

# *Municipality of Mina*



## *Comprehensive Land Use Plan 2016-2025*

*Volume 2: Zoning Ordinance*





# Municipality of Mina Comprehensive Land Use Plan



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## Acronyms

AGZ - Agricultural Zone  
AFMA - Agriculture and Fisheries Modernization Act  
AgIndZ - Agri-Industrial Zone  
B/GZ - Buffer/Greenbelt Zone  
FAR - Bureau of Fisheries and Aquatic Resources  
BHL - Building Height Limit  
BP - Batas Pambansa  
BPO- Business Process Outsourcing  
BSWM - Bureau of Soils and Water Management  
CAAP - Civil Aviation Authority of the Philippines  
CARL - Comprehensive Agrarian Reform Law (RA 6657) of 1988  
CCA - Climate Change Adaptation  
CDMP - Comprehensive Development Master Plan  
C/MP-Z - Cemetery/Memorial Park Zone  
CLUP - Comprehensive Land Use Plan  
CMP - Community Mortgage Program  
DA - Department of Agriculture  
DAO - Department Administrative Order  
DAR - Department of Agrarian Reform  
DENR - Department of Environment and Natural Resources  
DRRM - Disaster Risk Reduction and Management  
DTI - Department of Trade and Industry  
ECA - Environmentally Critical Area  
ECC - Environmental Compliance Certificate  
ECP - Environmentally Critical Project



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EIS - Environmental Impact Statement  
EMB - Environmental Management Bureau  
EO - Executive Order  
FAR - Floor Area Ratio  
FLD-OZ - Flood Overlay Zone  
FLUP - Forest Land Use Plan  
FLT-OZ - Active Fault Overlay Zone  
FPE - Flood Protection Elevation  
GC-Z - General Commercial Zone  
GFA - Gross Floor Area  
GI-Z - General Institutional Zone  
GR-Z - General Residential Zone  
GZ-SZ - Grazing Land Sub-Zone  
HLURB - Housing and Land Use Regulatory Board  
IRR - Implementing Rules and Regulations  
LC - Locational Clearance  
LC-E - Locational Clearance -Exception  
LC-V - Locational Clearance - Variance  
LC-VE - Locational Clearance - Variance & Exception  
LGC of 1991 - Local Government Code of 1991  
LGU - Local Government Unit  
LSD-OZ - Landslide Overlay Zone  
LZBA - Local Zoning Board of Appeals  
LZRC - Local Zoning Review Committee  
MAPSO - Maximum Allowable Percentage of Site Occupancy  
NAMRIA - National Mapping and Resource Information Authority  
NBC - National Building Code  
n.e.c. - not elsewhere classified  
NEDA - National Economic and Development Authority



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NHC - National Historical Commission  
NIPAS - National Integrated Protected Areas System  
NIPAS Act - National Integrated Protected Areas System Act of 1992 (RA 7586)  
NMU-SZ - NIPAS: Multiple Use Sub-Zone  
NPAAAD - Network of Protected Areas for Agriculture and Agro-Industrial Development  
NSCB - National Statistics Coordination Board  
OBO - Office of Building Official  
OS - Open Space  
OZ - Overlay Zone  
PAGASA - Philippine Atmospheric, Geophysical, Astronomical Services Administration  
PAMB - Protected Area Management Board  
PAMP - Protected Area Management Plan  
PD - Presidential Decree  
PDA-SZ - Production Agricultural Sub-Zone  
PEZA - Philippine Economic Zone Authority  
PHIVOLCS - Philippines Volcanology and Seismology Research Institute  
PNP - Philippine National Police  
PRZ - Parks and Recreation Zone  
PTA-SZ - Protection Agricultural Sub-Zone  
PUD - Planned Unit Development  
PUV - Public Utility Vehicle  
Q-SZ - Quarry Sub-Zone  
R1-Z - Residential 1 Zone  
R2-Z - Residential 2 Zone  
R3-Z - Residential 3 Zone  
RA - Republic Act  
RFE - Regional Flood Elevation  
SAFDZ - Strategic Agriculture and Fisheries Development Zone  
SB - Sangguniang Bayan



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SCD-OZ - Scenic Corridor Overlay Zone  
SH-Z - Socialized Housing Zone  
SP - Sangguniang Panlungsod/Panlalawigan  
SPED - Special Education  
SUDS - Sustainable Urban Drainage Systems  
TIEZA - Tourism Infrastructure and Enterprise Zone Authority  
TLA - Total Lot Area  
T-Z - Tourism Zone  
UDHA - Urban Development and Housing Act (RA 7279) of 1992  
USA - Unpaved Surface Area  
UTS-Z - Utilities, Transportation and Services Zone  
WZ - Municipal Water Zone  
ZO - Zoning Ordinance





# *Municipality of Mina Comprehensive Land Use Plan*



Republic of the Philippines  
Province of Iloilo  
MUNICIPALITY OF MINA

*Office of the Sangguniang Bayan*

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIANG BAYAN, MINA, ILOILO HEALD AT THE SB SESSION HALL, MINA, ILOILO ON AUGUST 11, 2016 AT 9:30 IN THE MORNING.

**PRESENT:**

HON. BERNARDINO P. CHICHIRITA  
HON. ARNEL C. MATTA  
HON. NOEL P. ESPIRITU  
HON. JUANITO D. GRABATO, JR.  
HON. JOSE G. SALANIO, JR.  
HON. ROSE KAREEN S. DEFENSOR  
HON. GERMAINE D. DABLEO  
HON. ARNEL V. NOVO  
HON. CELSO S. JUSTADO  
HON. ROGER P. CORDERO

Vice Mayor, Presiding Officer  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
SB Member  
Liga Pres. (Ex-Officio Member)

ABSENT: N O N E



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## **MUNICIPAL ORDINANCE NO. 2016-294**

AN ORDINANCE AMENDING ZONING ORDINANCE NO.2010-165, DATED NOVEMBER 24, 2010 OF THE MUNICIPALITY OF MINA, PROVINCE OF ILOILO AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH

Be it Enacted by the Sangguniang Bayan of Mina, Iloilo,

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

*WHEREAS*, Article 41 (a)(b) of the Implementing Rules and Regulations of the Local Government Code of 1991 provides that subject to applicable laws, rules, and regulations, the municipality shall continue to prepare its CLUP enacted through Zoning Ordinance. The requirements for food production, human settlements, ecological balance and industrial expansion shall be considered in the preparation of such plans and the CLUP be the primary and dominant basis for future use of local resources and for reclassification  
n of agricultural lands;

*WHEREAS*, the Local Government Unit (LGU) is further mandated to mainstream Disaster Risk Reduction and Climate Change in development processes such as policy formulation, socio-economic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, energy, health, education, poverty reduction, land use and urban planning, and public infrastructure and housing;

*WHEREAS*, the Revised Zoning Ordinance of the Municipality of Mina is one such regulatory measures which is an important tool for the continued implementation of the approved Comprehensive Land Use Plan;

*NOW THEREFORE*, the Sangguniang Bayan of Mina, Iloilo in a session assembled hereby adopts the following Revised Zoning Ordinance:



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## **ARTICLE I**

### **TITLE OF THE ORDINANCE**

#### **Section 1. Title of the Ordinance**

This Zoning Ordinance (ZO) shall be known as the Revised Zoning Ordinance of the Municipality of Mina and providing for the administration, enforcement and amendment thereof and the repeal of all ordinances in conflict therewith.

## **ARTICLE II**

### **AUTHORITY AND PURPOSE**

#### **Section 2. Authority**

This Ordinance is enacted pursuant to the provisions of the Local Government Code of 1991, R.A. 7160 Sections 447, 448 and 458 a.2 (7-9) dated 10 October 1991, “Authorizing the Municipality, through the Sangguniang Bayan, to adopt a Zoning Ordinance subject to the provisions of existing laws” and in accordance with related laws such as but not limited to Commonwealth Act 141, RA 8550 Fisheries Code, PD 705 Forestry Code, PD 1067 Water Code, PD 1096 National Building Code, and Executive Order No. 72.

#### **Section 3. Purposes**

The ZO is enacted for the following purposes:

1. Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the municipality;
2. Guide, control and regulate the growth and development of public and private lands in Municipality of Mina in accordance with its Comprehensive Land Use Plan (CLUP);
3. Provide the proper regulatory environment to maximize opportunities for creativity, innovation and make ample room for development within the framework of good governance and community participation; and



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4. Enhance the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the municipality and promote the orderly and beneficial development of the same.

## Section 4. General Zoning Principles

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SB Resolution No. 2016-041 dated April 14, 2016 as follows:

1. The Ordinance reflects the Municipality's vision to be "A progressive and resilient Agro-Industrial Community and globally-competitive Center for Skills Training; endowed with a sustainable environment and reliable infrastructure, inhabited by empowered *Minanhons*, and inspired by accountable and committed leadership."
2. The Local Government Unit recognizes that any land use is a use by right but provides however that the exercise of such right shall be subject to the review standards of this Ordinance;
3. The Ordinance gives the free market the maximum opportunity to spur the municipality's development within a framework of environmental integrity and social responsibility;
4. The Ordinance has been designed to encourage the evolution of high-quality developments rather than regulating against the worst type of projects;
5. The Ordinance has been crafted in a manner that is fully responsive to the ever-changing conditions that the municipality continually face;
6. The Ordinance functions as a tool for informed decision-making on the part of land use administrators by way of providing specific criteria to judge the acceptability of developments;
7. The Ordinance provides a direct venue for community empowerment where the stakeholders become involved especially in critical development decisions; and



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8. The regulations in the Zoning Ordinance are considered as land use management tools that are necessary to provide a clear guidance to land development in order to ensure the community's common good.

## **ARTICLE III**

### **DEFINITION OF TERMS**

The definition of the terms used in this Zoning Ordinance shall carry the same meaning given to them in already approved codes and regulations, such as but not limited to the National Building Code, Water Code, Philippine Environmental Code and other Implementing Rules and Regulations promulgated by the Housing and Land Use Regulatory Board. The words, terms and phrases enumerated hereunder shall be understood to have the corresponding meaning indicated as follows:

1. Actual Use – refers to the purpose for which the property is principally or predominantly utilized by the person in possession of the property.
2. Agricultural Activity – per the Comprehensive Agrarian Reform Law of 1988 (RA 6657), means the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry or fish, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.
3. Agricultural Land – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.
4. Agricultural Land Use Conversion – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.
5. Agricultural Zone (AGZ) – an area within a municipality intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations... (AFMA) Agri-Industrial Zone (AgIndZ)- an area within a municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.



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6. Agri-Processing Activities – “refers to the processing of raw agricultural and fishery products into semi-processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products.” (AFMA)
7. Allowable Uses- uses that conform to those allowed in a specific zone.
8. Base Flood Elevation – the elevation to which floodwater is expected to reach during flood events as calculated by the regional office of the DPWH.
9. Base Zones – refers to the primary zoning classification of areas within the municipality and that are provided with a list of allowable uses and regulations on building density and bulk, among others.
10. Buffer/Greenbelt Zone (B/GZ) – an area within a municipality that are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/ nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.
11. Cemetery/Memorial Park Zone (C/MP-Z) – an area in a municipality intended for the interment of the dead.
12. Certificate of Non-Conformance – certificate issued to Owners of non-conforming uses as provided in this Zoning Ordinance.
13. Commercial Garage – a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.
14. Compatible Uses – different uses capable of existing harmoniously within a zone, e.g. residential and parks and playground uses subject to the conditions stipulated in the Zoning Ordinance.



