



CITY GOVERNMENT OF DAVAO

COMPREHENSIVE LAND USE PLAN

2019-2028

VOLUME 2
THE ZONING ORDINANCE



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**INTEGRATED
ZONING ORDINANCE
(2019-2028)**

Acronyms

ADSDPP	-	Ancestral Domain Sustainable Development and Protection Plan
AGZ	-	Agricultural Zone
AFMA	-	Agriculture and Fisheries Modernization Act
AgIndZ	-	Agri-Industrial Zone
AD-OZ	-	Ancestral Domain Overlay Zone
Aq-SZ	-	Aquaculture Sub-Zone
B/GZ	-	Buffer/Greenbelt Zone
BB-OZ	-	Billboards Overlay Zone
BFAR	-	Bureau of Fisheries and Aquatic Resources
BHL	-	Building Height Limit
BP	-	Batas Pambansa
BSWM	-	Bureau of Soils and Water Management
C1-Z	-	Commercial 1 Zone
C2-Z	-	Commercial 2 Zone
C3-Z	-	Commercial 3 Zone
CA	-	Commonwealth Act
CAAP	-	Civil Aviation Authority of the Philippines
CAD/T	-	Certificate of Ancestral Domain Title
CAL/T	-	Certificate of Ancestral Lands Title
CARL	-	Comprehensive Agrarian Reform Law (RA 6657) of 1988
CCA	-	Climate Change Adaptation
CBD	-	Central Business District
CDRA	-	Climate and Disaster Risk Assessment
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
DHSUD	-	Department of Human Settlements and Urban Development
DRRM	-	Disaster Risk Reduction and Management
DTI	-	Department of Trade and Industry
ECA	-	Environmentally Critical Area
ECC	-	Environmental Compliance Certificate
ECP	-	Environmentally Critical Project
EIS	-	Environmental Impact Statement
EMB	-	Environmental Management Bureau
EO	-	Executive Order
FAR	-	Floor Area Ratio
FLD-OZ	-	Flood Overlay Zone
FLT-OZ	-	Active Fault Overlay Zone
FPE	-	Flood Protection Elevation
FZ	-	Forest Zone

GC-Z	-	General Commercial Zone
GFA	-	Gross Floor Area
GI-Z	-	General Institutional Zone
HLURB	-	Housing and Land Use Regulatory Board
HTG-OZ	-	Heritage Overlay Zone
I1-Z	-	Industrial 1 Zone
I2-Z	-	Industrial 2 Zone
I3-Z	-	Industrial 3 Zone
ICCs	-	Indigenous Cultural Communities
IP	-	Indigenous People
IPRA	-	Indigenous Peoples' Rights Act of 1997 (RA 8371)
IRR	-	Implementing Rules and Regulations
KBA-OZ	-	Key Biodiversity Area Overlay Zone
LC	-	Locational Clearance
LC-E	-	Locational Clearance -Exception
LC-V	-	Locational Clearance - Variance
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
MF-SZ	-	Municipal Fishing Sub-Zone
MWZ	-	Municipal Waters Zone
NAMRIA	-	National Mapping and Resource Information Authority
NBC	-	National Building Code
NCIP	-	National Commission on Indigenous Peoples
NEDA	-	National Economic and Development Authority
NHC	-	National Historical Commission
NIPAS	-	National Integrated Protected Areas System
NIPAS Act	-	National Integrated Protected Areas System Act of 1992 (RA 7586)
NPAAAD	-	Network of Protected Areas for Agriculture and Agro-Industrial Development
NSCB	-	National Statistical Coordination Board
OBO	-	Office of the Building Official
OS	-	Open Space
OZ	-	Overlay Zone
PAMB	-	Protected Area Management Board
PAMP	-	Protected Area Management Plan
PD	-	Presidential Decree
PDA-SZ	-	Production Agricultural Sub-Zone
PHIVOLCS	-	Philippine Institute of Volcanology and Seismology
PNP	-	Philippine National Police
PRZ	-	Parks and Recreation Zone
PTA-SZ	-	Protection Agricultural Sub-Zone
PUV	-	Public Utility Vehicle
R1-Z	-	Residential 1 Zone
R3-Z	-	Residential 3 Zone

RA	-	Republic Act
SAFDZ	-	Strategic Agriculture and Fisheries Development Zone
SH-Z	-	Socialized Housing Zone
SI-Z	-	Special Institutional Zone
SP	-	Sangguniang Panlungsod
SPED	-	Special Education
TLA	-	Total Lot Area
TOD-OZ	-	Transit-Oriented Development Overlay Zone
TDZ	-	Tourism Development Zone
UDHA	-	Urban Development and Housing Act (RA 7279) of 1992
USA	-	Unpaved Surface Area
UTS-Z	-	Utilities, Transportation and Services Zone
ZO	-	Zoning Ordinance

1.0 Legal Basis

The local government's authority to enact and apply zoning regulations is derived from the state's exercise of its police powers to make, ordain, and establish reasonable laws, statutes, or Ordinances which promote the general welfare. This authority is specified and defined in a number of laws and directives.

1.1 1987 Philippine Constitution

Article XII, Section 6

"The use of property bears a social function and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives and similar collective organizations, shall have the right to own, establish, and operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands."

Article XIII, Section 1

"The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social and economic inequalities. To this end, the state shall regulate the acquisition, ownership, use, and disposition of property and its increments."

1.2 Section 20 of Republic Act 7160, Local Government Code of the Philippines

Reclassification of Lands

(a) A city may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes or (2) where the land shall have substantially greater economic value for residential, commercial or industrial purposes, as determined by the Sanggunian concerned; provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

1. For Highly Urbanized and Independent Component Cities, fifteen percent (15%);
2. For Component Cities and First to Third Class Municipalities, ten percent (10%);
3. For Fourth to Sixth Class Municipalities, five percent (5%).

Provided, further, that agricultural lands distributed to Agrarian Reform Beneficiaries pursuant to Republic Act No. 6657, otherwise known as “The Comprehensive Agrarian Reform Law,” shall not be affected by the said reclassification and the conversion of such lands into other purposes shall be governed by Section 65 of said Act.

- (b) The President may, when public interest so requires and upon recommendation of the National Economic and Development Authority (NEDA), authorize a city or municipality to reclassify lands in excess of the limits set in the next preceding paragraph.
- (c) The local government units shall, in conformity with existing laws, continue to prepare their respective Comprehensive Land Use Plans enacted through Zoning Ordinances which shall be the primary and dominant basis for the future use of land resources, provided that, the requirements for food production, human settlements and industrial expansion shall be taken into consideration in the preparation of such plans.
- (d) Where approval by a national agency is required for reclassification, such approval shall not be unreasonably withheld. Failure to act on a proper and complete application for reclassification within three (3) months from receipt of the same shall be deemed as approval thereof.
- (e) Nothing in this Section shall be construed as repealing, amending, or modifying in any manner the provisions of R. A. No. 6657.

1.3 Section 447 A.2 (VI, VIII-IX), Section 448 A.2 (VI), and Section 458 A.2 (VII-IX) of Republic Act No. 7160

The Sangguniang Panlungsod (SP), as the legislative body of the City, shall: (a) prescribe reasonable limits and restraints on the use of property within the jurisdiction of the city; (b) adopt a Comprehensive Land Use Plan for the City provided that in the case of Component Cities, the formulation, adoption, or modification of said plan shall be in coordination with the approved Provincial Comprehensive Land Use Plan; (c) reclassify land within the jurisdiction of the City, subject to the pertinent provisions of this Code; (d) enact integrated Zoning Ordinances in consonance with the approved Comprehensive Land Use Plan, subject to existing laws, rules and regulations; establish fire limits or fire zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within said fire limits in accordance with the provisions of the Fire Code.

1.4 P.D. 933 and Executive Order 648, as amended by EO 90, empowering the HLURB to review and approve or disapprove land use plans of cities and municipalities

The aforesaid laws likewise authorize the HLURB to prescribe the standards and guidelines governing the preparation of land use plans, to monitor the implementation of such plans, and to adjudicate and settle disputes among LGUs over their land use plans and zoning programs.

1.5 Executive Order 72

This provides for the preparation, review, and approval process and implementation of Comprehensive Land Use Plans and Zoning Ordinances of local government units pursuant to the Local Government Code of 1991 and other pertinent laws.



Republic of the Philippines
City of Davao
Office of the Sangguniang Panlungsod



19th City Council
21st Regular Session
Series of 2021

PRESENT:

Councilor	Edgar P. Ibuyan Jr.	- Temporary Presiding Officer
Councilor	Ralph O. Abella	
Councilor	Nilo D. Abellera	
Councilor	Maria Belen S. Acosta	
Councilor	Wilberto E. Al-ag	
Councilor	Dante L. Apostol Sr.	
Councilor	Conrado C. Baluran	
Councilor	Jessica M. Bonguyan	
Councilor	Louie John J. Bonguyan	
Councilor	Pilar C. Braga	
Councilor	Augusto Javier G. Campos III	
Councilor	Danilo C. Dayanghirang	
Councilor	Jonard C. Dayap	
Councilor	Edgar R. Ibuyan Sr.	
Councilor	Richlyn N. Justol-Baguilod	
Councilor	Pamela A. Librado-Morata	
Councilor	Diosdado Angelo Junior R. Mahipus	
Councilor	Jaffar U. Marohomsalic	
Councilor	Bonifacio E. Militar	
Councilor	Myrna G. L'Dalodo-Ortiz	
Councilor	Antoinette G. Principe-Castrodes	
Councilor	J. Melchor B. Quitain Jr.	
Councilor	Alberto T. Ungab	
Councilor	Mary Joselle D. Villafuerte	
Councilor	Jesus Joseph P. Zozobrado III	

ABSENT:

Vice Mayor	Sebastian Z. Duterte	- On Official Business
Councilor	Bai Hundra Cassandra Dominique N. Advincula	

RESOLUTION NO. 02363-21
Series of 2021

ENACTING AN ORDINANCE APPROVING THE INTEGRATED ZONING ORDINANCE THROUGH THE COMPREHENSIVE LAND USE PLAN (CLUP) OF 2019-2028, AMENDING CITY ORDINANCE NO. 0546-13, SERIES OF 2013

WHEREAS, the proposed amendment and revision of the Davao City Zoning Ordinance, entitled **Item No. 1106 – Re: Comprehensive Land Use Plan (CLUP) 2019-2028** [divided into four (4) volumes: Volume 1: the Planning Process, Volume 2: Zoning Ordinance, Volume 3: Sectoral Studies, Volume 4: Climate Disaster Risk Assessment (CDRA)], was the subject of a series of committee hearings by the **Committee on Housing, Rural and Urban Development (Low-end Projects)**, on the following dates: November 23, 25 & 27, 2020; December 4 & 9, 2020; January 6, 11, 15, 20, 25, 27 & 29, 2021; February 22, 24 & 26, 2021; and, March 4, 2021;

WHEREAS, Section 20 of RA 7160, Local Government Code of the Philippines provides:

“Reclassification of Lands.

(a) A city or municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

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

(b) The President may, when public interest so requires and upon recommendation of the National Economic and Development Authority, authorize a city or municipality to reclassify lands in excess of the limits set in the next preceding paragraph.

(c) The local government units shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources: Provided, That the requirements for food production, human settlements, and industrial expansion shall be taken into consideration in the preparation of such plans.

(d) Where approval by a national agency is required for reclassification, such approval shall not be unreasonably withheld. Failure to act on a proper and complete application for reclassification within three (3) months from receipt of the same shall be deemed as approval thereof.

(e) Nothing in this Section shall be construed as repealing, amending, or modifying in any manner the provisions of R.A. No. 6657”;

WHEREAS, Section 447 A.2 (VI, VIII-IX), Section 448 A.2 (VI), and Section 458 A.2 (VII-IX) of RA 7160 provides further:

“The Sangguniang Panlungsod (SP), as the legislative body of the City, shall: (a) prescribe reasonable limits and restraints on the use of property within the jurisdiction of the city; (b) adopt a Comprehensive Land Use Plan for the City provided that in the case of Component Cities, the formulation, adoption, or modification of said plan shall be in coordination with the approved Provincial Comprehensive Land Use Plan; (c) reclassify land within the jurisdiction of the City, subject to the pertinent provisions of this Code; (d) enact integrated Zoning Ordinances in consonance with the approved Comprehensive Land Use Plan, subject to existing laws, rules and regulations; establish fire limits or fire zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within said fire limits in accordance with the provisions of the Fire Code”;

WHEREAS, Zoning Ordinance is a regulatory measure, an important tool required for orderly implementation of a Comprehensive Land Use Plan;

WHEREAS, Local Governments are mandated to mainstream disaster risk reduction and climate change in development process 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, Section 2 (f) of R. A. 10121 provides that *“the state shall adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan at various levels of government*

adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection”;

WHEREAS, the City Planning and Development Office (CPDO) presented the salient points of each and every item proposed to be revised in the present CLUP and these are now incorporated in the proposed revision of CLUP 2019-2028;

WHEREAS, the City Planning and Development Office (CPDO), stated that Sectoral Consultations were conducted, wherein various inputs from every sector consulted were considered, studied, examined and included in the formulation of the proposed revision of the Zoning Ordinance;

WHEREAS, the data and maps gathered were taken from the different concerned departments, agencies and sectors equipped with technical expertise to provide accurate information pertaining to the data supplied and as validation, CPDO compared and cross referenced their studies and findings with the latest data from DOST, Phivolcs and all appropriate concerned departments, agencies and bureaus;

WHEREAS, the spatial strategy to be adopted in order to address the problems is **Multi-Nodal Concentric Spatial Strategy** since it is advantageous to complete the products and services within the areas so that the people will no longer need to travel across and in between districts;

WHEREAS, the City Government of Davao 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 the **COMPREHENSIVE LAND USE PLAN (CLUP) OF 2019-2028**;

WHEREAS, the Ordinance:

- a. Gives free market maximum opportunity to spur the city’s development within a framework of environmental integrity and social responsibility.
- b. Designed to encourage evolution of high-quality developments.
- c. Formulated to be fully responsive to the constant changing conditions of the City.
- d. Functions as a tool for informed decision-making for land use administrators by providing specific criteria for acceptable developments.
- e. Provides venue for community empowerment, involving stakeholders in critical development decisions;

