance with the zone classification as provide for in the Zoning Ordinance.
- 10. Easement open space imposed on any land use/activities sited along waterways, road-right-of-way, cemeteries/memorial parks and utilities.
- 11. Ecological Development Zone (EDZ) areas intended primarily for agro-forestry uses and/or for forest purpose as enumerated in the IEMSD Guidebook.
- 12. Ecological Tourism Zone (ETZ) areas intended primarily for the development of low-density tourist facilities compatible with the natural setting and environment. All use shall be in conformance with the definition that "ecotourism is as an environmentally sound tourism activity in a given ecosystem yielding socio-economic benefits and enhancing natural and cultural diversity conservation."

13. Environmentally Critical Areas – refer those areas, which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 14, 1981.

HON. MICHAEL FRANCIS C. TOLENTINO

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- 14. Environmentally Critical Projects refer to those projects, which have high potential for negative environments impacts and are listed in Presidential Preclamation 2146 dated December 14, 1981.
- 15. Exception a device which grants a properly 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 more inconvenience or a desire to make more money.
- 16. Floor Area Ratio (FAR) is the ratio between the gross floor area of a building and the area of the lot on which it stands, determine by dividing the gross floor area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed floor area ratio multiplied by the lot area.
- 17. Geometric Center the centroid of a building or structure's elevation projected to a line defining the natural gradient.
- 18. General Development Zone (GDZ) areas intended primarily for dwelling/housing; institutional establishments e.g., government offices, schools, hospitals/clinics, academic/research, religious facilities, convention centers; and low to medium density commercial establishments.
- 19. Gross Floor Area (GFA) The GFA of a building is the total floor space within the perimeter of the permanent external building walls, occupied by:
  - Office area;
  - Residential areas:
  - Corridors;
  - Lobbies;
  - Mezzanine;
  - Vertical penetrations, which shall mean stairs, fire escapes, elevators shafts flues, pipes shafts, vertical ducts, and the like, and their enclosing walls;
  - Rest rooms or toilets;
  - Machine rooms and closets;
  - Storage rooms and closets;
  - Covered balconies and terraces;
  - Interior walls and columns, and other interior features;

#### But exclude:

- Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;
- Uncovered areas for cooling towers, over-headed water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or Jacuzzis, gardens, court of plazas.
- 20. High Density Housing Zone (HDHZ) shall be the principally for socialized housing/dwelling purpose for the underprivileged and homeless as defined in R.A. 7279.
- 21. Impervious Surface type of surface which does not permit the penetration of water; the area coverage shall be considered as outside of the building envelope and is not included in PLO and FAR computations.

HON. MICHAEL FRANCIS C. TOLENTINO





- 22. Innovative Design introduction and/or promotion of new/creative designs and techniques in development projects e. g. Planned Unit Development (PUD), New Town, Etc.
- 23. Zoning Map a duly authenticated map delineating the different Zones into which the City is divided.
- 24. Locational Clearance a clearance issued to a project that is allowed under the provisions of this Zoning Ordinance and other rules and regulations on land use.
- 25. Mitigating Device a means to grant relief in complying certain provisions of Zoning Ordinance.
- 26. Non-Conforming Use existing non-conforming use/establishments in an area allowed to operate in spite of their non-conformity provisions o the Ordinance, subject to the conditions stipulated in this Zoning Ordinance.
- 27. Percentage of Land Occupancy (PLO) defined as percentage of the maximum allowable area of any building at any floor level to the total lot size.
- 28. Planned Unit Development (PUD) it is a land development scheme wherein the projects is comprehensive planned as an entity via unitary site plans which permits flexibility in planning/design; sitting of buildings; complementary of building types and land uses; usable open spaces and the preservation of significant natural land failures.
- 29. Primary Urban Zone (PUZ) this shall be the City's central business district to be developed as a PUD.
- 30. Rezoning a process of introducing amendments to or a change in the text and maps of the zoning ordinances. It also includes amendment of change arising from land reclassification under section 20 of RA 7160.
- 31. Rural area area outside of designated urban area.
- 32. Setback the open space left between a building and lot lines.
- 33. Secondary Urban Zone (SUZ) areas which quasi-business and service activities performing complementary /supplementary functions to the PUC; the SUC is further divided into two, SUC 1 which are areas on the northern side of the Tagaytay-Nasugbu-Calamba Road and SUC2 which areas to the south of the said road.
- 34. Special Conservation Zone (SCZ) area defined by one (1) kilometer radius from the center of the People's Park as provided in Presidential Proclamation No. 740 dated Feb. 16. 1996.
- 35. Taal Volcano Protected Landscape (TVPL) established as protected area under Republic Act (RA) No. 11038 known as Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018, as amended.
- 36. Tourism Zone (TZ) defined by the strip along Tagaytay-Nasugbu and Tagaytay-Calamba Roads which shall be the major tourism development area of the City; the TS is divided into three (3), 1)Northern TS which is located north of the Tagaytay-Nasugbu Road and Isaac O. Tolentino Avenue 2) Southern TS located at the southern part of the said roads, portion (northern and southern portions) of New By-Pass Road.

HON. MICHAEL FRANCIS C, TOLENTINO

HON, ABRAHAM N, TOLENTING

- 37. Variance a special locational clearance which grants a property owner relief from certain provisions of Zoning Ordinance where, because of the particular physical surrounding, shape or topographical conditions of the property, compliance with the height, area, setback, bulk and /or density requirements would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to gain benefits or profits.
- 38. Water Zone (WZ) area where bodies of water are located within cities and municipalities which includes rivers, streams, lakes and seas, except those included in other zone classification.
- 39. Zone an area within the city or for delineated for specific land use as defined by this Ordinance.
- 40. Zoning Administrator/Zoning Officer a municipal /city/government employees, responsible for the implementation/enforcement of the Zoning Ordinance in a community.

### ARTICLE IV ZONE CLASSIFICATIONS

Section 5. Division into Zones or Areas. To effectively carry out the provisions of this Ordinance, the city is hereby divided into the following zones or areas as shown in the Official Land Use and Zoning Map.

- 1. Tourism Zone
- 2. a. Southern Tourism Zone
- 3. b. Northern Tourism Zone
- 4. Primary Urban Zone (Commercial 1)
- 5. Secondary Urban Zone (Commercial 2)
- 6. General Development Zone (Residential)
- 7. Agricultural Development Zone
- 8. Ecological Development Zone (Forestland)
- 9. High Density Housing Zone
- 10. Special Conservation Zone (Per Presidential Proclamation No. 740)
- 11. Ecological-Tourism Zone

Section 6. Zoning Map. The official zoning map for the entire city, wherein the designation, location and boundaries of the districts/zones herein established are shown, are hereby adopted as an integral part of this Ordinance. Such official zoning maps shall be signed by the local chief executive and duly authenticated by the Sangguniang Panlalawigan.