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15. Comprehensive Land Use Plan (CLUP)– is a technical document embodying specific proposals and strategies for guiding, regulating growth and/or development that is implemented through the Zoning Ordinance. The main components of the Comprehensive Land Use Plan in this usage are the land use plan and sectoral studies including Demography, Ecosystems Analysis (Terrestrial and Coastal), and Special Area Studies such as Climate Change Adaptation, Disaster Risk Reduction and Management, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.
16. Conflicting Uses – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.
17. Conforming Use – a use that is in accordance with the zone regulations as provided for in the Ordinance. CLUP Guidebook 2014 Volume 3.
18. Easement – open space imposed on any land use/activities sited along waterways, fault lines, road-rights-of-way, cemeteries/memorial parks, utilities and the like.
19. Economic Zone – is an area within the municipality identified and reclassified; where its neighborhood will be utilized for economic activities such as investments, trade and industry for agriculture, agro-industries, eco-tourism, trade & services, manufacturing, business incubation and outsourcing, processing and export, investment and technology.
20. Environmentally Critical Areas (ECA) – refer to those areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 1981, as follows:
  - a. All areas declared by law as national parks, watershed reserves, wildlife preserves and sanctuaries;
  - b. Areas set aside as aesthetic potential tourist spots;
  - c. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna);
  - d. Areas of unique historic, archaeological, or scientific interests;
  - e. Areas which are traditionally occupied by cultural communities or tribes;
  - f. Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.);



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- g. Areas with critical slopes;
- h. Areas classified as prime agricultural lands;
- i. Recharge areas of aquifers;
- j. Water bodies characterized by one or any combination of the following conditions:
  - tapped for domestic purposes;
  - within the controlled and/or protected areas declared by appropriate authorities; and
  - which support wildlife and fishery activities.

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

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

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





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22. Environmental Impact Statement (EIS) System – pursuant to PD 1586 of 1978, refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the significance of the effects of physical developments on the quality of the environment. Projects that fall within the purview of the EIS System include:
  - a. Environmentally Critical Projects; and
  - b. Projects located in Environmentally Critical Areas
23. Exception – a device which grants a property owner relief from certain provisions of the 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.
24. Flood Overlay Zone (FLD-OZ) – an area in a municipality that have been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.
25. Flood Protection Elevation – the minimum elevation to which developments are required by this Ordinance to be elevated, with reference to the Base Flood Elevation, in order to be flood proofed.
26. Floor Area Ratio or “FAR” – is the ratio between the gross floor area of a building and the area of the lot on which it stands, determined by dividing the gross floor area of the building and the area of the lot. The gross floor area of any building should not exceed the prescribed floor area ratio (FAR) multiplied by the lot area. The FAR of any zone should be based on its capacity to support development in terms of the absolute level of density that the transportation and other utility networks can support.
27. General Commercial Zone (GC-Z) – an area within a municipality intended for trading/services/ business purposes.
28. General Industrial Zone (GI-Z) – an area within the municipality for manufacturing/processing.
29. General Institutional Zone (GI-Z) – an area within a municipality intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/research and convention centers.



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30. General Residential Zone (GR-Z) – an area within a municipality intended principally for dwelling/ housing purposes.

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

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

But excluding:

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

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



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33. Locational Clearance (LC) – a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.
34. Locational Clearance (Variance) (LC-V) – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Variance provision of this Ordinance.
35. Locational Clearance (Exception) (LC-E) – a clearance issued by the LZBA to a project that is allowed under the Mitigating Device/Exception provision of this Ordinance.
36. Mitigating Device – a means to grant relief in complying with certain provisions of the Ordinance such as, but not limited to, those pertaining to use, building bulk and density, and performance standards.
37. Non-Conforming Use – uses existing prior to the approval of this Zoning Ordinance that are not in conformity with its provisions but are allowed to operate subject to the conditions of this Zoning Ordinance.
38. Notice of Non-Conformance – notice issued to owners of all uses existing prior to the approval of the Ordinance which do not conform to the provisions herein provided.
39. Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAAD) – per AFMA, refers to agricultural areas identified by the Department of Agriculture in coordination with the National Mapping and Resource Information Authority in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth.  
The NPAAAD covers the following:
  - a. All irrigated areas;
  - b. All irrigable lands already covered by irrigation projects with firm funding commitments;
  - c. All alluvial plain land highly suitable for agriculture whether irrigated or not;
  - d. Agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises;



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- e. Highlands or areas located at an elevation of 500 meters or above and have the potential for growing semi-temperate and high-value crops;
- f. All agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation; and
- g. Mangrove areas and fish sanctuaries.

- 40. Official Zoning Map – a duly authenticated map delineating the different zones into which the whole Municipality is divided.
- 41. Open Grassland- an area identified within the municipality reserve for grazing and pasture for livestock.
- 42. Open Space (OS) – as used in this Ordinance, an area where permanent buildings shall not be allowed and which may only be used as forest, buffer/greenbelts, parks and playgrounds.
- 43. Overlay Zones (OZ) – a “transparent zone” that is overlain on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations.
- 44. Parks and Recreation Zone (PR-Z) – an area in a municipality designed for diversion/ amusements and for the maintenance of ecological balance.
- 45. Planned Unit Development (PUD) – a land development scheme wherein the project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complementarity of building types and land uses, usable open spaces and the preservation of significant natural land features.
- 46. Production Agricultural Sub-Zone (PDA-SZ) – an area within the Agricultural Zone of the municipality that are outside of NPAAAD and declared by the icipality for agricultural use.



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47. Protection Agricultural Sub-Zone (PTA-SZ) – an area within the Agricultural Zone of the municipality that include the NPAAAD which are “agricultural areas identified by the Department (Agriculture) through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth.”
48. Quarrying – shall mean “the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land” (Mining Act).
49. Reclassification of Agricultural Lands – “the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, and commercial as embodied in the CLUP” (LGC and MC 54)
50. Rezoning – a process of introducing amendments to or change in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.
51. Socialized Housing – refers to housing programs and] projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA)
52. Socialized Housing Zone (SH-Z) – an area in a municipality designated for socialized housing projects.
53. Tourism Zone – are sites within cities and municipalities endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.
54. Tree Park Zone – refers to any tract of land purposely and extensively for nature-based tourism to promote environmental protection and ecological balance.
55. UDHA – shall mean the Urban Development and Housing Act of 1992 or RA 7279.



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56. Utilities, Transportation and Services Zone (UTS-Z) – an area in a municipality designated for “a range of utilitarian/ functional uses or occupancies, characterized mainly as a low-rise or medium-rise building/structure for low to high intensity community support functions, e.g. terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, solid waste handling facilities and the like” (NBC).
57. Variance – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.
58. Waterways- a river, canal, or other body of water serving as a route or way of travel or transport.
59. Water Zone – an area within a municipality comprising bodies of water such as rivers, streams, lakes, seas, shoals, deltas, estuaries and foreshore.
60. Zone/Sub-Zone – an area within a municipality for specific land use as defined by manmade or natural boundaries.
61. Zoning Administrator/Zoning Officer – a municipal government employee responsible for the implementation/enforcement of the Zoning Ordinance.
62. Zoning Certificate – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.
63. Zoning Ordinance-a local legal measure which embodies regulations affecting land use



## ARTICLE IV ZONE CLASSIFICATIONS

### **Section 5. Division into Zones or Sub-Zones**

To effectively carry out the provisions of this Ordinance, the Municipality of Mina is hereby divided into the following zones or districts as shown in the Official Zoning Maps

### **Section 6. Base Zones**

The following are designated as Base Zones:

1. Agricultural Zone (AGZ)
  - Protection Agricultural Sub-Zone (PTA-SZ)
  - Production Agricultural Subzone (PDA-SZ)
2. Agri-industrial Zone (AgIndZ)
3. Economic Zone.
4. General Residential Zone (GRZ)
5. Socialized Housing Zone (SH-Z)
6. General Commercial Zone (GC-Z)
7. General Institutional Zone (GI-Z)



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8. Tree Park Zone (TP-Z)
9. Parks and Recreation Zone (PR-Z)
10. Cemetery/Memorial Park Zone (C/MP-Z)
11. Buffer/Greenbelt (Grassland and other open space) Zone (B/G-Z)
12. Water Zone (WZ)
  - Quarry Sub-Zone (Q-SZ)
13. Eco-Park Zone (EP-Z)
14. Utilities, Transportation, and Services Zone (UTS-SZ)
15. Slaughterhouse
16. Tourism Zone (TZ)
17. Easement

## **Section 7. Overlay Zones**

The following are designated as Overlay Zone:

1. Flood Overlay Zone (FLD-OZ)

## **Section 8. Zoning Maps**

It is hereby adopted as an integral part of this Ordinance, the duly authenticated and Official Zoning Maps of the Municipality of Mina showing location and boundaries of the Base Zones, Sub-zones and Overlay Zones herein established. See Annex “A” for the Official General Zoning Map, Annex “B” for Urban Zoning Maps and Annex “C” for Flood Overlay Zone Maps .





## Section 9. Zone Boundaries

The locations and boundaries of the above mentioned various zones into which the Municipality of Mina has been subdivided are identified and specified as follows:

### GENERAL RESIDENTIAL ZONE (GRZ)

#### BARANGAY MINA WEST ( Urban Area)

GRZ -1 North of the town proper as shown in the Zoning Map, is zoned as residential areas - Bounded on the North by Suague river, to the South by Rizal St., to the East by the private road going to Pedrosa Residence and on the West by Yusay St. Extension. except for a 40- meter strip along national highway.

GRZ-2 A 40-meter strip both sides of the national highway running westward up to the urban boundary which is a line connecting two points, one is 350 meters from the corner Yusay-Rizal Sts. And another is a point 104 meters from the intersection of irrigation canal going Westward except for a commercial area 40 meters strip running towards the Suague river along Yusay St. extension, East of the 410 meters strip both sides extending along Sitio Burot barangay road 120 meters North and 230 meters South of the creek.

#### BARANGAY MINA EAST (URBAN)

GRZ-3 An area bounded on the North by Del Pilar St., on the East by Mina East –NIA Road; on the West by Ladrado st., and on the South by line along Ladrado St. 335 meters from the corner of Del Pilar-Ladrado Sts. Extending East towards NIA Irrigation Road parallel to Del Pilar St. except for the block occupied by the Church , the Convent and Our Lady of The Pillar Catholic School.



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- GRZ-4 The area bounded on the East by Del Pilar St. and a line 40 meters from the national road parallel to it on the North, a line along Ladrado St. 335 meters from corner Ladrado-Del Pilar Sts running west parallel to Del Pilar St. on the South, a line running parallel to Yusay St. 40 meters from it except for a Commercial strip running along Ladrado St. 30 meters wide.
- GRZ-5 An area at the Eastern side of the Mina Central School - Bounded on the East by the NIA canal; on the South by NIA-Mina East road, on the West by Labrador St.; on the North by national highway and extends towards the urban boundary on the proposed road towards opposite the private road going to Lot No. 16 owned by Julio P. Maravilla, except for a 30 meters strip along Labrador St. extending from the national highway corner Labrador-Del Pilar Streets , the Catholic Cemetery and public market area. And a 40-meter strip along national highway.