WHEREAS, 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;

WHEREAS, to effectively carry out the provisions of the **COMPREHENSIVE LAND USE PLAN (CLUP) OF 2019-2028**, the City is hereby divided into the following zones or districts as shown in the Official Zoning Maps;

WHEREAS, the following shall be designated as Base Zones:

- 1) **Forest and Forestland Zone (F/FLZ)** which shall have two sub-zones, namely: **Protection Forest Sub-Zone (PTFZ)** and **Production Forest Sub-Zone (PDFZ)**;
- 2) **Critical Watershed Zone**;
- 3) **Agricultural Zone (AGZ)** which shall have two sub-zones namely **Protection Agricultural Sub-Zone (PTAZ)** and **Production Agricultural Sub- Zone (PDAZ)**;
- 4) **Urban Use Zones (UUZ)** which shall have the following sub-zones namely:
 - a. **General Residential Zone:**
 1. Residential-1 Sub-Zone (R1-SZ);
 2. Residential-3 Sub-Zone (R3-SZ);
 3. Socialized Housing Zone (SHZ).
 - b. **General Commercial Zone:**
 1. Commercial-1 Sub-Zone (C1-SZ);
 2. Commercial-2 Sub-Zone (C2-SZ);
 3. Commercial-3 Sub-Zone (C3-SZ).
 - c. **General Industrial Zone:**
 1. Industrial-1 Sub-Zone (I1-SZ)
 2. Industrial-2 Sub-Zone (I2-SZ)
 3. Industrial-3 Sub-Zone (I3-SZ)
 4. Agri-Industrial Sub-zone (Agl-SZ)
 - d. **General Institutional Zone:**
 1. Institutional Zone (In-Z)
 2. Special Institutional Sub-Zone (SI-SZ)
 3. Parks and Recreation Zone (PR-SZ)
 4. Cemetery/Memorial Park Zone (C/MP-Z)
 5. Open Space/Easement Zone (OS/EZ)
 6. Buffer/Greenbelt Zone (B/G-Z)
 7. Urban Ecological Enhancement Sub-Zone (UEESZ)
 8. Utilities, Transportation, and Services Zone (UTSZ)
 9. Waste Management, Treatment, Utilization, and Disposal Zone
 10. Tourism Development Zone (TDZ)

e. **Municipal Water Zone (MWZ)** which shall have two sub-zones namely

1. Protection Water Sub-Zone

- a.) Mangrove Sub-Zone (Mn-SZ)
- b.) Rivers, Creeks, and Lakes Sub-Zone (RCL-SZ)
- c.) Wetlands Sub-Zone

- d.) Marine Protected Area Sub-Zone
- e.) Marine Protected Area Buffer Sub-Zone

2. Production Water Sub-Zone

- a.) Aquaculture Sub-Zone (Aq-SZ);
- b.) Municipal Fishing Sub-Zone;

WHEREAS, the following shall be designated as **Overlay Zones**:

- a) High Risk to Landslide Overlay Zone;
- b) Moderate Risk to Landslide Overlay Zone;
- c) High Risk to Flood Overlay Zone;
- d) Moderate Risk to Flood Overlay Zone;
- e) Highly Vulnerable to Storm Surge Overlay Zone;
- f) Highly Vulnerable to Liquefaction Overlay Zone;
- g) Active Fault Overlay Zone (FLT-OZ);
- h) Heritage Overlay Zone (HTG-OZ);
- i) Cultural Tourism Development Overlay Zone;
- j) Transit-Oriented Development Overlay Zone (TOD-OZ);
- k) Billboards Overlay Zone (BB-OZ);
- l) Key Biodiversity Overlay Zone;
- m) Ancestral Domain Overlay Zone (AD-OZ); and
- n) Water Resource Overlay Zone (WR-OZ);

WHEREAS, the **COMPREHENSIVE LAND USE PLAN (CLUP) OF 2019-2028** seeks to address the following Priority Issues and Concerns:

1. Encroachment of human activities other than IP settlers in protected areas
2. Rapid conversion of agricultural lands into commercial, residential, industrial and other issues
3. Deterioration of water quality due to absence of sewerage system
4. Inadequate landfill for mounting garbage
5. Inadequate agricultural infrastructure support
6. Congested sidewalks due to presence of street vendors
7. Exposure to risks/hazards of institutional, residential, agricultural forest, commercial, industrial and tourism areas in sites with infrastructure projects
8. Traffic congestion
9. Depletion of Fishery Resources
10. Develop City Tourism's Potential
11. Need for improvement of Port Facilities
12. Increasing Housing Backlog;

WHEREAS, the Zoning Ordinance shall be enacted for the following purposes:

- I. Promote and protect the health, safety, peace, comfort, convenience, and general welfare of the inhabitants in the city;
- II. Guide, control, and regulate the growth and development of public and private lands in Davao City in accordance with its Comprehensive Land Use Plan (CLUP);
- III. Provide 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
- IV. Enhance character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the city and promote the orderly and beneficial development of the same including areas identified as moderate to high risk to hazards;

WHEREAS, in adopting and enacting the revisions brought about by the **Comprehensive Land Use Plan of 2019-2028**, it is **RESOLVED**:

- A. Favorably recommending the approval of the proposed revision of the Comprehensive Land Use Plan for CY 2021-2028 as presented by the City Planning Division Office, with the inclusion therein of additional amendments or modifications as enumerated herein-below. It is further recommended that an appropriate Ordinance be passed and approved, consistent to the proposed CLUP 2021-2028 revision, with the inclusion of additional amendments and/or modifications. The following are the suggested additional amendments or modifications in the proposed CLUP 2021-2028 revision, to wit:
 1. VISION: "A globally livable regional center and a center of excellence in governance, investment, tourism, climate change, disaster resiliency, and sustainable growth driven by an empowered citizenry.
 2. Green Space for residential areas remains at 10% to avoid additional burden that might be passed on to the end-user, if the proposed 15% is followed;
 3. Green Space should include (provided these are planted with trees): island on roads/rotunda, open spaces and parks-wide recreational areas, slopes and easements/undevelopable areas;
 4. Re-classification from one zone to another should still require $\frac{3}{4}$ votes of all the members of the City Council

5. Batching Plants and Crushers should be categorized under the same zone – Industrial Zone;
6. Increase residential zone in the City;
7. Increase commercial zone in the City, particularly along the roads from Ulas to Toril and Ulas to Mintal and Calinan. The new intersection at Libby Road should be classified as commercial zone and/or institutional zone;
8. Barangay Megcawayan should include in its area, an Eco-Tourism Zone, particularly those which have been considered existing Tourism Resorts prior to the passage of the City Zoning Ordinance;
9. Pepsi Cola Bottling Co.'s property along Dumoy, together with the property of La Fuerza, Inc, be considered as Heavy Industrial Zone;
10. The properties occupied by Safecon Industries Batching Plant and Filmix Concrete Industry, Inc, located along Ma-a, should be re-zoned as Industrial Zone;
11. Creation of FOOD CORRIDOR at the 2nd Congressional District of Davao City;

B. Denying the requests of the following, to wit:

1. Barangay Mintal's request to be reclassified into Industrial Zone, as it will have negative impact on other land uses within the area. CPDO's suggestion is – Commercial Zone;
2. DMC Urban Property Developers, Inc.'s request to develop a 26-hectare property at Shrine Hills, Matina, Davao City, being a restricted area for development as it is considered prone to landslide;
3. Aurea Somnia Land and Development Corporation's request to reclassify its area at Barangay Bayabas into Residential Zone. The area is currently classified as Prime Agricultural Zone which the CPDO proposed as Production Agriculture;
4. Barangay Talandang's request to reclassify the entire stretch of the properties along the road from Barangay Talandang to Brgys., Biao Escuela, and Biao Joaquin – to Minor Commercial Zone. Only a certain portion thereof has been included in the proposed CLUP 2021-2029 revision as Commercial Zone;

C. Directing the City Planning and Development Office to properly endorse to the City Council, after all necessary requirements are complied, separately from the CLUP revision approval, the following applications, for proper action, to wit:

1. ALSONS – Properties in Lasang;
2. ALSONS – Properties in Mandug;
3. San Pedro College – Mandug area;
4. South Davao Development Co., Inc.;
5. Camella’s request for reclassification to mix use (residential and commercial);
6. Filipinas 186 Shopping Mall, Inc.’s request for reclassification of an area at Los Amigos, along Davao-Bukidnon Road, to Industrial Zone;
7. Amorseco Homeowners Association’s request for socialized housing zone at Barangay Talomo River;
8. Blessfull Homeowners Association’s request for socialized housing zone at Barangay Talomo River;
9. Bamboo Homeowners Association’s request for socialized housing zone at Barangay Tacunan;
10. Sto. Nino Homeowners Associations’ request for socialized housing at Barangay Talomo River;
11. Homeless Shelter Members Cooperative’s request for socialized housing at Barangay Biao Guianga;
12. Carpenters Homeowners Association’s request for socialized housing at Barangay Subasta;
13. Tierra Nueva Homeowners Association, Inc.’s request for socialized housing at Barangay Tacunan;
14. Durian Eagle Homeowners Association’s request for socialized housing at Barangay Subasta;
15. Cattleya Homeowners Association’s request for socialized housing at Barangay Subasta;
16. The Punta Dumalag Homeowners Association’s request for socialized housing at Barangay Tagakpan;
17. Pag-Asa Homeowners Association’s request for socialized housing at Barangay Tacunan;
18. Darul Aman Homeowners Village Association, Inc.’s request for socialized housing at Barangay Mulig;
19. SME Posterity Holding Corporation’s request for its property at Libby Road to be reclassified into Minor Commercial Area;
20. Goodluck Plastic Global Venture, Inc.’s request for its property at Purok 8, San Miguel, Indangan, to be reclassified from High Density Residential Zone to Heavy Industrial Zone;
21. Homeless Indigent Members In Group’s (HIMIG) request to reclassify property at Barangay Dacudao to socialized housing;

22. Rookies Fruit Preserves Corporation's request to reclassify its area at Barangay Lacson into Agro-Industrial Zone;
23. Ms. Rosario M. Sacay's request to reclassify her area at Palm Drive, Bajada, from Residential Zone to Major Commercial Zone;
24. Shelter Homeless Association's request to reclassify its property at Barangay Manuel Guianga to socialized housing;
25. Barbato's/Vitarich' request for additional allowable use of its property at Tugbok District;
26. Phinma Housing's request to reclassify its property at Barangay Los Amigos;
27. City Global's application for reclassification of its property;
28. Maharlika Agro-Marine Ventures Corporation's request;
29. The Heirs of Mahipus' request to reclassify their titled property at Sitio Pagan Grande, Barangay Tamugan, from Forest Reserve Conservation Area to its original zone classification as Agricultural Zone;
30. Grandwealth Property Ventures Development Corporation's request to reclassify its property at Barangay Acacia from Agri-non Tillage Zone to High Density Residential Zone;
31. Mr. Dino Suelto's request to reclassify his property at Libby Road from Low Density Residential Zone to High Density Residential Zone;
32. Purok 3a & Malagos Mutual Association, Inc.'s request to reclassify as socialized housing zone where they can relocate, situated at Barangay Malagos, Baguio District, Davao City;
33. Chrislam Homeowners Association's request to reclassify a property in Barangay Malagos at as socialized housing;
34. Katuparan Homeowners Association, Inc.'s request to reclassify a property in Barangay Malagos as socialized housing;
35. St. Nicole Homeowners Association, Inc.'s request to reclassify a property in Barangay Mulig as socialized housing;
36. Andy Mark Villorente's request to reclassify a property in Barangay Mulig as Residential Zone;

NOW THEREFORE, on motion of Councilor Jesus Joseph P. Zozobrado III, duly seconded by Councilors Pilar C. Braga, Antoinette G. Principe-Castrodes, Augusto Javier G. Campos III, Myrna G.L'Dalodo-Ortiz, and Danilo C. Dayanghirang; co-sponsored by Councilors Pilar C. Braga, Danilo C. Dayanghirang, Jessica M. Bonguyan, Antoinette G. Principe-Castrodes, Augusto Javier G. Campos III, J. Melchor B. Quitain Jr., Jonard C. Dayap, Nilo D. Abellera, Conrado C. Baluran, Maria Belen S. Acosta, Pamela A. Librado-Morata, Mary Joselle D. Villafuerte, Edgar R. Ibuyan Sr. and Diosdado Angelo Junior R. Mahipus be it resolved, as it is hereby resolved, **TO ENACT AN ORDINANCE APPROVING THE INTEGRATED**

ZONING ORDINANCE THROUGH THE COMPREHENSIVE LAND USE PLAN (CLUP) OF 2019-2028, AMENDING CITY ORDINANCE NO. 0546-13, SERIES OF 2013;

RESOLVED FURTHER, that copies of this Resolution be furnished the Office of the City Mayor through the City Administrator's Office, the Vice Mayor's Office, the City Planning and Development Office, all the City Councilors, the City Engineer's Office, and all other concerned offices/departments, for their information, guidance and appropriate action;

ADOPTED, June 8, 2021, by a unanimous vote of all the Members of the Sanggunian, there being a quorum.