Section 7. Zone Boundaries. The locations and boundaries of the zones into which the city has been divided are hereby identified and specified as follows:

ZONE	LOCATION
1. TOURISM ZONE	12. Northern Tourism Sub Zone
"1	Bounded on the North by a 60 meter
= e <sup>2</sup>	distance from the road right-of-way line
	of Tagaytay-Nasugbu and Tagaytay-
	Calamba Roads;
. 4	Bounded on the South by the Tagaytay-
* 2×	Nasugbu and Tagaytay-Calamba Roads;
	Bounded on the West by Tagaytay City's
	boundary with the Municipality of
	MANA
\$7 1	HON. MICHAEL FRANCIS C. TOLENTINO HON. ABRAHAM N. TOLENTINO







LOCATION Beginning on the New By-Pass Road at Brgy, Maitim 2nd Central with 100 meters depth both sides of the road-rightof-way line up to the junction of Heroes Farm Road and New By-Pass Road at Barangay Patutong Malaki North Bounded on the East by the Special Conservation Area (SCA). 1. Southern Tourism Sub Zone Bounded on the North by the Tagaytay-Nasugbu and Tagaytay-Calamba Roads; Bounded on the South by slopes having a downward gradient of more than 18 percent (18%) from the road right-of-way line of the Tagaytay-Nasugbu and Tagaytay-Calamba Roads; At Barangay Kaybagal South bounded on the North by J.P. 2. PRIMARY URBAN ZONE Rizal Avenue bounded on the South by the Tagaytay Nasugbu Road Whole Area of the following Barangay: Barangay Neogan Barangay Maitim II East Barangay Mag Asawang-Ilat Portion of the following Barangays: All areas covered by Barangay Iruhin East, Iruhin Central, Iruhin West boundaries except the areas in the ridge area (Southern areas of Isaac Tolentino Avenue) Portion of Brgy. Zambal - 500 meters depth in the southern part of Tagaytay-Alfonso By-Pass Road and bounded on the northern side by Municipalities of Alfonso and Mendez. All areas covered by Barangay Tolentino East, Tolentino West, San Jose boundaries in the Northern portion of Isaac Tolentino Avenue (Former Tagaytay Calamba Road) All areas covered by Barangay Maharlika West boundaries Northern portion of TagaytayNasugbu Road. All areas covered by Barangay Mendez Crossing East boundaries in the Northern portion of Tagaytay - Nasugbu Road All areas covered by Barangay Silang Crossing East, Silang Crossing West boundaries in the Northern portion of Tagaytay - Nasugbu Road. All areas covered by Barangay Calabuso boundaries except areas covered by Proclamation 740 Portion of Barangay Sungay East 500m Depth in the Northern portion of Isaac Tolentino Avenue and 700m

HON. MICHAEL FRANCIS C. TOLENTINO

Depth in Southern portion of Isaac Tolentino Avenue

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		_
ZONE	LOCATION	
	bounded on the East by Kaykulot Road and on the West by Sungay Lane Road.	ME E
	bungay bane Road.	18 56.
	At Barangay Patutong Malaki North and Patutong Malaki	1 1 28
	South	A I HE
	500m M Depth, Right and Left Side of Tagaytay - Mendez -	MILLE U. PELLO
	Indang Road from Mayors Drive going to Mendez up to City	J. PE
	Boundary.	6 V
	From the boundary of Maitim II East and Maitim II Central	1
	with 100 meter depth both sides on road-right-of-way line	# JO. O.
	up to the approach of the new Tagaytay-Alfonso By-pass	
	Road.	N. S. A.
SECONDARY URBAN ZONE	MAHOGANY SUC	× 2
BEGOVERNY SKENIV ZOVIE	Bounded on the North by Heroes Farm Road up to the	SIGAN
	rear property line of Mahogany Market Compound:	8
		. 3 L
	Bounded on the South by J.P. Rizal Avenue	\₽ ₽
	Bounded on the East by Mahogany Compound Bounded on the West by Heroes Farm Road	Jog ,
	bounded on the west by Heroes Farm Road	NABE NABE
	MENDEZ CROSSING WEST SUC	ESING
	50M Depth from the Road right of way Tagaytay –	ANIO
	Mendez Indang Road	3 /
	CRISANTO DELOS REYES AVENUE SUC	
	50Meters Depth- Right and Left side of Crisanto Delos	=
	Reyes Avenue	ON.
	Bounded on the North by City Boundary	AON. MARK
	Bounded on the South by J.P. Rizal Avenue	ELO AMUST
	TAGAYTAY – STA. ROSA ROAD SUC	AUS
	50 Meters Depth – Right and Left side of Tagaytay –	TRIA
	Sta. Rosa Road	in the
	Bounded on the North by City Boundary	
	Bounded on the South by Isaac Tolentino Avenue	₩ 3
	Start from the Junction of Heroes Farm Road and New By-	MARIA
	Pass Road at Barangay Patutong Malaki North with 100	A
	meters depth both sides at the road-right-of-way line up to	
V2	the boundary of PUC at Barangay Patutong Malaki North,	ESA O. LIORENTE
	from the boundary of PUC at Patutong Malaki North going	PIRIT
	to Guinhawa North up to the boundary of PUC at Barangay Zambal.	AIE \
		\ 6
GENERAL DEVELOPMENT	Bounded on the North by the general direction defined by	Total Control
ZONE	the following:	(N 5 (N)
	Road linking Tagaytay – Zambal Road and Tagaytay –	CEX S
	Neogan St. Asisan barrio road; Northern boundary of Soto	EN PA
	9-11	

ZONE	LOCATION
	Kaybagal PC Camp Road; Road leading to Metro Gate Subdivision; Sta. Rita Road from Crisanto Delos Reyes avenue to Magallanes Drive; From Tagaytay – Tolentino East Road to Tagaytay Sta. Rosa Road; Proposed Arterial Hi- way to Kaybagal Road
	Bounded on the South by the Tagaytay- Nasugbu Road and J.P. Rizal Avenue and Isaac Tolentino Avenue.
	Bounded on the East by Kaykulot Road at Barangay Sungay East.
	Bounded on the West by Tagaytay – Zambal Road: The following are spot-zoned; Pueblo Del Sol Subd. At Brgy. Patutong Malaki North; Altamonte Subdivision; Greenville Subdivision; Richmore Subdivision; Katigbak Subd.; Hollywood Subdivision; Monte Vista Subd.; Regalado Pasos Subd.; 50mtrs strip along Ligaya Drive; Ridge View Subd.;
AGRICULTURAL DEVELOPMENT ZONE	Bounded on the North by City Boundary with the Municipality of Mendez, Amadeo and Silang;
	Bounded on the South by the General Direction defined by the following; Road linking Tagaytay Zambal Road and Tagaytay Neogan Road; Bario Asisan Road; Northern boundary of Soto Grande Subd.; St. Joseph – Las Brisas Subd.; Sarmiento Subdivision, Projected to Tagaytay Indang Road; Llamado Property from Heroes Farm Road to the Northern boundary of Tagaytay Heights Subd., Kaybagal PC Camp Road; Road leading to Metro Gate Subd.; Sta. Rita Road from Crisanto Delos Reyes Avenue to Magallanes Drive; Boundaries of Barangay Silang Crossing East and West at the Northern Portion; Tagaytay – Tolentino Road leading to Tagaytay – Sta. Rosa Road;  Bounded on the East by Kaykulot Road
	Bounded on the West by Tagaytay - Asisan-Zambal Road
ECOLOGIOCAL DEVELOPMENT ZONE	Bounded on the North by the Tourism Strip Bounded on the South by the Tagaytay City Boundary with the Municipality of Talisay and Laurel Bounded on the East by the Tagaytay Barangay Road Bounded on the West by the City Boundary with the Municipality of Laurel
HIGH DENSITY HOUSING ZONE	Sungay HDHZ  Bounded on the North by Matang Tubig Creek Bounded on the South by the Picnic Grove Kaykulot Road Bounded on the East by 7th BCT Subd. Bounded on the West by the Matang Tubig Creek Other Sites; Kaybagal Central

HON. MICHAEL FRANCIS C. TOLENTINO

ZONE	LOCATION
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SPECIAL CONSERVATION ZONE	Defined by a one (1) kilometer radius from the People's Park per Proclamation No. 740 dated Feb. 16, 1996.
	Bounded on the North by the Special Institutional Area; Bounded on the South by Tagaytay City's boundary with the municipality of Talisay; Bounded on the East by Tagaytay City's boundary with the municipality of Calamba; Bounded on the Northwest by Tagaytay-Kabangaan and Tagaytay-Banawan Roads.
	Thirty (30) meters deep from the Northern, Eastern and Western boundaries of Tagaytay City
· · · · · · · · · · · · · · · · · · ·	Bounded on the North by Tagaytay City's boundary with the municipality of Cabuyao; Bounded on the South by the ETA (as scaled from the northern City boundary);
ECOLOGICAL TOURISM ZONE	Bounded on the East by Tagaytay City's boundary with the municipality of Calamba; Bounded on the West by the Tagaytay-Kabangaan Road.