## BARANGAY CABALABAGUAN

- GRZ-6 The area located within the Barangay of Cabalabaguan – Bounded on the North by the Suague river; on the South the national roads about 50 meters away; on the East by Lots 1941 (pt), Lot 4, Lot 5, 2180, 2184, 2185, 1939-C (pt), 1935 and 1936; and on the West by existing old road along Lots 1919, 1920-A.
- GRZ-7 The area covered by RL Subdivision, Bounded on the North by Rizal St., on the South by Lot No. 984-C-1 & Lot No. 984-C-2 owned by Lourdes Butalid , on the East by the Public market and on the West by the RL Memorial Heaven.
- GRZ-8 An area covered by lot No. 1919-D- Bounded on the North by the buffer zone along Suague river, on the South by a 30 meters strip commercial zone along the National Highway, on the East by a private road going to Panes residence and on the West by lot 1918.



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- GRZ-9 An area covered by lot No 984-A-3 owned by Florentina Peñaflorida at the Eastern side of the public market except for a 30 meters commercial strip fronting the public market and the national highway, Bounded on the North by the national highway; on the South by Lot No. 984-C-the irrigated Riceland; on the East by lot 985 and on the West by the public market.
- GRZ-10 All areas within Barangay Cabalabaguan in the official Zoning map referred to as GRZ-10 outside of the Urban Expansion as described as GRZ-3 (1)(2)(3). Excluding areas occupied by Brgy. Cabalabaguan Multi-Purpose Center, Brgy. Chapel and Cabalabaguan Elementary School.

## **BARANGAY DALA**

- GRZ-11 All areas within Barangay Dala in the Official Zoning Map referred to as GRZ-11, except for areas occupied by Brgy. Dala Multi-Purpose Center, and Brgy. Dala Health Center

## **BARANGAY SINGAY**

- GRZ-12 All areas within Barangay Singay in the Official Zoning Map referred to as GRZ-12, except for areas occupied by Brgy. Singay Multi-Purpose Center, and Dala-Singay Elementary School.

## **BARANGAY BANGAC**

- GRZ-13 All areas within Barangay Bangac in the Official Zoning Map referred to as GRZ-13 outside of the Urban Expansion
- GRZ-14 The area located in Brgy. Bangac described as lot 9222-C, surrounding lot 9222-A and lot 9222-B, except for areas designated as open space and road right-of-ways. Bounded on the North by Mina National High School; on the South by lot 9223; on the East by lot 9215 and 9218 and on the West by lot 9223 and 9183



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## **BARANGAY ABAT**

GRZ-15 All areas within Barangay Abat in the Official Zoning map referred to as GRZ-15 , except for areas occupied by Abat Elementary School, Abat Multi-Purpose Center and portions of areas identified as area for Socialized Housing.

## **BARANGAY TALIBONG GRANDE**

GRZ-16 All areas within Barangay Talibong Grande in the Official Zoning Map referred to as GRZ-16, except for areas occupied by Talibong Grande Multi-Purpose Center, Talibong Grande Barangay Chapel and portions of areas identified as proposed Municipal Cemetery.

## **BARANGAY NAUMUAN**

GRZ-17 All areas within Barangay Naumuan in the Official Zoning Map referred to as GRZ-17 except for areas occupied by Naumuan Multi-Purpose Center.

## **BARANGAY TIPOLO**

GRZ-18 All areas within Barangay Tipolo in the Official Zoning Map referred to as GRZ-18, except for areas occupied by Brgy. Tipolo Multi-Purpose Center, Chapel, Health Center and Tipolo Elementary School.

## **BARANGAY TALIBONG PEQUENO**

GRZ-19 All areas within Barangay Talibong Pequeno in the Official Zoning Map referred to as GRZ-19 except for areas occupied by Talibong Pequeno Multi-Purpose Center and Nasirum Eelementary School



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## **BARANGAY YUGOT**

GRZ-20 All areas within Barangay Yugot in the official Zoning map referred to as GRZ-20, except for area occupied by Yugot Multi-Purpose Center .

## **BARANGAY CAPUL-AN**

GRZ-21 All areas within Barangay Capul-an in the official Zoning map referred to as GRZ-21, except for areas occupied by Capul-an Multi-Purpose Center , Health Center and St. Hannibal Mary Discernment Center .

## **BARANGAY NASIRUM**

GRZ 22 All areas within Barangay Nasirum in the official Zoning map referred to as GRZ-22, except for area occupied by Nasirum Multi-Purpose Center and Nasirum Health Center.

## **BARANGAY TOLARUCAN**

GRZ-23 All areas within Barangay Tolarucan in the official Zoning map referred to as GRZ-23 (except for the area occupied by Tolarucan Multi-Purpose Center, portion of areas occupied by Armada - Pelaez Elementary School); and a 40-meter strip both sides along National Road.

## **BARANGAY AMIROY**

GRZ-24 All areas within Barangay Amiroy in the official Zoning map referred to as GRZ-24, except for areas occupied by Amiroy Multi-Purpose Center, and Amiroy Elementary School.



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## **BARANGAY JANIPAAN WEST**

GRZ-25 All areas within Barangay Janipa-an West in the official Zoning map referred to as GRZ-25, except for areas occupied by Janipa-an West Multi-Purpose Center, and portion of area identified as area for Socialized Housing.

## **BARANGAY JANIPAAN EAST**

GRZ-26 The areas within Barangay Janipa-an East in the official Zoning map referred to as GRZ-26, except for areas occupied by Janipa-an East Multi-Purpose Center, and Janipa-an Elementary School.

## **BARANGAY BDIANGAN**

GR-27 All areas within Barangay Badiangan in the official Zoning map referred to as GRZ-27, except for areas occupied by Brgy. Badiangan Multi-Purpose Center, Solar Dryer and Badiangan Elementary School.

## **BARANGAY AGMANAPHAO**

GRZ-28 All areas within Barangay Agmanaphao in the official Zoning map referred to as GRZ-28, except for areas occupied by Agmanaphao Multi-Purpose Center, and Agmanaphao Elementary School

## **BARANGAY GUIBUANGAN**

GRZ -29 All areas within Barangay Guibuangan in the official Zoning map referred to as GRZ-29 except for area occupied by Guibuangan Multi-Purpose Center, Guibuangan Health Center and Barangay Chapel.

## **BARANGAY TUMAY**

GRZ-30 All areas within Barangay Tumay in the official Zoning Map referred to as GRZ-30 (except for the area occupied by Barangay Tumay Multi-Purpose Center, Barangay Health Center and Barangay Chapel) and a 40- meter strip both sides along National Road



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## **SOCIALIZED HOUSING ZONE (SHZ)**

Total Area of 19,081 sq.meters is presently occupied for socialized housing located in Barangay Mina West on Lot No. 1873-C-3-A with an area of 1,515 sq. meter and on Lot No. 11 (1947) located in Brgy. Cabalabaguan with an area of 17,566 sq.m. All other areas for socialized housing are found within the complex subdivision within the municipality. Other areas reserved for socialized housing can be located at Barangay Janipa-an West near its multi-purpose center along the existing primary barangay roads for accessibility.

## **GENERAL COMMERCIAL ZONE (GCZ)**

### **BRGY. CABALABAGUAN**

- GCZ-1 The Mina Public Market located in Barangay Cabalabaguan on Lot No. 984-A-2-B with an area of 9,500 sq.m. And it is bounded on the North by National road; on the South by the Bureau of Fire Building and Lot No. 984-C; on the East by Lot No. 984-2-A and; on the West by Lot No. 984-C
- GCZ-2 The 40-meter strip on both sides along the National Highway:
- It is bounded on the North by residential area with buffer zone along the Suague River; on the South by the national highway; on the East by a private road going to Lot No. 3-B-4, and on the West by RCGB (Reinforced Concrete Girder Bridge).
  - It is bounded on the North by the residential area with buffer zone along the Suague River; on the South by the National Highway; on the East by the RCGB bridge and on the West by access road down to Suague river between Lot No. 1843 and Lot No. 3-B-4 fronting Defensor St.



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## BRGY. MINA WEST

GCZ-3 The area of 17,916 sq.meters located within Poblacion (Mina West) - Bounded on the North by Rizal St. ; on the East by Parcon St.; on the West by Yusay St.; on the South by Del Pilar St.

## BRGY. MINA EAST

GCZ-4 The area of 40,317 sq.m.located within Poblacion (Mina East) Bounded on the North by Rizal St.; on the East by Lot No. 1883-J, 1815-G, & Lot No. 15; on the West by Labrador St.; and on the South by Lot No. 9, 1823-J and Lot No. 1815-G

## GENERAL INSTITUTIONAL ZONE (GIZ)

The areas identified as Institutional Zones described as follows:

### BRGY. MINA EAST

#### GIZ-1

Lot No. 2172 with an area of 18,443 sq. meters and Lot No. 2171 with an area of 5,763 sq.meters located at Poblacion (Mina East) occupied by existing Mina Central School Bounded on the North by Rizal St., on the East by Labrador St., on the South by Del Pilar St., on the West Lot No. 1905,1904,1906, 1907 & 1903 by residential area along Defensor St.

#### GIZ-2

Lot No. 1709 with an area of 11,071 sq.meters located at Poblacion (Mina East) occupied by the Mina Skills Training Center Bounded Rizal St., on the North, by Del Pilar St. on the South, by Defensor St. on the East, and Poblacion St. on the West.





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## **BRGY. MINA WEST**

- GIZ-3 Lot No. 1874-B with an area of 19,308sq.meters located at Poblacion (Mina West). It is Bounded on the North by the municipal road; on the East by Defensor St.; on the South by Lot No. 2031-B-1, 2031-B-2, & 2031-B-3; and on the West by Patarata St. Extension occupied by Our Lady of the Pillar Catholic School.
- GIZ-4 Lot No. 1708 with an area of 22,059 sq.meters located in the Poblacion (Mina West) occupied by the Municipal Town Hall, Balay Paglaum, Senior Citizen Center, Mina Health Center, Mina Child Birth Center and Maternity Clinic, Mina Laboratory and Medical Clinic, Municipal Agriculture Center, LIGA Hall, PNP Building, Motor pool, Mina Evacuation Center, & Mina Recreation Center. It is Bounded on the North by Rizal St.; on the West Parcon St.; on the South by Del Pilar St.; and on the East by Patarata St.

