

**CITY GOVERNMENT
OF
MUNTINLUPA**

**ZONING ORDINANCE
FOR THE
CITY OF MUNTINLUPA**

**PREPARED BY THE
CITY GOVERNMENT OF MUNTINLUPA**

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COMPREHENSIVE ZONING ORDINANCE

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Zoning Ordinance

CITY ORDINANCE NO. 02-047

AN ORDINANCE ADOPTING ZONING REGULATIONS FOR THE CITY OF MUNTINLUPA AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH, SUBJECT TO ALL LEGAL AND EXISTING RULES AND REGULATIONS.

WHEREAS, the implementation of Comprehensive Land Use Plan of the City of Muntinlupa shall require the enactment of regulatory measures to translate the Plan's goals and objectives into reality, and the Zoning Ordinance is one such regulatory measure which is an important tool for the implementation of the Comprehensive Land Use Plan;

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

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

NOW THEREFORE, the Sangguniang Panglunsod of Muntinlupa, Metro Manila in a session assembled hereby adopts the following Zoning Ordinance.

ARTICLE I

TITLE OF ORDINANCE

SECTION 1. TITLE OF THE ORDINANCE. This ordinance shall be known as the Comprehensive Zoning Ordinance of the City of Muntinlupa and shall be hereinafter referred to as the 'Ordinance'.

ARTICLE II

DECLARATION OF PRINCIPLES

SECTION 1. Land is a limited national resources and as such must be managed for the welfare of all in accordance with the Comprehensive Land Use Plan of Muntinlupa.

SECTION 2. The environment provides man with life – supporting systems and as such, it must be conserved and developed on a sustainable basis to enhance the quality of life of present and future generations.

SECTION 3. Man's well-being is the ultimate consideration of development. This being the case, there is a need for regulatory measures which shall ensure the protection of his immediate environment.

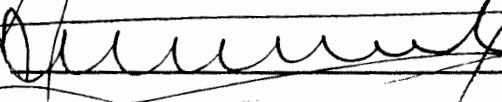
SECTION 4. Lands must be used in a most beneficial, rational and most efficient manner so as to prevent the incompatibility of land uses, environmental hazards, urban blight, congestion and artificial scarcity of land resources. Thus, there is a need for regulatory measures which shall promote the desired patterns of land use and development.

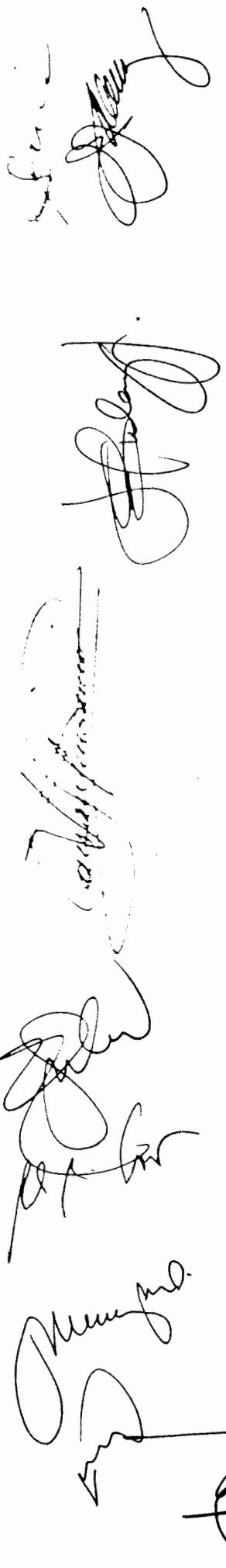
SECTION 5. This Comprehensive Zoning Ordinance is one such regulatory measure which is enacted to identify the various land uses in the districts, designate the allowable uses therein and prescribe physical standards based on the Comprehensive Land Use Plan for the City of Muntinlupa, and on Zone and District Plans prepared by the City Planning and Development Office and adopted by the Sanguniang Panglungsod through resolution.

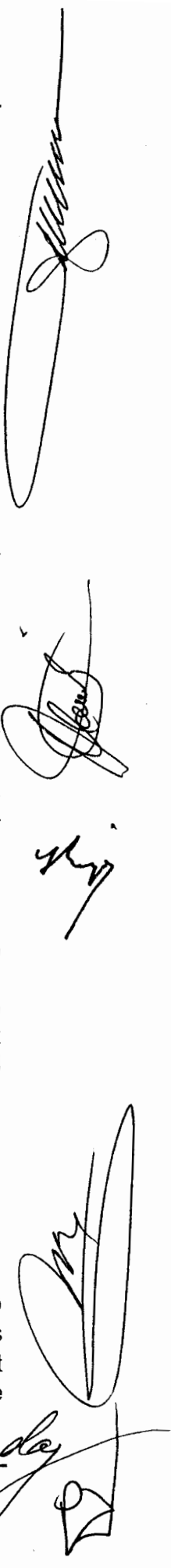
ARTICLE III

AUTHORITY AND PURPOSE

SECTION 1. AUTHORITY. This ordinance is enacted pursuant to Section 16, 20, 447 and 458 of R. A. 7160, otherwise known as the Local Government Code of 1991, authorizing cities to adopt an integrated Zoning Ordinance subject to the approval of the


City Government Muntinlupa





Sangguniang Panglungsod and Executive Orders 72 and 648 authorizing cities to prepare their respective comprehensive land use plans and the necessary zoning ordinance to implement said plans.

SECTION 2. PURPOSES. This ordinance is enacted for the following purposes:

- (a) Guide, control and regulate future growth and development of the City of Muntinlupa in accordance with its development and land use plan;
- (b) Protect the character and stability of residential, commercial, industrial, institutional, parks and open spaces within the locality and promote the orderly and beneficial development of the area;
- (c) Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants of Muntinlupa;
- (d) Provide adequate light, air, privacy and convenience of access to property;
- (e) Prevent undue concentration of population and properties and;
- (f) Regulate the location and use of buildings and lands in such manner as to obviate the danger to public safety caused by undue interference with existing or prospective traffic movements on such streets and thoroughfares.

SECTION 3. GENERAL ZONING PRINCIPLES. This Comprehensive Zoning Ordinance is based on the Comprehensive Land Use Plan and Zoning Maps prepared by the City Planning and Development Office and adopted by the Sangguniang Panlungsod.

- 1. This ordinance prescribes rules and regulations to help implement the City's Comprehensive Land Use Plan formulated within the framework of sustainable development with its multi-sectoral thrusts. This plan addresses the need to create a balanced distribution of social and economic development and environmental integrity;
- 2. The Ordinance encourages the establishment of highly dynamic clusters of self sustaining areas through application of a compatibility mixed land use principle;

3. Zone and district regulations are considered as management tools necessary to provide an overall development guidance system to the City and
4. The Ordinance encourages the mutual cooperation of the local government and the public and private sectors towards the proper development of the city.

ARTICLE IV

DEFINITION OF TERMS

SECTION 1. DEFINITION OF TERMS. The various terms and phrases used in this Ordinance shall have meaning and definition contained in Annex "A" of this Ordinance, which is attached herewith and hereby made an internal part hereof.

SECTION 2. CONSTRUCTION AND INTERPRETATION OF TERMS. The words and terms employed in this Ordinance shall be interpreted and understood liberally in the generic sense unless otherwise indicated and shall, as far as practicable, be construed in favor of applicants seeking to comply with the provisions hereof. The listing of uses shall, unless otherwise indicated, be similarly construed. In addition, the following rules shall be observed;

- (a) generic terms, such as others, 'like', etc. shall be construed to mean as including all specific terms similar to or compatible with those enumerated;
- (b) the singular includes the plural, subject to density regulations;
- (c) the present tense includes the future tense;
- (d) the word 'person' includes both natural and juridical persons;
- (e) the word 'lot' includes the phrase 'lot parcel';
- (f) the term 'shall' is always mandatory; and
- (g) the word 'used' or occupied' as applied to any land or building shall be construed to include the word 'intended', 'arranged', 'designed', to be used or 'occupied'.

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ARTICLE V

ZONE CLASSIFICATIONS

SECTION 1. DIVISION ZONES. To effectively carry out the provisions of this Ordinance, the city is hereby divided into the following zones or districts as delineated in the Official Zoning Maps (Annex "B" and as described in Annex "C")

- (a) Residential Zone
 - (1) Low Density Residential Zone (R-1)
 - (2) Medium Density Residential Zone (R-2)
 - (3) High Density Residential Zone (R-3)
 - (4) Socialized Housing Zone (SHZ)
- (b) Commercial Zone
 - (1) Minor Commercial Zone (C-1)
 - (2) Major Commercial Zone (C-2)
 - (3) Metropolitan Commercial Zone (C-3)
- (c) Urban Corridor
- (d) Institutional Zone
- (e) Parks and recreation
- (f) Open Space
- (g) Tourism Zone
- (h) Utilities
- (i) Cemetery and Memorial Park

SECTION 2. ZONING MAPS. It is hereby adopted as an integral part of this Ordinance Official Zoning Maps (Annex "B") duly prepared by the City Planning and Development Office of Muntinlupa, wherein the designation, location, and boundaries of the different land uses and zones herein established are shown and indicated. Such Official Zoning Maps shall be signed by the local chief executive and duly authenticated by the Sangguniang Panglungsod.

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In the case of loss, damage, and or destruction of the Official Zoning Maps, the Sangguniang Panglunsod may, by resolution, adopt new Official Zoning Maps, which likewise shall be in accordance with the Comprehensive Land Use Plan of the community. Provided that all prior maps or any significant parts thereof left shall be preserved together with all available records pertaining to their adaptation and / or amendment.

SECTION 3. ZONING BOUNDARIES. As indicated in the Official Zoning Maps, the location and boundaries of the above-mentioned various zones into which the city of Muntinlupa has been divided are hereby identified and specified as follows.

R-1 : LOW DENSITY RESIDENTIAL ZONE

Brgy. Ayala Alabang

- Ayala Alabang Village

Brgy. Cupang

- San Jose Village
- B.F. Homes Subdivision
- Hillsborough Subdivision
- Alabang Hills I, II, & III
- Alabang 400
- Tierra Nueva Subdivision
- Pacific Malayan Village
- Kalipayan Homes
- Pacific Village
- Villa Donata inner portion

Brgy. Sucat

- Posadas Village
- Patio Homes
- Corinthian Villas
- Dona Rosario Heights

Brgy. Tunasan

- Susana Heights

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R-2 : MEDIUM DENSITY RESIDENTIAL ZONE

Brgy. Cupang

- Intercity Homes
- Capri Homes
- Mintcor Southrow Townhouses
- Liberty Homes
- Rizal Village
- Embassy Village

Brgy. Sucat

- Don Juan Bayview Subdivision
- Dona Rosario Bayview

Brgy. Alabang

- Highway Homes Subdivision
- U.P. Side Subdivision

Brgy. Bayanan

- Summit Circle
- Summit Homes
- Sunrise Subdivision
- Pleasant Village

Brgy. Putatan

- Agro Homes
- Almanville Subdivision
- Bruger Subdivision
- Bayfair of Margana
- Camella Homes Alabang 1 & 2
- Country Homes
- Express View Subdivision
- Freedom Hills Subdivision
- Gruenville Subdivision
- Joasmerray Subdivision
- Jaysonville
- La Charina Homes
- Lakeview Homes I & II
- Midland Subdivision
- Multiland Subdivision I & II
- Mutual Homes I, II & III

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- Nuwrain Subdivision
- RCE Homes
- Soldiers Hills Subdivision
- South Green Heights Subdivision
- South Superville Subdivision
- Segundina Townhomes
- Summitville Subdivision
- Treelane Subdivision
- TJD Townhomes
- VM Townhomes

Brgy. Poblacion

- Katarungan Village Phase I & II
- Camella Homes IV

Brgy. Tunasan

- Aguila Village
- Camella Homes Alabang 3
- Camella Ridgeview
- J.P.A. Subdivision
- Lake Shore Subdivision
- Lodora Village
- Midland II Subdivision
- Park Homes
- Sto. Nino Village
- Teosejo Subdivision
- Torreblanca
- Victoria Homes Subdivision
- Villa Carolina Subdivision I
- Villa Carolina Subdivision II

In Brgy. Putatan at the mid-southern end of the City

- Area bounded on the North by South Greenheights Subdivision, on the East by the South Super Highway, on the South by Magdaong river and on the West by National Bilibid Prison

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R - 3 : HIGH DENSITY RESIDENTIAL ZONE

In Brgy. Bayanan and Brgy. Putatan

- Area bounded on the North by Bayanan Creek, on the East by Laguna de Bay; on the South by Balimbing River and on the West lot deep away from the National Road.

In Brgy. Sucat

- Area bounded on the North by Taguig – Muntinlupa boundary; on the East by Laguna de Bay; on the South by National Power Corporation and on the West lot deep away from National Road.
- Area bounded on the North by Don Juan entrance road; on the East by PPTA road; on the West by PNR rail road tracts and on the South by Buli – Sucat river.