**Section 8.** <u>Interpretation of the Zone Boundary</u>. In the interpretation of the boundaries for any of the zones indicated in the zoning map, the following rules shall apply:

- 1) Where zone boundaries indicate that they approximately follow the center of the street or highway, the street or highway right-of-way lines shall be construed to be the boundaries;
- 2) Where zone boundaries indicate that they approximately follow the lot lines, such lot shall be construed to be the boundaries.
- 3) Where zone boundaries indicate that they are approximately parallel to the center lines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
- 4) Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
- 5) Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should 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. In the event of change in the shorelines, the boundaries shall be construed as moving with the actual shorelines.

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HON. ABRAHAM N, TOLENTINO



- 6) 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. In case the lot is bisected by the boundary line, it shall fall within the zone where the principal structure falls.
- 7) Where the zone boundary is indicated as one-lot-deep, said depth shall be construed to be the average lot depth of the lots involved within each particular city block. Where, however, any lot has a depth greater than said average, the remaining portion of said lot shall be construed as covered by the one-lot-deep zoning district. Provided, that the remaining portion has an area less than fifty percent (50%) of the total area of the entire lot. If the remaining portion has an area equivalent to fifty percent (50%) or more of the total area of the lot, then the average lot depth shall apply to the lot which shall become a lot divided and covered by two or more different zoning districts, as the case may be.

In case of any remaining doubt as to the location of any property along zone boundary lines, such property shall be considered as falling within the less restrictive zone.

8) The textual description of the zone boundaries shall prevail over that of the official zoning maps.

# ARTICLE V ZONE REGULATIONS

**Section 9.** <u>General Provision</u>. The uses enumerated in the succeeding sections are not exhaustive nor all-inclusive. The Local Zoning Board of Appeals (LZBA) shall, subject to the requirements of this Article, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed.

Allowance of further uses shall be based on the intrinsic qualities of the land and the socio-economic potential of the locality with due regards to the appropriate sustainable development principles and the maintenance of the essential qualities of the zone. Lien

Specific uses/activities of lesser density within a particular zone may be allowed within the zone of higher density but not vice versa, nor in another zone and its subdivisions except for uses expressly allowed in said zones, such that the cumulative effect of zoning shall be <u>intra-zonal</u> and non inter-zonal.

# Section 10. Use Regulations in Tourism Zone (TZ)

- 1. Allowable Uses
  - 1.1 Commercial Housing
    - a. hotel, motel, apartelle
    - b. club house
  - 1.2 Commercial condominium (with residential units in the upper floors)
  - 1.3 Restaurants and other eateries
  - 1.4 Recreational areas like:
    - a. play court e.g. tennis court, swimming pool, horseback riding
  - 1.5 Parks and Playgrounds
  - 1.6 Vacation Houses/Holiday Villas

2. Bulk and Density Northern Tourism Zone

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Building Height Limits (BHL) shall be two (2) storeys but not more than eight (8) from the natural grade line up to the building's highest point;

Percentage of Land Occupancy (PLO) shall be no more than 40% of the total lot area.

#### Southern Tourism Zone

Southern Tourism Zone (south side of Isaac O. Tolentino Avenue and Tagaytay- Nasugbu Roads.

All structures to be constructed along the Southern Tourism Zone adjacent to the National, City and Barangay Roads shall have a Percentage Land Occupancy (PLO) of 30% and a Building Height Limit (BHL) of five (5) meters from the geometric center of the structure. Structures shall be terraced and working along with the terrain with minimal cut-and-fill operations.

### Viewing Decks

It is further required that viewing decks be provided by developments which are for public use.

#### Slope Orientation

These provisions shall apply to all sites within Tourism Strip whether slopes are oriented to the North, East, West or South.

### 3. Impervious Surfaces

Impervious surface area shall not be more than 5% of the allowed PLO.

#### 4. Fencing

Fencing along the Tagaytay-Nasugbu and Tagaytay-Calamba Roads, as well as those directly viewing Taal Lake, shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.50 meters from the finished grade line; side fencing between adjacent lots (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

# 5. Landscaping

A landscaping plan shall be prepared for approval by the Office of the Zoning Administrator;

Each development shall be required to plant at least ten (10) trees within its premises.

No planting development shall be allowed which shall obstruct the view of Taal Lake from the road; recommended height of planting materials (except trees) such as bushes along the Tagaytay-Nasugbu Road is 0.80 meters.

### 6. Parking

Parking area requirements shall be per the minimum requirements of the National Building

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

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#### 7. Setbacks

Minimum building setback from the front and rear property lines shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

Minimum building setback from the side property lines shall be four (4) meters.

#### 8. Building Color

All buildings shall be of earth tone or nature color.

Section 11. <u>Use Regulations in Primary Urban Zone (PUZ) – Commercial 1 (Commercial 3 Zone)</u>. A high-density commercial area within a city or municipality intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and require metropolitan level development planning and implementation. High rise hotels, sports stadiums or sports complexes are also allowed in this zone. This zone may also be called the Central Business District (CBD). The PUC shall be a Planned Unit Development but subject to the following general regulations:

#### 1. Allowable Uses

- 1.1 Commercial housing
  - a. hotel, motel, apartelle
  - b. clubhouse
- 1.2 Commercial condominium (with residential units in the upper floors)
- 1.3 Office building/condominium
- 1.4 General retail/store and shops like:
  - a. Department store/shopping center, bookstore and office supply shop
  - b. Car shop
  - c. Home appliance store
  - d. Photo shop
  - e. Flower shop
- 1.5 Food markets and shops like:
  - a. bakery, bakeshop and wine store
  - b. grocery and supermarket
- 1.6 Personal Service shops like:
  - a. beauty parlor and barber shops
  - b. sauna bath and massage clinic
  - c. dressmaking and tailoring shop
- 1.7 Recreational centers/establishments like:
  - a. movie house/theater
  - b. play court e.g. tennis court, swimming pool, bowling alleys, billiard halls
  - c. day and night clubs
  - d. stadium, coliseum, gymnasium
  - e. other sports and recreational establishments
- 1.8 Restaurants and other eateries
- 1.9 Short-term educational facilities like:
  - a. dancing and driving schools
  - b. school for self-defense
  - c. speech clinic
- 1.10 Storeroom and warehouse but only as may be necessary for the efficient conduct of business
- 1.11 Embassy/Consulate

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HON ABRAHAM N TOLENTING







- 1.12 Library, museum, scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- 1.13 Filling/Service Stations
- 1.14 Clinic
- 1.15 Bank and other financial institutions
- 1.16 Radio and Television stations
- 1.17 Building garage, transportation terminal/garage
- 1.18 Repair of optical instruments and equipment's and cameras, clocks and watches
- 1.19 Government centers to house national, regional or local offices in the area
- 1.20 Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
- 1.21 General hospitals, medical centers, multipurpose clinics
- 1.21 Convention centers and related facilities
- 1.22 Other uses similar, related or directly incidental to the above uses.

#### 2. Bulk and Density

The Floor Area Ratio (FAR) shall be 5.0 and the BHL shall be twenty (20) storeys but not more than sixty (60) meters above the Reference Elevation (as defined in Section 10). The PLO shall be 60%.

#### 3. Impervious Surface

Impervious surface area shall not be more than 5% of the resultant PLO.

#### 4. Fencing

Fencing frontage shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclon wire fences are also allowed.; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.50 meters from the finished grade line.

#### 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator.

#### 6. Parking

Parking area requirements shall be the per minimum requirements of the National Building Code.

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit phone.

Basement and upper level parking are encouraged; parking buildings may also be built provided that these are designed to appear as regular buildings.

Open and un-landscaped parking lots are not allowed; should open parking be provided, these shall be so landscaped to have a park-like character.

#### 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

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# 8. Building Color

All buildings shall be of earth tone or nature color.