## **BRGY. TOLARUCAN**

- GIZ-5 Lot No. 9447 with an area of 17,909 sq.meters located at Barangay Tolarucan occupied by Armada-Pelaez Memorial Elementary School

## **BRGY. BANGAC AND TALIBONG GRANDE**

- GIZ-6 Lot No. 4 & 5 with a total area of 50,000 sq.meters located at Barangay Bangac & Talibong Grande occupied by Mina National High School

## **BRGY. ABAT**

- GIZ-7 Lot No. 9308 & 9316 with a total area of 19,083 sq.meters located at Barangay Abat occupied by Abat Elementary School

## **BRGY. TIPOLO**

- GIZ- 8 Lot No. 9142-A with an area of 7,503 sq.meters located at Barangay Tipolo occupied by Tipolo Elementary School



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## **BRGY. TALIBONG PEQUENO**

GIZ- 9 Lot No. 4-B & 4-C with a total area of 15,946 sq.meters located at Brgy. Talibong Pequeño occupied by Nasirum Elementary School

## **BRGY. CABALABAGUAN**

GIZ-10 Lot No. 24 & 25 with a total area of 17,593 sq.meters located at Barangay Cabalabaguan occupied by Cabalabaguan Elementary School

## **BRGY. SINGAY**

GIZ -11 Lot No. 10 with an area of 2,045 sq.meters located at Barangay Singay occupied by Dala-Singay Primary School

## **BRGY. AGMANAPHAO**

GIZ-12 Lot No. 1280 with an area of 10,126 sq.meters located at Barangay Agmanaphao occupied by Agmanaphao Elementary School

## **BRGY. BADIANGAN**

GIZ – 13 Lot No. 1460-E with an area of 9,147 sq.meters located at Barangay Badiangan occupied by Badiangan Elementary School

## **BRGY. JANIPAAN EAST**

GIZ-14 Lot No. 9659 with an area of 15,412 sq.meters located at Barangay Janipa-an East occupied by Amiroy Elementary School

GIZ -15 Lot No. 2150-A with an area of 15,045 sq.meters located at Barangay Janipa-an East occupied by Janipa-an Elementary School



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## ECONOMIC ZONE

**EZ** The area of 2,951,213 sq. meters or 295.1213 hectares located within Barangays Tolarucan, Amiroy, Janipa-an West & Janipa-an East zone as economic Bounded on the North by Lot No. 9523, 9522-B, 9531-B, 9532, 9531, 9569 & 9536-A of Barangay Tolarucan; on the East by Lot No. 9544 of Barangay Tolarucan, Lot No. 9570-B, 9570-C, 9570-C, 9570-A, 9580, 9581-C of Barangay Amiroy, Lot No. 9572, 9578, 9600-A, 9962, 9599, 9631, 9632, 9812-F, 9812-J, 9656, 9655, 9661, 9678, 9677, 9665 of Barangay Janipa-an West, Lot No. 9706-A, 9781, 9708, 9710, 9763-B, 9712, 9713-A, 9681, 9680 & 9660 of Barangay Janipa-East; and on the South by Janipa-an Creek and Municipality of New Lucena; on the West by Lot No. 9526, 9525, 9524 of Janipa-an West, Janipa-an Creek and Municipality of Cabatuan

## AGRICULTURAL ZONE

**AGZ** Barangays Amiroy, Cabalabaguan, Guibuangan, Mina East (Poblacion) Nasirum, Naumuan, Talibong Grande, Talibong Pequeño, Tipolo, Yugot, Mina West (Poblacion), Tolarucan, Abat, Bangac, Janipa-an West, Janipa-an East, Capul-an, Tumay

### PROTECTED AGRICULTURAL SUB - ZONE

**PTA-SZ** Barangays Agmanaphao, Amiroy, Badiangan, Cabalabaguan, Dala, Mina East (Poblacion), Singay, Mina West (Poblacion), Tolarucan, Janipa-an West, Janipa-an East, and Tumay

Areas serviced by the National Irrigation System at the barangays of Tolarucan, Amiroy, Mina East, Janipa-an East, Badiangan, Agmanaphao, Singay, Dala, Cabalabaguan and Tumay shall be part of and within the Special Agricultural and Fisheries Development Zone (SAFDZ) and part of the Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAAD) areas.

### PRODUCTION AGRICULTURAL SUB - ZONE

**PDA-SZ**

These are areas that are outside of NPAAAD and declared by the Municipality for agricultural use to include: Barangays Bangac, Talibong Grande, Abat, Talibong Pequeno, Tipolo, Naumuan, Nasirum, Guibuangan, Capul-an and Yugot.



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## TREE PARK ZONE

TPZ The area of 222,700 sq. meters or 22.2700 hectares located within Barangay Janipa-an East it is Bounded on the North by Lot No. 1609, 9776; on the East by Janipa-an Creek, Lot No. 9797-B & 9797-A; on the West by Janipa-an Creek, Lot No. 9791, 9793, 9784 & 1610; on the South by Janipa-an Creek.

## AGRI-INDUSTRIAL ZONE

AGINDZ The area of 897.7799 located within Barangay Tolarucan. Bounded on the North by Suague River; on the East by Lot No. 9405-H, 9403-A-2-1, 9403-A-2-E, 9403-A-2-C, 9403-A-2-B, 9403-A-2-A, 9405, 9490-A, 9490-B; on the South by Lot No. 9461, 9462, 9466, 9612, 9476, 9477, 9576, 9575, 9574-A, 9574-B, 9573, 9487, 9488, 9489, 9482, 9505, 9503, 9502, 9501, 9500-C; on the West by Suague River and Lot No. 9449, 9444, 9369 & Municipality of Janiuay.

## WATER ZONE

WZ Suague River passing through Barangays Cabalabaguan, Guibuangan, Mina East (Poblacion), Nasirum, Talibong Grande, Mina West (Poblacion), Tolarucan, Abat, Bangac and Tumay

Areas covered by bodies of water are the Suague River and creeks found in Janipa-an West and Janipaan East, Tipolo, Yugot, Talibong Grande, Guibuangan and Nasirum.

## QUARRY SUB-ZONE

Q-SZ All areas of Suague River sre reserved for Sand and Gravel quarrying except for areas covered by 1km upstream and downstream portion of Dam located in Brgy. Tolarucan and RCGB Bridge in Barangay Cabalabaguan, Mina.



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## **CEMETERY/MEMORIAL PARK ZONE**

C/MP-Z

1. Lot No. 1884 with an area of 7,332sq. meters located at Barangay Cabalabaguan occupied by Catholic Cemetery it is bounded on the North & East by RL Memorial Haven; on the West by National Rod; and on the South by Lot No. 1859.
2. Lot No. PCN-06-000123 with an area of 8,202sq.meters located at Barangay Cabalabaguan occupied by RL Memorial Haven, a private cemetery
3. An area of not less than 10,000 sq. meters portion of Lot No. 9200 located at Barangay Talibong Grande designated for public cemetery it is Bounded on the North by Lot No. 9128, 9193, 7 9195; on the East by Lot No. 9195, 9198, & 9199; on the West by Lot No. 9128; and on the South by Lot No. 9128.

## **ECO-PARK ZONE**

EP-Z

Lot No. 9581-B with an area of 10,000 sq.meters located at Barangay Amiroy occupied by the Municipal Disposal Site it is bounded on the North by Lot No. 9569-A; on the East by Lot No. 9568-B; on the West by Lot No. 9570; and on the South by Lot No. 9581-C, 9581-A & 9581-D

## **BUFFER/GREENBELT ZONES**

(B/G-Z)

Areas located in Barangay Bangac, Mina West, Mina East (Poblacion), Barangays Cabalabaguan, Bangac, Guibuangan, Mina East (Poblacion), Nasirum, Talibong Grande, Mina West (Poblacion), Tolarucan, Abat and Tumay

Areas along the waterways and other special establishments/projects are reserved for buffer zones.



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## UTILITIES, TRANSPORTATION AND SERVICES ZONE

### UTS-Z

1. Lot No. 9874 with an area of 8,105 sq.meters located at the Poblacion (Mina West) occupied by Mina Water System
2. An area of 100,000 sq.m. or 10 hectares located at Brgy. Cabalabaguan occupied by Green Power Panay Philippines, Inc. It is bounded on the North by the Suague River; on the South by Suague River, Lot No. 2183-B and Lot No. 2183-C ; on the West by Suague River and Lot No. 2183-A; and on the East by Lot No. 1928.
3. A government owned lot known as Lot No. 1850 with an area of 2,100 sq.m.located at Mina East, Mina, Iloilo.

## PARKS AND RECREATION ZONE

### PRZ

Portion of Lot No. 1708 with an area of 5,000 sq.meters located at Poblacion (Mina West) declared parks and open spaces occupied by public plaza. It is bounded on the North by Poblacion St.; on the West by Rizal St.;; on the East by Mina Sports and Recreation Center; and on the South by Patarata St.

1. Portion of Lot No. 1708 with an area of 2,500 sq. meters located at Poblacion (Mina West) occupied by Mina Recreation Center bounded on the North by Patarata St; on the South by Parcon St.; on the West by Mina Town Hall; on the East by Del Pilar St
2. The areas along the banks of Suague River from Brgy. Mina West to Brgy. Cabalabaguan (RCDG Bridge).

## SLAUGHTERHOUSE ZONE

Lot No. T.M. 2 with an area of 2,624 sq.meters located at Barangay Bangac it is bounded on the North by Lot No. 9213; on the East by Suague river; on the West by Lot No. T.M. Lot No. 1; and on the South by Lot No. 9214



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## TOURISM ZONE

TZ

Assessor's Lot No. T.M. 1 with an area of 40,160 located at Poblacion (Mina West) occupied by Montogawe Agri- Park and bounded on the North & East by Suague River; on the South by Lot No. 2024; and on the West by Lot No. 101100

## Section 10. Interpretation of Zone Boundaries

The following rules shall apply in the interpretation of the boundaries indicated on the Official Zoning Map:

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



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6. Where a lot of one ownership, as of record the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.
7. Where zone boundaries are indicated by Lot Parcels or said to be one-lot deep, this should mean that the said zone boundaries are defined by the parcellary subdivision existing at the time of the passage of this Ordinance.
8. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.





## ARTICLE V ZONE REGULATIONS

### Section 11. General Provisions

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

#### Allowable Uses

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

#### Building Regulations

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

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

### Section 12. . Regulations in Base Zones

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

#### Section 12.1. Regulations in Agricultural Zone

The Agricultural Zone includes areas intended for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations... (AFMA). These include Protected Agricultural Areas (as defined by AFMA, CARL and related issuances) as well as Production Agricultural Areas as may be declared by municipalities.

Regulations shall be in accordance with AFMA, CARL, Republic Act No. 7160 or the Local Government Code of 1991 (LGC) and related issuances



## Section 12.1.1 Protection Agriculture Sub-Zone

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

### Allowable Uses/Activities:

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat and cattle raising
- Fishpond activities
- Backyard raising of livestock and fowl, provided that:
  - ❖ For livestock – maximum of 1 sow and 10 heads
  - ❖ For fowl – a maximum of 500 heads
- ) Single-detached dwelling units of landowners
- ) Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- ) Ancillary dwelling units/farmhouses for tenants, tillers and laborers
- ) Engaging in home businesses such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
  - ❖ The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
  - ❖ There shall be no change in the outside appearance of the building premises;
  - ❖ No home occupation shall be conducted in any customary accessory uses cited above;
  - ❖ No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and



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

## Building Regulations

- ) When allowed, buildings and structures shall be designed, constructed and operated in accordance with the requirements of the NBC and with the provisions of this Ordinance.
- ) The Building Height Limit is 15.00 meters above established grade as provided in the NBC.