In Brgy. Buli

- Area bounded on the North by Buli- Sucat river; on the East by perimeter fence of Ecco – Asia; on the South by Buli – Cupang river and on the West by PNR railroad tracts.

In Brgy. Cupang

- Area bounded on the North by Buli – Cupang river; on the East by Laguna de bay; on the West by PNR rail road tracts and on the South by Pasong Diablo river.

In Brgy. Bayanan and Putatan

- Area bounded on the North by Bayanan river; on the East by Laguna de Bay; on the West lot deep away from the National road and on the South by Balimbing river.

In Brgy. Tunasan

- Area bounded on the North by Magdaong river; on the East by Laguna de Bay; on the West by Arandia and on the South by San Pedro river.

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SHZ : SOCIALIZED HOUSING ZONE

In Brgy Tunasan

- Area occupied by Planas Homeowners Association
- Area occupied by Samahang Magkakapit-Bahay Purok 6
- Area occupied by Laguerta HOA
- Area occupied by Villa Arandia HOA
- Area occupied by Kilusang Kapitbahayan ng Kaunlaran ng Tunasan
- Area occupied by TUPA Homeowners Association

In Brgy. Poblacion

- Area occupied by Springville Homeowners Association-Quezon St.
- Area identified in new Bilibid Prison
- Area occupied by Promise Land

In Brgy. Cupang

- Area donated by Benito Roces
- Area occupied by Sitio Sto. Nino

In Brgy. Putatan

- Present site of CGM property-Muntinlupa Habitat Ville
- Present site of medium Rise Housing-Marmeto compound
- Property owned by SPS. Sergio A. Esporlas & Divina N. Esporlas with TCT No. 179781 covering an area of 1,166 sq.m.
- Property owned by Col. Alfredo S. Guerrero with TCT Nos. S-108590 & S-108592 with an area of 8,000 sq.m.
- Property owned by Aquino & Miranda with TCT Nos. 121577, 121578, 121576, 121579 with a total area of 600 sq. m.

C-1 : MINOR COMMERCIAL ZONE

In Brgy. Sucat

- Lot deep on both sides of PPTA road from Taguig – Muntinlupa boundary to Sucat Thermal Plant

C-2 : MAJOR COMMERCIAL ZONE

In Brgy. Bayanan, and Brgy. Putatan

- Lot deep in Bayanan and Putatan on both sides of National road from Bayanan river to Balimbing river.

In Brgy. Cupang

- Lot deep on both sides of Buencamino St. from Alabang – Zapote road to Lot 19 of Blk. 12 & Lot 42 of Blk. 11.
- Area bounded on the North by Tawi-Tawi St.; on the East by Don Manolo Drive; on the West by Las Pinas- Muntinlupa Boundary and on the South by Alabang – Zapote Road.

In Brgy. Alabang

- Area bounded on the North by Pasong Diablo River; on the East by Laguna de Bay; on the South by Bayanan creek and on the West by National Road and entrance to South Super Hi-way.

In Brgy. Tunasan

- Area inside Susana Heights bounded on the North – West by Magdaong river; on the East by South Superhighway; on the South-East by Avenida Real; on the South-West by Everest Memorial Park
- Area bounded on the North by E. Rodriguez St.; on the East by PNR rail road tracts; on the West by National road and on the South by San Pedro River.
- Block deep West of national road from METERCOR right of way to Tunasan River.
- Area bounded on the North by Magdaong river; on the East by PNR rail road tracts; on the West by National road and on the South by J.P.A. Subdivision.

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- Lot deep East of National road from Magdaong river to Sto Nino Village access road.

In Brgy. Putatan

- Block deep North of Roman Cruz Avenue from National road to South Superhighway

In Brgy. Poblacion

- Area bounded on the North by Balimbing River; on the East by Laguna de Bay; on the West by National Road and on the South by Magdaong River.
- Area identified in New Bilibid Prison near South Super Highway

C - 3 : METROPOLITAN COMMERCIAL ZONE

In Brgy. Sucat

- Area bounded on the North by Ninoy Aquino avenue; on the East by South Superhighway; on the West by Paranaque – Muntinlupa Boundary and on the South by Villonco road.
- Area bounded on the North by Posadas Avenue; on the East by road b; on the West by South Superhighway and on the South by Sucat road.

In Brgy. Alabang

- Area occupied by Filinvest Corporate City.

In Brgy. Ayala Alabang

- Area bounded on the North by Alabang-Zapote, Don Manolo Boulevard, Pacific Village, and A. Roxas Chua Circle; road; on the East by Filinvest Corporate City; on the West by Las Pinas – Muntinlupa Boundary and on South by Commerce Avenue.

In Brgy. Poblacion

- Area bounded on the North by Balimbing River, on the East by National Road; on the West by South Superhighway and on the South by Magdaong River.

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In Brgy. Tunasan

- Area bounded on the North by Magdaong River; on the East by National road; on the West by South Superhighway and on the South by Metercor access road.

MIXED-USED URBAN CORRIDOR

In Brgy. Sucat, Buli and Cupang

- Area bounded on the North by Villonco Road; on the East by South Superhighway; on the South by Alabang River and on the West by the perimeter fence of the following subdivision: Intercity Homes. Southridge School, Capri Condominium, Alabang 400 and Rizal Village.

In Brgy. Sucat, Buli and Cupang

- Area bounded on the North by Sucat Road; on the East by PNR railroad tracts; on the West by South Superhighway and on the South by Alabang River.

In Brgy. Tunasan

- Area bounded on the North by Sto. Nino Village; on the East by Arandia St.; on the West by PNR railroad tracts and on the South by San Pedro River.

INSTITUTIONAL ZONE

In Brgy. Ayala Alabang

- Area occupied by Ayala Alabang Riding School, Blk. 2 Lot 7
- Area occupied by Daughters of Virgin Mary Immaculate, Lot 1
- Area occupied by SOS Childrens Village, Lot 2-A
- Area occupied by Dela Salle-Zobel, Blk. 5 Lot 10 & 11, Lot 5-A to 5-D
- Area occupied by Woodrose School, Blk. 10
- Area occupied by Learning Child School Blk. 3 Lot 25
- Area occupied by Montessori School, Lot 388-B-A-4
- Area occupied by Riding School, Blk. 2 Lot 7

- Area occupied by Int'l. Child Advancement, Blk 1 Lot 7

In Brgy. Cupang

- Area occupied by Southridge School
- Area occupied by St. Benedict College
- Area occupied by Elsie Gaches Village, DSWD Street Children Dormitory

In Brgy. Putatan

- Area occupied by the City Hall and other government office center
- Areas occupied by the following Public Schools:
 - Sucat Elementary School
 - Buli Elementary School
 - Cupang Elementary School
 - Alabang Elementary School
 - Bayanan Elementary School – Main I
 - Bayanan Elementary School – Main
 - Pedro E. Diaz I High School (Alabang)
 - Soldiers Hills Elementary School
 - Soldiers Hills Elementary School (Annex)
 - F. de Mesa Memorial School
 - Lake View Elementary School
 - Muntinlupa Elementary School
 - Muntinlupa National High School (NBP)
 - Itaas Elementary School
 - Tunasan Elementary School
 - Putatan Elementary School
 - Central Elementary School
 - Muntinlupa Science High School
 - Pedro E. Diaz High School Buli Annex
 - Muntinlupa Polytechnique College

□ Areas occupied by the following Churches

- Our Lady of Miraculous Medal Church, Sucat
- Saint Jerome and Saint Susana Church, Ayala Alabang
- Iglesia ni Kristo in Cupang, Alabang, Putatan, Tunasan
- San Roque Parish Church, Alabang
- Mary Mother of God Parish, Bayanan

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- San Nicolas Tolentino, Cupang
- Our Lady of the Abandoned Parish, Poblacion
- St. Peregrine Parish, Tunasan
- Ina ng Awa, Poblacion, Poblacion
- Our Lady of the Abandoned Parish, Poblacion
- St. Peregrine Parish, Tunasan
- L' Anunziata Church, Victoria Homes Subdivision

- Areas occupied by the following Health Centers/Hospitals
- Cupang Health Center
 - Bagong Lipunan Health Center
 - Tunasan Health Center
 - Buli Health Center
 - Ospital ng Muntinlupa

PARKS AND RECREATION

In Brgy. Alabang

- Liwasan ng mga Bayani, Alabang

In Brgy. Ayala Alabang

- Areas designated for Park and Recreational use in Madrigal Business Park
- Area bounded by Finance St. on the east; C-3 lots on the south and on the north; and by Trade Place on the west
 - Area bounded by Market st. on the north and east; Enterprise St. on the south; and C-3 lots on the west.

Areas designated for Park and Recreational use in Ayala Alabang Residential Village

- Area occupied by Tanauan park, Blk.1 Lot 17
- Area occupied by Ma. Cristina park, Blk. 5
- Area occupied by Polilio park, Blk. 12 EH1
- Area occupied by Palawan park, Lot 15 EH2
- Area occupied by San Jose park, BLK. 1 Lot 13
- Area occupied by San Juanico park, Blk.17 Lot 23

- Area occupied by Guava park, Blk. 1 Lot 151
- Area occupied by Makiling park, Lot 22 - A
- Area occupied by Mabolo park, Blk. 6 Lot 12
- Area designated for Alabang Country Club

In Brgy. Sucat

- The area located in Posadas Village in Sucat bounded by the Our Lady of Miraculous Medal on the North, Peridot St. on the South, Emerald St. on the East and Diamond St. on the West;
- Area bounded on the North by point A to B, on the East by railroad tract, on the West by road B and on the South by Sucat Avenue.

In Brgy. Cupang

- The area located in Pacific Village, Cupang, bounded by Habeneria St. on the North, Vanda St. on the South, Aeridis St. on the East and A. Roxas Chua Circle on the west;
- Area located in Alabang 400, Cupang, bounded by a horseshoe shaped inner road next to Belmont drive;
- Area located in Alabang Hills, Phase I bounded by Tagaytay St., Tagbilaran St., And Tangub St.;

In Brgy. Tunasan

- Area occupied by Joseph Marelo Park in Victoria Homes Subdivision , Tunasan.

- All parks and recreation identified areas in the subdivision plan duly approved by the HLURB and the Sangguniang Panlungsod

OPEN SPACE

In Brgy. Putatan

- Area within Camella Homes I, Putatan bounded by Camella Drive on the northwest, Jasmine on the East and Iris on the South;

In Brgy. Tunasan

- Area within Susana Heights occupied by the following:
 - Area bounded on the north by Murcia St., on the east by Santander, on the south by Segovia and on the west by Paseo de las Palmas.
 - Area bounded on the north by San Antonio St., on the east by Sta. Alicia, on the south by Sta. Barbara and on the West by the road extending from Everest Hills.
 - Area bounded on the northeast by San Isidro, on the east by Sta. Maria St., on the South by San Jose St. and on the West by Sta. Isabel.
 - Area around Susana Heights Interchange.

All open spaces identified in the subdivision plan duly approved by HLRB and Sanguniang Panlungsod

All legal easement of creeks and rivers

UTILITIES

In Brgy. Sucat

- Area occupied by NAPOCOR Power Plant in Sucat.

In Brgy. Putatan

- Area occupied by MERALCO Substation in Putatan

In Brgy. Ayala Alabang

- Blk. 8 Lot 14 – Water Reservoir
- Blk. 11 Lot 17 – Water Reservoir
- Blk. 17 Lot 24 – Sewerage Treatment Plant
- Blk. 6 Lot 4 Phase III – Madrigal Business Park
- Blk. 6 Lot 2 Phase III – Madrigal Business Park
- Lot 3-B – Madrigal Business Park
- Lot 1- Madrigal Business Park
- Lot 11 Phase IV – Madrigal Business Park

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CEMETERY

In Brgy. Putatan

- Area occupied by the City Cemetery by Lot 1278, Muntinlupa Estate near South Expressway
- Area bounded on the North by Lot 1278, on the East by Lot 1276, on the West by Lot 1277-B and on the South by Lot 1280.

In Brgy. Buli

- Area in Barangay Buli bounded on the North by Concepcion Industries, on the South by Espeleta Street, on the East by Buli Elementary School and on the West by Action Engineering Works.

In Brgy. Tunasan

- Area occupied by Everest Hills Memorial Park

TOURISM ZONE

In Brgy. Poblacion

- Jamboree Lake
- Memorial Hill
- Bureau of Corrections Administration Building
- Directors Quarter
- Japanese Cemetery

SPECIAL USE ZONE

In Brgy. Putatan

- Area occupied by the present abattoir near Laguna de Bay

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In Brgy. Poblacion

- Area in New Bilibid Prison near Everest Hill Memorial Park proposed as a Material Recovery Facility

In Brgy. Tunasan

- Present site of the cockpit arena along the National Road

SECTION 4. INTERPRETATION OF ZONE BOUNDARIES.