# Section 12. Use Regulations in Secondary Urban Zone (SUZ) - Commercial 2

#### 1. Allowable Uses

- 1.1 All uses in PUZ except those that are institutional in nature;
- 1.2 Shops such as:
  - a. repair shops for house appliances
  - b. motor vehicles and accessory shops
  - c. home furnishing shops
- 1.3 Transportation terminal/garage with repair
- 1.4 Publishing companies;
- 1.5 Medium scale junk shop;
- 1.6 Machinery display shop/canteen;
- 1.7 Gravel and sand stores, lumber/hardware;
- 1.8 Manufacture of ice, ice blocks, cube, tubes, crushed except dry ice;
- 1.9 Manufacture of signs and advertising displays (except printed);
- 1.10 Welding shops, machine shops service operations (repair/rebuilding or customs jol orders), repair of motorcycles;
- 1.11 Lechon or whole pig roasting stalls;
- 1.12 Factory engaged in the manufacture of biscuits, cookies, crackers and other similar dried bakery products, doughnuts, hopia factory, other bakery products not elsewhere classified;
- 1.13 Repacking of food products, e.g. fruits vegetables, sugar and other related products;
- 1.14 Parking lots, garage facilities;
- 1.15 Wet and dry market (limited to their presents sites in the Tagaytay-Amadeo and Sta. Rosa junctions);
- 1.16 Other commercial activities not elsewhere classified.

#### 2. Bulk and Density

The FAR shall be 2.40; the PLO shall be 60%; and the BHL shall be 16 meters or four storeys.

#### 3. Impervious surfaces

Impervious surface area shall not be more than 5% of the allowed PLO.

#### 4. Fencing

Fencing along roads shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed.; fence base made of concrete, hollow blocks, rock or any material shall have a height of no greater than 0.40 meters from the finished grade line; side fencing between adjacent lost (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

#### 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator

#### 6. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code:

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HON JOJIT S. DESINGAÑO

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HON. ANNABELLE M. SOLIS





No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

#### 8. Building Color

All buildings shall be earth tone or nature color.

Section 13. <u>Use Regulation in General Development Zone (GDZ) - Residential (General Residential Zone)</u>. This is an area within a city or municipality intended principally for dwelling/housing purposes.

#### 1. Allowable Uses

- 1.1 Detached family dwelling
- 1.2 Multi-family dwelling e.g. row-houses, apartments
- 1.3 Residential condominium
- 1.4 Apartment
- 1.5 Hometel
- 1.6 Pension house
- 1.7 Hotel apartment or apartel
- 1.8 Dormitory
- 1.9 Boarding house
- 1.10 Branch libraries and museums
- 1.11 Customary accessory uses such as:
  - a. Servants quarter
  - b. Private garage
  - c. Guard house
- 1.12. 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 subject to the following conditions:
  - a. That the number of person engaged in such business/industry shall not exceed five (5), inclusive of the owner;
  - b. That there shall be no change in the outside appearance of the building premises;
  - c. That no home occupation shall be conducted in any customary accessory uses cited above:
  - d. That no traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighbourhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other that the required front yard; and
  - e. That no equipment or process shall be use in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal sense and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage of the premises.
- 1.13. Home industry classified as cottage industry:
  - 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;

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HSN. YOLANDA A. MARASIGAN
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- b. Allotted capitalization shall not exceed the capitalization set by the Department of Trade and Industry (DTI);
- c. It shall comply with the same provision enumerated in paragraph 12c, d and e on home occupation.
- d. Backyard livestock and fowl raising provided that the total number of heads does not exceed six (6) and provided that adequate sanitation facilities (e.g. septic tanks) are provided; permit to engage in such activities may be revoked by the Zoning Administrator upon proper justification should the activity become a nuisance to the public in general and the neighbours in particular.
- 1.14. Recreational facilities for the exclusive use of the members of the family residing within the premises, such as swimming pool and pelota court
- 1.15. Nursery/elementary school, high school, vocational school
- 1.16. Sports club
- 1.17. Buildings for religious use multi-purpose hall/barangay halls
- 1.18. Clinic, nursing and convalescing home, health center
- 1.19. Plant nurseries
- 1.20. College, universities, professional business schools, vocational and trade schools and other institutions of higher learning.
- 1.21. General hospitals, medical centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- 1.22. Convention centers and related facilities
- 1.23. Religious structures limited to churches and convents
- 1.24. Museums
- 1.25. Embassies/Consulate
- 1.26. Parks/gardens; memorial/shrines/monuments, kiosk and other park structure
- 1.27. Open air or outdoor sports activities and support facilities, including low-rise stadium, gyms, amphitheaters, swimming pools, basketball courts and similar uses
- 1.28. Pre-schools, primary schools, secondary schools, day care centers, public utilities, civic centers and cultural facilities.
- 1.29. Government buildings and offices
- 1.30. Other uses similar, related or directly incidental to the above.

### 2. Bulk and Density

For areas that are not classified as Residential Subdivisions, the FAR shall be 2.0; the RLO shall be 50%; and the BHL shall be 16 meters or four (4) storeys;

Areas that are classified as Residential Subdivisions shall be governed by the respective Deeds of Restriction which shall be subject to the review and approval of the Zoning Administrator to ensure conformity to the provisions of this Ordinance; further, residential structures within Subdivisions shall be required to have a PLO of 50% and a BHL of eight (8) meters.

Cluster housing units or row apartments shall be allowed provided that these shall not exceed six (6) units per cluster or row.

Southern GDA (south side of Isaac O. Tolentino Avenue and Tagaytay- Nasugbu Road)

Areas that are classified as Residential Subdivisions shall be governed by the respective Deed of Restrictions of the subdivision which shall be subject to the review and approval of the Zoning Administrator to ensure the conformity to the provisions of this Ordinance, further, residential structures—within the subdivisions adjacent to National, City and Barangay Roads—shall be required to have a PLO of 2004 and a PLU of fire (5).



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#### 3. Impervious Surface

Impervious surface area shall not be more than 5% of the allowed PLO.

#### 4. Fencing

Fencing along roads shall be see-through and have a maximum height of 1.80 meters from the finished grade line and shall be of good quality such as wrought iron; cyclone wire fences are also allowed; fence base made of concrete, hollow blocks, rock or any material shall have a height of not more than 0.50 meters from the finished grade line; side fencing between adjacent lots (not facing a road) shall also have a maximum height of 1.80 meters and may be of solid construction.

#### 5. Landscaping

A landscaping plan shall be prepared for approval by the office of the Zoning Administrator

#### 6. Parking

Parking area requirements shall be per the minimum requirements of the national Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 7. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec.26 – Road Setback Regulations. In cases of discrepancy, the wider requirement shall be deemed applicable.

# 8. Building Color

All buildings shall be of earth tone or nature color.

Section 14. <u>Use Regulation in High Density Housing Zone</u> (HDHZ) (Socialized Housing Zone). An area within cities and municipalities designated to housing [programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA). This shall be for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279. All relevant ancillary uses of the GDZ shall be allowed in the HDHZ. The Floor Area Ratio (FAR) shall be 2.0

### 1. Allowable Uses

All uses allowed according to the provisions of BP 220.

#### 2. Building Regulations

Applicable provisions of BP 220.

Section 15. <u>Use Regulation in Agricultural Development Zone (ADZ) (Production Agricultural Zone).</u> These are areas that are outside of NPAAAD and declared by the City for agricultural use.