## Section 12.1.2 Production Agricultural Sub-Zone

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

### Allowable Uses/Activities

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat raising and cattle fattening
- Fishpond activities
- Poultry and Piggery subject to the HLURB Rules and Regulations in the Processing of Applications for Locational Clearance
- Rice/corn mill (single pass such as cono mill)
- Rice/corn warehouses and solar dryers



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- Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
- Plant nursery
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/farmhouses for tillers and laborers
- Engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like provided that:
  - ❖ The number of persons engaged in such business/industry shall not exceed five, inclusive of owner;
  - ❖ There shall be no change in the outside appearance of the building premises;
  - ❖ That in no case shall more than 20% of the building be used for said home occupation;
  - ❖ No home occupation shall be conducted in any customary accessory uses cited above;
  - ❖ No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
  - ❖ No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
- Home Industry Classified as cottage industry provided that:
  - ❖ Such home industry shall not occupy more than thirty percent of the floor area of the dwelling unit.
  - ❖ There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
  - ❖ Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section.
- Class "A" slaughterhouse/abattoir

## **Building Regulations**

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



## Section 12.2. Regulations in Agri-Industrial Zone

These are areas within the municipality intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

### Allowable Uses/Activities

- ) Rice/corn mills
- ) Rice/corn mill warehouses & solar dryers
- ) Agricultural and/or agri-industrial research & experimentation facilities
- ) Drying, cleaning, curing and preserving of meat and its by-products and derivatives
- ) Drying, smoking and airing of tobacco
- ) Flour mill
- ) Cassava flour mill
- ) Manufacture of coffee
- ) Manufacture of unprepared animal feeds and other grain milling
- ) Production of prepared feeds for animals
- ) Cigar and cigarette factory
- ) Curing and re-drying tobacco leaves
- ) Miscellaneous processing of tobacco leaves n.e.c.
- ) Weaving hemp textile
- ) Jute spinning and weaving
- ) Manufacture of charcoal
- ) Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
- ) Butter and cheese processing plants
- ) Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
- ) Other dairy products n.e.c.
- ) Canning and preserving of fruits and fruit juices



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- ) Canning and preserving of vegetables and vegetable juices
- ) Canning and preserving of vegetable sauces
- ) Miscellaneous canning and preserving of fruit and vegetables n.e.c.
- ) Fish canning
- ) Patis factory
- ) Bagoong factory
- ) Processing, preserving and canning of fish and other seafood n.e.c.
- ) Manufacture of desiccated coconut
- ) Manufacture of starch and its products
- ) Manufacture of wines from fruit juices
- ) Vegetable oil mills, including coconut oil
- ) Muscovado sugar mill
- ) Cotton textile mill
- ) Manufacture/processing of other plantation crops e.g. pineapple, bananas, etc.
- ) Other commercial handicrafts and industrial activities utilizing plant or animal parts and/or products as raw materials
- ) Other accessory uses incidental to agri-industrial activities
- ) Sugarcane milling (centrifugal and refined)
- ) Sugar refining
- ) Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- ) Ancillary dwelling units/farmhouses for landowners, tenants, tillers and laborers
- ) Class "A" slaughterhouse/abattoir
- ) Class "AA" slaughterhouse/abattoir

## Building Density and Bulk Regulations

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



## Section 12.3 Regulations in Water Zone

Per Republic Act No. 8550 or the Philippines Fisheries Code of 1998, this zone covers the Municipal Waters which “include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters...(boundary delineation defined in the Fisheries Code).”

Regulations shall be in accordance with the Fisheries Code, Presidential Decree No. 1067 or the Water Code of the Philippines, Republic Act No. 9275 or the Philippine Clean Water Act of 2004 and related issuances.

### Section 12.3.1 Quarry Sub-Zone

In accordance with the Philippine Mining Act, these are areas declared by the Director of Mines and Geosciences Bureau as having “quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass.”

#### Allowable Uses/Activities

- ) Quarrying or the process of extracting, removing and disposing quarry resources found on or underneath the surface of private or public land.

#### Building Regulations

- ) Except for duly-approved small-scale mining-related structures, no other permanent buildings or structures are allowed.
- ) When allowed, buildings and structures shall be designed and constructed in accordance with the requirements of the governing authority, NBC and with the provisions of this Ordinance.



## Section 12.4 Regulations in General Residential Zone

This is an area within a city or municipality intended principally for dwelling/housing purposes.

### Allowed Uses

- ) Single-detached dwelling units
- ) Semi-detached family dwelling units, e.g. duplex
- ) Townhouses
- ) Apartments
- ) Residential condominium
- ) PD 957 Subdivisions
- ) PD 957 Condominiums
- ) Boarding houses
- ) Dormitories
- ) Pension houses
- ) Hotel apartments or apartels
- ) Hotels
- ) Museums
- ) Libraries
- ) Home occupation for the practice of one's profession such as offices of physicians, surgeons, dentists, architects, engineers, lawyers, and other professionals or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
  - ❖ The number of persons engaged in such business/industry shall not exceed five (5), inclusive of owner;
  - ❖ There shall be no change in the outside appearance of the building premises;
  - ❖ That in no case shall more than 20% of the building be used for said home occupation;
  - ❖ No home occupation shall be conducted in any customary accessory uses cited above;





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- ❖ No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
  - ❖ No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
- ) Home Industry classified as cottage industry, provided that:
- ❖ Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a hazard or nuisance;
  - ❖ It shall be classified as non-pollutive/non-hazardous as provided in this 34 An LGU's Guide to CLUP Preparation integrated ZO;
  - ❖ Allotted capitalization shall not exceed the capitalization as set by the DTI; and
  - ❖ Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment/process under Home Occupation of this section.
- ) Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
- ❖ Swimming pool
  - ❖ Tennis courts
  - ❖ Basketball courts
- ) Parks and Open Spaces
- ) Nursery/Elementary school
- ) High school
- ) Vocational school
- ) Tutorial services
- ) Sports club
- ) Religious Use



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- ) Multi-purpose/Barangay hall
- ) Clinic, nursing and convalescing home, health center
- ) Plant nursery
- ) Parking buildings (aboveground/underground)
- ) Customary accessory uses incidental to any of the principal uses provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes such as:
  - ❖ Servants quarters
  - ❖ Private garage
  - ❖ Guardhouse
  - ❖ Laundries
  - ❖ Non-commercial garages
  - ❖ Houses for pets such as dogs, birds, rabbits and the like of not more than 4.00 sq. m. in floor area
  - ❖ Pump houses
  - ❖ Generator houses

## Building Regulations

- ) Per the relevant provisions of the NBC, PD 957 and this Ordinance.

## Section 12.5 Regulations in Socialized Housing Zone

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

### Allowable Uses

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

### Building Regulations

- Applicable provisions of BP 220.



## Section 12.6 Regulations in General Commercial Zone

The areas within the Municipality of Mina intended for trading/services/business purposes.

### Allowable Uses

- Wholesale stores
- Wet and dry markets
- Shopping center, malls and supermarkets
- Retail stores and shops like:
  - ❖ Department store
  - ❖ Bookstores and office supply shops
  - ❖ Art supplies and novelties
  - ❖ Home appliance stores
  - ❖ Car display and dealer stores
  - ❖ Photo shops
  - ❖ Flower shops
  - ❖ Curio or antique shops
  - ❖ Pet shops and aquarium stores
  - ❖ Jewelry shops
  - ❖ Consumer electronics such as cellular phones, cameras, lap tops, home appliances and the like
  - ❖ Drugstores
- Food market and shops like:
  - ❖ Bakery, cake, pastry and delicatessen shops
  - ❖ Liquor and wine stores
  - ❖ Groceries
  - ❖ Supermarkets
  - ❖ Convenience stores



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- Product showroom/display store
- ) Warehouse/storage facility for non-pollutive/non-hazardous finished products
- ) Personal service shops like:
  - ❖ Medical, dental, and similar clinics
  - ❖ Beauty parlor
  - ❖ Barber shop
  - ❖ Wellness facilities such as sauna, spa, massage, and facial clinics
  - ❖ Dressmaking and tailoring shops
- ) Bayad centers
- ) Laundries
- ) Internet café and cyber stations
- ) Photo/video, lights & sounds services
- ) Catering services
- ) Event planners
- ) Water stations
- ) Courier services
- ) Security agencies
- ) Janitorial services
- ) Travel agencies
- ) Repair shops like:
  - ❖ House furniture and appliances repair shops
  - ❖ Motor vehicles and accessory repair shops
  - ❖ Battery shops and repair shops
  - ❖ Bicycle repair shops
  - ❖ Repair shops for watches, bags, shoes, cellular phones, cameras, computers and the like



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- ) Recreational centers/establishments like:
  - ❖ Movie house/theater
  - ❖ Play courts e.g. tennis court, bowling lane, billiard hall
  - ❖ Swimming pool
    - ❖ Gymnasium
    - ❖ Stadium, coliseum
    - ❖ Tennis courts and sports complex
    - ❖ Billiard halls, pool rooms and bowling alleys
    - ❖ Sports clubhouses
    - ❖ Other sports and recreational establishment
  
- ) Restaurants and other eateries
- ) Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
- ) Lotto terminals, off-fronton, on-line bingo outlets and off-track betting stations
- ) Parks, playgrounds, pocket parks, parkways, promenades and play lots
- ) Plant nurseries
- ) Vocational/technical schools
- ) Special Education (SPED) school
- ) Short term special education like:
  - ❖ Dance schools
  - ❖ Schools for self-defense
  - ❖ Driving school
  - ❖ Speech clinics
  - ❖ Tutorial centers
  
- ) Libraries/museums
- ) Exhibit halls
- ) Convention centers and related facilities



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) Financial institutions/services like:

- ❖ Banks
- ❖ Stand-alone automated teller machines
- ❖ Insurance
- ❖ Foreign exchange
- ❖ Money lending
- ❖ Pawnshops

) Offices

) Business Process Outsourcing services

) Radio and television stations

) Parking lots, garage facilities

) Parking buildings (aboveground/underground)

) Transportation terminals/garage with and without repair

) Display for cars, tractors, etc.

) Motorpool

) Hauling services and garage terminals for trucks, tow trucks and buses

) Auto repair, tire, vulcanizing shops and carwash

) Auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft and aircraft sales yards

) Boat storage

) Gasoline filling stations/service stations

) Vehicle emission testing center

) Machinery display shop/center

) Machine shop service operation (repairing/rebuilding or custom job orders)

) Welding shops

) Medium scale junk shop

) Engraving, photo developing and printing shops

) Printing, publication and graphics shops



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- ) Manufacture of insignia, badges and similar emblems except metal
- ) Glassware and metalware stores, household equipment and appliances
- ) Signboard and streamer painting and silk screening
- ) Printing/typesetting, copiers and duplicating services
- ) Recording and film laboratories
- ) Construction supply stores/ depots
- ) Gravel, sand and CHB stores
- ) Lumber/hardware
- ) Paint stores without bulk handling
- ) Gardens and landscaping supply/contractors
- ) Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
- ) Lechon stores
- ) Chicharon factory
- ) Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- ) Doughnut and hopia factory
- ) Other bakery products not elsewhere classified (n.e.c.)
- ) Shops repacking of food products e.g. fruits, vegetables, sugar and other related products
- ) Manufacture of wood furniture including upholstered
- ) Manufacture of rattan furniture including upholstered
- ) Manufacture of box beds and mattresses
- ) Funeral parlors (all categories)
- ) Commercial condominium (with residential units in upper floors)



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) Commercial housing like:

- ❖ Hotel
- ❖ Apartment
- ❖ Apartel
- ❖ Boarding house
- ❖ Dormitory
- ❖ Pension house
- ❖ Motel
- ❖ Condotel

) All uses allowed in all Residential Zones

) Customary accessory uses incidental to any of the above uses such as:

- ❖ Staff houses/quarters
- ❖ Parking lots/Building garage
- ❖ Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
- ❖ Pump houses
- ❖ Generator houses

## Building Regulations

- ) Per the relevant provisions of the NBC and this Ordinance.
- ) Subject to national locational guidelines and standards of concerned agencies.