Where uncertainty exists with respect to the boundaries of any of the Zoning Maps, the following rules shall apply:

- (a) Where zone boundaries are so indicated, that they approximately follow the center of streets or highways, street lines or highway right-of-way lines, such center line, street line, street lines or highway lines shall be construed to be the boundaries;
- (b) Where zone boundaries are so indicated that they so approximately follow the lot lines shall be construed to be the boundaries;
- (c) Where zone boundaries are so indicated that they approximately parallel to the center lines or street lines of street, or the center or the right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of scale of the Zoning Map;
- (d) Where the boundaries of a zone follows a railroad line, such boundaries shall be deemed to be located in the middle of the main tracts of said railroad line;
- (e) Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line shall be deemed to be at the limit of the political jurisdiction of the community if it be located threat, otherwise the boundary shall be located at the bank or shore of the stream, lake or river. Boundaries indicated as parallel to, or extension of features not specifically indicated in the Zoning Map shall be determined by the scale of the Zoning Map;
- (f) Where boundary shall be indicated in the Zoning Map, using the scale appearing on such map;

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- (g) Where a lot of one ownership, as of record at the effective date of this Ordinance, is divided by the zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal use falls;
- (h) 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 such particular city block, Where, however, any lot has a depth greater than the said average, the remaining portion of said lot shall be construed by the one – lot-deep zoning district if the remaining portion has an area less than fifty percent (50%) of the total 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.

SECTION 5. INTERPRETATION OF MIXED USES IN ANY SINGLE LOT AND / OR STRUCTURE WITHIN THE A ZONE.

In case it appears that in any given lot or structure within a zone there is a variety or plurality of uses to which it is devoted, the following rules of interpretation shall apply:

- (a) The lot and/or building shall be classified as a conforming use that complies with the regulations of the zone in which it is located, provided that the main or principal use of the land and/or building is consistent with the allowable uses for such zone;
- (b) The use of lot and/or building shall be classified as being that to which it is principally devoted, for which purpose, the principal use shall be determined in accordance with the following guidelines:
 - (1) The use which causes the most significant social, economic, and/or environmental impact, in terms of revenue-raising capacity, population, density, resource potential, or physical effect on the adjacent and surrounding areas, shall be considered as the principal use of the structure,

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regardless of the area of the land or building that is occupied by such uses;

- (2) In the absence of or in the event of any difficulty in interpreting the principal use as above provided, then the principal use shall be considered as that to which the greater portion or area of such land or building is devoted;
- (3) In case that mixed uses consist of two uses of similar nature but classified under different zones due to density differences, the higher density use shall be considered as the use of the property; in the event any use belongs to a higher category zone with more strict regulations, the lot/building shall be construed as being devoted to such use.

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.

ARTICLE VI

ZONE REGULATIONS

SECTION 1. GENERAL PROVISION. With regard to the uses enumerated in the succeeding sections are not exhaustive nor all-inclusive. The local Zoning Board of Adjustment and Appeals (LZBAA) shall, subject to the requirements of this Section, allow other uses not enumerated hereunder provided that they are compatible with the uses expressly allowed. The local government has the option to adopt, add, or exclude any of these allowable land uses depending on the development plans and objectives of the city.

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

Specific uses/activities of lesser density within a particular zone (R-2) may be allowed within the zone of higher density (R-3) but not vice versa, nor in another zone and its subdivision (e.g., General Commercial, C-1, C-2), except for uses expressly

allowed in said zones, such that the cumulative effect of zoning shall be intra-zonal and not inter-zonal.

SECTION 2. USE REGULATIONS IN THE LOW-DENSITY RESIDENTIAL ZONE (R-1).

An R-1 zone or district shall be used principally for housing/dwelling purposes so as to maintain the peace and quiet condition or situation of the area within the zone with a density of 20 dwelling units and below per hectare. No building, structure or land used and no building structure shall be erected or altered in whole or in part except for one or more of the allowed uses in the said zone.

The following are the allowable construction /uses:

- (a) Detached family dwelling
- (b) Customary accessory uses like:
 - c.1) Servants quarter
 - c.2) Private garage
 - c.3) Guardhouse
- (d) Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - d.1) Swimming pool
 - d.2) Pelota court
 - d.3) Others
- (e) Churches or similar places of worship and dwelling for the religious and seminaries
- (f) Multi-purpose/Barangay hall
- (g) Pre-school
- (h) Sports club
- (i) Plant nursery
- (j) Home occupation for the practice of one's profession provided that:
 - j.1) There shall be no change in the outside appearance of the building;
 - j.2) No traffic shall be generated by such home occupation;

Vito L. Manbey

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- j.3) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference in any radio or television receivers or causes fluctuation in line voltage off the premises

SECTION 3. USE REGULATIONS IN THE MEDIUM- DENSITY RESIDENTIAL ZONE (R-2).

An R-2 zone or district is a medium-density residential zone , characterized by 21 to 65 dwelling units per hectare or by medium- density housing with the usual community ancillary uses and support facilities designed for the needs of a barangay scale.

The following are the allowable construction/uses:

- (a) One-family detached dwelling
- (b) One-family semi-detached dwelling, e.g. , duplex, row house
- (c) Two-family detached dwelling
- (d) Two-family detached dwelling, e.g., duplex, row house
- (e) Customary accessory use like:
 - (1) Servants quarters
 - (2) Private garage
 - (3) Guardhouse
- (f) Home occupation for the practice of one's profession or for engaging in in-house businesses or industries such as dressmaking, tailoring, baking, running a sari-sari store, barbers and beauty shops, tailoring and dress shops, neighborhood convenience store, retail drugstores and the like, provided that:
 - (1) Only members of the family residing within the premises shall be engaged in such home occupations;
 - (2) The number of persons engage in such business/industry shall not exceed five (5), inclusive of the owner;

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(3) The use of the dwelling unit for home occupation shall be clearly incidental and subordinate to its use for residential purpose by its occupants and for the conduct of the home occupation, not more than twenty-five (25%) of the floor area of the dwelling unit shall be used;

(4) As much as possible, there shall be no change in the outside appearance of the building or premises;

(5) No home occupation shall be conducted in any accessory uses cited above;

(6) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct such home occupation shall be met off the street and in place other than in a required front yard;

(7) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses outside the lot, if the occupation is conducted in a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers or causes fluctuation in line voltage of the premises;

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(g) Home industry classified as cottage industry provided that:

(1) Such home industry shall not occupy more than 30 percent (30%) of the floor area of the dwelling unit. There shall be no

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- (2) change or alteration in the outside appearance of the dwelling unit and shall no be a hazard/nuisance;
- (2) Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
- (3) Such home industry shall consider some provisions as enumerated in number 5, 6 and 7 of letter f, Home Occupation, this section.

(h) Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:

- (1) Swimming pool
- (2) Pelota court
- (3) Others

- (l) Religious use
- (j) Multi-Purpose/ Barangay hall
- (k) Pre-school
- (l) Sport club
- (m) Clinic, nursing and convalescing home health center
- (n) Plant Nursery
- (o) Residential condominiums of medium-rise type
- (p) Apartment Houses
- (q) Multi-family dwellings
- (r) Boarding Houses
- (s) Nursery, kindergarten, and elementary schools, provided that these will not exceed 12 classrooms
- (t) Clinics, Family Planning Clinics, and Industrial Clinics
- (u) Local Civic Centers, local auditoriums, halls, and exhibition areas
- (v) Parks and Playground

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SECTION 3. USE REGULATIONS IN THE HIGH-DENSITY RESIDENTIAL ZONE (R-3).

An R-3 district is a high - density residential zone characterized by 66 or more dwelling units per hectare or by mixed housing types and high-density and high rise dwellings of five (5) storeys with more than the usual community ancillary uses serving also the outlying areas, increasingly commercial scale.

The following are the compatible uses allowed therein :

- (a) All uses allowed in R-2 zone
- (b) Multi-family dwellings
- (c) Residential condominium of five to eight storeys
- (d) Hotels
- (e) Pension houses
- (f) Hometels
- (g) Hotel apartments or apartels
- (h) Apartments
- (i) Boarding houses
- (j) Dormitories
- (k) High schools and Vocational Schools
- (l) Branch libraries, and museums
- (m) Clinics, hospitals, nursing or convalescing homes with not more than 50- bed capacity
- (n) Drugstores
- (o) Home occupations as provided in R-2 district except that more than five outside or hired helpers, assistants, or employees may be employed
- (p) Club houses and Lodges
- (q) Parks and playgrounds
- (r) Parking lots
- (s) Parking buildings'

SECTION 4. USE REGULATION IN SOCIALIZED HOUSING ZONE (SHZ).

An SHZ shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless as defined in RA 7279. Allowable uses:

Victor L. Mandaya

- (a) All uses allowed in General Residential Zone, R-1, R-2 and R-3 Zones

SECTION 5. USE REGULATION IN MINOR COMMERCIAL ZONE (C-1). In C-1 districts, only the following uses are permitted, provided that the scale of operations must be for a neighborhood size population of approximately 100 families and the establishment is part of an overall plan for the community.

- (a) All uses permitted in R-1, R-2 and R-3 districts
- (b) Pawnshops, photo and portraits studios, shoeshine/repair stands, retail drugstores, tailoring and dress shops, bakeshops and bakery good stores
- (c) Personal service shops such as watch repair shops, laundries and laundromats, repair of household appliances and other small service establishments
- (d) Carinderias, food stores, take home kiosks, ice cream parlors, soda fountains, fruit stands, meat, fish and poultry stores, dairy products, candles and other related good stores
- (e) Radio, television and other electrical appliance repair shops
- (f) Furniture repair and upholstering job, printing and other small service establishments
- (g) Tire and vulcanizing shops

SECTION 6. USE REGULATION IN MAJOR COMMERCIAL ZONE (C-2). In C-2 districts, only the following uses are permitted, provided that the scale of operations must be for a barangay size population of approximately 500 families and must form part of the over-all plan of the community

The following are the compatible uses allowed therein :

- (a) All uses permitted in R-1, R-2, R-3 and C-1 districts
- (b) Hardware and auto supply shops, auto sales, auto repair, car rentals, automotive handicraft, marine craft

Victor L. Wong

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- and aircraft, retail shops, accessory and spare shops and equipment and rental sales
- (c) Welding shops, blacksmith on neighborhood scale
- (d) Amusement centers, theaters, off fronton stations, off track stations, commercial stables, dance halls, dance and voice studio
- (e) Restaurants, canteens, delicatessen, confectionery shops and automats, soda fountain, night clubs and discotheques
- (f) Hometels, inns and pension houses, reducing saloon, health studios and tourist cabins and tourist homes
- (g) General retail establishment such as curio or antique shops, pet shops and aquarium stores, bookstore, art supplies and novelties, jewelry shops, liquor wine stores and flower shops
- (h) Sign and billboard shops, engraving and photo development shops, printing, and publishing shops
- (i) Watch sales and services, locksmith and other related services
- (j) Building material stores such as electrical and electronic stores, plumbing supply stores, ceramic, clay cement and other similar products
- (k) Sporting goods, supplies, dry goods stores, haberdasheries, ready made and knitted wear stores, apparel, repair and other related pair services and footwear shops
- (l) Gasoline services, filling stations and commercial garage, multi-storey structures
- (m) Local wet and dry markets, including open markets (talipapa), supermarkets and groceries
- (n) Machinery and machine shops, steel shops, machinery equipment and related whole sale trade provided that

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the floor area shall not exceed 100 sq. m..