CERTIFIED CORRECT:

CHARITO N. SANTOS

Secretary to the Sangguniang Panlungsod
(City Government Department Head II)

ATTESTED:

EDGAR P. IBUYAN JR.
City Councilor
Temporary Presiding Officer
cns/kjtq



Republic of the Philippines
City of Davao
Office of the Sangguniang Panlungsod



19th City Council
3rd Regular Session
Series of 2022

PRESENT:

Councilor	Edgar P. Ibuyan Jr.	- Temporary Presiding Officer
Councilor	Ralph O. Abella	
Councilor	Nilo D. Abellera	
Councilor	Bai Hundra Cassandra Dominique N. Advincula	
Councilor	Wilberto E. Al-ag	
Councilor	Dante L. Apostol Sr.	
Councilor	Conrado C. Baluran	
Councilor	Jessica M. Bonguyan	
Councilor	Louie John J. Bonguyan	
Councilor	Pilar C. Braga	
Councilor	Augusto Javier G. Campos III	
Councilor	Danilo C. Dayanghirang	
Councilor	Edgar R. Ibuyan Sr.	
Councilor	Richlyn N. Justol-Baguilod	
Councilor	Pamela A. Librado-Morata	
Councilor	Diosdado Angelo Junior R. Mahipus	
Councilor	Rodolfo M. Mande	
Councilor	Jaffar U. Marohomsalic	
Councilor	Myrna G. L'Dalodo-Ortiz	
Councilor	Antoinette G. Principe-Castrodes	
Councilor	J. Melchor B. Quitain Jr.	
Councilor	Alberto T. Ungab	
Councilor	Mary Joselle D. Villafuerte	
Councilor	Jesus Joseph P. Zozobrado III	

ABSENT:

Vice Mayor	Sebastian Z. Duterte	- On Official Business
Councilor	Jonard C. Dayap	
Councilor	Bonifacio E. Militar	- On Domestic Emergency Leave

ORDINANCE NO. 0861-22
Series of 2022

As supplemented by Ordinance No. 0177 - 23 Series of 2023

AN ORDINANCE ADOPTING THE DAVAO CITY
COMPREHENSIVE LAND USE PLAN (CLUP) 2019-2028,
AMENDING ORDINANCE NO. 0546-13, SERIES OF 2013

Be it ordained by the Honorable Sangguniang Panlungsod of Davao City, in session assembled, that:

Article I

Title of the Ordinance

SECTION 1. TITLE - This Ordinance shall be known as “**AN ORDINANCE ADOPTING THE DAVAO CITY COMPREHENSIVE LAND USE PLAN (CLUP) 2019-2028, AMENDING ORDINANCE NO. 0546-13, SERIES OF 2013**”

Article II

Authority and Enactment

SECTION 2. AUTHORITY - This Ordinance is enacted pursuant to the provisions of Republic Act 7160, otherwise known as the Local Government Code of 1991, dated 10 October 1991, particularly Sections 447, 448 and 458 a.2 (7-9), “Authorizing the City, through the Sangguniang Panlungsod, 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, otherwise known as the Fisheries Code as amended by RA 10654, PD 705 Forestry Code, PD 1067 Water Code, PD 1096 National Building Code, RA 10121, otherwise known as National Disaster Risk Reduction and Management Act and Climate Change Act RA 9729 and Executive Order No. 72, and other related existing laws.

SECTION 3. PURPOSES - The Zoning Ordinance is enacted for the following purposes:

Promote and protect the health, safety, peace, comfort, convenience, and general welfare of the inhabitants in the city;

Guide, control, and regulate the growth and development of public and private lands in Davao City in accordance with its Comprehensive Land Use Plan (CLUP);

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,

Enhance the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the city and promote the orderly and beneficial development of the same, including areas identified as moderate to high risk to hazards.

SECTION 4. GENERAL ZONING PRINCIPLES - This Zoning Ordinance is a regulatory measure which is enacted to identify, administer and control various land zone classifications, designate and manage allowable uses therein and prescribe physical and performance standards and restrictions based on the approved land use plans as reflected in the

Comprehensive Land Use Plan of the City, without prejudice of amending the Ordinance as may be necessary, in accordance with the prevailing laws.

These Zoning Regulations are based on the principles provided for in the approved Comprehensive Land Use Plan as per SP Resolution No. 02363-21, dated June 8, 2021, as follows:

1. The Ordinance reflects the City's vision to be "a globally livable regional center and a center of excellence in governance, investment, tourism, climate change, disaster resiliency, and sustainable growth driven by an empowered citizenry";
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 city's development within a framework of environmental integrity and social responsibility;
4. The Ordinance has been designed to encourage the evolution of high-quality developments rather than regulating against the worst type of projects;
5. The Ordinance has been crafted in a manner that is fully responsive to the ever changing conditions that the city continually face;
6. The Ordinance functions as a tool for informed decision-making on the part of land use administrators by way of providing specific criteria to judge the acceptability of developments;
7. The Ordinance provides a direct venue for community empowerment where the stakeholders become involved, especially in critical development decisions; and,
8. The regulations in the Zoning Ordinance are considered as land use management tools that are necessary to provide a clear guidance to land development in order to ensure the community's common good.

Article III

DEFINITION OF TERMS

The definition of 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, the Water Code, the Philippine Environmental Code, Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997, and other Implementing Rules and Regulations promulgated by the Department of Human Settlements and Urban Development (DHSUD). The words, terms, and phrases enumerated hereunder shall be understood to have the corresponding meaning indicated as follows:

1. Absolute Majority Vote - means that the “in favor” votes represent more than 50 percent of the valid votes. This is also called the 50% + 1 vote.
2. Accessory Use - pertains to those that are customarily associated with the Principal Use application (such as a garage is accessory to a house).
3. Accretion - the gradual and imperceptible accumulation of land on existing property by natural cause in the case of lands located along rivers, lakes or other bodies of waters.
4. Active Fault Overlay Zone (FLT-OZ) - an area defined by five (5)-meter wide strips on both sides of and running along identified earthquake faults. The objective of this overlay zone is to minimize the possible harmful effects of fault movements to properties.
5. Additional, Alterations, Repairs - changes in an existing building involving interior or exterior work and/or increase or decrease in its area.
6. AFMA - shall refer to Republic Act 8435 or the “Agriculture and Fisheries Modernization Act of 1997”.
7. 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.
8. Agricultural Land - per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.

9. Agricultural Land Use Conversion - per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.
10. Agricultural Zone (AGZ) - an area 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.
11. Agri-Industrial Zone (AgIndZ) - an area within a city intended primarily for integrated farm operations and related product processing activities such as, plantation for bananas, pineapple, sugar, etc.
12. Agri-Processing Activities - refer 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.
13. Agro-Forestry - land management which combines agricultural crops with tree crops and forest plants and/or animals simultaneously or sequentially and applies management practices which are compatible with the cultural patterns of the local population.
14. Alley - any public space or thoroughfare which has been dedicated or deeded to the public or public use as a passageway with a width of not more than 3 (three) meters.
15. Allowable Uses - uses that conform to those allowed in a specific zone.
16. Ancestral Domains - per the Indigenous Peoples Rights Act of 1997 (RA 8371), these refer to all areas generally belonging to Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) comprising of lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs.
17. Ancestral Lands - refer to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs.
18. Ancestral Domain Overlay Zone (AD-OZ) - an area intended for the preservation of the traditional way of life of indigenous people.
19. Apartelle - any building or edifice containing several independent, and furnished or semi-furnished apartments, regularly leased to tourists and other travelers for dwelling, either for a short or long term basis, and offering basic services to its tenant, similar to hotels.

20. Apartment - a room or suite of two or more rooms designed and intended for living, sleeping and cooking purposes.
21. Apartment house also called apartment block, or block or flats - a building containing more than one dwelling, most of which are designed for domestic use, but sometimes including shops and other non-residential features.
22. Aquaculture Sub-Zone (Aq-SZ) - an area within the Municipal Waters Zone designated for “fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas”
23. Aquasilviculture - an environment-friendly mangrove aquaculture system, which promotes the harmonious co-existence between fishery species and mangrove trees in a semi-enclosed system. In many regions, the trainees are taught pen design and construction and mud crab culture. The culture system helps in providing alternative livelihood to fisherfolks while instilling in them the value of coastal protection and maintenance of the ecosystem.
24. Arcaded Sidewalk - a public right-of-way along the side of a structure with a roof or overhang sheltering pedestrians from sun and precipitation.
25. Bar - is any place or establishment whose principal business is the sale of alcoholic beverages or liquors of any kind to be used and consumed within its premises. A bar may or may not include live band music as a form of entertainment. A bar that allows dancing within its premises shall be considered a night club, cabaret, or dance hall.
26. Base Flood Elevation - the elevation to which floodwater is expected to reach during flood events as calculated by the Regional Office of the Department of Public Works and Highways (DPWH).
27. Base Zones - refer to the primary zoning classification of areas within the City and that are provided with a list of allowable uses and regulations on building density and bulk, among others.
28. Billboards Overlay Zone (BB-OZ) - an area designated for the regulated placement of billboards.
29. Boarding House - is a house (often a family home) in which lodgers rent one or more rooms for one or more nights, and sometimes for extended periods of weeks, months, and years. The common parts of the house are maintained, and some services, such as laundry and cleaning, may be supplied. They normally provide “bed and board”, that is, at least some meals as well as accommodation.

30. Booking/Contact Office - an office and/or residence used as contact address in assigning orders or business engagements. It shall not be more than 20 square meters in floor area, with a maximum of five occupants, including the owner.
31. Botanical Garden - a tract of land used for the culture and study of plants, collected and grown for scientific study and display purposes.
32. Buffer/Greenbelt Zone (B/GZ) - 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.
33. Building - a constructed edifice designed to stand more or less permanently, covering a space of land, usually covered by a roof, more or less enclosed by walls and supported by columns, and serving as a dwelling, factory, shelter for animals, etc.
34. Building Height Limit (BHL) - refers to the height limits with the mean sea level as the zero reference point as set by the Building Height Limit Ordinance.
35. Cemetery/Memorial Park Zone (C/MP-Z) - an area intended for the interment of the dead.
36. Certificate of Ancestral Domain Title (CADT) - a title formally recognizing the rights of possession and ownership of ICCs/IPs over their ancestral domains that have been identified and delineated in accordance with Indigenous Peoples Rights Act (RA 8371).
37. Certificate of Non-Conformance - certificate issued to owners of non-conforming uses as provided in this Zoning Ordinance.
38. Central Business District (CBD) - shall refer to areas designated principally for trade, services, and business purposes.
39. Class "AAA" Slaughterhouse/Abattoir - those with facilities and operational procedures appropriate to slaughter livestock and fowls for sale in any market, domestic or international.
40. Class "AA" Slaughterhouse/Abattoir - those with facilities and operational procedures sufficiently adequate that the livestock and fowls slaughtered therein are suitable for sale in any market within the country.
41. Class "A" Slaughterhouse/Abattoir - those with facilities and procedures of minimum adequacy that the livestock and the fowls slaughtered therein are

suitable for distribution and sale only within the city where the slaughterhouse is located.

42. Clear height - is the usable height to which the tenant can store its product on racking. This figure is measured below any obstructions such as joists, lights or sprinklers.
43. Commercial-1 Zone (C1-Z) – a low density commercial area intended for neighborhood or community scale trade, service and business activities.
44. Commercial-2 Zone (C2-Z) – a medium to high density commercial area intended for trade, service and business activities performing complementary/supplementary functions to the CBD.
45. Commercial-3 Zone (C3-Z) - a high density commercial area intended for regional shopping center such as large malls and other commercial and business activities, which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and requires metropolitan level development planning and implementation. High rise hotels, sports stadium or sports complexes are also allowed in this zone. This zone may also be called as the Central Business District (CBD).
46. Commercial Garage - a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.
47. 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.
48. 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.
49. Community-Based Ecotourism - a form of ecotourism that promotes the participation of the locals in the tourism trade of their locality, where they have a stake in the benefits and profits thereof. Community-based ecotourism ensures and improves the natural ecosystems of the locality as part of their

income generating and locality development strategy, and more importantly, the well-being of the locals themselves.

50. Conflicting Uses - uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.
51. Conforming Use - a use that is in accordance with the zone regulations as provided for in the Ordinance.
52. Cottage Industry - a usually small-scale industry carried on at home by family members using their own equipment or a small, loosely organized, yet flourishing complex of activity or industry.
53. Critical Watershed - areas of land which show critical degradation as to threaten their natural feature on which rainwater drains from a river system to a common outlet such as a dam, lake or sea; or areas where rain from a higher level of land flows down to a river, or stream then to the Davao Gulf; or a topographically delineated area of land from which rainwater can drain as surface run-off via a specific river or stream system to a common outlet point, which may be a dam, irrigation system or a municipal water supply take-off point, or where a river or stream discharges water into a larger river, stream or lake.
54. Deed Restrictions - written agreements that impose limitations on the use of property in order to maintain the intended character of a neighborhood.
55. Department Store - a store that sells or carries several lines of merchandise and that is organized into separate sections for the purpose of promotion, service, accounting, and control.
56. Dormitory - is defined as a building in which many people live and sleep, particularly at a college; a room where number of beds are kept for sleeping, often applied to student accommodation of this kind.
57. Dredging- excavation operation done within waterways or other inland bodies of water with the purpose of gathering up bottom sediments and disposing them at a different location (for flood control, navigation, reclamation, beach nourishment, environmental remediation, mining, and construction) per Joint Memorandum Circular No. 1, Series of 2019, DPWH-DENR-DILG-DOTr.
58. Dwelling - any building or any portion thereof intended or designated to be built, used, rented, leased, lent or hired out to be occupied, or which are occupied for living or residential purposes.

59. Easement - open space imposed on any land use/activities sited along waterways, fault lines, road right-of-way, cemeteries/memorial parks, utilities, and the like.
60. Established Grade - the finished ground level of a proposed development which shall be determined according to the provisions of the latest edition of the National Building Code.
61. Ecotourism - a form of sustainable tourism within a natural and cultural heritage area where community participation, protection, and management of natural resources, culture, and indigenous knowledge and practices, environmental education, and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors.” (Tourism Act and DENR AO2013-19 Guidelines on Ecotourism Planning and Management in Protected Areas)
62. 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.);
 - g. Areas with critical slopes;
 - h. Areas classified as prime agricultural lands;
 - i. Recharge areas of aquifers;
 - j. Water bodies characterized by one or any combination of the following conditions:
 - tapped for domestic purposes;
 - within the controlled and/or protected areas declared by appropriate authorities; and which support wildlife and fishery activities.
 - k. Mangrove areas characterized by one or any combination of the following conditions:
 - with primary pristine and dense young growth;
 - adjoining the mouth of major river systems;

- near or adjacent to traditional productive fry or fishing grounds;
 - which act as natural buffers against shore erosion, strong winds and storm floods; and on which people are dependent on their livelihood.
- l. Coral reef characterized by one or any combination of the following conditions:
- with 50% and above live coralline cover;
 - spawning and nursery grounds of fish; and
 - which acts as natural breakwater of coastlines.

63. 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;
 - 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.