#### 3. Allowable Uses

3.1 Cultivation, raising and growing of stable crops such as rice, corn, camote, cassava and





support facilities such as palay dryers and rice threshers and storage bars and warehouse; and ancillary dwelling units /farmhouses for tillers and laborers

- Sericulture, mushroom culture, fishing, fish culture and the like; 3.2
- Agricultural research and experimentation facilities such as breeding station, nurseries, demonstration farm, etc.
- Pastoral activities such as goat raising and cattle fattening
- 3.5 Home occupation for the practice of one's profession or engaging in home business such as dressmaking, tailoring, baking, running, a sari-sari store and the like, subject to the following condition:
  - That there shall be no change in the outside appearance of the building premises;
  - That no home occupation shall be conducted in any customary accessory uses cited
  - That no traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighbourhood. Any need for parking generated by the conduct of such home occupation shall be met by off street parking and in places other than the front yard;
  - That no equipment or process shall be used in such occupation which creates noise, vibration, glare fumes, odors and electric interference detectable to the normal senses; cause visual or audible interference in any radio or television receiver, and fluctuations in line voltage off the premises.
- 3.6 Home industry classified as cottage industry e.g. mat weaving, pottery, making, food preservation, etc. subject to the following conditions:
  - a. That such home industry shall not occupy more than thirty (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;
  - That the allotted capitalization shall not exceed the capitalization set by the department of Trade and Industry (DTI); and
  - That such use shall consider comply with the same provisions enumerated in letters c, d, and e of section 10a paragraph 4 on Home Occupation
- 3.7 Backyard raising of livestock and fowl subject to the following limitations in
  - For livestock a maximum of 10 heads
  - For fowl a maximum of 500 birds

Further, adequate septic tanks another proper environmental management measure shall be provided.

### 4. Fencing

Fencing shall be see-though and have a maximum height 1.80 meters;

Parking area requirements shall be per the minimum requirements of the National Building Code:

#### 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

HON. MICHAEL FRANCIS C. TOLENTINO

# 7. Building Color

All buildings shall be of earth-tone or nature color



# Section 16. Use Regulation in Special Institutional Zone

#### 1 Allowable Use

1.1 Religious Structure e.g. church, seminary, convents

### 2. Bulk and Density

The BHL shall be four (4) storeys but no greater than 16 meters; the PLO shall be 40%.

# 3. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

#### 4. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

#### 5. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

#### 6. Building Color

All buildings shall be of earth-tone or nature color.

**Section 17.** Ecological Development Zone (EDZ) - Forest. No development use or activity shall be allowed unless consistent with DENR's development regulations for forest zones:

# 1. Allowable Uses

- 1.1 Forestry and agro-forestry;
- 1.2 Crop production on suitable sites provided that (Sloping Agricultural Land Technology (SALT) is employed;
- 1.3 Ancillary dwelling units of lot owners, tillers and laborers.

# 2. Impervious Surface

Impervious surface area shall not exceed 30% of the land area.

#### 3. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

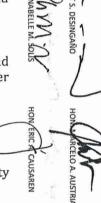
# 4. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

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HON ABRAHAM N TOLENTING





#### 5. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

#### 6. Building Color

All buildings shall be of earth-tone or nature color.

# Section 18. Ecological Tourism Zone (ETZ)

#### 1. Allowable Use

All uses allowed in EDZ.

Low density and ecologically friendly tourism facility

#### 2. Bulk and Density

BHL shall be eight (8) meters from the geometric center; PLO shall be 30%. However, structures to be constructed adjacent to National, City and Barangay Roads shall have a PLO of 30% and BHL of five (5) meters.

### 3. Impervious Surface

Impervious surface area shall not exceed 30% of the land area.

#### 4. Fencing

Fencing along streets shall be see-through and have a maximum height of 1.80 meters;

#### 5. Parking

Parking area requirements shall be per the minimum requirements of the National Building Code;

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planting strip with district entry and exit points.

# 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 - Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

# 7. Building Color

All buildings shall be of earth-tone or nature color.

# Section 19. Special Conservation Zone (SCZ)

#### 1. Allowable Uses

All uses allowed in EDZ;

All uses specified in Proclamation No. 740 i.e., recreational, tourism, scientific, planned area for a new development and other similar purposes.

#### 2. Bulk and density

BHL shall be eight (8) meters from the geometric; PLO shall be 30%, however, structures to be constructed adjacent to national, city and barangay roads shall be required to have a PLO of 30% and BHL of five (5) meters

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### 3. Impervious Surfaces

Impervious surface area shall not exceed 5% of the allowable PLO

#### 4. Fencing

Fencing along the streets shall be see-through and have a maximum height of 1.80 meters.

#### 5. Parking

Parking area requirements shall be per the minimum requirements for the National Building Code:

No on-street parking nor parking without buffer strip shall be allowed; instead, parking spaces shall be buffered from the street shoulder by planning strip with district entry and exit points.

#### 6. Setbacks

Minimum building setback shall be per the requirements of the National Building Code and the provisions of Sec. 26 – Road Setback Regulations. In cases of discrepancy, the wider requirements shall be deemed applicable.

#### 7. Building Color

All buildings shall be earth tone or nature color.

# ARTICLE VI GENERAL DISTRICT REGULATION

**Section 20.** <u>Development Density</u>. The permitted density shall be based on the regulations specified in the previous section on Use Regulation.

**Section 21.** Height Regulation. Building height shall conform to the height restrictions as provide by the article V of this ordinance, regulations of the Air Transportation Office (ATO) and the pertinent provision of the National Building Code, Structural Code as well as the laws, ordinance, design standard, and rule and regulations related to land development and building construction and the various safety codes.

Tower shall have a maximum height of 50 meters. Other vertical structure such as steeples water tanks and other utilities not covered by the height regulations of this ordinance, the National building Code and/or the ATO shall seek relief under the provisions of Art. IX. Mitigating Devices.

### Section 22. Private Landing Strips, Heliports and Helipads

These shall be subject to the conditions/rules prescribed the Bureau of Air Transportation (BAT).

**Section 23.** Area Regulations. Area regulation in all zones shall conform with the minimum requirements of Volume II, III, and IV of the IEMSD guidebooks and of existing codes such as:

- a. P.D. 957 the "Subdivision and Condominium Buyer' Protective Law" and its revised implementing rules and regulations.
- B.P. 220 'Promulgation of Different Levels of standards and technical Requirements for Economic and Socialized Housing Projects' and its revised implementing rules and regulations











- c. P.D. 1096 National Building Code
- d. Fire Code
- e. Sanitation code
- f. Plumbing Code
- g. Structural Code
- h. Philippine Electrical Code
- i. Philippine Environmental Code
- j. Executive Order no. 648 Charter of the HLRB
- k. Other relevant guidelines promulgated by the national and the local agencies concerned.
- 1. All pertinent provision of this ordinance.

**Section 24.** Advertising, billboard and Business Signs. No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put for public view without clearance from the Zoning Administrator. Clearance for such signs or billboards maybe granted only when the same is appropriate for the permitted use for a zone and the sign thereof is not excessive, taking into account the bulk or the size of the building or structure and the business practices or usages of the locality and same shall in no case obstruct the view of the lake and other scenic spots.

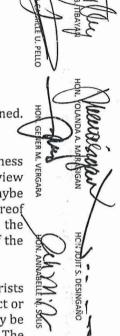
Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area and no sign project or extend to public property. Temporary sign and billboards for not more two (2) months may be allowed by the Zoning Administrator upon payment of corresponding fees to the City. The Permit for such sign shall indicate the location, size, slope, contents and type of construction.

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

Section 25. Road Setback Regulations and Zone Regulation Matrix. The following road setback regulation shall be applied.

# ROAD SETBACK

		\$ - 200 M	/ (K)
Zoning Classification	Major Thoroughfare	Secondary Road	Tertiary Road
	30 m. 7 above		6m. & below
	National Road	City Roads	Barangay Roads
Tourism Zone Primary Urban Zone	10 m. 20m.	10m. 20m.	3m. 7m.
General Development Zone	20m.	20.m	7m.
High Density Housing Zone	10m.	10m.	3m.
Agricultural Development Zone	20m.	20m.	7m.



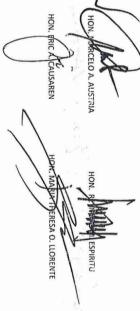
Page 23 - City Ordinance No. 2023-493

Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

Zoning Classification	Major Thoroughfare	Secondary Road	Tertiary Road
		20m.	7m.
Ecological Development Zone	20m.	25m.	10m.
Ecological Tourism Zone	30m.	25m.	10m.
	30m.	u	
Special Conservation Zone			

The above setback requirement starts from the edge of the road right-of-way. For major thoroughfares and roads with established grade, a5 meter setback is already annotated on the titles of the affected property owner.