- (o) Glassware and metal ware shops, house hold equipment and appliance shops, employment services, branch offices, office equipment and repair shops
- (p) Banks, savings/loan (related functions), money shops, and other related financial institutions
- (q) Other stores and shops for conducting retail business and shopping establishments
- (r) Funeral parlors, mortuaries and crematory services and memorial chapels
- (s) Messenger services, telephone and telegraphic exchanges
- (t) Electroplating shops
- (u) Parking lots
- (v) Blue printing shops
- (w) Radio and television broadcasting stations

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SECTION 7. USE REGULATION IN METROPOLITAN COMMERCIAL ZONE (C-3). In C-3 districts, the following uses which are metropolitan in scale are permitted

The following are the compatible uses allowed therein:

- (a) All permitted uses in R-1, R-2, R-3. C-1 and C-2 districts
- (b) Supermarkets, superstores, shopping and commercial centers
- (c) Commercial recreations such as bars and nightclubs, boxing, wrestling, studio cinema
- (d) Machinery equipment supply and related wholesale trade
- (e) Radio phonographs and record shops
- (f) Musical instruments stores
- (g) Printing, bookbinding shops, publishing shops and other related activities

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- (h) Lumber yards
- (i) Institutional uses as University complex
- (j) Commercial parking lots and garages
- (k) Other commercial/business activities not elsewhere classified

SECTION 8. USE REGULATIONS IN MIXED USED URBAN CORRIDOR. The Urban corridor is intended for commercial activity and Light Industry (I-1) zone shall be for non-pollutive/non-hazardous manufacturing/processing establishments. The existing non-conforming industrial establishment shall program the phase-out and relocation within ten (10) years from the effectivity of the ordinance. Enumerated below are the allowable uses:

- (a) Commercial activities that do not demand more of the basic services
- (b) Non-Pollutive/Non-Hazardous Industries
 - 1) Drying fish
 - 2) Biscuit factory – manufacture of biscuits, cookies, crackers and other similar dried bakery products
 - 3) Doughnut and hopia factory
 - 4) Manufacture of macaroni, spaghetti and vermicelli and other noodles
 - 5) Other bakery products not elsewhere classified (n.e.c.)
 - 6) Life belts factory
 - 7) Manufacture of luggage, handbags, wallets and small leather goods
 - 8) Manufacture of miscellaneous products of leather of leather goods
 - 9) Manufacture of shoes except rubber, plastic, and wood
 - 10) Manufacture of slippers and sandals except rubber and plastic
 - 11) Manufacture of footwear parts except rubber and plastic
 - 12) Printing, publishing and allied industries and those n.e.c.
 - 13) Manufacture or assembly of electronic data processing machinery and accessory

- 14) Manufacture or assembly of electronic data processing machinery and accessory
- 15) Renovation and repair of office machinery
- 16) Manufacture or assembly of miscellaneous office machines and those n.e.c.
- 17) Manufacture of row boats, bancas, sailboats
- 18) Manufacture of animal drawn vehicles
- 19) Manufacture of children vehicles and baby carriages
- 20) Manufacture of laboratory and scientific instruments, barometers, chemical balance
- 21) Manufacture of measuring and controlling equipment plumb bomb, rain gauge, taxi meter, thermometer, e.t.c.
- 22) Manufacture or assembly of surgical, medical, dental equipment and medical furniture
- 23) Quick freezing and cold packaging for fish and other sea-foods
- 24) Quick freezing and cold packaging for fruits and vegetables
- 25) Popcorn rice factory
- 26) Manufacture of medical/surgical supplies; adhesive tapes, anti-septic dressing, sanitary napkins, surgical gauges, etc.
- 27) Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle support, artificial limb, kneecap support, etc.)
- 28) Manufacture of photographic equipment and accessories
- 29) Manufacture or assembly of optical instruments
- 30) Manufacture of eyeglasses and spectacles
- 31) Manufacture of optical lenses
- 32) Manufacture of watches and clocks

- 33) Manufacture of pianos
- 34) Manufacture of string instruments
- 35) Manufacture of wind and percussion instruments
- 36) Manufacture or assembly of electronic organs
- 37) Manufacture of sporting gloves and mitts
- 38) Manufacture of sporting balls (not of rubber or plastic)
- 39) Manufacture of gym and playground equipment
- 40) Manufacture of sporting tables (billiards, pingpong, pool)
- 41) Manufacture of other sporting and athletic goods n.e.c.
- 42) Manufacture of toys and dolls except rubber and mold plastic
- 43) Manufacture of pens, pencils, and other office and artist materials
- 44) Manufacture of buttons except plastic
- 45) Manufacture of umbrellas and canes
- 46) Manufacture of brooms, brushes and fans
- 47) Manufacture needles, pens, fasteners and zippers
- 48) Manufacture of insignia, badges and similar emblems (except metal)
- 49) Manufacture of signs and advertising displays (except printed)
- 50) Small-scale manufacture of ice cream

SECTION 9. USE REGULATION IN INSTITUTIONAL ZONE (IZ).

An IZ district is an institutional zone characterized by government as well as institutional and social services for the entire community and characterized further by specialized government agencies providing institutional and social services for the region or the country as a whole.

In the IZ zone, only the following uses shall be allowed:

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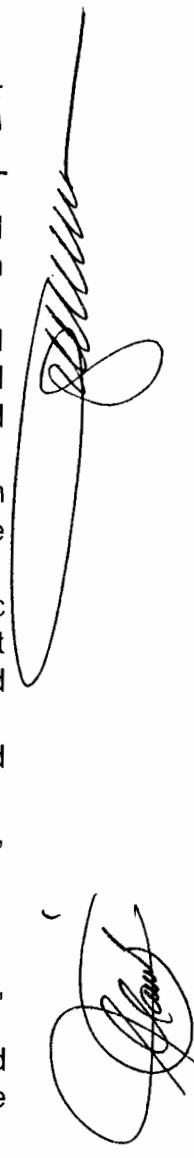
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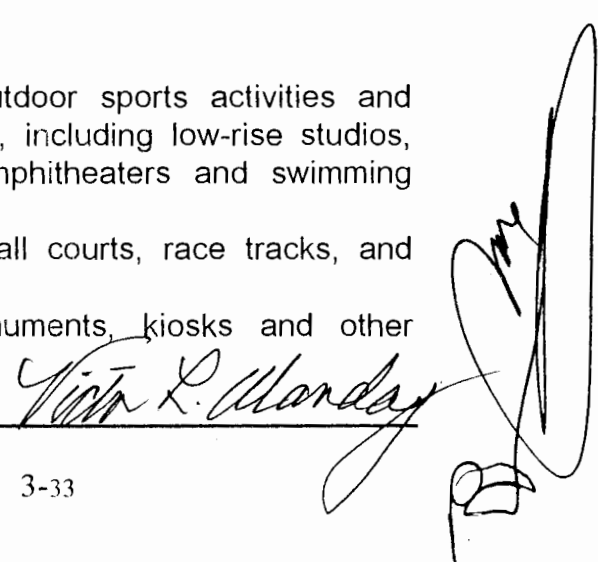
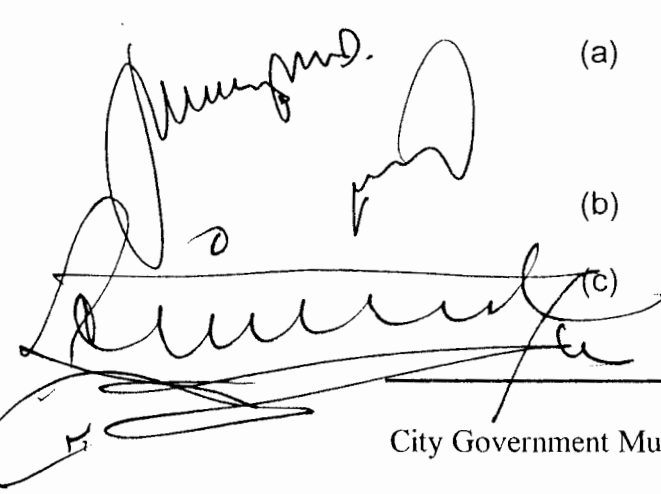
- (a) Government center-covering all national, regional, or local offices in the area
- (b) College, Universities, Professional Business Schools, Vocational and Trade Schools, Technical Schools and other institutions of higher learning
- (c) General hospitals, medical/health centers, multi purpose clinics, day care centers
- (d) Scientific, cultural, and academic centers and research facilities except nuclear, radio active, chemical and biological warfare facilities
- (e) Convention centers and related facilities
- (f) Religious structures, e.g., church, seminary, convents
- (g) Museums
- (h) Embassies/ Consulates
- (i) Student housing, e.g., dormitories, boarding houses
- (j) Welfare homes, orphanage, boys and girls town, home for the aged and the like



SECTION 10. USE REGULATIONS IN PARKS AND RECREATION ZONE (PRZ). The parks and recreation zone is characterized by park facilities, amusement center, resort establishments including marine, coastal and riverine resorts, playgrounds, scenic areas, and environmental conservation and protection areas.

Only the following uses shall be allowed in the parks and recreation zone:

- (a) Open air or outdoor sports activities and support facilities, including low-rise studios, gymnasiums, amphitheaters and swimming pools
- (b) Golf courses, ball courts, race tracks, and similar uses
- (c) Memorials, monuments, kiosks and other park structures



- (d) Pocket park, gardens, parklets, promenades, plazas, playing fields and playgrounds
- (e) Resorts areas, e.g., beaches, including accessory uses
- (f) Sports club
- (g) Underground parking structures/ facilities

SECTION 11.
ZONE (SUZ)

subject to such
prescribed:

USE REGULATIONS IN SPECIAL USE

In SUZ zone each of the following uses are
terms and conditions as are hereunder

- (a) Cockpits
 - 1) They shall be located in parks and recreation zones, and shall be at least two hundred meters (200 m.) distant from the nearest residence or institutional use
 - 2) Adequate parking space and loading, unloading areas capable of accommodating the maximum expected number of aficionados spectators during major derbies shall be provided
 - 3) The applicants shall have the duty of maintaining the premises in sanitary condition
 - 4) Other pertinent laws, rules and regulations of the national and local government shall be compelled with

(b) Abattoir / Slaughterhouses

- 1) Abattoir shall be located within reasonable distance from residential and commercial area and should not be located within the same premises as public markets
- 2) A written authority to operate shall be secured from the local health and sanitation office by the applicant at least 90 days before the intended date of operation, and a notice shall be

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posted in the city hall to determine public opposition, if any, to the proposed abattoir

- 3) Proper waste disposal, odor control and other abatement procedures must be adopted and should conform to the effluent standards and regulations of PD 984, otherwise known as the National Pollution Control Commission
- 4) The proponent shall obtain sworn statements of owners of land immediately adjacent to the proposed site signifying their conformity or non-conformity to the proposed activity as one of the prerequisites for the granting of a special use permit

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(c) Cell Site / Cellular Towers

- 1) No cellular towers/cell site towers shall be erected on the ground or on top of any building within a distance of not less than five (5.0) meters from the base of the cellular tower or building up to nearest boundary of any residential, institutional, commercial, parks and recreation zones and the like.
- 2) Every cellular tower and or cell site antennae, except when constructed on the top of a building shall be enclosed by a concrete fence with a height not lower than seven feet, however, on a low density residential area with a distance of not less than a kilometer from the base of a cellular tower and or/ a cell site antennae, the perimeter fence may be of cyclone wire on top of a three (3) hollow block footing.

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(d) Dumping Sites

- 1) Adequate fencing shall be put up to prevent undue scattering of wastes.
- 2) Eradication of rats and spraying of flies and the general maintenance of the dumping site shall be the sole responsibility of the proponent.
- 3) The dumping site shall be located within at least one (1) kilometer from the nearest residence.
- 4) Other sanitary requirements of the City and the Department of Health shall be complied with.

SECTION 12. USE REGULATION IN TOURISM ZONE (TZ).

No tourism project or tourism -related activities shall be allowed in the tourism zone unless developed or undertaken in accordance with the Department of Tourism (DOT) guidelines and standards and granted approval by the Tourism Estate Department of DOT and the Cultural and; Tourism Office of the City

ARTICLE VII

GENERAL DISTRICT REGULATIONS

SECTION 1. DEVELOPMENT DENSITY. Permitted density shall be based on the zone's capacity to support development.

(a) Residential Zones

- 1) Low density residential zone (R-1), allowed density is twenty (20) dwelling units per hectare
- 2) Medium density residential zone (R-2), allowed density is twenty one-sixty five (21to65) dwelling units per hectare
- 3) High density residential zone (R-3), allowed density is sixty-six (66) or more dwelling units per hectare

(b) All other zones

There is no fixed maximum density but should be based on the planned absolute level of density that is intended for each concerned zone based on the comprehensive land use plan.

SECTION 2. HEIGHT REGULATIONS. Building height must conform to the height restrictions and requirements of the air transportation office (ATO), as well as the requirements of the National Building Code, the Structural Code as well as all laws, ordinances, design standards, rules and regulations related to land development and building construction and the various safety codes.

(a) Residential

- 1) Low density residential zones (R-1)– Structure within R-1 zones shall not exceed two (2) storeys or a height of nine (9) meters, from the finish ground line to the apex whichever is lesser
- 3) Medium density residential zones (R-2) – In R-2 zone, no building or structure for human occupancy whether public or private shall be higher than twelve (12) meters above highest natural grade line in the property or front sidewalk (main entry) level
- 4) High density residential zones (R-3) – In R-3 zone, high rise dwelling units of five to eight storeys (5-8) are allowed provided it conforms with the zone 's prescribed floor area ratio (FAR). The FAR of an R-3 zone shall be based on the density of development intended for the zone

(b) Others

- 1) Where an R-1 district adjoins a C-2 district without intervening street or permanent open spaces over 6 meters

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in width, and where zoning lots separated by district boundaries have adjacent front yards, the proposed structure fronting an R-1 district shall be limited to a height of 12 meters or four storey building whichever lesser.