# Municipality of Mina Comprehensive Land Use Plan



## Section 12.7 Regulations in Economic Zone

An area within cities or municipalities intended for light manufacturing or production industries, BPOs that are:

- a. Non-Pollutive/Non-Hazardous;
- b. Non-Pollutive/Hazardous , and
- c. Other Support Services and Facilities

### Allowable Uses

#### A. Non-Pollutive/Non-Hazardous Industries

- ) Drying fish
- ) Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- ) Doughnut and hopia factory
- ) Manufacture of macaroni, spaghetti, vermicelli and other noodles
- ) Other bakery production not elsewhere classified (n.e.c.)
- ) Life belts factory
- ) Manufacture of luggage, handbags, wallets and small leather goods
- ) Manufacture of miscellaneous products of leather and leather substitute and n.e.c.
- ) Manufacture of shoes except rubber, plastic and wood
- ) Manufacture of slipper and sandal except rubber and plastic
- ) Manufacture of footwear parts except rubber and plastic
- ) Printing, publishing and allied industries and those n.e.c.
- ) Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines
- ) Manufacture or assembly of electronic data processing machinery and accessories
- ) Renovation and repair of office machinery
- ) Manufacture or assembly of miscellaneous office machines and those n.e.c.



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- ) Manufacture of rowboats, bancas and sailboats
- ) Manufacture of animal-drawn vehicles
- ) Manufacture of children vehicles and baby carriages
- ) Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
- ) Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, thermometer, etc.
- ) Manufacture or assembly of surgical, medical, dental equipment and medical furniture
- ) Ice plants and cold storage buildings
- ) Quick freezing and cold packaging for fish and other seafoods
- ) Quick freezing and cold packaging for fruits and vegetables
- ) Popcorn/rice factory
- ) Manufacture of medical/surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
- ) Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.)
- ) Manufacture of photographic equipment and accessories
- ) Manufacture or assembly of optical instruments
- ) Manufacture of eyeglasses and spectacles
- ) Manufacture of optical lenses
- ) Manufacture of watches and clocks
- ) Manufacture of pianos
- ) Manufacture of string instruments
- ) Sand & gravel & hollow blocks factory
- ) Manufacture of wind and percussion instruments
- ) Manufacture or assembly of electronic organs
- ) Manufacture of sporting gloves and mitts
- ) Manufacture of sporting balls (not of rubber or plastic)
- ) Manufacture of gym and playground equipment
- ) Manufacture of sporting tables (billiards, pingpong, pool)
- ) Manufacture of other sporting and athletic goods n.e.c.



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- ) Manufacture of toys and dolls except rubber and mold plastic
- ) Manufacture of pens, pencils and other office and artist materials
- ) Manufacture of umbrella and canes
- ) Manufacture of buttons except plastic
- ) Manufacture of brooms, brushes and fans
- ) Manufacture of needles, pens, fasteners and zippers
- ) Manufacture of insignia, badges and similar emblems (except metal)
- ) Manufacture of signs and advertising displays (except printed)
- ) Small-scale manufacturing of ice cream<sup>48</sup>
- ) Dairies and creameries
- ) Warehouse/Storage facility for non-pollutive/non-hazardous industries
- ) Parks, playgrounds, pocket parks, parkways and promenades
- ) Customary accessory uses incidental to any of the above uses such as:
  - ❖ Staff houses/quarters
  - ❖ Offices
  - ❖ Eateries/canteens
  - ❖ Parking lots/garage facilities
  - ❖ Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
  - ❖ Pump houses
  - ❖ Generator houses

## B. Non-Pollutive/Hazardous Industries

- ) Manufacture of house furnishing
- ) Textile bag factories
- ) Canvass bags and other canvass products factory
- ) Jute bag factory



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- ) Manufacture of miscellaneous textile goods, embroideries and weaving apparel
- ) Manufacture of fiber batting, padding and upholstery filling except coir
- ) Men's and boys' garment factory
- ) Women's and girls' and ladies' garments factory
- ) Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories
- ) Manufacture of raincoats and waterproof outer garments except jackets
- ) Manufacture of miscellaneous wearing apparel except footwear
- ) Manufacture of miscellaneous fabricated mill work and those n.e.c.
- ) Manufacture of wooden and cane containers
- ) Sawali, nipa and split cane factory
- ) Manufacture of bamboo, rattan and other cane baskets and wares
- ) Manufacture of cork products
- ) Manufacture of wooden shoes, shoe lace and other similar products
- ) Manufacture of miscellaneous wood products and those n.e.c.
- ) Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.
- ) Manufacture of paper stationery, envelopes and related articles
- ) Manufacture of dry ice
- ) Repackaging of industrial products e.g. paints, varnishes and other related products
- ) Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants]
- ) Warehouse/Storage Facility for non-pollutive/hazardous industries
- ) Parks, playgrounds, pocket parks, parkways and promenades
- ) Customary accessory uses incidental to any of the above uses such as:
  - ❖ Staff houses/quarters
  - ❖ Offices
  - ❖ Eateries/canteens
  - ❖ Parking lots/garage facilities
  - ❖ Storerooms and warehouses but only as may be necessary for the efficient conduct of the business



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- ❖ Pump houses
- ❖ Generator houses

C. Other Support Services and Facilities-required in the Economic Zone operations such as among others, residential, commercial, institutional, parks and recreational spaces as determined by the authority in charge of zoning management. These uses shall be detailed in master plan of the Economic Zone to be prepared by the LGU and approved by concerned authorities.

D. Alternative Energy Services

E. BPO's

## Building Density and Bulk Regulations

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

## Section 12.8 Regulations in General Institutional Zone

An area within the Municipality of Mina intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/ research and convention centers.

### Allowable Uses

- ) Government or civic centers to house national, regional or local offices in the area
- ) Police and fire stations
- ) Other types of government buildings
- )



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- ) Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
- ) Learning facilities such as training centers, seminar halls and libraries
- ) Scientific, cultural and academic centers and research facilities except nuclear, radioactive, chemical and biological warfare facilities
- ) Museums, exhibition halls and art galleries
- ) Convention center and related facilities
- ) Civic centers and community centers
- ) General hospitals, medical centers, specialty hospitals, medical, dental and similar clinics,
- ) Places of worship, such as churches, mosques, temples, shrines, chapels
- ) Seminaries and convents
- ) Parking buildings
- ) Parks, playgrounds, pocket parks, parkways, promenades and playlots
- ) Customary accessory uses incidental to any of the above uses such as:
  - ❖ Staff houses/quarters
  - ❖ Offices
  - ❖ Eateries/canteens
  - ❖ Parking lots/garage facilities
  - ❖ Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
  - ❖ Pump houses
  - ❖ Generator houses

## Building Density and Bulk Regulations

- ) Per relevant provisions of the NBC and this Ordinance.
- ) The Building Height Limit is 15 meters above highest grade as provided in the NBC.
- ) Subject to National Locational Clearance Guidelines and Standards of concerned agencies



## Section 12.9 Regulations in Parks and Recreation Zone

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

### Allowable Uses

- ) Parks, playgrounds, pocket parks, parkways, promenades and playlots, gardens
- ) All types of resort complexes such as those providing accommodation, sports, dining and other leisure facilities
- ) Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheatres and swimming pools
- ) Ball courts, skating rinks and similar uses
- ) Memorial/Shrines monuments, kiosks and other park structures
- ) Sports clubs
- ) Parking structures/facilities
- ) Open space buffers and easements

### Building Density and Bulk Regulations

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

## Section 12.10 Regulations in Cemetery/Memorial Park Zone

An area in the Municipality of Mina intended for the interment of the dead. Cemeteries shall conform with the land use plan or zoning ordinance of the locality having jurisdiction over the project site, the pertinent provisions of the Sanitation Code, Water Code, National Building Code and its referral codes like the Accessibility Law, Plumbing Code, Electrical Code, etc. and other applicable laws and rules affecting related services and design standards.



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## Allowable Uses

- ) Memorial Parks
- ) Cemetery
- ) Columbarium
- ) Crematorium
- ) Ossuary
- ) Customary accessory uses such as crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking, and toilet facilities

## Building Density and Bulk Regulations

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

## Section 12.11 Regulations in Tree Park Zone

This area is for nature-based tourism aims to promote environmental protection and ecological balance.

### Allowable Uses

- ) Eco-tourism
- ) Open spaces/gardens
- ) Parks and park structures such as playgrounds, jogging trails, bicycle lanes, picnic
- ) Plant nurseries
- ) Ground-level or underground parking structures/facilities
- ) Agriculture, silviculture, horticulture
- ) Customary accessory uses incidental to any of the above such as offices, eateries/ canteens, parking, kiosks, retail stores and toilet facilities





## Building Density and Bulk Regulations

- No permanent structure or building allowed

## Section 12.12 Regulations in Utilities, Transportation, and Services Zone

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

### Allowable Uses

- Bus and railway depots and terminals
- Port facilities
- All other types of transportation complexes
- Power plants (thermal, hydro, geothermal, wind, biomass, solar)
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants ]
- Liquid and solid waste management facilities
- Climate monitoring facilities
- Telecommunication facilities such as cell (mobile) phone towers
- All other types of large complexes for public services
- Customary accessory uses incidental to any of the above uses such as:
  - ❖ Staff houses/quarters
  - ❖ Offices
  - ❖ Parking lots/garage facilities



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- ❖ Eateries/canteens
- ❖ Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
- ❖ Pump houses
- ❖ Generator houses

## Building Density and Bulk Regulations

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

## Section 12.13 Regulations Eco-Park Zones

An area intended for ecological waste management activities of the municipalities.

### Allowable Uses:

1. Material Recovery Facilities
2. Vermiculture
3. Parking Structure
4. Warehouse

) No residential building shall be built within the 100-meter radius away from this zone.

## Section 12.14. Regulations for Buffer/ Greenbelt Zones

These are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.

### Allowable Uses

- ) Open spaces/gardens
- ) Parks and park structures such as playgrounds, jogging trails, bicycle lanes



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- ) Plant nurseries
- ) Ground-level or underground parking structures/facilities
- ) Agriculture, silviculture, horticulture
- ) Customary accessory uses incidental to any of the above such as offices, eateries/ canteens, parking, kiosks, retail stores and toilet facilities

No permanent Structures are allowed in this zone.