In case of conflict between regulation on parking specified as specified in previous section and the above, the former shall be deemed as applicable.



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Page **24 – City Ordinance No. 2023-493**Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

# **Zoning Regulation Policy Matrix**

AR = 5.0 HL = 60m torey max =20 LO = 60%	Not more than 5% of the	Max. height	Landscaping				
	resultant PLO	=1.8m Front facing the road - see through; 0.50 meter concrete base w/ opaque material	plan shall be prepared for approval by the Zoning Administrator	Per min. reqt of NBC Basement and upper level Landscaped	As per requiremen t of the National Building Code (NBC)	Earthtone or nature color	HON, ERC A, KAUSAREN HON, ERC A, KAUSAREN
							ILOT NOH
HL-2 storey but of more than Om from the nat. rade line up to the ldg. highest point LO= 3 % of the total lot	Shall not be more than 5% of the allowed PLO	-do-	-do-	Per min. reqt of NBC Basement and upper level Landscaped;	-do-	-do-	TYS, DERINGANO HO
Obstructive structures BHL=5.0m from the geometric			No planting dev't. shall be allowed w/c will obstruct the view of	No on-street parking nor parking w/o buffer strip	Minimum building set back is 4.0meters		V. MAR LEIDAL ABSTRIA
of ld	t more than om from the nat. ade line up to the dg. highest point O= 3 of the total lot ea  Obstructive structures - BHL=5.0m from the	t more than Om from the nat. ade line up to the dg. highest point O= 3 6 of the total lot ea  Obstructive structures - BHL=5.0m from the	W/ opaque material  IL-2 storey but t more than Om from the nat. ade line up to the dg. highest point O= 3 6 of the total lot ea  Obstructive structures - BHL=5.0m from the	W/ opaque material    IL-2 storey but t more than   Shall not be more than 5% of the allowed PLO   PLO	W/ opaque material   Per min. reqt of NBC Basement and upper level Landscaped;   W/ opaque material   Opaque	W/ opaque material   W/ opaq	W/ opaque material    IL-2 storey but t more than

Page **25 – City Ordinance No. 2023-493**Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

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	center of the			Taal lake from	shall be			2
	structure			the road	allowed			
	- PL0=30% of			Recommende				
	the total lot			d height of				35 A
	area		12	planting				SOL SPIRIT
	• 0.		100 8	materials	1.			» / ċ
		** * *		(pref. bushes)		Asset Section 1	10 T 10 T	(F
		The second of th		(except trees)	ax 3x - 1 ar - 1			چ چ
				is 0.80 m		No.	70	HON. E
	<ul> <li><u>Unobstructive</u></li> </ul>							
	structures			* .				TO SERVE
	- BHL=8.0m							
	from the							A.S. TOLEDO
	geometric							ž ő Ž
	center;				-		6	
	terraced						1	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
	according to						1	F S
	terrain							
	w/minimal cut							18 / JA
	& fill						Y	13 / 作
0 1	PLO=50%							HON JOJIT S, DESINGAÑO  N, BRÂNCAS MILLE U. PE  HON. MAANT THERESA
General	Areas not classified			2.	a man il anno di man			U. PELIO
Development	as subd. FAR=2.0;	-do	-do-	Landscaping	Per min. reqt of	As per	-do-	E \
Zone	PLO=50%			plan shall be	NBC	requiremen		U. PELIO
	BHL= 4 storey or			prepared for	Basement and	t of the		# / ~ (
	16.0m			approval by	upper level	National		\ N. D.
	Areas classified as			the Zoning	Landscaped;	Building		<b>3 3 3 3 3 3 3 3 3 3</b>
	subd. Shall be			Administrator		Code (NBC)		( XI)
	governed by the				No on-street			E IN
	respective Deeds of				parking nor	01	1	7
				ALON MICHA	EL FRANCIS C. TOLENTINO	HON APRAHEM N	MW	DE CASTRO

Page 26 – City Ordinance No. 2023-493

Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

Comprehensive City	Zoning Ordinance of Ta	agaytay City Vol.2						V# # #
	Restrictions subject to review/approval of Zoning Administrator BHL= 2 storey or 8.0m.	~			parking w/o buffer strip shall be allowed			N. SEL B. TIBLY AN N. AND TIBLY AN N. AND TIBLY AND TO SELLE M. LOUIS
	Cluster housing units or row house shall be allowed provided that they will not exceed to six (6) units per cluster/row							HON, YOLANDA AMARASIGAN HON, LORINA S. TOLEDO HON ERIC ACQUISAREN
Agricultural Zone	, <del>-</del>	-	Fencing shall be see through and a max height of 1.8 meters	Landscaping plan shall be prepared for approval by the Zoning Administrator	Per minimum requirement of NBC	-do-	-do-	HON BANK TO NO
: '	:.					× 4		MILLE U. PELLO HOTHERESA O. LLORENTE
				HON. N	ICHAEL FRANCIS C. TOLENTING	HON. ABRAM	M. TOLENJA	ION, MACCEO A. AUSTRIA DIA GERMA VERGARA CELSON OLISTRO

Page 27 – City Ordinance No. 2023-493 Comprehensive City Zoning Ordinance of Tagaytay City Vol.2

Ecological	BHL= 8.0m from	Shall not	1.8 m		The second secon	T	Т	
Tourism Zone	the geometric center PLO=30%	exceed 30% of the total land area	Fence along the streets shall be see through	- 	Per min. reqt of NBC Basement and upper level Landscaped;	-do-	-do-	ASSOLIS HOME
91 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					No on-street parking nor parking w/o buffer strip shall be allowed	- 2	8	HON. ERICA CAUSAREN
Ecological Development Zone	-	Shall not exceed 30% of the total land area	-do-	-	Per minimum requirement of NBC	-do-	-do-	HON. BIANCA CAPACTÉ U. PE
Special Conservation Zone	BHL=8.0m from geometric center PLO=30%	Shall not be more than 5% of the allowed PLO	1.8 m Fence along the streets shall be see through	Landscaping plan shall be prepared for approval by the Zoning Administrator	Per min. reqt of NBC Basement and upper level Landscaped;	-do-	-do-	ESINGAÑO HO THERESA O. LLORENTE
					No on-street parking nor parking w/o buffer strip shall be allowed			ON. MARCEIJO A. AUSTRIA N. VERGARA CELS P. DE CASTRO

HON. MICHAEL FRANCIS C. TOLENTINO

**Section 26.** Easement. Pursuant to the provisions of the Water Code: 1.) The banks of rivers and streams and shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban area; twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to the easement of public use in the interest of creation, navigation, floatage, fishing and salvage.

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

Section 27. <u>Buffer Regulations</u>. A buffer of four (4) meters (or as declared by the LGU) shall be provided along the entire boundary length between two or more conflicting zones/sub-zones allocating two (2) meters from each side of the zone/sub-zone boundary. Such buffer strips should be open and not encroached upon by any building or structure and should be a part of the yard or open space.

Section 28. Specific Provisions in the National Building Code. Specific provisions of the National Building Code (P.D. 1096), as amended, concerning traffic generators, advertising and business signs, construction 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 this Zoning Ordinance, shall be observed.

# ARTICLE VII INNOVATIVE TECHNIQUES

**Section 29.** <u>Innovative Techniques or Designs.</u> For projects that introduce flexibility and creativity in design or plan such as but not limited to Planned Unit Development; housing projects by New Town Development under RA 7279; BLISS Commercial Complexes, etc., the Zoning Administrator/Zoning official shall submit the applications to HLRB for appropriate action, unless the local government units concerned has the capacity to process the same.

# ARTICLE VIII MISCELLANEOUS PROVISIONS

**Section 30.** Projects of National Significance. Projects may be declared by the NEDA Boards as projects of National significance, pursuant to Section 3 of EO 72. When so declared by the NEDA Board, the locational clearance shall be issued by HLRB pursuant to EO 72.

**Section 31.** Environmental Compliance Certificate (ECC). Notwithstanding the issuance of locational clearance as provided in this Ordinance, no environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements of an Environmental Compliance Certificate have been complied with.