- 2) Where an R-1, or R-2 district adjoins a C-2 or C-3 without intervening street or permanent open spaces over 3 meters in width the proposed structure of C-2 or C-3 district adjacent to R-1 zone shall be limited to a height of 9 meters.
- 3) Where an R-1, or R-2 or R-3 district adjoins an I-1 or I-2 zone without an intervening street or permanent open spaces over 8 meters in width, the proposed industrial structure fronting the residential zone shall be limited to a height of nine (9 m) meters or three storeys building whichever is lower.
- 4) In areas where no fixed building height, must comply with building heights set by the Air Transportation Office (ATO) and other government regulations. Within these zones, building heights shall be based on the prescribed floor area ratio (FAR)

(c) Floor Area Ratio

The following are the respective permitted maximum floor area ratio on the following areas:

Ayala Alabang (Madrigal Business Park)

Max. FAR = 4.0

Lots 5 to 7, Blk. 3

Lots 1 & 2, Blk. 4

Lots 4 to 6, Blk. 1

Max. FAR = 0.0

Lots 7 to 11, Blk. 2

Lots 1 to 4, Blk. 3

Lots 1 to 8, Blk. 5

Lot 1, Blk. 6

Lot 3 to 7, Blk. 1

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- Lots 1 to 3
- Lots 1 to 8, Blk. 2
- Lots 2 to 4
- Lots 3, 4 & 6, Blk. 2
- Lots 1 to 7, Blk 3
- Lots 1 to 6, Blk. 4
- Lot 3-B.

Max. FAR = 3.0

- Lot 2 Blk. 1
- Lots 2 to 5, Blk.2
- Lot 1-A, Psd-13-018754
- Lot 1-A, Psd-13-018755
- Lot 6-A, Psd-13-018756
- Lot 1 Pcs-00-006455
- Lots 1&2, Block2, Psd-007603-032466-D
- Lots 1&2, Block5, Psd-007603-032466-D
- Lot1 Pcs-25144
- Lots 1 to 8, Block 7, Psd-00-035364
- Lots 2-A, 2-B, and 2-C, Psd-00-044539

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SECTION 13. EXEMPTIONS FROM HEIGHT REGULATION IN R-1, R-2 AND R-3. Exempted from the imposition of height regulation in residential zones are the following: church steeples, water tanks and other similar utilities and such other structures not covered by the height regulations of the National Building Code and or The Air Transportation Office.

SECTION 4. AREA REGULATIONS. Area regulation in all zones shall conform with the minimum requirement of the existing codes such as:

- (a) P.D. 957 – the “Subdivision and Condominium Buyers Protective Law” and its revised implementing rules and regulations
- (b) 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.

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- (c) P.D. 1096 – National Building Code
- (d) Fire Code
- (e) Sanitation Code
- (f) Plumbing Code
- (g) Structural Code
- (h) Other relevant guidelines promulgated by the national agencies concerned

SECTION 5. ROAD SETBACK REGULATIONS. The following road setback regulation shall be applied.

ROAD SETBACK

STREET	ROAD CLASSIFICATION	ACTUAL SIZE (METER) BASED ON SURVEY	PROPOSED SETBACK (METER)
SUBAT			
1. P.T.A. Road	National	7.06	2.5
2. Meralco Road	National	9.07	4
3. West Service Road	National	7.00	4
4. East Service Road	National	7.10	4
BULI			
1. P.T.A. Road	National	6.20	2.5
2. West Service Road	National	7.00	4
3. East Service Road	National	6.40	4
4. Concepcion Road	National	6.40	3
CIPANG			
1. P.T.A. Road	National/City	6.20	2.5
2. West Service Road	National/City	7.00	4
3. East Service Road	National/City	6.40	4
ALAYAN			
1. A. Bure St.	National/City	6.00	2.5
2. Iliya St.	National/City	5.90	2.5
3. Montillano St.	City	15.20	2.5
4. Molina St., Purok 6	City	6.80	2.5
5. Molina St., Purok 5	City	3.30	2.5
6. Mendiccia St.	City	6.70	2.5
7. East Service Road	National	7.90	4
8. West Service Road	National	8.30	4
BAYANAN			
1. San Guillermo St	City	5.70	2.5
2. Bautista St	National	6.00	3
3. National Road	National	12.00	5
PUTATAN			
1. San Guillermo St	National/City	5.70	2.5
2. National Road	National	12.00	5
3. Soldiers Hills	City	11.20	3
4. Brugger St.	City	8.00	2.5
5. Estanislao St.	Private		2.5
POBLACION			
1. Rizal St.	City	6.70	3
2. Amparo St.	City	6.60	3
3. San Guillermo St.	National/City	6.60	2.5
4. Prinza St.	City	4.80	2.5

1. Sto. Nino St.	City	4.20	2.5
2. Maramba St.	City	6.00	2.5
3. Luma St.	City	6.00	2.5
4. Argana St.	City	6.00	2.5
5. Aranda St.	National	5.50	2.5
6. Blanca St.	City	5.00	3
7. Pineda St.	National	-	3
8. Santa Heights Rd.	National	15.50	6
SUBDIVISION			
1. First Class and non socialized housing	Private		5
2. 2nd Class economic socialized housing			3
3. Socialized Housing			1.5

SECTION 6. EASEMENT. Pursuant to the provisions of the Water Code:

- (a) The banks of river and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas; and forty meters in forest areas. Along their margins are subject to easement of public use in the interest of recreation navigation, floatage or salvage. No person shall be allowed to stay in this zone longer than what is necessary for space or recreation, navigation, floatage or salvage or to build structures of any kind
- (b) Mandatory five-meter easement on both sides of the Marikina fault traces and such other fault traces or land subsidence on the ground identified by PHILVOCS

SECTION 7. BUFFER REGULATIONS. Building setbacks shall be considered as buffer yards. Aside from providing light and ventilation, buffers can mitigate adverse impacts and nuisances between two adjacent developments. Whenever necessary, buffers shall be required to be extended and/or provided with planting materials in order to ameliorate said negative conditions such as, but not limited to, noise, odor, unsightly buildings or danger from fires and explosion. A buffer may also contain a barrier, such as berm or fence, where such additional screening is necessary to achieve the desired level of buffering between various activities.

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- (a) Buffers Between A Joining Properties. Between two different developments, e.g. Low Density Residential and Light Industry, the more intense land use shall provide a 6 meters buffer.
- (b) Land Uses in Buffer Areas. Buffers are part of yards and open spaces and in no case shall be encroached upon by buildings. It may, however, be used for planting strips.

SECTION 8. TRAFFIC GENERATORS. All traffic generating buildings and structures allowed in any of the districts must provide for adequate spaces for their employed clients and visitors, subject to the following conditions:

Low income single detached housing units w/ individual lots not more than 100 sq. m.	1 parking space
Multi-family dwelling units regardless of number of stories with an average living unit or floor area of: a. Up to 50 sq. m. b. Above 50sq. m. to 100sq. .m. c. More than 100 sq. m.	1 parking space/ apartment unit
Hotels	1 parking space/2 rooms up to 40 rooms & 1 parking for 4 rooms
Residential hotels & apartels	
Motels	1 parking space/2 rooms up to 40 rooms & 1 parking for 4 rooms
Neighborhood shopping center	4 parking spaces/100 sq. m. of rentable floor area
Markets	
Restaurant, fast food centers, bars & beerhouse	1 parking space/for every 10 customer
Nightclubs, super clubs and theater – restaurants	1 parking/25 sq. m. of floor area
Office buildings	1 parking space/50 sq. m. of rentable floor area
Pension/ boarding / lodging houses	1 parking space/4 rooms
Other buildings in business / commercial zones	1 parking area/60 sq. m.

Victor L. Mandaya

	rentable floor area
Public assembly bldg. such as theaters, cinemas, auditoria, stadia, etc.	1 parking space/10 fixed seats
Places of worship and funeral parlors	1 parking space/15 fixed seats
Schools	
a. Elem., Secondary, vocational & trade schools	1 parking space/20 students
b. Colleges & universities	1 parking space/10 students
Hospitals	
Recreational facilities	
a. Bowling alleys	
b. Amusement center	
c. Clubhouses, beach houses & the like	
Factories manufacturing establishments, mercantile buildings warehouses & storage bins	1 parking space per/100 sq. m. of gross floor area of office plus 1 truck space per 300 sq. m. of gross floor area storage
Tourist bus parking area	
Food banks, other related financial institutions, and service shops	1 parking space/25 sq. m. of gross floor area

SECTION 9. LAND USES ALONG NPC TRANSMISSION LINES.
Land along National Power Corporation's transmission right-of-way may be utilized for agricultural purposes such as planting of crops or plants, the height of which shall not exceed three (3) meters high.

Roads or open space within the right-of-way of the transmission line may be constructed with prior clearance from the National Power Corporation. The NPC clearance is secured to determine the proper ground-to-conduct safety clearance.

For public safety, construction of houses and buildings of whatever nature is strictly prohibited within the right-of-way of the transmission line

The transmission line of right-of way varies in accordance with line voltage and with equal distance measured from the centerline as follows:

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Transmission Line Voltage	Total Width of Right of Way in Meters
115 KV	24/30 Meters (12/15 meters from the centerline on both sides)
230 KV	(15/20 meters from centerline on both sides)
500 KV	65 Meters (32.5 meters from the center line on both sides)

SECTION 10. APPLICATION AND APPROVAL OF PROJECTS. No projects shall be approved unless the applicable requirements per project are complied within.

- Duly Accomplished & Notarized Application Form
- One Set of Plan (Architectural Plan Only – Duly Signed by a Licensed Architect or Engineer and with the approval of the Homeowners Association if the subdivision has its own restriction and in some cases by the Barangay). In the case of subdivision development plans, it shall be signed by licensed professionals in accordance with the rules and regulations of BP 220 and PD 957 and related laws.
- One copy of Lot Plan with Vicinity Map
- Transfer Certificate of Title (TCT)
- Barangay Clearance/Barangay Resolution
- Homeowners Association Clearance
- Deed of Sale
- Contract of Lease
- MOA/SPA/Affidavit/Authorization
- Height Clearance from ATO
- DOH Clearance
- LLDA Clearance
- ECC from DENR
- Consent of Immediate Neighbors
- Certification from MCDCC/PHIVOLCS

SECTION 11. COLLECTION OF PROCESSING FEE. There shall be a collection of processing fee for locational clearance in Muntinlupa to be administered by the Office of the Local Zoning Administrator, the schedule of fees shall follow the

table below which can be increased every time the city's revenue code is updated:

TYPE OF APPLICATION	FILING FEE
Locational Clearance	P 100.00
Motion for Consideration	P 200.00
Petition / Request for reclassification	P 1,250.00
Complaints, except those involving paper	P 100.00
Litigant which shall be free of charge	
LAND USE FEE	
Residential (Single Detach and Duplex Type)	P 1.50/sq.m.
Commercial Establishments (Mass Housing, Townhouses constructed primarily for gain purposes)	P 3.00/sq.m.
Industrial Establishment	P 4.10/sq.m.
Institutional (School, Hospitals, Etc.)	P 2.00/sq.m.
Memorial Parks / Cemeteries	P 0.50/sq.m.
Agr. Industrial	
Manufacturing	P 4.10/sq.m.
Non-manufacturing	P 2.00/sq.m.
Telecommunications / Towers	P 4.10/sq.m.
Billboards	P 0.50sq.m.
Yards utilized for industrial purposes	P 2.00 / sq. m.
Yards utilized for commercial purposes	P 1.20 / sq. m.
All types of renovation	75% of the corresponding prescribe rate
PROCESSING FEE	25% OF THE CORRESPONDING PRESCRIBED Land Use Fee shall be paid for processing of all clearance
CERTIFICATE FEE	P 50.00
TEMPORARY USE PERMIT	Same rate of processing fee shall be applied for every annual renewal
VIOLATIONS AND ADMINISTRATIVE PENALTIES	

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<p>Unauthorized expansion or alteration of any activity formerly covered by a certificate of non-conformance</p>	<p>A fine equivalent to 100% of the prescribed processing fee but in no case be less than P 2,000.00 nor more than P 5,000.00</p>
<p>❖ For commencing or undertaking any project without having first secured a locational clearance</p> <ul style="list-style-type: none"> • Excavation for foundation P 2,000.00 • Construction of foundation (Including pile driving and laying of reinforcing bars) P 3,000.00 • Construction of structure up to 2 meters above established grade P 5,000.00 • Construction of structure more than 2 meters P 10,000.00 • For home/cottage industry or incidental home occupation and auxiliary uses P 500.00 • All types of residential structures P 1,000.00 • All types of commercial and industrial structures 100 sq. mts. and below P 2,000.00 • All types of commercial and industrial structures more than 100 sq mts. P 10,000.00 	<p></p>
<p>❖ For committing fraud or misrepresentation</p> <p>Fraud as to misrepresentation as to use P 5,000.00</p> <p>Fraud or misrepresentation as to floor area P 5,000.00</p> <p>Fraud or misrepresentation as to location P 2,000.00</p> <p>Non-disclosure or any material fact Not exceeding P 2,000.00 – P5, 000.00</p> <p>For refusing admission within any premises subject to inspection by a duly authorized inspector</p>	<p></p>

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First Refusal	
Subsequent refusal	A fine of not more than P2, 000.00
For failing or refusing without justifiable reason, to appear during a proceeding before the City Zoning Administrator or his duly authorized officers	
For failing to renew the Temporary Use Permit (TUP) on the date specified and stamped on the TUP	A fine of equivalent to 50% of the prescribed fee but in no case lower than P 500.00

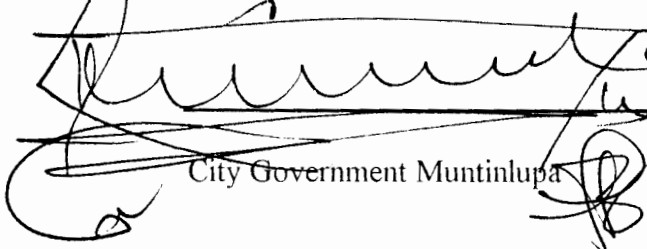
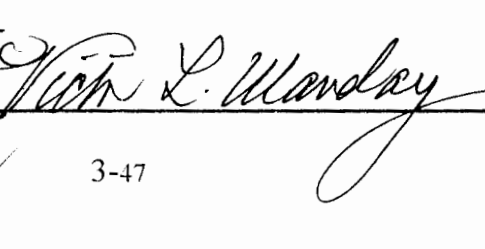
ARTICLE VIII

MISCELLANEOUS PROVISIONS

SECTION 1. PROJECTS OF NATIONAL SIGNIFICANCE. Projects may be declared by the NEDA Board as projects of national significance pursuant to the Section 3 of E.O. 72. When a project is declared by a NEDA Board as project of national significance the Locational Clearance shall be issued by HLRB pursuant to E.O. 72.