64. Environmental Impact Statement (EIS) System - pursuant to PD 1586 of 1978, it 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

b. Projects located in Environmentally Critical Areas

65. Exception - a legal device that grants a property owner relief from certain provisions of the Zoning Ordinance where because the specific use, if not allowed, would result in a particular hardship upon the owner.
66. Family - a group of individuals related by blood or by legal bond, living under one roof and condensed as part of a single housekeeping unit.
67. Fisheries Code - shall refer to the Philippine Fisheries Code of 1998 (RA 8550).
68. Fish Corral - a stationary weir or trap devised to intercept and capture fish consisting of rows of bamboo stakes, plastic nets and other materials fenced with split bamboo mattings or wire mattings with one or more enclosures, usually with easy entrance but difficult exit, and with or without leaders to direct the fish to the catching chambers, purse, or bags.
69. Fish Pond - a land-based facility enclosed with earthen or stone material to impound water for growing fish.
70. Flood Overlay Zone (FLD-OZ) - an area that has been identified high risk to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.
71. 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.
72. 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.
73. Foreshore - the strip of land that lies between the high and low water marks that is alternately wet and dry according to the flows of the tide.
74. Forest - refers to either natural vegetation or plantation of crops mainly of trees, or both, occupying a definable, uninterrupted or contiguous area exceeding but not less than one hectare with tree crown covering at least ten percent (10%) of the area, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is classified

as either 1) primary or virgin forest which has never been subjected to significant human disturbance, or has not been significantly affected by the gathering of forest products such that its natural structure, functions and dynamics have not undergone any major ecological change; or 2) secondary or residual forest that may be classified into either, degraded or productive type (DENR DAO No. 99-53).

75. Forestlands - include the public forest, permanent forest or forest reserves, and forest reservations (PD 1559, further amending PD 705, otherwise known as the Revised Forestry Code of the Philippines of 1978)
76. Forest Zone (FZ) - an area which is intended primarily for forest purposes. This includes Forestlands and areas outside of Forestlands that are declared for forest purposes by this Ordinance.
77. Forestry Code - refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.
78. Garage, Commercial - a garage where automobiles and other types of motor vehicles are housed, maintained, equipped, repaired or kept for remuneration, hire or sale.
79. Garage, Private - a building or portion of a building where only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.
80. Green Architecture – building and structure design philosophy that aims the minimal use of non-renewable and/or polluting materials and resources/energy in construction and use of a facility when completed.
81. Guard House - an accessory building or structure used by a security guard while on duty.
82. Health and Wellness Center - an establishment that has a holistic approach to health and wellness, rest and relaxation that aims to treat the body, mind, and spirit by integrating a range of professionally administered health, wellness, fitness, and beauty, water treatment, and services.
83. Heritage – refers to something inherited from the past.
84. Heritage Act - shall refer to Republic Act 10066 or the “National Cultural Heritage Act of 2009”.

85. Heritage Overlay Zone (HTG-OZ) - an area that refers “to historical, anthropological, archaeological, artistic geographic areas and settings that are culturally significant to the country, as declared by the National Museum and/or the National Historic Institute.”(Heritage Act)
86. Historic Center - 1) historic zone, district, core, precinct, town, legacy zone, heritage area, zone or town; 2) a designated area with historical and other special significance, consisting of buildings or group of buildings and their environs that collectively contribute to the area’s importance and character; 3) a place where a significant event in history occurred; 4) any town, district, or ancient settlement site with specific history and/or cultural significance. Historic centers are sometimes called living museums, outdoor museums, or museum preserves. Whether inhabited or uninhabited, historic centers are preservation areas. (Heritage Act)
87. Home Occupation - an occupation or business conducted within the dwelling unit.
88. Homestay - refers to an alternative service accommodation offered by the locals that allows visitors to rent a guest room in the local’s home. Basic accommodations are to be expected, but additional services, not contrary to law, public order, good morals and customs, may be offered.
89. Hospital - an institution that provides health services, primarily for in-patient, and medical or physical care of the sick or the injured, including all related integral parts thereof, such as laboratories, outpatient department, training facilities, and staff offices.
90. Hotel - refers to full service accommodation with reception and guest rooms, generally offering private facilities with an on-site restaurant, rooms, and bar services available. Additional facilities such as business centers and conference rooms are expected.
91. Industrial-1 Zone (I1-Z) - an area intended for light manufacturing or production industries that are:
- a. non-pollutive/non-hazardous; and
 - b. non-pollutive/hazardous.
92. Industrial-2 Zone (I2-Z) - an area intended for medium intensity manufacturing or production industries that are:
- a. pollutive/non-hazardous; and
 - b. pollutive/hazardous.

93. Industrial-3 Zone (I3-Z) - an area intended for heavy manufacturing or production industries that are:
- a. highly pollutive/non-hazardous
 - b. highly pollutive/hazardous
 - c. highly pollutive/extremely hazardous
 - d. pollutive/extremely hazardous
 - e. non – pollutive/extremely hazardous
94. Inland Fishery - the freshwater fishery and brackish water fishponds (Fisheries Code).
95. IPRA - shall mean the Indigenous Peoples Rights Act of 1997 (Republic Act 8371).
96. Institutional Use Zone (GI-Z) - an area intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/research, and convention centers.
97. Key Biodiversity Area Overlay Zone (KBA-OZ) - areas which are determined to be “globally significant sites for biodiversity conservation” (DENR, Conservation International Philippines & Haribon Foundation for the Conservation of Nature).
98. Landslide Overlay Zone (LSD-OZ) - an area identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.
99. 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.
100. Locational Clearance (LC) - a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.
101. 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.
102. 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.

103. Local Zoning Review Committee (LZRC) - a local special body created to review the Comprehensive Land Use Plan, five (5) years after the enactment of this Zoning Ordinance.
104. **Lot** - a parcel of land on which a principal building and its accessories are placed or may be placed together with the required open space.
105. Mall - an establishment, usually a large, often enclosed area comprising of a department store, grocery, shops, fast food, and food stations, as well as recreational facilities.
106. Mangrove Sub-Zone (Mn-SZ) - an area in the Municipal Waters Zone defined as “a community of intertidal plants including all species of trees, shrubs, vines, and herbs found on coasts, swamps, or border of swamps” (Fisheries Code)
107. Manufacturing Industry - an industry which involves the chemical or mechanical transformation of inorganic products whether it is done in house or in a factory.
108. Mariculture - a specialized branch of aquaculture involving the cultivation of marine organisms for food and other products in the open ocean, an enclosed section of the ocean, or in tanks, ponds or raceways which are filled with seawater.
109. Mariculture Park - an area “designed to produce fishes through sea cage culture, such as bangus, siganids, groupers, red snappers, seaweed farming, aquasilviculture, mussel culture, oyster culture, sea ranching of lobsters and seahorses in coral reefs, and sea grass areas, and others that may be developed through the continuing research and development program of the Bureau of Fisheries and Aquatic Resources (BFAR) and other institutions” (BFAR).
110. Mean Sea Level - the level of the surface of the sea especially at its mean position midway between mean high and low water.
111. MICE - refers to Meetings, Incentives, Conventions, and Events services and facilities.
112. MICE Facility - refers to facilities or venues that cater to meetings, incentives, conventions, events, and exhibits.
113. MICE Organizer - shall mean to include Professional Convention Organizer, Professional Exhibition Organizer, and Event Organizer.

- a. Professional Convention Organizer (PCO) - an enterprise providing professional services in organizing and managing meetings and conventions/congresses, whether creating and organizing its own meeting, convention, or congress or for another entity. Its capability is to provide services from conceptualization to implementation of an event.
- b. Professional Exhibition Organizer (PEO) - an enterprise providing professional services in organizing and managing exhibitions or trade fairs/trade shows, whether creating and organizing its own exhibition or managing an exhibition for another entity. Its capability is to provide services from conceptualization to the implementation of an event.
- c. Special Event Organizer - an enterprise providing professional services in organizing and managing special events or shows, whether creating and organizing its own event or managing an event for another entity. Its capability is to provide services conceptualization to implementation of an event.

114. Mini-Mart - a convenience store of not more than 200 sq. meters in any community that allows people to buy common things, usually comes with higher price, that they need conveniently since they are open 24 hours a day. It should be located with a minimum distance of 500 meters interval along thoroughfares in a residential area.

115. Mining Act - shall refer to the "Philippine Mining Act of 1995 or RA 7942".

116. 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.

117. Motel - any structure with several separate units with sufficient parking space, primarily located along the highway or close to a highway, where motorists may obtain lodging and in some instances, meals.

118. Municipal Fishing Sub-Zone (MF-SZ) - an area within the Municipal Waters Zone where only municipal fishing, as defined in the Fisheries Code, is allowed.

119. Municipal Waters Zone (MWZ) - per Republic Act No. 8550 or the "Philippine 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 city 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)."

120. Museum - an establishment operated as a repository or a collection of natural scientific, literary or cultural objects or interest such as work of art. This does not include the regular sale distributions of objects collected.
121. Navigational Lane - areas designated for the passage of water vessels.
122. NIPAS Act - shall refer to the "National Integrated Protected Areas System Act of 1992" or RA 7586.
123. 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.
124. Non-NIPAS Areas - areas unproclaimed by law, Presidential Decree, Presidential Proclamation, or Executive Order as part of the NIPAS Areas. Per the National Physical Framework Plan, these areas should be given equal importance, as in NIPAS Areas, in terms of conservation and protection. These include:
- a. Reserved second growth forests;
 - b. Mangroves;
 - c. Buffer strips;
 - d. Freshwater swamps and marshes; and
 - e. Unproclaimed watersheds.
125. 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.
126. 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;

- 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.

127. Nursery/Day Care Centers - a place where the pre-school children are temporarily trained and cared for in the absence of their parents.

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

129. Open Parking Space - an area devoted for parking automobiles/vehicles with or without adjoining structure/s for private or commercial use.

130. 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.

131. Open Storage - a designated open area for storing bulks of any particular stock without any roof and exposed to the natural elements.

132. **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.

133. Parking, Multi-Level - a building of several floors used for temporary parking of motor vehicles which may be provided with services allowed in a service station.

134. Parking Lot - an off-street open area, principally used for parking motor vehicles, whether for compensation or not, by the public clients or customers.

135. Parks and Recreation Zone (PR-Z) - an area designed for diversion/amusements and for the maintenance of ecological balance.

136. Passive Telecommunications Tower Infrastructure (PTTI) – refers to all types of outdoor non-electronic telecommunications infrastructure or civil works, including, but not limited to, towers, masts, poles, and other similar infrastructure, as well as the facilities auxiliary thereto – built on the ground or installed on buildings, walls, rooftops or other edifices – that are utilized for purposes of mounting antennas, transmitters/receivers, radio frequency modules, and other radio-communication systems as macro cell sites for the rendition of ICT services in the telecommunications network. The term shall

include: (a.) the ducts, ladders, arresters, mounts, cable entrances, , and the cable trays of the PTI; (b.) the shared fiber optic and/or radio frequency cables or other similar equipment assemblies that make up the fronthaul; (c.) its appurtenant shelters, sheds, cabins, cabinets or other similar house for the base-band units, radio units, and related electronic equipment as well as the cable entrances thereof; (d.) its power supply and back-up power management systems; (e.) all other ancillary facilities as may be necessary thereto and pertinent for its proper, resilient and continuous operation as a PTI.

137. Pension House/Inn - a private or family-operated establishment that regularly caters to tourists and/or travelers, containing not more than twelve (12) independent lettable rooms where meals are provided for guests.
138. Port - an area with facilities for loading and unloading of ships and may include, among others, harbors, docks, wharves, and piers.
139. Production Agricultural Sub-Zone (PdA-SZ) - an area within the Agricultural Zone that are outside of NPAAAD and declared by the City for agricultural use.
140. Production Forest - an area which are “forestlands tended primarily for the production of timber. These are areas below 50% in slope and less than 1,000 meters in elevation. This includes natural and man-made forests.”(DENR DAO 9515), forestlands available for timber and agro-forestry production, range lands for grazing and other forestlands special uses. (FM Technical Bulletin No.5 as cited in ITTD PD 222/03 Rev.1).
141. Protected Areas - areas declared as belonging to the NIPAS System per NIPAS Act. These areas are those that have been designated or set aside pursuant to a law, presidential decree, presidential proclamation or executive order. These include: strict nature reserves; natural parks; national monuments; wildlife sanctuary; protected landscapes and seascapes; resource reserves; natural biotic areas; accreted lands.
142. Protected Area Management Board (PAMB) – per the NIPAS Act’s IRR, a Board shall be established for NIPAS areas that shall, among others: Decide matters relating to planning, resource protection and general administration of the area in accordance with the General Management Planning Strategy (GMPS); Approve proposals, work plans, action plans, and guidelines, for management of the protected area in accordance with the approved Management Plan; Delineate and demarcate protected area boundaries, buffer zones, ancestral domains; Promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development; Control and regulate the construction, operation and maintenance of roads,

trails, water works, sewerage, fire protection and sanitation systems and other utilities within the protected area.

143. Protected Area Management Plan (PAMP) - a document required for NIPAS areas that “shall, as a minimum, promote the adoption and implementation of innovative management techniques including if necessary, the concept of zoning, buffer zone management for multiple use and protection, habitat conservation and rehabilitation, site-specific policy development, pest management, and fire control”.

144. Protection Agricultural Sub-Zone (PtA-SZ) - an area within the agricultural zone that includes the NPAAAD, and referred to as “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.

145. Protection Forest - areas that are “forestlands outside NIPAS obtained essentially for their beneficial influence on soil and water in particular and the environment in general. (DENR DAO 95-15)

Areas wholly or partially covered with woody vegetation managed primarily for its beneficial effects on water, climate, soil, aesthetic value and preservation of genetic diversity. (FMB Technical Bulletin No.5 as cited in ITTD PD 220/03 Rev.1)

146. Quarrying - shall mean the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land.

147. Reclamation Area - land reclaimed from the sea and other bodies of water.

148. 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.

149. Recreational Center - a place, compound or building or a portion thereof, open to the public for recreational and entertainment purposes.

150. Residential-1 Zone (R1-Z) - an area intended for low density residential use. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.