**Section 32.** <u>Subdivisions Projects</u>. All owners and/or developers of subdivisions projects shall, in addition to securing a locational clearance under Section 37 of this ordinance, be required to secure a Development Permit (DP) pursuant to provisions of PD 957 and its implementing rules and regulations. They shall also comply with the provisions of BP220 and its implementing rules and regulations in the case of socialized housing, and in accordance with the procedures laid down in EO 71, series of 1993.

Section 33. Reclassification. Section 20 of the Local Government Code of 1991 provides that the Local Government Units (LCUs) is granted the power to real activities of the local Government Units (LCUs) is granted the power to real activities of the local Government Units (LCUs) is granted the power to real activities of the local Government Units (LCUs) is granted the power to real activities of the local Government Units (LCUs) is granted the power to real activities of the local Government Units (LCUs) is granted the power to real activities (LCUs) is granted to real activities (LCUs) (LCUs) is granted to real activities (LCUs) (LC





purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the Ordinance:

- (1) For highly urbanized and independent component cities, fifteen percent (15%);
- (2) For component cities and first to the third class municipalities, ten percent (10%); and
- (3) For fourth to sixth class municipalities, five percent (5%): Provided, further, that agricultural lands distributed to agrarian reform beneficiaries pursuant to Republic Act Numbered Sixty-six hundred fifty-seven (R.A. No. 6657). otherwise known as "The Comprehensive Agrarian Reform Law", shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.

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

# ARTICLE IX MITIGATING DEVICES

**Section 34.** <u>Deviation.</u> Exceptions, variances or deviations from the provisions of this Ordinance may be allowed by the Local Zoning Board of Appeal (LZBA) only when the following terms and conditions exist:

#### 1. Variance

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

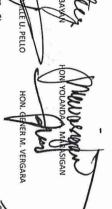
This condition shall include at least 3 of the following provisions.

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

# Exceptions

- a. The exception will not adversely affect health, safety and welfare and is in keeping the general pattern of development in the community.
- b. The proposed project shall be economic-based activities, provide livelihood,







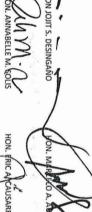
**Section 35.** <u>Procedures For The Grant of Exceptions and Variances.</u> The Procedure for the granting of exception and/or variance shall be as follows:

- 1. A written application for an exception or variances shall be filed with the Local Zoning Board of Appeals (LZBA) citing the section of this Ordinance under which the same is sought, and stating the ground/s thereof.
- 2. Upon the filing of the application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site.
- 3. The Local Zoning Board of Adjustment and Appeals shall undertake preliminary studies on the application, including the conduct of ocular survey.
- 4. A written affidavit of non-objection to the project by the owners of the properties adjacent to the project shall be filed by the applicant with the LZBA at least fifteen (15) days prior to the decision for exception/variance.
- 5. In case of objection coming from any of the adjacent owners, the LZBA shall hold public hearing/s.
- At the hearing, any party may appear in person, or be presented by agent/s. Aft, interested parties shall be accorded the opportunity to be heard and to present evidences and testimonies.
- 7. The LZBA shall render a decision within thirty (30) days from the filing of the application. Exclusive of the time spent for the preparation of the written affidavit of non-objection and the public hearing in case of any objection to the grant of the exception/variance.

# ARTICLE X ADMINISTRATION AND ENFORCEMENT

**Section 36.** Locational Clearance. All owners/developers shall secure a locational clearance of Zoning Ordinance compliance from the Zoning Administrator/Zoning Office or, in cases of variance and exemptions, from the Local Zoning Board of Appeals (LZBA) prior to conducting any activity or undertaking construction on their property/land.

- 1. Non-conforming use which has ceased operation for more than one (1) year be revived as non-conforming use.
- 2. That an idle/vacant structure may not be used for non-conforming activity.
- 3. That any non-conforming structures under one ownership which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.
- 4. Processing of Locational Clearance under the following circumstances
  - a. Application on areas covered by Taal Volcano Protected Landscape (TVPL). Inasmuch as the portion of Tagaytay City, Province of Cavite, specifically the ridge area overlooking Taal Lake/volcano is covered under the provisions of R.A. 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992 as amended by R.A. No. 11038, or the Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018, developments, considered as environmentally critical projects shall be required to secure the necessary clearance from the concerned Protected Areas Management Board (PAMB) prior to securing Environmental Compliance Certificate (ECC).
  - b. Application for Locational Clearance within the hazard prone areas. Massive development (such as residential subdivisions, commercial buildings and the like) on these areas will be strictly discouraged/not allowed. However Other







c. Application on areas covered by Presidential Proclamation No. 740. Since the area covered (1,000 meter/1km radius surrounding the People's Park) is a carry over of the previous comprehensive land use and zoning ordinance, locational clearance will be issued provided that the proposed development is in accordance with allowable uses stipulated in the said Proclamation.

**Section 37. Building Permit.** No building permit shall be issued by the local building officer without a valid locational clearance granted in accordance with this Ordinance.

**Section 38. Non-User of Locational Clearance.** Upon issuance of a locational clearance, the grantee thereof shall have one year within which to commence or undertake the use, activity or development covered by such clearance on his/her property. Non-use of said clearance within said period shall result in its automatic expiration and cancellation. The grantee shall not proceed with his project without applying for a new clearance.

**Section 39.** Certificate of Non-Conformance. A certificate of Non-Conformance shall be applied for by the owner of the structure of operator of the activity involved within the six (6) months from the ratification of the zoning ordinance by the Sangguniang Panlalawigan (SP). Failure on the part of the owner to register/apply for certificate on Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fine/penalties.

Upon approval of this ordinance, the Zoning Administrator shall immediately notify owners of knowing existing non-conforming use to apply for a certificate of non-conformance.

**Section 40.** Existing Non-Conforming Uses and Buildings. The lawful use of any building, structure or land at the time of the adoption or amendment of this Ordinance may be continued, although such use does conform with the provision of this Ordinance, Subject to the following conditions:

- 1. That no such non-conforming use shall be enlarged or extended to occupy a greater area of land than that already occupied by such use at the same time of the adoption of this ordinance, or move in whole or in part, of any other portion of the lot or parcel or land where such non-conforming use exists at the time of the adoption of this Ordinance.
- 2. That no such non-conforming use which has ceased operation for more than one (10 year be revived as non-conforming use.
- 3. That an idle land/vacant structure may not be used for non-conforming activity.
- 4. That any non-conforming structure, or structure under one ownership which has been damaged may be reconstructed and used as before, provided that such reconstruction is not more than fifty percent (50%) of its replacement cost.

  That should such non-conforming portion of structure be destroyed by any means to an
  - extent of more than fifty percent (50%) of its replacement cost of the time of destruction, it shall not be reconstructed except in conformity with the provision of this Ordinance.
- 5. That no such non-conforming use 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.
- 6. That no such non-conforming use may be moved to another site to displace any conforming use.
- 7. That should such structure be for any reason moved to whatever distance, it shall thereafter conform to the regulation of the district to which it is moved or relocated.
- 8. In cases where the non-conforming structure becomes extremely hazardous to public health, public safety and contrary to the greater interest of the City, the City Government

HON YOUANDA A. MAKASIG







Furthermore, all such non-conforming use shall be required to conform to the requirements of sustainable development as specified by the IEMSD Guidebooks.

**Section 41.** Responsibility for Administration and Enforcement. This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with existing rules and regulations on the subject.

**Section 42.** <u>Powers and Function of a Zoning Administrator.</u> Pursuant to the provisions of EO72 implementing RA 7160 in relation to Sec. 5, Paragraph a and d, and Section 7 of EO 6486 dated 07 February 1981, the Zoning Administrator shall perform the following functions, duties and responsibilities.