## Section 12.15 Regulations for Slaughterhouse Zone

An area for slaughter house building and for other related activities

## Section 12.16 Regulations for Tourist Zone

No tourism project or tourist related activities shall be allowed in Tourism Zones unless developed or undertaken in compliance with the Department of Tourism (DOT) Guidelines and Standards.

### Allowable Uses

- ) Agri-tourism
- ) Inland Resorts including accessory uses
- ) Theme parks
- ) Heritage and Historical Sites
- ) Other related activities such as tree parks and botanical gardens
- ) Tourism accommodation such as:
  - ) Cottages Lodging inns
  - ) Restaurants
  - ) Home stays
  - ) Souvenir shops
  - ) Open air or outdoor sports activities
  - ) Food production and processing activities such as vegetables, fruits and plantation crop and fish production to sustain tourism industry
  - ) Parking areas



## Section 13. Regulations in Overlay Zones

A “transparent zone” that is overlain on top of the Basic Zone or another Overlay Zone that provides an additional set (or layer) of regulations. These additional layers of regulations may pertain to additionally allowable uses, building density and bulk and building/ structure design that are deemed necessary to achieve the objectives for the Overlay Zone.

### Section 13.1. Flood Overlay Zone (FLD-OZ)

FLD-OZ regulations are applied in areas that have been determined in the CLUP as flood-prone. The objective of the Flood Overlay Zone is to protect lives and properties from the harmful effects of flood.

#### Allowable Uses

Allowable uses shall be as provided in the respective Base Zone, subject to the following additional regulations :

- a) Building Density and Buffer Regulations
  - ) Maximum Allowable of Percentage of Site Occupancy (MAPSO) – 70% of the Total Land Area
  - ) Unpaved Surface Area (USA) – not less than 30% of the Total Land Area
- b) Building/Structure Design Regulations

Buildings shall be made flood proof through any or combination of the following means:

- ❖ Raising the lowest floor line at or above the Flood Protection Elevation (FPE) as determined by the DPWH either through fill or by using stilts;
- ❖ Providing roof decks that can be used for evacuation purposes;
- ❖ Building utility connections such as those for electricity, potable water and sewage shall be located at elevations higher than the FPE;
- ❖ Natural drainage patterns should not be altered; and
- ❖ Use sustainable urban drainage systems (SUDS) to include rainwater storage tanks, green roofs, etc. that can decrease the flow and make productive use of storm water run-off.



## ARTICLE VI GENERAL REGULATIONS

### **Section 14. Height Regulations**

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

Exempted from the imposition of height regulations in residential zones are the following: towers, church, steeples, water tanks and other utilities and such other structures not covered by the height regulations of the National Building Code and/or the CAAP.

### **Section 15. Area Regulations**

Area regulations in all zones shall conform to the applicable minimum requirements of existing laws, codes and regulations such as:

1. PD 957, "Subdivision and Condominium Buyers' Protective Law" and its revised implementing rules and regulations
2. Batas Pambansa 220, "Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects" and its revised implementing rules and regulations
3. RA 7279 – Urban Development and Housing Act
4. PD 1096 – National Building Code
5. PD 1185 – Fire Code
6. PD 856 – Sanitation Code
7. RA 6541 – Structural Code
8. Batas Pambansa 344 – Accessibility Law
9. Rules and Regulations – HLURB Town Planning and Zoning Program



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10. CA 141 or Public Land Act – public lands, including foreshore and reclaimed lands
11. PD 705 or Revised Forestry Code – forestlands
12. PD 1076 or Water Code of the Philippines – inland and coastal waters, shorelines and riverbank easements
13. RA 6657 or Comprehensive Agrarian Reform Law – agrarian reform lands
14. RA 7279 or Urban Development and Housing Act (UDHA) – socialized housing and settlements development
15. RA 7586 or National Integrated Protected Areas Act – protected areas in both land and seas
16. RA 7942 or Philippine Mining Act – mining areas
17. . RA 8435 or Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural land
18. RA 8550 or Revised Fisheries Code – municipal waters and coastal zones
19. RA 9593 or Philippine Tourism Act – tourism zones and estates
20. RA 9729 or Philippine Climate Change Act, as amended
21. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas
22. RA 100121 or Disaster Risk Reduction and Management Act – disaster-prone and geo-hazard areas
23. Other relevant guidelines promulgated by the national agencies concerned.



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## Section 16 . Road SetBack Regulations

The following road setback regulations shall be the template for planning.

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

Source: Department of Public Works and Highways (DPWH)

## Section 17. Easement

1. Pursuant to the provisions of the Water Code: 1) the banks of rivers and streams and the shores of the seas and lakes throughout their entire length within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to easements of public use in the interest of recreation, navigation, floatage, fishing and salvage.
2. No person shall be allowed to stay in this zone longer than what is necessary for space or recreation, navigation, floatage, fishing or salvage or to build structures of any kind.



## **Section 18. Buffer Regulations**

A buffer of 4 meters shall be provided along entire boundary length between two or more conflicting zones allocating 2 meters from each side of the district boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space

## **Section 19. Specific Provisions In The National Building Code**

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

## **Section 20. Advertising, Billboards and Business Signs**

No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put up for public view without locational clearance from the Zoning Administrator/Zoning Officer. Locational clearance for such signs or billboards may be granted only when the same is appropriate for the permitted use for a zone and the size thereof is not excessive, taking into account the bulk or size of the building or structure and the business practices or usages of the locality and the same shall in no case obstruct the view of any scenic spot. Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area. No sign should project to public property unless expressly allowed by the Zoning Administrator/ Zoning Officer. Temporary signs and billboards for not more than two months may be allowed by the Zoning Officer/Administrator upon payment of corresponding fees to the City/Municipality. The permit for such sign shall indicate the location, size, slope, contents and type of construction.

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





## **ARTICLE VII PERFORMANCE STANDARDS**

### **Section 21. Application of Performance Standards**

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

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

### **Section 22. Environmental Conservation and Protection Standards**

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

1. Views shall be preserved for public enjoyment especially in sites with high scenic quality by closely considering building orientation, height, bulk, fencing and landscaping.
2. Deep wells shall not be allowed unless a Water Permit is obtained from the National Water Resources Board.
3. Land use activities shall not cause the alteration of natural drainage patterns or change the velocities, volumes, and physical, chemical, and biological characteristics of storm water. Streams, watercourses, wetlands, lakes or ponds shall not be altered, re-graded, developed, piped, diverted or built upon.



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4. All developments shall ensure that storm water runoff shall be controlled through appropriate storm water drainage system design.
5. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage;
6. The internal drainage systems of developments shall be so designed as not to increase turbidity, sediment yield, or cause the discharge of any harmful substances that will degrade the quality of water. Water quality shall be maintained according to DENR's latest Revised Water Usage and Classification/Ambient Water Quality Criteria;
7. Municipal and industrial wastewater effluents shall not discharge into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters
8. Developments that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements of and approved by the DENR;
9. Floodplains shall not be altered, filled and/or built upon without proper drainage design and without proper consideration of possible inundation effects on nearby properties
10. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures;
11. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke, gas or any other air polluting material that may have harmful effects on health or cause the impairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR's latest Air Quality Standards.



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12. Developments that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
13. Industrial processes/activities should not cause negative impacts to the environment. The Zoning Administrator/Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance

## **Section 23. Agricultural Land Conservation and Preservation Criteria**

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

Applications for agricultural land re-classification approved by the Municipality of Mina shall be submitted to the HLURB/Sangguniang Panlalawigan for review and final approval.

## **Section 24. Network of Green and Open Spaces**

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

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



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4. Parking lots having at least 20 car parking slots shall be:

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

## **Section 25. Site Development Standards**

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

Further, designs should consider the following:

1. The height and bulk of buildings and structures shall be so designed that it does not impair the entry of light and ventilation, cause the loss of privacy and/or create nuisances, hazards or inconveniences to adjacent developments.
2. Abutments to adjacent properties shall not be allowed without the neighbor's prior written consent which shall be required by the Zoning Administrator/Zoning Officer prior to the granting of a Locational Clearance;
3. The capacity of parking areas/lots shall be per the minimum requirements of the National Building Code. These shall be located, developed and landscaped in order to enhance the aesthetic quality of the facility. In no case shall parking areas/lots encroach into street rights-of-way.
4. Developments, such as shopping malls, schools, places of worship, markets, sports stadia and the like, which attract a significant volume of transportation, such as PUVs and, private vehicles shall provide adequate on-site parking for the same. These should also provide vehicular loading and unloading bays so as through street traffic flow will not be impeded.



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5. Buffers, silencers, mufflers, enclosures and other noise-absorbing materials shall be provided to all noise and vibration-producing operations. Noise levels shall be maintained according to levels specified in DENR's latest guidelines on the Abatement of Noise and Other Forms of Nuisance.
6. Glare and heat from any operation or activity shall not be radiated, seen or felt from any point beyond the limits of the property.
7. Fencing along roads shall be see-through. Side and rear fencing between adjacent lots (not facing a road) may be of opaque construction materials.

## **Section 26. Infrastructure Capacities**

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

The Zoning Administrator shall require the following

1. Drainage Impact Assessment Study

All development proposals in flood prone areas and all major proposals likely to affect the existing drainage regime, including commercial-residential buildings or condominiums, shopping malls, public markets, schools, universities, residential and industrial, and other similar developments shall be required to submit Drainage Impact Assessment Studies. These should be prepared, signed and sealed by duly licensed Civil Engineers, Sanitary Engineers or Environmental Planners.

2. Traffic Impact Statement

Major, high intensity facilities such as commercial-residential buildings or condominiums having four floors and above, shopping malls, public markets, transportation terminals/ garages, schools, universities, residential and industrial subdivisions, cock fighting arena, sports stadia and other similar developments shall be required to submit Traffic Impact Statements. Other traffic generating developments, as determined by the Zoning Administrator/Zoning Officer, shall be required to submit the same.



## ARTICLE VIII MITIGATING DEVICES

### **Section 27. Deviation**

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

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

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

- a. Conforming to the provisions of the Ordinance will cause undue hardship on the part of the owner of the property due to physical conditions of the property (topography, shape, etc.), which is not self-created.
- b. The proposed variance is the minimum deviation necessary to permit reasonable use of the property.
- c. The variance will not alter the intended physical character of the zone and adversely affect the use of the other properties in the same zone such as blocking-off natural light, causing loss of natural ventilation or encroaching in public easements and the like.
- d. That the variance will not weaken the general purpose of the Ordinance and will not adversely affect the public health, safety or welfare.
- e. The variance will be in harmony with the spirit of this Ordinance.



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## 2. Exceptions (deviations from Allowable Use provisions)

Exceptions may be allowed provided that proposals satisfy all of the following conditions:

- a. The exception will not adversely affect the public health, safety and welfare and is in keeping with the general pattern of development in the community.
- b. The proposed project shall support economic based activities/provide livelihood, vital community services and facilities while at the same time posing no adverse effect on the zone/community
- c. . The exception will not adversely affect the appropriate use of adjoining properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like.
- d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

## **Section 28. Procedures for Evaluating Variances and/or Exceptions**

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

1. The project proponent shall file a written application for Variance and/or Exception with the LZBA citing the section(s) of this Ordinance under which the same is sought and stating the ground/s thereof.
2. Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project) shall be posted at the project site. This sign shall be maintained until the LZBA has rendered a decision on the application.
3. The LZBA shall conduct preliminary studies on the application. These application papers shall be made accessible to the public.