SECTION 2. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC). Notwithstanding the issuance of Locational Clearance under section 1, article XI, no environmentally critical projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements of ECC have been complied.

SECTION 3. SUBDIVISION PROJECTS. All owners and /or developers of subdivision projects shall in addition to securing a Locational Clearance under section 1, Article XI of this Ordinance be required to secure a development permit pursuant to provisions of P.D. 957 and its implementing rules and regulations or B. P. 220 and its implementing rules and regulations in the case of socialized housing projects in accordance with the procedures laid down in E.O. 71, Series of 1993.



City Government Muntinlupa

SECTION 4. ESTABLISHMENT OF IMPLEMENTING RULES AND REGULATIONS. In the implementation of the Zoning Ordinance and Comprehensive Land Use Plan, the Local Zoning Board of Adjustment and Appeals is hereby authorized to issue Implementing Rules and Regulations.

ARTICLE IX

MITIGATING DEVICES

SECTION 1. DEVIATION. Exceptions, variances or deviations and temporary use from the provisions of this Ordinance upon recommendation of City Zoning Administrator may be allowed by the Local Zoning Board of Adjustments and Appeals (LZBAA) only when the following terms and conditions are existing.

(a) Variances

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

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 physical conditions of the property (topography, shape, etc.)
- The proposed variance is the minimum deviation necessary to permit 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 other properties in the same district or zone.

- That the variance will not weaken the general purpose of the Ordinance and will not adversely affect public health, safety or welfare.
- The variance will be in harmony with the spirit of this Ordinance.

(b) Exceptions

- (1) The exception will not adversely affect the public health, safety and welfare and is in keeping with the general pattern of development in the community.
- (2) The proposed project shall support economic-based activities/provide livelihood, vital community services and facilities while at the same time prosing no adverse effect on the zone/community.
- (3) The exception will not adversely affect the appropriate use or adjoining property in the same district.
- (4) The exception will not alter the essential character and general purpose of the district where the exception being sought is located.

(c) Temporary Use

- (1) That the zone or area in which the property subject of the applicant is located, or the area within the immediate vicinity is not yet built up or being developed according to the original trend, projection or pattern envisioned in the Zoning Ordinance, or no noticeable and desirable dominant trend has been observed in the area for a reasonable period, or at least two (2) years; for the purpose of this condition, a non-built-up

area is one where the dominant use is less than 40% of the area.

- (2) That the proposed project shall not in any way pose danger or hazard to the health and safety of its environment and surrounding neighborhood.
- (3) That the return of investment is capable of achievement within the maximum period allowed for temporary uses by this Ordinance.
- (4) That the proposed activity shall be subject to the requirements of initial environmental examination (IEA) and environmental impact assessment (EIA).
- (5) That the permit shall be granted on an annual basis, and may be renewed from year to year upon satisfactory showing of compliance with all the conditions imposed by this Ordinance and the permit, for a maximum period of five (5) years.
- (6) That the proponent shall submit a monthly report of the progress of its operations.
- (7) That the proponent shall relocate the project facilities and equipment to another site at his own cost in the event that the LZBAA finds that its continued existence is undesirable wherein the relocation shall take place upon the expiration of the permit, such other period stated in the notice of relocation which must be given not earlier than 6 months nor later than 3 months before the expiration of the permit.

SECTION 2. PROCEDURES FOR GRANTING EXCEPTIONS, VARIANCES AND TEMPORARY USE. The procedure for granting of exception, variance and/or temporary use is as follows:

- (a) Secure a certification that the proposed project from the Zoning Administrator as well as recommendation.
- (b) A written application for an exception, variance or temporary use shall be filed with the Local

Zoning Board of Adjustment and Appeals (LZBAA) citing this section of this Ordinance under which the same is sought and stating the ground/s thereof.

- (c) Upon filing of application, a visible project sign (indicating the name and nature of the proposed project) shall be posted at the project site.
- (d) The LZBAA shall conduct preliminary studies on the application.
- (e) A written affidavit of non objection of the project by the owners of the properties adjacent to the project shall be filed by the applicant with the LZBAA at least fifteen (15) days prior to the decision for exception, variance/temporary use. Adjacent properties refer to lands/properties immediately abutting the proposed project location as shown in Annex "C".
- (f) In case of objection, the LZBAA shall hold a public hearing.
- (g) At the hearing, any party may appear in person, or be represented by agents. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
- (h) The LZBAA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing in case of any objection to the granting of exception variance.

ARTICLE X

ADMINISTRATION AND ENFORCEMENT

SECTION 1. LOCATIONAL CLEARANCE. All owners/developers shall secure a Locational Clearance from the Zoning Officer or, in case of variances, exceptions and temporary use from the Local Zoning Board of Adjustment and Appeals (LZBAA) prior to conducting any activity or construction on their property/land.

SECTION 2. BUILDING PERMIT. No building permit shall be issued by the local Building Officer without a valid Locational Clearance in accordance with this Ordinance.

SECTION 3. NON-USER OF LOCATIONAL CLEARANCE. Upon issuance of 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 property. Non-use of said clearance within said period shall result in its automatic expiration; cancellation and the grantee shall not proceed with his project without applying for a new clearance.

SECTION 4. CERTIFICATE OF NON-CONFORMANCE. A certificate of Non-Conformance shall be applied for by the owner of the structure or operator of the activity involved within six (6) months from the ratification of the Zoning Ordinance by the Sangguniang Panglunsod (SP). Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered a violation of the Zoning Ordinance and is subject to fines/penalties.

Upon approval of this Ordinance, the Zoning Officer shall immediately notify known existing Non-Conformance.

SECTION 5. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT. The lawful uses of any building, structure or land at the time of adoption or amendment of this Ordinance may be continued, although such uses do not conform with the provision of this Ordinance, provided:

- (a) That no such non-conforming use shall be enlarged or extended to occupy a greater area of land than already occupied by such use at the time of the adoption of this Ordinance.
- (b) That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use.
- (c) An idle/vacant structure may not be used for non-conforming activity.
- (d) That any non-conforming structure, or structures under one ownership which has been damaged may be reconstructed and used as before provided that such reconstruction is not more than fifty percent (50%) of its replacement cost at the time of destruction, it shall not

be reconstructed except in conformity with the provisions of this Ordinance.

- (e) That no such non-conforming structure may be moved to displace any conforming use.
- (f) That no such non-conforming structure may be enlarged or altered in a way which increases is non-conformity, but any structure or portion thereof may be altered to decrease is non-conformity.
- (g) That should such structure be moved for any reason to whatever distance, it shall therefore conform to the regulations of the district in which it is moved or relocated.

In addition, the owner of a non-conforming use shall program the phase-out and relocation of the non-conforming use within ten (10) years from the effectivity of the Ordinance.

SECTION 6. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT.

The Ordinance shall be enforced and administered by the local chief executive through the Zoning Office who shall be appointed by the former in accordance with existing rules and regulations on the subject.

SECTION 7. POWERS AND FUNCTIONS OF A ZONING OFFICER.

Pursuant to the provisions of E.O. 72 implementing R.A. 7160 in relation to Section 5, Paragraphs a and d, and Section 7 of E.O. No, 648 dated 07 February 1981; the Zoning Office shall perform the following functions, duties and responsibilities.

a) Enforcement

- (1) Act on all applications for Locational Clearance for all projects.

- (a) Issuance of Locational Clearance for projects conforming with this Zoning Ordinance.
- (b) Recommend to the Local Zoning Board of Adjustment and Appeals (LZBAA) the grant or denial of applications for variances and exemptions and the issuance of Certificate of Non-Conformance for non-

conforming projects lawfully existing at the time of the adoption of the Zoning Ordinance, including clearance for repairs/renovations on non-conforming uses consistent with the guidelines therefore.

- (2) Monitor on-going/existing projects within their respective jurisdictions and issue notices of violation and show cause order to owners, developers or managers of projects that are violative of the Zoning Ordinance and if, necessary, pursuant to Section 3 of E.O. 72 and Section 2 of E.O. 71 refer subsequent actions thereon to the HLRB.
- (3) Call and coordinate with the Philippine National Police for enforcement of all orders and processes issued in the implementation of this Ordinance.
- (4) Coordinate with the City Attorney for other legal actions/remedies relative to the foregoing.

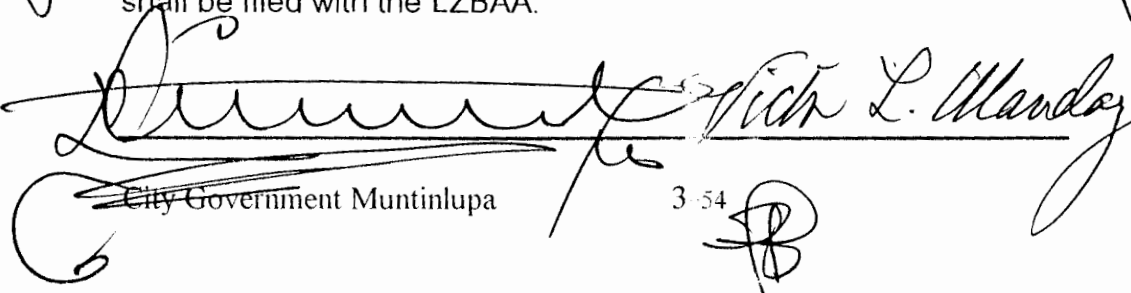
b) Planning

- 1) Coordinate with the Regional Office of the HLURB regarding proposed amendments to the zoning ordinances prior to adoption by the Sangguniang Panlungsod and the Sangguniang Panlalawigan.

SECTION 8. INSTITUTIONAL LINKAGE BETWEEN THE ZONING OFFICER AND THE CITY PLANNING AND DEVELOPMENT COORDINATOR. For purposes of coordination and effective implementation of the city's Land Use Plan and Zoning Ordinance, the Zoning Officer shall furnish the Office of the City Planning and Development Coordinator a copy of all issued Locational Clearances and Development Permits.

The above arrangement is applicable if and when the Zoning Officer is other than the City Planning and Development Coordinator.

SECTION 9. ACTIONS ON COMPLAINTS AND OPPOSITIONS. A complaint for violations of any provision of the Zoning Ordinance or any clearance or permits issued pursuant thereto shall be filed with the LZBAA.


Victor L. Manday

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

SECTION 10. FUNCTIONS AND RESPONSIBILITIES OF THE LOCAL ZONING BOARD OF ADJUSTMENT AND APPEALS.

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

(a) act on applications of the following nature:

- (1) Variances
- (2) Exemptions
- (3) Temporary Uses
- (4) Non-Conforming Uses
- (5) Complaints and opposition to application

(b) Act on appeals on grant or denial of Locational Clearance by the Zoning Officer.

Decisions of the Local Zoning Board of Adjustment and Appeals shall be appealable to the HLRB.

SECTIONS 11. COMPOSITION OF THE LOCAL ZONING BOARD OF ADJUSTMENT AND APPEALS (LZBAA).

The City Development Council shall create a sub-committee which shall act as the LZBAA composed of the following members.

- (a) City Mayor as Chairman
- (b) City Legal Officer
- (c) City Assessor
- (d) City Engineer/Building Official
- (e) City Planning and Development Coordinator
- (f) Zoning Officer
- (g) Two (2) representatives of the private sector nominated by their respective organizations and confirmed by the City Mayor. In the event of non-availability of any of the officials enumerated above, the Sangguniang Panglunsod shall elect the number of its members as may be necessary to meet the total number set forth, as representatives.