151. Residential-3 Zone (R3-Z) - an area intended for medium to high density residential use. Per the National Building Code, R3 Zone is characterized mainly by low-rise or medium-rise residential buildings for exclusive use as multi-family dwellings with mixed housing types.
152. Resort - refers to full service accommodation located in a more natural, relaxed environment with reception and guest rooms generally offering private facilities with an onsite restaurant, rooms, and bar service available. Additional recreation facilities and tour services are expected.
153. Restaurant - any commercial establishment offering meals, beverages, and drinks to the public.
154. Restobar - is a restaurant that includes in its package a mellow sound through piped-in music or live band.
155. Re-zoning - a process of introducing amendments to or changes in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.
156. Row houses - a series of houses connected by common sidewalls and forming a continuous group. Fundamentally, a row house is a building that stands cheek by jowl with its neighbors, often sharing a common wall.
157. Self-storage units - are units smaller compared to warehouses which are mainly used for business purposes. It's usually the size of a commercial building because large pieces of equipment and a wholesale of goods are being stored there.
158. Self-Styled Accommodation Establishment (per Tourism Code) - refers to any edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation, or lodging of travelers and tourists for a fee which is not otherwise classified as a hotel, resort, or motel, including, but not limited to, the following, to wit: apartment hostel (apartel), condotel, dormitel, hostel, homotel, homestay, and bed & breakfast.
159. Service Station - a building and its premises where gasoline, oil, batteries, tires and car accessories may be supplied and dispensed at retail. Also includes sale and serving of minor motion components and accessories, tire servicing and repair.
160. Shopping Center/Arcade - a group of (not less than 15) contiguous retail stores, originally planned and developed as a single unit, with immediate adjoining off-street parking facilities.

161. Silviculture - is the establishment, development, reproduction and care of forest trees.
162. 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.
163. Socialized Housing Project - socialized housing project initiated by the city government and the National Housing Authority for relocation.
164. Socialized Housing Zone (SH-Z) - an area designated for socialized housing projects.
165. Special Institutional Zone (SI-Z) - an area intended principally for particular types of institutional establishments, e.g. welfare homes, orphanages, home for the aged, rehabilitation and training centers, military camps/reservation/bases/training grounds, etc.
166. Sports and Recreational Facilities - include aquatic and water sports facilities, golf courses, diving spots, and other similar facilities forming part of a property.
167. Stationary Lift Nets - lift nets consist of a horizontal netting panel framed by wood or metal bars or a bag shaped like a parallelepiped, pyramid, or cone with the opening facing upwards.
168. Strategic Agriculture and Fisheries Development Zone (SAFDZ) - refers to areas within the NPAAAD identified for production, agro-processing and marketing activities to help develop and modernize, with the support of government, the agriculture and fisheries sectors in an environmentally and socio-culturally sound manner.
169. Storage - refers to storage operation (warehousing, stock keeping), and storage operations (warehouse operations).
170. Storage building - may refer to storage building (warehouse) and premises or the goods in the (stock, inventory).
171. Storage facility - a facility used for personal and business needs.
172. Storage warehouse - a warehouse for industrial and commercial purposes.
173. Store - a building or structure devoted exclusively to the retail sale of a commodity or commodities.

174. Sustainable Urban Drainage System (SUDS) - a low impact system intended to drain surface water run-off through a series of collection, storage and cleaning stages before it is released back into the environment.
175. Terminal - a main station or designated place where public utility buses/vehicles shall only load or unload passengers and/or goods.
176. Theater - a structure used for viewing motion pictures or live performances for admission to which entrance fee or money is received but no audience participation and meal service are allowed.
177. Theme Park - a specific type of amusement park where the landscaping, buildings, rides, and attractions are based on a particular theme.
178. Ticketing Agent/Ticketing Company - a commercial enterprise engaged solely in selling tickets for land, air, and sea transportation services.
179. Tourism Act - shall mean the "Tourism Act of 2009" or RA 9593.
180. Tourism Zone - are sites endowed with natural or manmade physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.
181. Tourist Inn or Pension House - any building or structure regularly catering to tourists and travelers, containing several independent rooms, providing common facilities, such as toilet rooms, living and dining rooms and kitchen, and where a combination of board and lodging may be provided.
182. Transit-Oriented Development Overlay Zone (TOD-OZ) – an area around transit centers where commercial and residential growth are encouraged in order to maximize access to public transit.
183. Travel Agency - an entity which may either be a single proprietorship, partnership, or corporation regularly engaged in the business of extending to individual or groups, such services pertaining to documentation of travel papers, ticketing, sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines, whether for a fee, commission, or any form of compensation.
184. Tour Operator - a commercial enterprise which may either be a single proprietorship, partnership, corporation, or cooperative that engages in business pertaining to domestic inbound tours.

185. Tourist Transport Operator - an entity that may either be a single proprietorship, partnership, or corporation extending to individuals or groups such services pertaining to tourist transportation.
186. Tourism Enterprises - refer to facilities, services, and attractions involved in tourism, such as, but not limited to, travel and tour services, tourist transport services, whether for land, sea, or air transportation, tour guides; adventure sport services involving such sports as mountaineering, spelunking, scuba diving, and other sports activities of significant tourism potential; convention organizers, accommodation establishments, including, but not limited to, hotels, resorts, apartelles, tourist inns, motels, pension houses, and home stay operators, tourism estate management services, restaurants, shops and department stores, sports and recreational centers, spas, museums, and galleries, theme parks, convention centers and zoos.
187. Tree Farm - refers to any tract of forest land purposely and extensively planted to trees of economic value for their fruits, flowers, leaves, barks or extractives, but not for the wood thereof.
188. UDHA - shall mean the "Urban Development and Housing Act of 1992" or RA 7279.
189. Urban Area - according to the National Statistical Coordination Board, this refers to a barangay with the following: a population size of 5,000 or more and with at least one establishment with a minimum of 100 employees; with 5 or more establishments with a minimum of ten (10) employees; and with five (5) or more facilities within the two-kilometer radius from the barangay hall.
190. Urban Use Areas - are areas designated as residential, commercial, institutional, industrial and other non-agricultural uses within the planning area.
191. Utilities, Transportation and Services Zone (UTS-Z) - an area 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".
192. Variance - a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular or peculiar 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 to, or would cause undue hardship upon the owner, or to obtain a reasonable return of investment on the property.

193. Videoke bar - an establishment where people come to eat, drink, and sing.

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

195. Water Code - shall mean the "Water Code of the Philippines".

196. Wharf - an area within a city intended as a landing place where ships may be tied-up or unloaded.

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

198. Zone/Sub-Zone - an area within a city for specific land use as defined by man-made or natural boundaries.

199. Zoning Administrator/Zoning Officer - a city government employee responsible for the implementation/enforcement of the Zoning Ordinance.

200. Zoning Certification - a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.

Article IV

ZONE CLASSIFICATIONS

SECTION 5. DIVISION INTO ZONES OR SUB-ZONES - To effectively carry out the provisions of this Ordinance, the city 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. Forest and Forestland Zone (F/FLZ) which shall have two sub-zones namely:
 - a. Protection Forest Sub-Zone (PTFZ); and,
 - b. Production Forest Sub-Zone (PDFZ).
2. Critical Watershed Zone

3. Agricultural Zone (AGZ) which shall have two sub-zones namely:
 - a. Protection Agricultural Sub-Zone (PTAZ); and,
 - b. Production Agricultural Sub-Zone (PDAZ).
4. Agri-Industrial Zone (AgInd Z)
5. Urban Use Zones (UUZ) which shall have the following sub-zones namely:
 - General Residential Zone:
 - a. Residential-1 Sub-Zone (R1-SZ);
 - b. Residential-3 Sub-Zone (R3-SZ);
 - c. Socialized Housing Zone (SHZ).
 - General Commercial Zone:
 - d. Commercial-1 Sub-Zone (C1-SZ);
 - e. Commercial-2 Sub-Zone (C2-SZ);
 - f. Commercial-3 Sub-Zone (C3-SZ).
 - General Industrial Zone:
 - g. Industrial-1 Sub-Zone (I1-SZ)
 - h. Industrial-2 Sub-Zone (I2-SZ)
 - i. Industrial-3 Sub-Zone (I3-SZ)
 - General Institutional Zone:
 - j. Institutional Zone (In-Z)
 - k. Special Institutional Sub-Zone (SI-SZ)
 - l. Parks and Recreation Zone (PR-SZ)
 - m. Cemetery/Memorial Park Zone (C/MP-Z)
 - n. Open Space/Easement Zone (OS/EZ)
 - o. Buffer/Greenbelt Zone (B/G-Z)
 - p. Urban Ecological Enhancement Sub-Zone (UEESZ)
 - q. Utilities, Transportation, and Services Zone (UTSZ)
 - r. Waste Management, Treatment, Utilization, and Disposal Zone
 - s. Tourism Development Zone (TDZ)
6. Municipal Waters Zone (MWZ) which shall have two (2) sub-zones namely:
 - Protection Water Sub-Zone
 - i. Mangrove Sub-Zone (Mn-SZ)
 - ii. Rivers, Creeks, and Lakes Sub-Zone (RCL-SZ)

- iii. Wetlands Sub-Zone
 - iv. Marine Protected Area Sub-Zone
 - v. Marine Protected Area Buffer Sub-Zone
- Production Water Sub-Zone
- i. Aquaculture Sub-Zone (Aq-SZ);
 - ii. Municipal Fishing Sub-Zone

SECTION 7. OVERLAY ZONES - The following are designated as Overlay Zones:

1. High Risk to Landslide Overlay Zone
2. Moderate Risk to Landslide Overlay Zone
3. High Risk to Flood Overlay Zone
4. Moderate Risk to Flood Overlay Zone
5. Highly Vulnerable to Storm Surge Overlay Zone
6. Highly Vulnerable to Liquefaction Overlay Zone
7. Active Fault Overlay Zone (FLT-OZ)
8. Heritage Overlay Zone (HTG-OZ)
9. Tourism Development Overlay Zone
10. Transit-Oriented Development Overlay Zone (TOD-OZ)
11. Billboards Overlay Zone (BB-OZ)
12. Key Biodiversity Overlay Zone
13. Ancestral Domain Overlay Zone (AD-OZ); and
14. Water Resource Overlay Zone (WR-OZ).

SECTION 8. ZONING MAPS - It is hereby adopted as integral part of this Ordinance, the duly authenticated and Official Zoning Maps of the city showing location and boundaries of the Base Zones, Sub-Zones, and Overlay Zones herein established (refer to Annex 1 for Sample Zoning Maps by Political District).

SECTION 9. ZONE BOUNDARIES - The Zone boundaries of the different land use classifications in Section 6 and the Overlay Zones in Section 7 are shown per Administrative District. Please see Annex 3.

SECTION 10. INTERPRETATION OF ZONE BOUNDARIES - The following rules shall apply in the interpretation of the boundaries indicated in the Official Zoning Map:

1. Where zone boundaries are so indicated that they approximately follow the center of streets or highways, 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 therefrom as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad right-of-way.
5. Where the boundary of a zone follows a stream, lake or other bodies of water, said boundary line should 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.
6. Where a lot of one ownership, as of record at the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls, except for protected areas.
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. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.

Allowable Uses/Activities:

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 the Building Height Limit Ordinance, Ordinance No. 027-19, Series of 2019, in consonance with the NBC architectural design to ensure harmony with the desired character of the zone in consideration and all other relevant Ordinances.

SECTION 12. REGULATIONS IN BASE ZONES - Base Zones refer to the primary zoning classification of areas within the city and are provided with a list of allowable uses and regulations on building density and bulk, among others.

12.1. Regulations in Forest and Forestland Zone - Forest and Forestland Zone refers to a division of an area intended primarily for forest management purposes.

12.1.1. Protection Forest Sub-Zone - Protection Forest refers to areas declared and/or determined as national parks, watershed reserves, recharge areas for water requirement and closed canopy reserves.

Allowable Uses/Activities:

1. Ecological revolution program for preservation of ecological balance
2. Existing ethnic and cultural settlement /infrastructure and resettlement of Indigenous Peoples (IPs) communities
3. Improvement and enhancement of all waterway easements
4. Preservation of biodiversity
5. Preservation of existing cultural settlements, including government-initiated resettlement projects for IPs
6. Preservation and maintenance of Mt. Apo National Park
7. Reforestation development
8. Watershed Management and related activities

Building Density and Bulk Regulations:

1. No permanent structure other than those mentioned above.

2. Applications must be validated by concerned agencies, such as DENR/PAMB and regulations should be in accordance with the Co-management Agreement or Memorandum of Agreement (MOA)

Other Regulations:

1. Introduction of any development in the area must have a favorable endorsement from the Watershed Management Code Council, in accordance with the Watershed Code of Davao City and from the Protected Area Management Board (PAMB) for Mt. Apo National Park.

12.1.2. Production Forest Sub-Zone - Production Forest refers to areas which by definition of existing national laws should be classified as a conservation area but not within the watershed reserves and recharge areas of the city.

Allowable Uses/Activities:

1. Allowable uses/activities shall be in accordance with the Protected Area Management Plan (PAMP) as approved by the Protected Area Management Board (PAMB). These may include:
2. Cultural settlements, traditional and/or sustainable land use, including agriculture, agroforestry, and other income generating or livelihood activities in relation to reforestation

These activities shall have the following conditions:

- 2.1 FPIC and/or Tenurial Agreement with CADT owners and DENR whenever applicable;
 - 2.2 DENR and LGU permits and licenses and other necessary documents must be complied with prior to construction and operation;
 - 2.3 Maximum of 2% concrete construction footprint measured by the cumulative total of ground floor areas covered by concrete as against the total area under tenurial agreement wherein structures should be no higher than eight (8) meters from the ground; and
 - 2.4 No clearing of trees nor slope alteration will be undertaken.
3. Development and/or improvement of Ecological and Non-commercial cultural settlements using indigenous materials:

- 3.1 Trees that may be used in the construction of cultural settlements shall come from tree farms or industrial tree plantations or other sources as may be allowed by the Department of Environment and Natural Resources (DENR).
- 3.2 The development site of the cultural settlement shall be cleared by DENR, the Watershed Management Council, DRRM, MGB, among all other agencies concerned for safety and sustainability.
4. Establishment of biodiversity projects (e.g. captive breeding program or propagation program for endemic endangered or threatened species)
5. Improvement and maintenance of all waterway easements
6. Limited eco-tourism (e.g. community-based eco-tourism)
7. Preservation of bio-diversity areas
8. Preservation of existing cultural settlements
9. Reforestation Development Projects

Building Regulations:

1. DENR and LGU permits and licenses and other necessary documents must be complied with prior to construction and operation and must be in accordance with the Co-management Agreement/Memorandum of Agreement between the City of Davao and DENR.
2. Buildings and structures shall be designed, constructed and operated in accordance with the requirements of the PAMB, NBC and with the provisions of this Ordinance.
3. Maximum of 2% concrete construction footprint measured by the cumulative total of ground floor area covered by concrete as against the total area under tenurial agreement wherein structures should be no higher than eight (8) meters from the ground, except for government-initiated institutional projects.
4. Eco-tourism activities shall be allowed provided that the area subject of said activity is not less than 2,000 sq. meters as presented in the TCT (if A&D) or the Usufruct Agreement with the IP community in the case of CADT areas, provided said agreement is certified by NCIP as a properly executed agreement.
5. No clearing of trees nor slope alteration will be undertaken.
6. Trees that may be used in the construction of cultural settlements shall come from tree farms or industrial tree plantations or other sources as may be allowed by the DENR.
7. The development site of the cultural settlement shall be cleared by DENR, the Watershed Management Council, DRRMO, and MGB among all other agencies concerned for safety and sustainability.