#### 1. Enforcement

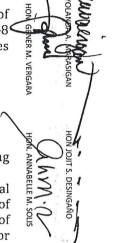
- A. Act on all applications for locational clearances for all projects by:
  - 1. Issuing locational clearances for projects conforming with the zoning regulations
  - 2. Recommending to the Local Zoning Board of Appeals (LZBA) the grant or denial of applications for variances and exemptions and the issuance of Certificates of Non-Conformance for non-conforming projects lawfully existing at the time of the adoption or amendment of the zoning ordinance, including clearances for repairs/renovations on non-conforming uses consistent with the guideline therefore.
- B. Monitor on-going/existing projects within their respective jurisdiction and issue notices and show cause to owners, developers, or managers of projects that are violative of zoning ordinance where necessary, pursuant to Sec. # of EO 72 and Sec. 2 of EO 71, refer subsequent actions thereon to the HLRB.
- C. Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this ordinance.
- D. Coordinate with the City Fiscal/Attorney for other legal actions/remedies relative to the foregoing.
- II. Planning: Coordinate with the regional Office of the HLRB regarding proposed amendments to the zoning ordinance prior to its adoption by the Sangguniang Panlungsod.

**Section 43.** Action of Complaints and Oppositions. Any complaint for violation of any provision of the zoning ordinance or any clearance or permits issued pursuant thereto shall be filed with the LZBA.

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

<u>Section 44. Functions and Responsibilities of the Local Zoning Board of Appeals.</u> There is hereby created a LZBA which shall perform the following functions and responsibilities:

A Act on applications of the following nature and complaints and expecition to such







B. Act on appeals on the grant or denial of locational clearance by the zoning administrator/zoning officer.

The decision of the Local Zoning Board of Appeals shall be appealable to the Department of Human Settlements and Urban Development (DHSUD).

**Section 45.** <u>Composition of the Local Zoning Board of Appeals (LZBA).</u> The City Development Council shall create a sub-committee, which shall act as the LZBA composed of the following members:

- 1. City Mayor as Chairman
- 2. City Legal Officer
- 3. City Assessor
- 4. City Engineer
- 5. City Planning and development Coordinator (if other than the Zoning Administrator.)
- 6. Two (2) representatives of the private sector nominated by their respective organizations and confirm by the City Mayor. In case of non-availability of any of the officials enumerated above, the Sangguniang Panlungsod shall elect as representative such number of its member as may be necessary to meet the total number above set forth.

For the purposes of policy coordination, said committee shall be attached to the City Development Council.

The decision of the LZBA shall be appealable to the Human Settlements and Adjudication Commission (HSAC) pursuant to R.A. 11201.

**Section 46.** <u>Interim Provision</u>. Upon approval of the ordinance, the LZBA is automatically constituted as provided in Section 45.

**Section 47.** Review of the Zoning Ordinance. The City Development Council shall create a subcommittee to be known as the Local Zoning Review Committee (LZRC) that shall review the Zoning Ordinance considering the Comprehensive Land Use Plan, as the need arises, based on the following reasons/situations:

- a. Change in local development plans
- b. Introduction of projects of national significance
- c. Petition for rezoning
- d. Other strong and valid reasons which justify consideration.

Section 48. <u>Composition of the Local Zoning Review Committee</u>. The Local Zoning Review Committee shall be composed of sectoral experts:

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

- a. City Planning Development Coordinator
- b. City Health Officer
- c. City Agriculturist
- d. President, Association of Barangay Captains
- e. City Engineer
- f. Community Environment and Natural Resources Officer (CENRO)
- g. District School Supervisor



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

**Section 49.** Functions of the Local Zoning Review Committee. The Local Zoning Review Committee shall have the following powers and functions:

- A. Review the Zoning Ordinance for the following purposes:
  - 1. Determine amendments or revision necessary in the Zoning Ordinance because of changes that might have been introduce in the Comprehensive Land Use Plan.
  - 2. Determine the changes to the introduce in the Comprehensive Land Use Plan in the light of permits given, and exception and variances granted.
  - 3. Identify provision of the Ordinance, which are difficult to enforce or are unworkable.
- B. Recommend to the Sangguniang Panlungsod necessary legislative amendments and to the local planning and development staff the needed changes in the plan as a result of the review conducted.
- C. Provide information to the HLRB that would be useful in the exercise of its functions.

**Section 50. Amendments to the Zoning Ordinance.** Changes in the Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as an amendment, provided that any amendment to the provisions of the Zoning Ordinance shall be carried out through a resolution three-fourths vote of the Sangguniang Panlungsod. Said amendments shall take effect only after approval and authentication by the Sangguniang Panlalawigan.

Section 51. <u>Violation and Penalty.</u> Any person who violates any of the provision of this Ordinance, shall upon conviction, be punishable by a fine not exceeding P5,000.00 or an imprisonment for a period not exceeding one (1) year or both, at the discretion of the Court. In case of violation by a corporation, partnership or association, the penalty shall be imposed upon the erring officers thereof.

**Section 52.** Suppletory Effect of Other Laws and Decrees. The provision of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the LGU.

**Section 53.** <u>Separability Clause.</u> Should any section or provision of this Ordinances be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other that the part so declared to/be unconstitutional or invalid.

**Section 54.** Repealing Clause. All ordinance, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided, that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

**Section 55.** <u>Effectivity Clause.</u> This Ordinance shall take effect upon the approval by concerned government authorities

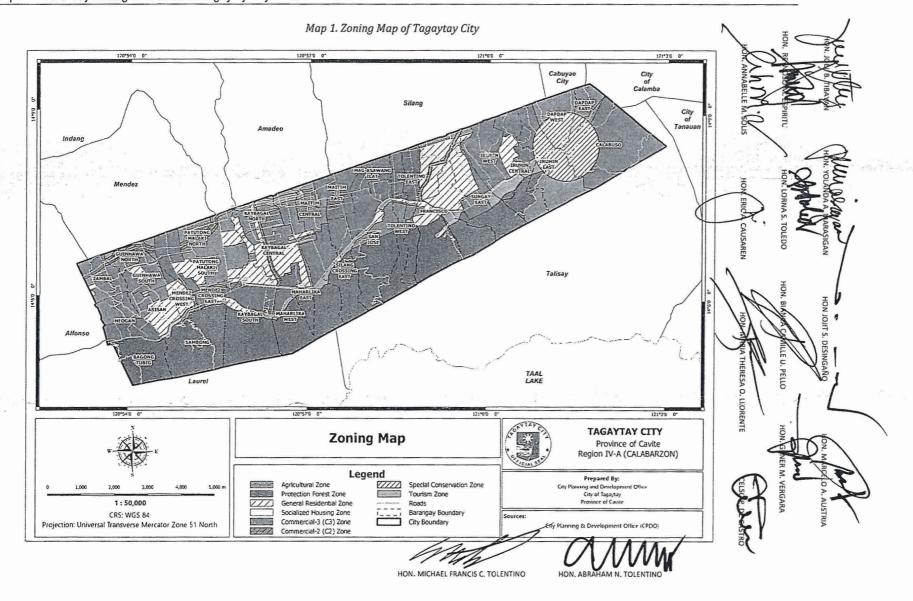


N. ANNABELLE M. SOLIS









Concurred: 4

HON. JOJIT S. DESINGAÑ

City Councilor

HON. REYNOSOM, ESPIRITU

City Councilor

HON. BIANCA CAMILLE U. PELLO

City Councilor

HON. ANNABELLE M. SOLIS

City Councilor

YOLANDA A. MARASIGAN

City Councilor

HON. MARCELO A. AUSTRIA

City Councilor

HON. LORNA S. TOLEDO

City Councilor

HON GENER M. VERGARA

City Councilor

HON. ERIC A. CAUSAREN

ABC President

HON. MARIATHERESA O. LLORENTE

SKP President

CERTIFIED CORRECT:

CELSO P. DE CASTRO

Secretary to the Sanggunian

ATTESTED:

HON. MICHAEL FRANCIS C. TOLENTINO

City Councilor

Presiding Officer Pro-Tempore

APPROVED SAPERO

HON. ABRAHAM N. TOLENTINO

City Mayor 2 7 OCT 2023