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

Victor L. Manday

SECTION 12. INTERIM PROVISION. Until such time that the Local Zoning Board of Adjustment and Appeals. As an appellate Board, the HLRB shall adopt its own rules of procedures to govern the conduct of appeals arising from the administration and enforcement of this Ordinance.

SECTION 13. REVIEW OF THE ZONING ORDINANCE. The City Development Council shall create a sub-committee, 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 reasons which are appropriate for consideration

SECTION 14. COMPOSITION OF THE LOCAL ZONING REVIEW COMMITTEE (LZRC). The Local Zoning 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 and Development Coordinator
- (b) Zoning Administrator
- (c) City Health Officer
- (d) City Agriculturist
- (e) President, Association of Barangay Captains
- (f) City Engineer
- (g) Community Environment and National Resources Officer
- (h) District School Supervisor
- (i) Two (2) Private Representatives (Local Chamber of Commerce and Housing Industry)
- (j) Two (2) NGO Representatives

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

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SECTION 15. 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 revisions necessary to the Zoning Ordinance because of the changes that might have been introduced in the Comprehensive Land Use Plan.
 - (2) Determine changes to be introduced in the Comprehensive Land Use Plan in the light of permits given, and exceptions and variances granted.
 - (3) Identify provisions of the Ordinance 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 16. AMENDMENTS TO THE ZONING ORDINANCE. Changes in Zoning Ordinance as a result of the review by the Local Zoning Review Committee shall be treated as amendments, provided that any amendment to the Zoning Ordinance or provisions thereof shall be carried out through a resolution of three fourths vote of the Sangguniang Panglunsod. Said amendments shall take effect only after approval and authentication by HLRB.

SECTION 17. VIOLATION AND PENALTY. Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine not exceeding P5, 000.00 or an imprisonment for a period not exceeding six (6) months or both at the discretion of the Court. In case of violation by a corporation, partnership or associations, the penalty shall be imposed upon the erring officers thereof.

SECTION 18. SUPPLEMENTARY EFFECT OF OTHER LAWS AND DECREES. The provisions of this Ordinance shall be without prejudice to the applications of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of the locality.

SECTION 19. SEPARABILITY CLAUSE. Should any section or provisions of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the parts so declared to be unconstitutional or invalid.

SECTION 20. REPEALING CLAUSE. All ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 21. EFFECTIVELY CLAUSE. This Ordinance shall take effect upon its approval.

ENACTED BY THE SANGGUNIANG PANGLUNSOD OF MUNTINLUPA, METRO MANILA, in its regular session held on May 16, 2002.

CONCURRED:

ALDRIN L. SAN PEDRO
Councilor

VICTOR L. ULANDAY
Councilor


BAL NIEFES
Councilor

ELMER S. ESPELETA
Councilor

DR. NICANOR L. ECHAVEZ
Councilor

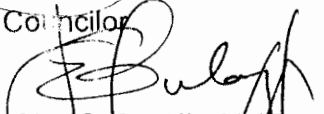
FRANCIS DAN T. BAGATSING
Councilor


COMPREHENSIVE ZONING ORDINANCE:
CITY OF MUNTINLUPA



ATTY. PATRICIO L. BONCAYAO JR.
Councilor



LUCIO B. CONSTANTINO
Councilor

ALLAN REY A. CAMILON
Councilor

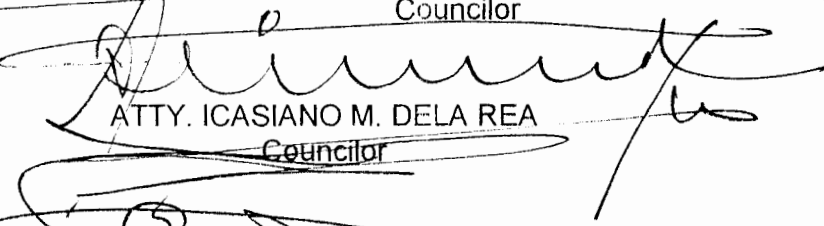

MARIO E. BULAY JR.
Councilor



ATTY. RAUL R. CORRO
Councilor


MAMERTO T. SEVILLA JR.
Councilor

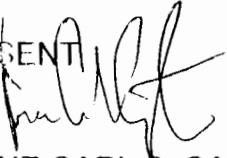

MEI CHOR R. TEVES
Councilor



RUFINO B. JOAQUIN
Councilor

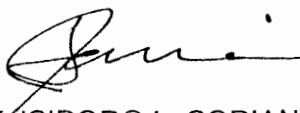

ATTY. ICASIANO M. DELA REA
Councilor

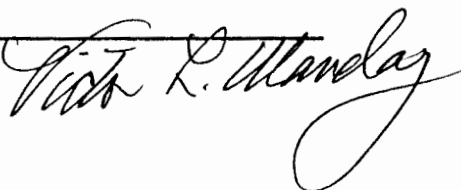

ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSENT


RENE CARL S. CAYETANO
Councilor

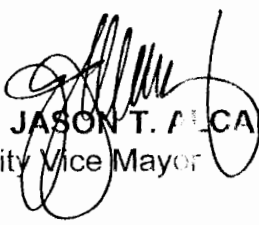


I HEREBY CERTIFY as to the correctness of this Ordinance.


ATTY. ISIDORO L. SORIANO JR.
Sanggunian Secretary




Quic

ATTESTED:


ATTY. JO JASON T. ALCARAZ
City Vice Mayor

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APPROVED BY:


Atty. JAIME R. FRESNEDI
City Mayor

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ANNEX "A": GLOSSARY OF TERMS

- (1) Accessory Use: a use incidental and subordinate to the principal use of the building and/or land.
- (2) Additions, Alterations, Repairs: Changes in an existing building involving interior or exterior work and/or increase or decrease in its area.
- (3) Apartment: A room or suite of two or more rooms, designed and intended for, or occupied by one, family for living, sleeping, and cooking purposes.
- (4) Apartment Hotel: An apartment which may furnish living room service and other services for the exclusive use of its tenants.
- (5) Boarding House: A house with several sleeping rooms where boarders are provided with lodging and meals for a fixed sum paid by the week or month.
- (6) Boundary Line: The abstract line formed by the technical description of bearing and distances given on the Certificate of Title of the property as defined therein.
- (7) Buffer Strip: A strip established to separate one type of land use from another, for example, as a screen to objectionable noise, smoke or visual aspects of an industrial; zone adjacent to a residential zone.
- (8) Building: A constructed edifice designed to stand more or less permanently, covering a space of land, usually conferred by a roof, more or less ensured by walls and supported by columns, and serving as a dwelling, factory shelter for animals, etc.
- (9) Building, Existing: A building erected prior to the adoption of this Ordinance or one for which a legal building permit has been issued.
- (10) Building Area: The remaining space in a lot after deducting the required minimum open spaces.

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- (11) Building Accessory a building subordinate to the main building, and located on the same lot, the use of which is necessary or incidental to the use and enjoyment of the main building. Examples: servants' quarters, garage, etc.
- (12) Building, main: The principal structure wherein the prime use of land on which it is situated is conducted.
- (13) Built-up Area: A contiguous of ten (10) or more structures.
- (14) Central Business District (CBD): Areas designated principally for trade, services and business purposes.
- (15) Certificate of Non-Conformance: Certificate issued by the Zoning Officer to all uses existing prior to the approval of the Zoning Ordinance which do not conform in a zone per provision of the said Ordinance.
- (16) Certificate of Zoning Compliance: A permit issued by the Zoning Officer in accordance with the provisions of this Ordinance.
- (17) Common Parking Area: A lot or a building used exclusively for the temporary storage of motor vehicles for the general public, whether for compensation or not. In no case shall an area within a Lot or building be considered a " Common Parking Area" when the Lot or building is devoted.
- (18) Compatible Uses: Uses of land activities capable of existing together harmoniously, e.g., residential units adjacent to industrial plants.
- (19) Conflicting Uses: Uses of land activities with contrasting characteristics sited adjacent to each other, e.g., residential units adjacent to industrial plants.
- (20) Conforming Use: A use which is in conformity with zone classification as provided for in the Ordinance.
- (21) Cottage Industry: Any establishment or firm which conforms to the varying numerical standards set forth by the Department of Trade and Industry. Ordinarily, it refers to an industry based on the family unit as a labor force in which

workers using their own equipment at home process goods either belonging to them or to a merchant employer.

(22)Country Club: The use of a building or space for sports and recreation with facilities that include clubhouse, golf course other sports field, swimming pool, meetings and conference rooms, dining rooms, and other similar and related facilities.

(23)Dominant Land Use: Land use which accounts for at least seventy percent (70%) of the area within one thousand (1,000) meters radius from the periphery of the lot being applied for.

(24)Dormitory: A building where many persona are provided with board and lodging facilities in common halls for a compensation.

(25)Dumping Site: a lot or land or part thereof used primarily for the disposal by dumping, burial, burning, or any other means and/or whatsoever purpose of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste materials of any kind.

(26)Dwelling: Any building or any portion thereof intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living or residential purposes.

(27)Dwelling, One-family Detached: A one-family house having one-party wall and two side yards.

(28)Dwelling, One-family Semi-detached: A one-family dwelling as defined above except that it is provided with one side yard.

(29)Dwelling, Two-family, Detached: A house or structure divided into two separate and independent living quarters by a wall extending from the floor to the ceiling and provided with two side yards. Each portion provides complete living facilities for one household.

(30)Dwelling, Two-family, Semi-detached: A two-family dwelling as defined above except that it is provided with one side yard.

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- (31) Dwelling, Multi-family used as a house or residence of three (3) or more families living independently from one another, each occupying one or more rooms as a single housekeeping unit.
- (32) Easement, An encumbrance imposed on an immovable for the benefit of another immovable to a different owner.
- (33) Exception: a device which grants a property owner relief from certain provisions of a Zoning ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
- (34) Family: A group of individuals related by blood, living under one roof and considered as part of a single housekeeping unit.
- (35) Filling Station: A retail station serving automobiles and other motor vehicles with gasoline and oil only.
- (36) Educational: Use of a building which provides instruction or training leading to elementary, high school, college and/or post graduate degrees, and vocational or technical training, including a chapel for school or public use and related school facilities, except those which produce disturbing noise and obnoxious odors.
- (37) Garage: A building or a portion thereof in which motor vehicle(s) is/are stored, repaired, or kept.
- (38) Garage, Private: A building or a portion thereof of a building in which only motor vehicles used by the tenants of the building or building on the premises are stored or kept.
- (39) Gas Station: A Retail station for dispensing of gasoline and other fuels, servicing and maintenance of automobiles and other motor vehicles, and the sale of automotive accessories.
- (40) Gross Floor Area: The total floor space within the perimeter of the permanent external building walls, which includes areas devoted to Permitted or Accessory Uses, as applicable, corridors, lobbies, vertical penetrations (which shall mean stairs, fire escapes, elevator shafts, vertical ducts, and the

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like, and their enclosing walls), restrooms or toilets, storage rooms and closets, covered balconies and terraces, interior walls and columns, and other interior features; but excludes covered areas for parking driveways, vertical penetration in parking floors where no areas devoted to Offices or other Permitted Uses are present, and uncovered areas for AC cooling towers, overhead water tanks, roof decks, laundry areas and cages, wading pools and swimming pools, whirlpools or Jacuzzis, gardens, courts or plazas. The Gross Floor Area of a building shall be computed by measuring to the centerline of the dominant portion of the permanent external building walls. The dominant portion shall mean that portion of the permanent external building wall is fifty percent (50%) or more of the vertical floor-to-ceiling dimension measured at the dominant portion. If there is no dominant portion, or if the dominant portion is not vertical, the measurement for area shall be to the centerline of the permanent external wall where it intersects the finished floor line.

- (41) Guard House: An accessory building or structure used by a security guard while on duty.
- (42) Floor Area Ratio or FAR: The numerical value obtained by dividing the Gross Floor Area of a building on the Lot by the area of such Lot.
- (43) Homedale: Any establishment offering room and board usually for tourists and transients on a daily or monthly basis.
- (44) Home Occupation: An occupation or business conducted within the dwelling unit.
- (45) Hospital: An institution providing health service, primarily for in-patients, and medical or physical care of the sick or the injured, including, as integral parts thereof, such related facilities as laboratories, out-patient department, training facilities, and staff offices.
- (46) Hotel: A building or a part thereof with rooms occupied or intended to be occupied for hire as temporary place of abode individuals. It is usually provided with a general kitchen and public dining room service without provision for cooking in any individual suite or room.