8. There shall be no construction development in areas which have moderate to high risks to landslide and in areas generally assessed as unsuitable for construction after Climate and Disaster Risk Assessment (CDRA) development by the CDRMO.
9. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities) .
10. UTS is allowed provided it is a government-initiated project.

12.2. Critical Watershed Zone -This refers to areas of land which show critical degradation as to threaten their natural feature on which rainwater drains from a river system to a common outlet such as a dam, lake or sea.

Allowable Uses/Activities:

1. Reforestation
2. Non-permanent early warning facilities/structures

Building Regulations:

1. No permanent structures/buildings are allowed.
2. Applications must be validated by concerned agencies such as DENR/PAMB and regulations should be in accordance with the Co-management Agreement or Memorandum of Agreement (MOA).

Other Regulations:

- a. Introduction of any development in the area must have a favorable endorsement from the Watershed Management Council in accordance with the Watershed Code of Davao City.

12.3. 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. These include Protected Agricultural Areas (as defined by Republic Act 8435 or the "Agriculture and Fisheries Modernization Act of 1997", Republic Act 6657 or the "Comprehensive Agrarian Reform Law of 1998" and other related issuances) as well as Production Agricultural Areas as may be declared by cities/municipalities.

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

Agricultural areas within the NPAAAD and SAFDZ shall not be subjected for reclassification.

12.3.1. 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 of 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.

These are also the areas for all types of agricultural activities identified and areas declared as Strategic Agriculture and Fisheries Development Zone (SAFDZ) per Republic Act No. 8435, otherwise known as “Agriculture and Fisheries Modernization Act (AFMA) of 1997”.

Also considered in this zone are irrigated and irrigable lands.

Allowable Uses/Activities:

1. Agro-tourism activities provided that the area is at least 70% devoted for agricultural production
2. Ancillary dwelling units/farmhouses for tenants, tillers and laborers
3. Backyard raising of livestock and fowl, provided that: for livestock, maximum of 1 sow and 10 heads; and for fowl, maximum of 250 heads
4. Cultivation, raising and growing of staple crops, such as camote and cassava
5. Customary and necessary support facilities, such as storage barns
6. Engaging in home businesses, such as dressmaking, tailoring, baking, and operating a sari-sari store provided that:
 - the number of persons engaged in such business/industry shall not exceed five (5) including the owner;
 - there shall be no change in the outside appearance of the building premises; no home occupation shall be conducted in any customary accessory uses cited above;
 - no traffic shall result by the home occupation in greater volume than would normally be expected in a residential neighborhood, and neither shall there arise any need for parking space, including side streets, as a result of such occupation; 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.

7. Fishpond activities
8. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee
9. 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.
10. Pastoral activities such as goat and cattle raising
11. Silviculture, mushroom culture
12. Single-detached dwelling units of landowner.

Building Regulations:

1. All structures including roads and utilities shall not exceed thirty percent (30%) of land usage as seventy percent (70%) should be devoted to agricultural activities.
2. Dwelling units shall be designed and constructed in accordance with the building height limits based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
3. All allowable uses and activities mentioned in the preceding sections are applicable to both Irrigable lands and Agricultural Experimental Areas.

12.3.2. Production Agriculture Sub-Zone -These are areas declared by the City for agricultural use and as delineated for all types of agricultural activities per the Watershed Code.

Allowable Uses/Activities:

1. Agri-tourism
2. Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries and demonstration farms
3. Ancillary dwelling units/farmhouses for tillers and laborers that should not be for rent/lease
4. Backyard hollow block making
5. Class "A" slaughterhouse/abattoir
6. Cultivation, raising and growing of staple crops, such as rice, corn, camote and cassava
7. Customary and/or necessary support facilities, such as palay dryers, rice threshers and storage barns
8. Engaging in home business such as dressmaking, tailoring, baking, and operating a sari-sari store, provided that:

- the number of persons engaged in such business/industry shall not exceed five(5), including the owner;
 - there shall be no change in the outside appearance of the building premises; that, in no case shall there be more than 20% of the building used for said home occupation;
 - no home occupation shall be conducted in any customary accessory uses cited above;
 - no traffic shall result by the home occupation in greater volume than would normally be expected in a residential neighborhood, and neither shall there arise any need for parking space, including side streets, as a result of such occupation; 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.
9. Fishpond activities
 10. Gasoline/service stations
 11. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, schools)
 12. Government-initiated socialized housing project
 13. Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee and tobacco
 14. 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;
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment as enumerated under Home Occupation of this section
 15. Organic Agriculture
 16. Pastoral activities, such as goat raising and cattle fattening
 17. Plant nursery
 18. Poultry and piggery are subject to the following requirements from appropriate regulatory offices or agencies:
 - poultry and piggery should put up solid waste and liquid waste treatment facilities
 - the entity maintains a buffer zone of at least 20 meters along the periphery of the project site which must be planted with trees
 - the poultry and piggery shall develop biogas and other waste to energy facilities
 19. Rice/corn mill (single pass such as cono mill)
 20. Rice/corn warehouses and solar dryers

21. Silviculture, mushroom culture and the like
22. Single-detached dwelling units of landowners
23. Utilities, Transportation and Services (terminals, inter-modals, multi- modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, solid waste handling facilities)

Building Regulations:

1. The building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. For agri-tourism projects, a maximum of five percent (5%) concrete construction footprint measured by the cumulative total of the ground floor area shall be observed.

Other Regulations:

1. Backyard/manual hollow block making shall be allowed, provided that the number of hollowblocks produced shall not exceed 1,000 at any given time.
2. No expansion of existing industrial activities in production agricultural zone shall be allowed.
3. Monocrop agriculture including, but not limited to, banana and pineapple plantations shall maintain a buffer zone of thirty (30) meters between the plantation and residential houses, schools, chapels, clinics and other institutions; provided further that existing plantations shall provide for the relocation of those inside the plantation and within the buffer zone to a suitable site at its own expense.
4. Monocrop agriculture shall apply low chemical farm production inputs and crop protection agents or organic farming practices.
5. New applications for poultry and piggery should provide buffer of ten (10) meters along its perimeter to be planted with trees. This greening buffer shall be included in the computation of the required ten percent (10%) green space. The required 10-meter perimeter greening shall be imposed as the minimum mitigating measure regardless of the resulting excesses in the required green space.
6. New poultry applications which are temperature-controlled with enclosed environment livestock projects and efficient waste handling technology shall be exempted from the distance requirements from settlements or other livestock operations.
7. Sanitation Clearance from the City Health Office, Solid Waste Management Certificate from the City Environment and Natural Resources, Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources- Environmental Management Bureau (DENR-EMB).
8. Gasoline/service stations are allowed, provided, these are located in major

thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures, such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office must be secured).

9. Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the “Revised Fire Code”).
10. UTS and Socialized Housing are allowed, provided, these are government-initiated projects
11. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), “An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.
12. Poultry and piggery projects shall observe the Locational Design Standard per table below:

Classification	Number of heads	With ECC reqts.	Zone classification	Distance from source of water	Distance from the nearest urban use structure	Distance from Major Road/Highway	Distance between poultry/piggery farms
A. Poultry		✓					
Backyard	Max of 250 heads	✓	Agriculture	25m	250m	200m	500m
Small	Over 251-5000 heads	✓	Agriculture	25m	500m (300-800m)	200m	500m
Medium	Over 5000 heads to less than 10,000	✓	Agriculture	25m	1,000m	200m	1,000m
Large	10,000 heads and over	✓	Agriculture	25m	1,000m	200m	1,000m
B. Piggery		✓	Agriculture				
Backyard	1 sow & 10 heads & below	✓	Agriculture	25m	1,000m	500m	1,000m
Medium	2 sows & 11-20 heads	✓	Agriculture	25m	1,000m	500m	1,000m
Large	More than 2 sows & more than 30 heads	✓	Agriculture	25m	1,000m	500m	1,000m

12.4. Regulations in Agri-Industrial Zone - These are areas within the city intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.

Allowable Uses/Activities:

1. All uses allowed in agriculture zone
2. Agricultural and/or agri-industrial research & experimentation facilities
3. Ancillary dwelling units/farmhouses for landowners, tenants, tillers and laborers
4. Bagoong factory
5. Butter and cheese processing plants
6. Canning and preserving of fruits and fruit juices
7. Canning and preserving of vegetables and vegetable juices
8. Canning and preserving of vegetable sauces
9. Cassava flour mill
10. Class "A" slaughterhouse/abattoir
11. Class "AA" slaughterhouse/abattoir
12. Cotton textile mill
13. Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
14. Drying, cleaning, curing and preserving of meat and its by-products and derivatives
15. Fish canning
16. Flour mill
17. Gasoline/service stations
18. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, schools)
19. Jute spinning and weaving
20. Manufacture of coconut charcoal
21. Manufacture of coffee
22. Manufacture of desiccated coconut
23. Manufacture of starch and its products
24. Manufacture of unprepared animal feeds and other grain milling
25. Manufacture of wines from fruit juices
26. Manufacture/processing of other plantation crops e.g. pineapple, bananas, etc.
27. Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
28. Muscovado sugar mill
29. Miscellaneous canning and preserving of fruit and vegetables
30. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
31. Other accessory uses incidental to agri-industrial activities
32. Other commercial handicrafts and industrial activities utilizing plant or animal parts and/or products as raw materials
33. Other dairy products
34. Patis factory
35. Processing, preserving and canning of fish and other seafood

36. Production of prepared feeds for animals
37. Poultry and piggery
38. Rice/corn mills
39. Rice/corn mill warehouses & solar dryers
40. Sugarcane milling (centrifugal and refined)
41. Sugar refining
42. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)
43. Vegetable oil mills, including coconut oil
44. Weaving hemp textile

Building Density and Bulk Regulations:

1. The building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.

Other Regulations:

1. A 40-meter buffer shall be established between banana/pineapple plantations and critical areas, such as water resource zones/recharge zones, critical slopes, rivers, springs, wells and other sources of water.
2. A 1000-meter buffer shall be observed between the poultry and/or piggery and other allowable uses in the agri-industrial zone.
3. Firewall should be provided in cases where flammable materials, chemicals are kept in storage facilities.
4. Poultry and piggery shall be compliant with regulations under the Production Agriculture Zone.
5. Gasoline/service stations are allowed provided these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measure such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office must be secured.

Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code".

6. UTS is allowed provided it is a government-initiated project.
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain

Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.5. Regulations in Municipal Waters Zone

12.5.1. Protection Water Use Sub-Zone - An area which the city government has set aside for protection to allow marine species to establish a good habitat to spawn and replenish and to further improve the quality of the waters.

12.5.1.1 Mangrove Sub-Zone - This refers to the existing mangrove area which could be expanded by rehabilitating the adjacent areas suitable for mangrove plantation. Expansion depends on site suitability assessment to be included in the protected area development and management plan. Per the Fisheries Code, this zone is characterized as a community of intertidal plants including all species of trees, shrubs, vines, and herbs found on coasts, swamps, or border of swamps.

Allowable Uses/Activities:

1. Limited ecotourism activities
2. Mangrove plantations
3. Scientific / education studies
4. Silviculture area

Building Regulations:

1. No permanent buildings or structures are allowed
2. Pathways and view decks provided

12.5.1.2. Rivers, Creeks, and Lakes Sub-Zone - Per the Fisheries Code, this is “an inland body of water, an expanded part of a river, a reservoir formed by a dam, or a lake basin intermittently or formerly covered by water”, including areas formed due to accretion.

Allowable Uses/Activities:

1. Irrigation source
2. Navigational purposes
3. Regulated desilting/quarrying/dredging
4. Regulated fishing
5. Water rafting

Building Regulations:

1. No structures/buildings will be allowed, except for flood control projects and other infrastructure support facilities.

Other Regulations:

1. In case of quarry, desilting, dredging, a Resolution of No Objection shall be required from the Sangguniang Panlungsod.

12.5.1.3. Wetlands Sub-Zone - Wetlands refer to a lowland area such as a marsh or swamp that is saturated with moisture, especially when regarded as the natural habitat of wildlife.

Allowable Uses/Activities:

1. Eco-tourism activities
2. Water retention area
3. Wildlife sanctuary

Building Regulations:

1. No structures/buildings are allowed within the wetland area.
2. No activity that will alter the natural character of the area such as landfilling.

Other Regulations:

1. No river bed or sandbars shall be subject to cultivation or utilization except upon prior recommendation of the City Environment and the Natural Resources Office (CENRO) and the City Engineer's Office (CEO); Provided, further, that no permission shall be granted if it obstructs the flow of water, or if it shall increase the flood levels so as to cause damage to other areas.
2. An Environmental Compliance Certificate (ECC) and Environmental Impact Statement (EIS) duly signed by an Environmental Planner are required.