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4. A written affidavit of no objection to the project by the owners of the properties immediately in front of and abutting the project site shall be filed by the applicant with the LZBA within fifteen (15) days upon filing of application.
5. The LZBA shall hold public hearing(s) to be held.
6. At the hearing, any party may appear in person, or be represented by agent/s. All interested parties shall be accorded the opportunity to be heard and present evidences and testimonies.
7. The LZBA shall render a decision within thirty (30) days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing(s).

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





## ARTICLE IX ADMINISTRATION AND ENFORCEMENT

### **Section 29. Approved Zoning Maps**

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

- Office of the Mayor
- Office of the Zoning Administrator
- Municipal Planning and Development Office
- Municipal Assessor's Office
- Municipal Engineer's Office
- Municipal Agrarian Reform Office
- Municipal Agriculture Office
- Municipal Environment Office



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

## **Section 30. Locational Clearance**

All owners/developers shall secure Locational Clearance from the Zoning Administrator/ Zoning Officer or, in cases of Variances and/or Exceptions, from the LZBA prior to conducting any activity or construction on their property/land. This will include property/ land located in Forest Lands, Special Economic Zones and other areas administered by national and special agencies, except for facilities for national security as certified by the Department of National Defense.

## **Section 31. Projects of National Significance**

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

## **Section 32. Major and/or Innovative Projects**

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

## **Section 33. Subdivision Projects**

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



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

## **Section 34. Planned Unit Development Projects**

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

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

## **Section 35. Environmental Compliance Certificate**

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

## **Section 36. Building Permit**

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

## **Section 37. Business Permit**

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

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



## **Section 38. Occupancy Permit**

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

## **Section 39. Validity of Locational Clearance**

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

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

## **Section 40. Notice of Non-Conformance**

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

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



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

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 provisions of the integrated ZO, provided:

1. That no such non-conforming use shall be expanded or extended to occupy a greater area of land than that already occupied by such use at the time of the adoption of this Ordinance or moved in whole or in part, to any other portion of the lot or parcel of land where such non-conforming use exists at the time of the adoption of this Ordinance;
2. That no such non-conforming use which has ceased operation for more than one (1) year be again revived as non-conforming use;
3. A vacant/idle building or structure may not be used for non-conforming activity;
4. That any non-conforming building/structure which has been damaged maybe reconstructed and used as before provided that such reconstruction is not more than fifty percent (50%) of the replacement cost.
5. That should such non-conforming portion of any building/structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance;
6. That no such non-conforming use maybe moved to displace any conforming use;
7. That no such non-conforming use and/or structure may be expanded or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;



8. That should such use and/or structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the zone in which it is moved or relocated;
9. That such non-conforming use and/or structure should not cause nuisance effects to its neighborhood, such as but not limited to pollution of whatever form (air, noise, land, water, etc.), undesirable traffic (whether vehicular or pedestrian) and the like and should further not pose health and safety hazards and as further provided in the Performance Standards provision of this Ordinance; and
- 10.** The owner of a non-conforming use and/or structure shall program the phase-out and relocation within ten (10) years from the effectivity of this Ordinance.

## **Section 42. Responsibility for Administration and Enforcement**

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

## **Section 43. Qualifications of the Zoning Administrator/Zoning Officer**

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



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

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

### 1. Enforcement

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

### 2. Planning

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

## **Section 45. Complaints and Oppositions**

A complaint for violation of any provision of the integrated ZO or any clearance or permit issued pursuant thereto shall be filed with the LZBA.

Oppositions to applications for Locational Clearance, Variance or Exception shall be treated as a complaint and shall likewise be filed with the LZBA.



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

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

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

## **Section 47. Appeals to LZBA Decisions**

Decisions of the LZBA shall be appealable to the HLURB.

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

The LZBA shall be composed of the following members:

1. Municipal Mayor as Chairman
2. SB Committee Chairperson on Land Use/Zoning (If said committee is non-existent, the SB may elect a representative)
3. Municipal Legal Officer





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

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

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

## **Section 49. Review of the Zoning Ordinance**

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

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



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

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

1. Sangguniang Bayan Chairperson on Land Use/Zoning (or equivalent committee)
2. Municipal Planning and Development Coordinator
3. Municipal Zoning Administrator/Zoning Officer
4. Municipal Assessor
5. Municipal Legal Officer
6. Municipal Engineer
7. Municipal Community Environment and Natural Resources Officer/Disaster Risk Reduction and Management Officer
8. Municipal Agriculturist
9. Municipal Agrarian Reform Officer
10. President, Association of Barangay Captains
11. Three (3) Private Sector Representatives such as from Local Chamber of Commerce, local housing industry, federation of homeowner's associations, and academe.
12. Two (2) non-government and civil society organization representatives



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The Municipal Planning and Development Office shall serve as the Secretariat to the LZRC.

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

## **Section 51. Functions of the Local Zoning Review Committee**

The Local Zoning Review Committee shall have the following functions:

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

## **Section 52. Amendments to the Revised ZO**

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

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



## **Section 53. Violation and Penalty**

Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine or imprisonment as provided under the Local Government Code or both at the discretion of the Court. In case of violation by a corporation, partnership or association the penalty shall be imposed upon the erring officers thereof.

## **Section 54. Suppletory Effect of Other Laws and Decrees**

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

## **Section 55. Non-Diminution of National Standards**

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

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

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

## **Section 57. Separability Clause**

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



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## Section 58. Repealing Clause

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

## Section 59. Effectivity Clause

This Zoning Ordinance takes effect upon approval by the Sangguniang Panlalawigan (SP) and after compliance with the publication requirements of the Local Government Code.

ADOPTED this 11<sup>th</sup> day of August, 2016 at Mina, Iloilo on motion of Hon. Jose G. Salanio, Jr. and duly seconded by Hon. Rose Kareen S. Defensor and Hon. Juanito D. Grabato, Jr.

(SGD). MA. DAISY P. PARRENO  
Secretary to the Sanggunian

ATTESTED BY:

(SGD.) HON. BERNARDINO P. CHICHIRITA  
Municipal Vice-Mayor

(SGD.) HON. ARNEL C. MATTA  
SB Member

(SGD.) HON. NOEL P. ESPIRITU  
SB Member

(SGD.) HON. JUANITO D. GRABATO, JR.  
SB Member



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**(SGD.) HON. JOSE G. SALANIO, JR.**  
SB Member

**(SGD.) HON. ROSE KAREEN S. DEFENSOR**  
SB Member

**(SGD.) HON. GERMAINE D. DABLEO**  
SB Member

**(SGD.) ARIEL V. NOVO**  
SB Member

**(SGD.) HON. CELSO S. JUSTADO**  
SB Member

**(SGD.) HON. ROGER P. CORDERO**  
Liga Presedent

**APPROVED BY:**

**(SGD.) HON. REY P. GRABATO**  
Municipal Mayor

**(SGD.) ATTY. RAUL S. TIOSAYCO**  
Secretary to the Sangguniang Panlalawigan

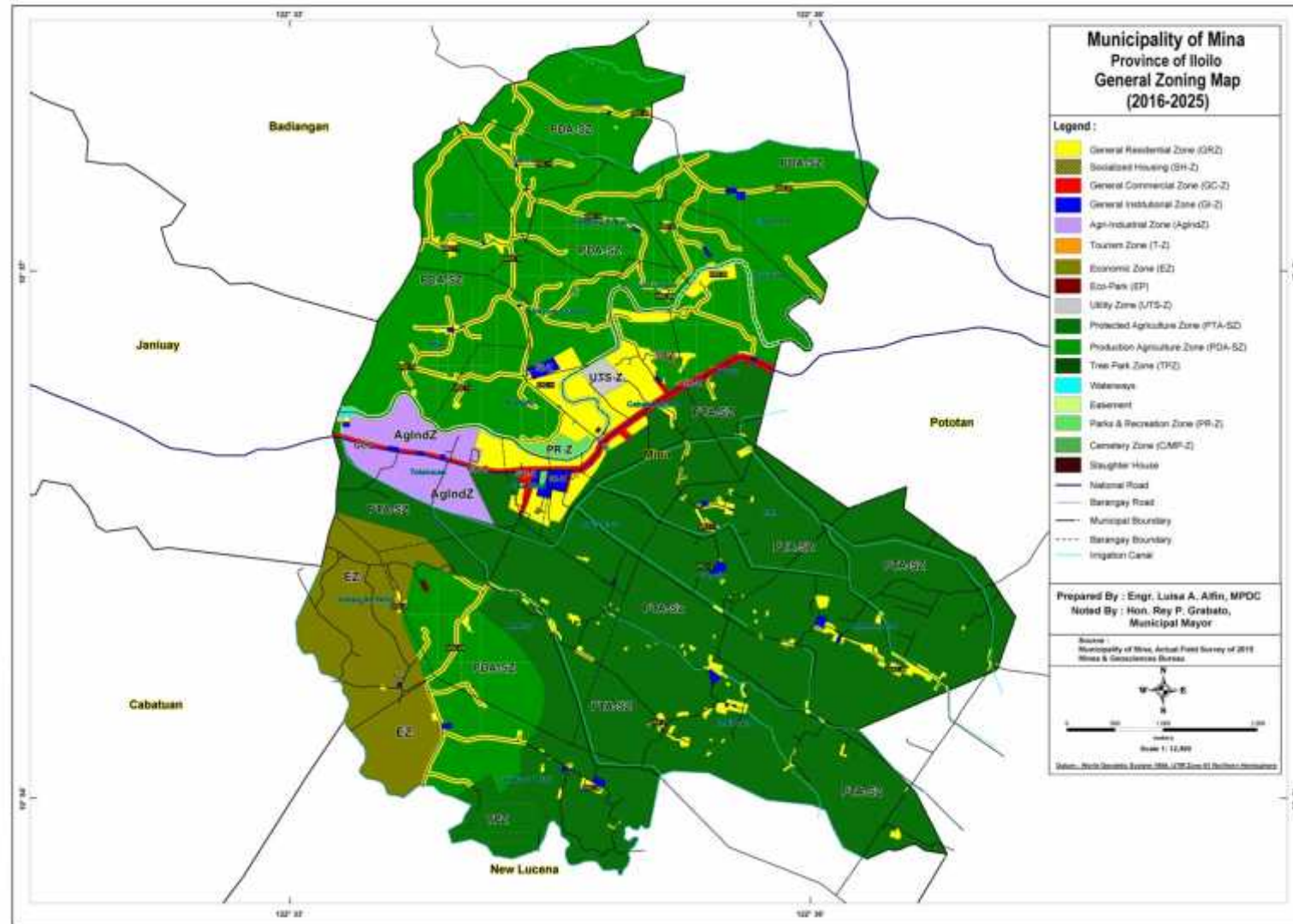


# Municipality of Mina Comprehensive Land Use Plan



## GENERAL ZONING MAP

“Annex 1”





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## OFFICIAL URBAN ZONING MAP

## "Annex 2"







# Municipality of Mina Comprehensive Land Use Plan



## FLOOD OVERLAY ZONE MAP

## "Annex 3"