- (47) Innovative Design: Introduction and/or application of new/creative designs and techniques in development projects, e.g., Planned Unit Development, New Town, etc.
- (48) Vocational Clearance: Clearance issued upon compliance to specific guidelines and standards set by the granting officer or unit, and within the Zoning Ordinance provisions.
- (49) Lot: A parcel of land where a principal building and its accessories place or may be placed together with the required open spaces.
- (50) Lot, Depth of: The average horizontal distances between the front and the rear lot lines.
- (51) Manufacturing Industry: An industry, which involved the chemical and mechanical transformation of inorganic products whether kit is done in a factory worker's house.
- (52) Mitigation Device: A means to grant relief in complying with certain provisions of the Ordinance.
- (53) Motel: Any structure with several separate units with sufficient parking space primarily located along the highway or close a highway where a motorist may obtain lodging and, in some instances, meals.
- (54) New Town: A town deliberately planned and built which provides, in addition to houses, employment, shopping, education, recreation, culture and other services normally associated with a city or town.
- (55) Non-Conforming Use: Existing non-conforming use establishments in an area allowed to operate inspite of the non-conformity to the provision of the Ordinance, subject to the conditions stipulated in this Zoning Ordinance.
- (56) Nursery/Day Care Center: A place where children are temporarily cared for and trained in the parents' absence.
- (57) Museum: A non-profit, non-commercial establishment operated as a repository or a collection of natural, scientific, literary or cultural objects of interest such as works or art.

This does not include the regular sale or distribution of the objects collected.

(58) Park: A pleasure ground set apart for the recreation of the public, to promote its health and employment.

(59) Open Space: An unoccupied space open to the sky on the same lot with the building.

(60) Parking Building: A building of several floors used for temporary parking of motor vehicles which may be provided with services allowed for service station.

(61) Parking Lot/ Area: An off-street open area, principally used for parking motor vehicles, whether for compensation or not, by the public clients or customers.

(62) Personal Support Services: The Accessory Use of a place or building where services directly related to businesses or health of building occupants are offered or performed, and include beauty parlors, barbershops, spas, laundry services, travel agencies, delivery services, printing and copying services but exclude pawnshops, lotto/off tract betting outlets, gaming establishments, funeral or mortuary services. In no case shall the Retail be allowed, whether as an incident to the performance of the service or otherwise.

(63) Planned Unit Development (PUD): A land development scheme wherein a project site is comprehensively planned as an entity via a unitary site plan which permits flexibility in planning or design and building siting.

(64) Private Pet House: A building or structure for keeping domestic pets, for the enjoyment as well as protection of the resident family members.

(65) Professional Office: The office of a person engaged in any occupation, vocation or calling, not purely commercial, mechanical, or agricultural, in which a professed knowledge of skill in some department of science or learning is used to serve the interest or welfare of others by its practical application.

(66) Public Warehouse: A structure in the business of performing warehouse services for others, for profit

(67) Recreational Center: A place, compound or building or a portion thereof open to the public for recreational and entertainment purposes.

(68) Religious: Use of building or a place for worship or spiritual devotion and its related activities

(69) Required Open Space: Any, side or rear yards, courts, usable open space or off-street parking space provided about a building in order to meet the requirements of this Ordinance.

(70) Residential: Use of a place for dwelling.

(71) Retail: Use of a building or a place for the sale of merchandise, commodities or goods to customers for their consumption.

(72) Rezoning: An amendment to or a change in the text and maps of the Zoning Ordinance.

(73) Rural Area: An area outside of a designated urban area.

(74) Servants' Quarters: A room within the dwelling or in an accessory building where servants, maids, or helpers of the family are housed.

(75) Service Station: A building and its premises where gasoline, oil, tires and car accessories may be supplied and dispensed at retail and where, in addition, the following services may be rendered among others.

75.1 sale and servicing of sparkplugs, batteries and Distributor

75.2 tire servicing and repair, but not recapping or Repeating;

75.3 radiator cleansing and flushing'

75.4 washing and polishing, and sale of automotive washing and polishing materials, greasing and lubrication;

75.5 sale of soft drinks, packaged foods, tobacco and similar convenient goods for service



Station customers as accessory and incidental
To the principal operations; and
75.6 provisions of road maps and other
Informational materials as well as provision of
the rest room facilities.

Major mechanical and body work, straightening of body parts,
painting, welding, storage of automobiles which are not in
operating condition, or other works involving noise, glare,
fumes, smoke or other characteristics to any extent greater
than normally found in service station are not permitted at a
service station.

(76) Shopping Center: A group of not less than 15 contiguous
retail stores, originally planned and developed as a single
unit, with immediate adjoining parking facilities.

(77) Store: A building of structures devoted exclusively to the retail
sale of a commodity or commodities.

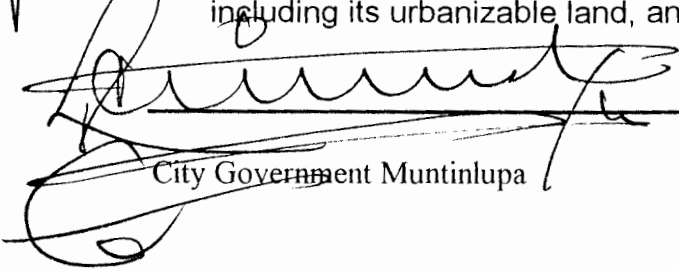
(78) Street: A public thoroughfare including public roads or
highways which afford principal means of access to abutting
property.

(79) Theater: A structure used for dramatic, operatic, motion
picture and other performances for admission to which
entrance fee or money is received but no audience
participation and meal service are allowed.

(80) Tourist Inn or Pension House: Any building or structure
regularly catering to tourist and travelers, containing several
independent rooms, providing common facilities such as
toilets, bath rooms, living and dining rooms and kitchen, and
where a combination of board and lodging may be provided.

(81) Transportation terminal: A station where vehicles discharge
and receive passengers and where the vehicles are
stationed, repaired and maintained within its own premises
outside of any street.

(82) Urban Area: Barangay/or portion of which comprises the
Central Business District (CBD) and the built-up area,
including its urbanizable land, and adjacent to the CBD.



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(83) Urbanizable Land: Area designated as suitable for urban expansion by virtue of land use studies conducted.

(84) Variance: A device which grants a property owner relief from certain provisions of a Zoning Ordinance where, because of the particular physical surroundings, shape or topographical conditions of the property, compliance on height, area, setback, bulk and/or density would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

(85) Warehouse: Any building, the primary purpose of which is the storage of goods, wares, merchandise utilities and/or other personal belongings.

(86) Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward.

(87) Zone: A district into which the community is divided and where specific regulations are applicable.

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ANNEX "C": ZONE CLASSIFICATION

I. RESIDENTIAL

R-1- LOW – DENSITY RESIDENTIAL ZONE: An R-1 shall be used principally for housing/dwelling purposes so as to maintain the peace and quiet of the area within the zone with a density of 20 dwelling units and below per hectare.

R-2- MEDIUM-DENSITY RESIDENTIAL ZONE: Characterized mainly by a combination of low-and medium-size dwellings consisting of duplexes, row-houses and apartments with the usual community auxiliary uses on a neighborhood scale having a density of 21 to 65 dwelling units per hectare.

R-3 HIGH-DENSITY RESIDENTIAL ZONE: Characterized by mixed housing types and high density housing, line walk-up apartments and flats with community auxiliary uses increasingly commercial in scale and having a density of 66 or more dwelling units per hectare.

SHZ- Shall be used principally for socialized housing/dwelling purposes for the underprivileged and homeless defined in RA 7279.

2. COMMERCIAL

C-1- MINOR COMMERCIAL AREA: Characterized by commercial developments either engaged in retail trade and service industries provided that the scale of operations must be for a neighborhood size population of approximately 100 families and the establishment is part of an overall plan of the community.

C-2- MAJOR COMMERCIAL AREA: Characterized by commercial developments either engaged in retail trade and service industries provided that the scale of operations must be for a neighborhood size

population of approximately 500 families and the establishment is part of an overall plan of the community.

C-3- METROPOLITAN COMMERCIAL ZONE: Referred to as the Central Business District wherein commercial uses are for metropolitan in scale.

3. MIXED USED URBAN CORRIDOR

The Urban Corridor is intended for commercial activity and Light Industry zone (I-1) shall be for non-pollutive/non-hazardous manufacturing/processing establishments. The existing non-conforming industrial establishment shall program the phase-out and relocation within ten (10) years from the effectivity of the ordinance.

4. INSTITUTIONAL

GIZ- GENERAL INSTITUTION ZONE: Characterized by concentration of government offices, educational and health facilities, cultural, civic and religious structures on a local provincial, regional scale or national scale and other isolated institutional structures supplementary to the function of major institutional districts ordinarily on local scale.

5. PARKS AND RECREATION

PRZ- PARKS AND RECREATION ZONE: Spaces designed for recreational pursuits and for the maintenance of ecological balance of the community. These consist of parks and playgrounds, zoos, outdoor sports facilities, botanical gardens, golf links, and community plazas.

6. TOURISM

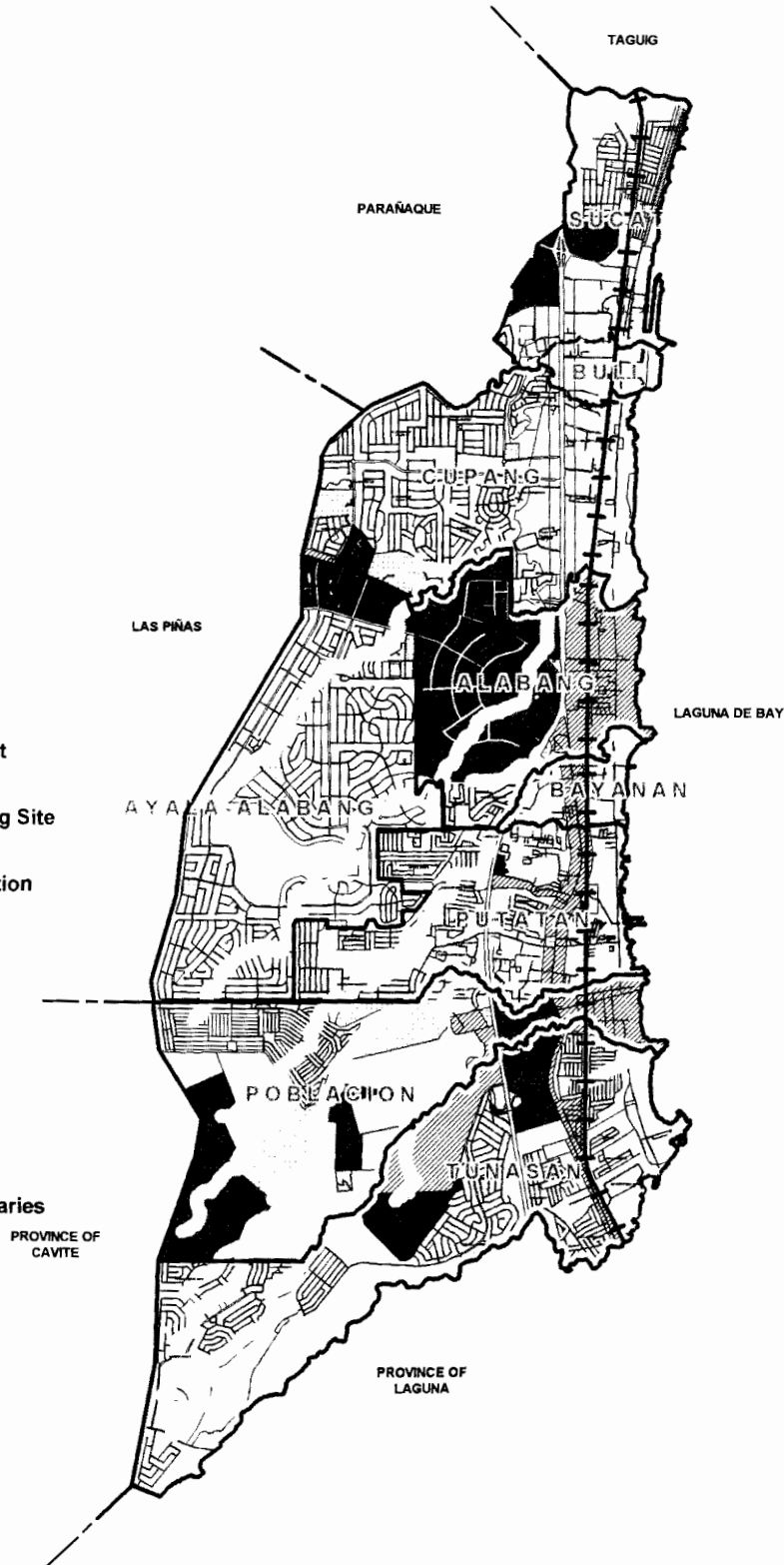
TZ- TOURISM ZONE: Sites within the city endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

APPROVED ZONING MAP OF MUNTINLUPA CITY 2001-2011



LEGEND

- Residential 1
- Residential 2
- Residential 3
- Commercial 1
- Commercial 2
- Commercial 3
- Urban Corridor
- Institution
- Utilities
- Tourism Zone
- Special Use Permit
- Socialized Housing Site
- Parks and Recreation
- Open Space
- Cemetery
- Rivers
- Railroad
- Barangay Boundaries



Source: City Planning and Development Office/GIS Division - Ian/Pitz