12.5.1.4. Marine Protected Area Sub-Zone (MPA-SZ) - The Marine Protected Area is also known as a core zone or a no take area. This refers to an area in the Davao City municipal waters where the city government has established a fish sanctuary for the purpose of protecting and rehabilitating critical habitats, conserving endangered, rare and threatened species, increasing fishery production and enhancing biological diversity.

Allowable Uses/Activities:

1. Eco-tourism
2. Educational tours
3. Research

Restricted Activities:

1. All other prohibited acts that may be defined by the local management body.
2. All types of fishing activities except hook-and-line and gleaning.
3. Catching, hunting whale sharks and other endangered species.
4. Collecting, gathering and/or destroying marine organisms, and other non-living components of the coastal and marine environment such as sand and rocks.
5. Cutting of mangroves.
6. Entry, docking of commercial fishing vessels.
7. Land conversion or reclamation of any type.
8. Poaching.
9. Scuba-diving for recreation.

12.5.1.5. Marine Protected Area Buffer Zone - This refers to an area with a distance of 50 meters outward on all sides from the boundary of the core zone excluding the dry area.

Allowable Uses/Activities:

1. Activities for research purposes.

Restricted Activities:

1. All types of fishing activities except hook & line
2. Boat anchorage
3. Passage of motorized boats.

12.5.2 Production Water Sub-Zone - This refers to bodies of water/areas in the city where fishing, raising and culturing of fish and other species, eco-tourism activities are allowed

12.5.2.1 Aquaculture Sub-Zone - Per the Fisheries Code, this is an area within the Municipal Waters Zone of a city designated for "fishery operations such as inland fishery involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas."

Allowable Uses/Activities:

For Fresh Water:

1. fish cages
2. fishponds
3. ornamental fish culture
4. tilapia and hito culture.

For Brackish Water:

1. Fish ponds

2. Mangrove planting
3. Prawn farms

For Marine Water:

1. Educational tours
2. Fish cages
3. Fish ponds
4. Fish corral and stationary lift nets
5. Mariculture Park
6. Seaweeds and Post-harvest facilities
7. Shellfish and crustaceans culture.

Building Regulations:

1. No permanent buildings or structures are allowed except for duly-approved aquaculture-related structures such as fish cages, post-harvest facilities.
2. Minimum requirement for the frame of fish cages is 10 x 10 x 4 meters.
3. All other similar activities and projects are subject for review and recommendation of the Fisheries Resource Management and Services Division (FRMSD) of the City Agriculturist's Office.

Other Regulations:

For Mariculture Water:

1. A minimum of one hundred (100) hectares is required for mariculture park.
2. No fishing activity is allowed within the declared mariculture park area.
3. The area of the fish corral should not be more than one thousand (1000) square meters, the length of which should not exceed one hundred (100) meters.
4. The stationary lift nets should not be more than two hundred (200) square meters.
5. Fish catch shall be regulated as provided in the Comprehensive Fisheries Ordinance of Davao City.
6. No fishing activity within twenty (20) meters perimeter from the structure will be allowed.

12.5.2.2. Municipal Fishing Sub-Zone (MF-SZ) - This refers to an area within the Municipal Waters Zone where only municipal fishing, as defined in the Fisheries Code, is allowed.

Allowable Uses/Activities:

1. Fish Corral or bungsod

2. Fish shelter or payao
3. Fishing not requiring the use of fishing vessels
4. Fishing using fishing vessels of three (3) gross tons or less
5. Recreational/sport fishing
6. Regulated leisure fishing/boating
7. Scuba diving/snorkeling
8. Stationary Lift nets or bentol

Prohibited Acts:

1. No fish corral, or “bungsod”, shall be constructed within 200 meters of another fish corral in marine fisheries, or 100 meters in fresh water fisheries unless they belong to the same licensee or grantee.
2. Permits and licenses issued are non-transferable. Should these be transferred, the same are automatically cancelled.
3. License/permit holders shall not impede the flow of the tide to and from any adjoining fish corrals.
4. No commercial fishing

Building Regulations:

1. No permanent structures are allowed except fishery-related post-harvest facilities

12.6. Urban Use Zones (UUZ) - Urban use zones are areas within the city that are designated as residential, commercial, institutional, special institutions, industrial, agri-industrial, parks and recreation, cemetery/memorial park, utilities/transportation/services, buffer/greenbelt zone, open space/easement, tourism, and urban ecological enhancement.

12.6.1. Regulations in Residential-1 (R-1) Zone - An area intended for low density residential use of twenty (20) dwelling units per hectare so as to maintain the peace and quiet environment of the area within the district. Per the National Building Code, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as a single family dwelling.

A. The following are the Allowable Uses/Activities in Residential-1 (R-1) Zone :

1. Single-detached dwelling units
2. Booking office and on-line business activities only
3. Semi-detached family dwelling units, e.g. duplex
4. Clinic, nursing and convalescing home, health center

5. Customary accessory uses like:
 - servants quarter
 - private garage, but not for commercial purposes
 - guard house
 - Laundries
 - 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
6. Gasoline/service stations
7. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
8. Home-based business, provided that:
 - Such home business activity 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 integrated Zoning Ordinance;
 - 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.
9. 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 in home business such as dressmaking, tailoring, baking, running a sari-sari store and booking office, provided that:
 - The number of persons engaged in such business/industry shall not exceed five (5), including the owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than twenty percent (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.

10. Internet Café with regulations covered by Ordinance No. 0387-12, Series of 2012.
11. Mini mart and convenience store.
12. Multi-purpose/Barangay hall
13. Nursery/Elementary School/high school
14. Plant nursery
15. Police and fire stations
16. 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
 - Sports club
17. Religious use
18. Residential Subdivisions approved per P.D. 957 standards
19. Tutorial services
20. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

Building Regulations:

1. The building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower.

Other Regulations:

1. Any building, structure that is 12 meters high and above should submit a structural plan duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.
2. All private vehicles shall have individual parking space. On-street parking is prohibited.

3. Business Process Outsourcing (BPO) service shall be allowed, provided, that the 20 maximum number of personnel/employees will be observed.
4. An affidavit of undertaking and consent from adjacent neighbors and homeowners association shall be required for on-line business activities, such as booking offices.
5. Gasoline/service stations are allowed, provided these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. Dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines of 2008.")
6. UTS is allowed provided it is a government-initiated project
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices

12.6.2. Regulations in Residential-3 (R-3) Zone - An area intended for high density residential use. Per the National Building Code, R-3 Sub-Zone is characterized mainly by low-rise, medium, to high-rise residential buildings for multi-family dwellings with mixed housing types.

Allowable Uses/Activities:

1. Aerobics / body bar
2. Apartments
3. Boarding houses
4. Business Process Outsourcing service
5. Cooperative centers/offices
6. Dormitories
7. Drugstore/Pharmacy
8. Food shops / outlets such as:
 - Food mart
 - Bakery /bake shop
 - Restaurants / eateries

- Fast food center
- Grilled/roasted food outlets
- Ice cream parlor
- Fruit stand
- Candy shop

9. Homestay

10. Hotel apartments or apartelles

11. Libraries

12. Medical clinic

13. Multi-level tenement houses

14. Museums

15. Nursery/Elementary/High School

16. Other trade, services and business activities like:

- Auto supply and spare parts with storerooms incidental to the principal use
- Pawnshops and goldsmith services
- Hardware/construction supplies
- Watch, locksmith and other light electrical and mechanical repair shops
- Laundry shops and dry cleaning services
- Typing, photocopying and engraving services
- Bag/shoe repair shop
- Clubhouse
- Booking office
- Small vulcanizing shop along major thoroughfares
- Book store
- General types of institutional establishments (government offices, hospitals/clinics, academic/research, and convention centers, and other government facilities)
- Gasoline/service stations
- Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

17. Parking buildings (aboveground/underground)

18. Pension houses

19. Personal services shops like:

- Beauty parlor
- Barber shop
- Sauna bath and massage clinic

20.

- Dressmaking and tailoring shop/embroidery
- Playcourt, e.g. tennis, billiard maximum of 2 tables
- 21. Portrait shops
- 22. Primary hospitals
- 23. Public reading centers/libraries
- 24. Residential condominiums
- 25. Reflexology, acupuncture services
- 26. Short term special education like:
 - Dancing schools
 - Driving schools
 - Music studios / schools
 - School for self-defense
 - Speech clinics
- 27. Socialized and Economic Housing in accordance with BP 220
- 28. Sports and recreational centers
- 29. Training centers
- 30. Variance subdivisions such as upgrading and sites & services projects
- 31. Vocational Schools.

Building Regulations:

1. Building height limits will be based on Ordinance No 027-19, Series of 2019 or as set by CAAP, whichever is lower
2. Per relevant provisions of Resolution No 948-19, Series of 2019, requiring high density residential projects to have a perimeter fence as well as requiring the orientation of houses to face the inner subdivision roads to prevent unplanned and unauthorized commercialization of the residential area

Other Regulations:

1. Any building, structure that is 12 meters high and above should submit a structural plan duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO prior to the issuance of the locational clearance.
2. Business Process Outsourcing (BPO) service shall be allowed, provided that, the 30 maximum number of personnel/employees will be observed.
3. Hardware with storage shall be allowed, provided that, loading and unloading areas are provided within the property; consequently, no loading and unloading shall be allowed along the road fronting the property.
4. An affidavit of undertaking and consent from adjacent neighbors and homeowners association shall be required for on-line business activities such as BPO.

5. Gasoline/service stations are allowed provided these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as, firewall, concrete fence must be provided; clearances from concerned agencies BoF, DoE, DENR-EMB, City Health Office must be secured. Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines 2008")
6. UTS is allowed provided it is a government-initiated project.
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".

12.6.3. Socialized Housing Zone (SHZ) - An area 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, in accordance with Section 15, Article 5 of Republic Act 7279, otherwise known as the "Urban Development and Housing Act (UDHA)".

Allowable Uses/Activities :

1. All uses allowed according to the provisions of BP 220:
 - Day care centers/elementary schools
 - Livelihood program
 - Relocation/Resettlement
 - Residential subdivision projects funded by the government
 - Socialized housing
2. Gasoline/service stations
3. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
4. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

Building Regulations:

1. Applicable provisions of BP 220
2. Building height limits will be based on Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.

Other Regulations:

1. Gasoline/service stations are allowed, provided, these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies BoF, DoE, DENR-EMB, City Health Office must be secured. Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 Revised Fire Code of the Philippines 2008).
2. UTS is allowed provided it is a government-initiated project
3. Per relevant provisions of the Implementing Rules and Regulations as amended of Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices

12.6.4. Regulations in Commercial-1 (C-1) Zone - A low density commercial area within a city intended for neighborhood or community scale trade, service, and business activities.

Allowable Uses and Conditions

1. Bayad center
2. Catering services
3. Cockpit
4. Commercial housing like:
 - Apartment
 - Townhouse
 - Apartelle
 - Boarding house
 - Dormitory
 - Dormitel
 - Condotel

- Motel
 - Lodging house
 - Tourist inn
 - Pension house
 - All uses allowed in R-1 Zones
 - Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
5. Generator houses
 6. Parking lots/Building garage
 7. Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 8. Pump houses
 9. Construction supply stores/depots
 10. Courier services
 11. Embassies/consulates
 12. Engraving, photo developing, and printing shops
 13. Event planners
 14. Financial institutions/services like:
 - Banks
 - Stand-alone automated teller machines
 - Insurance
 - Foreign exchange
 - Money lending
 - Pawnshops
 15. Food market and shops like:
 - Bakery, cake, pastry, and delicatessen shops
 - Liquor and wine stores
 - Groceries
 - Supermarkets
 - Convenience stores
 16. Funeral parlor (Category 1)
 17. Gasoline/service stations
 18. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
 19. Internet cafés and cyber stations
 20. Janitorial services
 21. Laundry shops
 22. Libraries/museums
 23. Lotto terminals, off-fronton, on-line bingo outlets, and off-track betting stations
 24. Manufacture of insignia, badges, and similar emblems except metal

25. Offices
26. Parking buildings (aboveground/underground)
27. Parking lots/garage facilities
28. Parks, playgrounds, pocket parks, parkways, promenades, and play lots
29. Personal service shops like:
 - Medical, dental, and similar clinics
 - Beauty parlors
 - Barber shops
 - Wellness facilities such as sauna, spa, massage, and facial clinics
 - Dressmaking and tailoring shops
30. Plant nurseries
31. Printing, publishing, and allied industries
32. Printing, publication, and graphic shops
33. Product showrooms/display stores
34. Recreational centers/establishments like:
 - Play courts (e.g. tennis court, bowling lane, billiard hall)
 - Swimming pool
 - Gymnasium
 - Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
 - Casino and other gambling activities
35. Repair shops like:
 - House furniture and appliance repair shops
 - Motor vehicles and accessory repair shops, Battery shops and repair shops (not allowed in C-3)
 - Bicycle repair shops
 - Repair shops for watches, bags, shoes, cellular phones, cameras, computers, and the like
36. Restaurants and other eateries
37. Retail stores and shops like:
 - Department stores
 - Bookstores and office supply shops
 - Art supplies and novelties
 - Home appliance stores
 - Car display and dealer stores
 - Flower shops
 - Curio or antique shops
 - Pet shops and aquarium stores
 - Jewelry shops
 - Consumer electronics such as cellular phones, cameras, laptops, home appliances, and the like
 - Drugstores

38. Security agencies
39. Special Education (SPED) school
40. Short term special education like:
 - Dance schools
 - Schools for self-defense
 - Driving school
 - Speech clinics
 - Tutorial centers
41. Travel agencies
42. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)
43. Vocational/technical schools
44. Warehouse/storage facility for non-pollutive/non-hazardous finished products
45. Water refilling stations.

Building Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.
2. All repair works can only be allowed if ample setback and space is available and by no means be conducted in the Road Right of Way (RROW).
3. Warehouses with less than twelve (12) meters road frontage shall not be allowed.
4. A 12-meter firewall shall be required in cases where flammable materials, chemicals are kept in storage facilities.
5. Maximum height of storage facilities shall not exceed the required 12-meter height of firewalls.
6. Lotto terminals, off-fronton, on-line bingo outlets, and off-track betting stations should observe the existing ordinances/regulations as to its distance to the nearest

institutional structures, such as, schools, churches, hospitals, and the like.

7. In high risk to flood area, there shall be an easement of ten meters from the riverbank, and the next 30 meters thereafter shall be zoned as C-1. Multi-storey development may be allowed, provided that, the first floor is allocated for commercial purposes only.
8. Gasoline/service stations are allowed, provided, these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures, such as, firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines 2008").
9. Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls should follow the existing local Ordinance/regulations indicating the required distance to the nearest institutional structures, such as schools, churches, hospitals, and the like that should be observed. Noise should be contained in the building. Per Ordinance 040, Series of 1999, "No bar shall be established within a radius of 100 lineal meters from the perimeter fence of any public building, school, public library, church or hospital".
10. Lumberyards with one table saw should have a storage which is incidental to the principal use. No stock piles shall be allowed on the road right-of-way and setback.
11. UTS is allowed provided it is a government-initiated project.
12. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to enhance the mobility of disabled persons by requiring certain buildings, institutions, establishments and other public utilities to install facilities and other devices".

12.6.5. Regulations in Commercial-2 (C-2) Zone - A medium to high density commercial area within a city intended for trade, service, and business activities performing complementary/supplementary functions to the CBD.

Allowable Uses/Activities:

1. Bayad centers
2. Backyard/manual hollow block making
3. Catering services
4. Colleges/universities
5. Commercial housing and self-styled accommodation establishments like:
 - Apartment
 - Apartelle
 - Boarding house
 - Dormitory
 - Dormitel
 - Condotel
 - Motel
 - Lodging house
 - Tourist inn
 - Pension house
6. 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
7. Construction supply stores/depots
8. Courier services
9. Embassies/consulates
10. Engraving, photo developing, and printing shops
11. Event planners
12. Financial institutions/services like:
 - Banks
 - Stand-alone automated teller machines
 - Insurance
 - Foreign exchange
 - Money lending
 - Pawnshops
 - Money remittance
13. Food market and shops like:
 - Bakery, cake, pastry, and delicatessen shops
 - Liquor and wine stores
 - Groceries
 - Supermarkets

- Convenience stores
- 14. Gasoline filling stations/service stations
- 15. Internet cafés and cyber stations
- 16. Janitorial services
- 17. Laundry shops
- 18. LPG retailers (with Certificate of Safety Standards from DOE)
- 19. Libraries/museums
- 20. Lotto terminals, off-fronton, on-line bingo outlets, and off-track betting stations
- 21. Manufacture of insignia, badges, and similar emblems except metal
- 22. Nursery, elementary, high school
- 23. Offices
- 24. Parking buildings (aboveground/underground)
- 25. Parking lots/garage facilities
- 26. Parks, playgrounds, pocket parks, parkways, promenades, and play lots
- 27. Plant nurseries
- 28. Personal service shops like:
 - Medical, dental, optical, and similar clinics
 - Beauty parlor
 - Barber shop
 - Wellness facilities such as sauna, spa, massage, and facial clinics
 - Dressmaking and tailoring shop
- 29. Printing, publication, and graphic shops
- 30. Printing, publishing, and allied industries
- 31. Product showroom/display store
- 32. Restaurants and other eateries
- 33. Retail stores and shops like:
 - Department stores
 - Bookstores and office supply shops
 - Art supplies and novelties
 - Home appliance stores
 - Car display and dealer stores
 - Flower shops
 - Curio or antique shops
 - Pet shops and aquarium stores
 - Jewelry shops
 - Consumer electronics such as cellular phones, cameras, laptops, home appliances, and the like
 - Drugstores
- 34. Security agencies
- 35. Shopping centers, malls, and supermarkets

36. Short term special education like:
 - Dance schools
 - Schools for self-defense
 - Driving school
 - Speech clinics
 - Tutorial centers
37. Special Education (SPED) schools
38. Travel agencies
39. Ticketing agency/Ticketing company
40. Swimming pool
41. Gymnasium
42. Vocational/technical schools
43. Warehouse/storage facility for non-pollutive/non-hazardous finished products that are not allowed in C-3
44. Water refilling stations
45. Wet and dry markets
46. Wholesale stores.

Repair shops like:

1. Automobile sales and services (with adequate working space)
2. Billboards, Signboards and streamer painting and silk screening
3. Blacksmith/tinsmithry
4. Boat storage
5. Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
6. Business Process Outsourcing services
7. Carwash services provided with proper drainage, rainwater catchment and water treatment facility.
8. Chicharon factory
9. Commercial condominium (with residential units in upper floors)
10. Commercial housing like:
 - Motel
 - Condotel
11. Convention centers and related facilities
12. Display for cars, tractors, etc.
13. Doughnut and hopia factory
14. Electrical and mechanical equipment repair shop
15. Exhibit halls
16. Funeral parlor (Category 2 and 3)
17. Gardens and landscaping supply/contractors
18. Gasoline/service stations

19. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
20. Glassware and metalware stores, household equipment and appliances
21. Gravel and sand stores
22. Hardware
23. Hauling services and garage terminals for trucks, tow trucks and buses, auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft, and aircraft sales yards
24. Heavy equipment sales and services (provided adequate working space and no vehicle repair or no storage shall be allowed on the road right-of-way)
25. Home furnishing shops
26. House appliances
27. Lechon stores
28. Lumberyard with one table saw
29. Lumberyard without machinery (with storage incidental to the principal use. No stock piles shall be allowed on the road right-of-way)
30. Machinery display shop/center
31. Machine shop service operation (repairing/rebuilding or custom job orders)
32. Manufacture of box beds and mattresses
33. Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
34. Manufacture of rattan furniture including upholstery
35. Manufacture of wood furniture including upholstery
36. Motorpool
37. Motor vehicle and accessory shops (Note: all shops shall be provided with adequate working space and no vehicle repair or no storage shall be allowed on the road right-of-way.)
38. Other bakery products
39. Paint stores without bulk handling
40. Printing/typesetting, copiers and duplicating services
41. Public wet market and wet markets privately operated with cold storage facilities
42. Quick freezing and cold packaging for fish and other seafoods
43. Quick freezing and cold packaging for fruits and vegetables
44. Radio and television stations
45. Recreational center/establishments like:
 - Stadiums/coliseums
 - Movie houses/theaters
 - Tennis courts and sports complex

- Billiard halls, pool rooms, and bowling alleys
 - Sports clubhouses
 - Other sports and recreational establishments
 - Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
46. Recording and film laboratories
47. Shops for repacking of food products, e.g. fruits, vegetables, sugar and other related products
48. Small and medium scale junk shops with a maximum 50-square meter floor area
49. Steel works such as:
- window grills fabrication
 - window casement/steel doors
 - steel gate/fence
 - garden/home furniture
 - cutflowers plant accessories
 - and other similar steel fabrication activities
50. Tire recapping (cold process)
51. Transportation terminals/garage, with and without repair
52. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)
53. Vehicle emission testing center
54. Warehouse and open storages
55. Warehouse for non-pollutive, non-hazardous items/goods
56. Welding shops
57. Wholesale establishments/stores or offices with storage facilities and display of commodities/items for sale
58. Woodworks /furniture shops.

B. Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

C. Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO prior to the issuance of the locational clearance.

2. All repairs and storage can only be allowed if ample setback, as determined by DPWH and the City Engineer's Office is provided, and if space is available and by no means be conducted in the road right-of-way.
3. Backyard/manual hollow block making shall be allowed provided the number of hollowblocks produced shall not exceed 1,000 at any given time.
4. Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls should follow and observe the existing local Ordinance/regulations indicating the required distance to the nearest institutional structures, such as schools, churches, hospitals, and the like. Noise should be contained in the building. Per Ordinance 040-99, Series of 1999, "No bar shall be established within a radius of 100 lineal meters from the perimeter fence of any public building, school, public library, church or hospital".
5. Lumberyards with one table saw should have a storage which is incidental to the principal use. No stock piles shall be allowed on the road right-of-way and setback.
6. Warehouses with less than 12 meters road frontage shall not be allowed.
7. A 12-meter firewall shall be required in cases where flammable materials, chemicals are kept in storage facilities.
8. Maximum height of storage facilities shall not exceed the required 12-meter height of firewalls.
9. Gasoline/service stations are allowed provided these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. Dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the Revised Fire Code of the Philippines 2008)
13. UTS is allowed provided it is a government-initiated project.
14. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions,

Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.6. Regulations in Commercial-3 (C-3) Zone - A high density commercial area within a city intended for regional shopping centers such as large malls and other commercial and business activities which are regional in scope or where market activities generate traffic and require utilities and services that extend beyond local boundaries and requires metropolitan level development planning and implementation. High rise hotels, sports stadiums or sports complexes are also allowed in this zone. This zone may also be called as the Central Business District (CBD).

Allowable Uses/Activities:

1. Automobile sales and services (with adequate working space)
2. Bars, sing-along lounges, bistros, pubs, beer gardens, disco, dance halls
3. Business Process Outsourcing service
4. Carwash services provided with proper drainage, rain water catchment and water treatment facility.
5. Colleges/universities
6. Commercial condominium (with residential units in upper floors)
7. Commercial housing like Condotel
8. 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
9. Convention centers and related facilities
10. Exhibit halls
11. Furniture showroom
12. Gardens and landscaping supply/contractors
13. Gasoline/service stations
14. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
15. Glassware and metalware display/store, household equipment and appliances
16. Hardwares
17. Heavy equipment sales
18. Home furnishing shops
19. LPG retailers (with Certificate of Safety Standards from DOE)
20. Nursery, elementary, high school
21. Recording and film laboratories
22. Recreational centers/establishments like:

- Movie houses/theaters
 - Stadiums, coliseums
 - Tennis courts and sports complexes
 - Billiard halls, pool rooms, and bowling alleys
 - Sports clubhouses
 - Other sports and recreational establishments
23. Regional shopping centers, malls, and supermarkets
24. Repair shops like:
- house appliances
 - motor vehicle and accessory shops
- (Note: all shops shall be provided with adequate working space and no vehicle repair or storage shall be allowed on the road right-of- way.)
25. Shopping centers, malls, and supermarkets
26. Showroom for cars
27. Terminals/garage without repair
28. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, solid waste handling facilities)
29. Wet and dry markets
30. Wholesale establishments/stores or offices with storage facilities and display of commodities/items for sale
31. Wholesale stores.

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO prior to the issuance of the locational clearance.
2. Gasoline/service stations are allowed provided these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR- EMB, City Health Office) must be secured. Dispensing devices should

not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the “Revised Fire Code of the Philippines 2008”)

3. UTS is allowed provided it is a government-initiated project .
4. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), “An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.7. Regulations in Light Industrial (I-1) Zone -An area intended for light manufacturing or production industries that are:

- a. non-pollutive/non-hazardous; and
- b. non-pollutive/hazardous

Allowable Uses/Activities:

Non-Pollutive/Non-Hazardous Industries

A. Food Based Industries

1. Biscuit factory—manufacture of biscuits, cookies, crackers, and other similar dried bakery products
2. Dairies and creameries
3. Doughnut and hopia factory
4. Drying fish
5. Ice plants and cold storage buildings
6. Manufacture of macaroni, spaghetti, vermicelli, and other noodles
7. Popcorn/rice factory
8. Quick freezing and cold packaging for fish, seafoods, fruits and vegetables
9. Small-scale manufacturing of ice cream

B. Leather Based Manufacturing

1. Life belts factory
2. Manufacture of brooms, brushes, and fans
3. Manufacture or assembly of electronic data processing machinery and accessories
4. Manufacture or assembly of optical instruments
5. Manufacture or assembly of typewriters, cash registers, weighing, duplicating, and accounting machines
6. Manufacture of buttons except plastic
7. Manufacture of eyeglasses and spectacles

8. Manufacture of insignia, badges, and similar emblems (except metal)
9. Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
10. Manufacture of luggage, handbags, wallets, small leather goods and leather substitute
11. Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, and thermometer
12. Manufacture of needles, pens, fasteners, and zippers
13. Manufacture of optical lenses
14. Manufacture of pens, pencils, and other office and artist materials
15. Manufacture of photographic equipment and accessories
16. Manufacture of shoes, slippers, sandals and footwear parts, except rubber and plastic
17. Manufacture of signs and advertising displays (except printed)
18. Manufacture of toys and dolls except rubber and mold plastic
19. Manufacture of umbrella and canes
20. Manufacture of watches and clocks
21. Office /construction /scientific equipment
22. Renovation and repair of office machinery

C. Transportation

1. Manufacture of animal-drawn vehicles
2. Manufacture of children vehicles and baby carriages
3. Manufacture of rowboats, bancas, and sailboats

D. Medical equipment / services

1. Manufacture or assembly of surgical, medical, dental equipment, and medical furniture
2. Manufacture of medical/surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
3. Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle support, arch support, artificial limb, kneecap supporters, etc.)

E. Musical instruments / Sporting equipment

1. 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
 2. Manufacture or assembly of pianos, electronic organs
 3. Manufacture of sporting equipment and items, such as gloves and mitts, balls (not of rubber or plastic), gym and playground equipment, sporting tables (billiards, pingpong, pool)
 4. Manufacture of string instruments, wind and percussion instruments
 5. Parks, playgrounds, pocket parks, parkways, and promenades
 6. Warehouse/Storage facility for non-pollutive/non-hazardous industries

Non-Pollutive/Hazardous Industries

1. 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
2. Gasoline/service stations
3. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, and other government facilities)
4. Jute bag, textile bag, canvass bag and other canvass products factory
5. Manufacture of bamboo, rattan, and other cane baskets and wares
6. Manufacture of concrete hollow blocks
7. Manufacture of cork products
8. Manufacture of dry ice
9. Manufacture of fiber batting, padding, and upholstery filling except coir

10. Manufacture of garments for men, women and children
11. Manufacture of hats, gloves, handkerchiefs, neckwear, raincoats and waterproof outer garments, except jackets
12. Manufacture of house furnishing
13. Manufacture of miscellaneous fabricated mill work
14. Manufacture of miscellaneous furniture and fixture, except primarily of metals
15. Manufacture of miscellaneous, textile goods, embroideries, and weaving apparel garments and miscellaneous wearing apparel
16. Manufacture of paper stationery, envelopes, and related articles
17. Manufacture of wooden and cane containers
18. Manufacture of wooden shoes, shoe lace, and other similar products
19. Parks, playgrounds, pocket parks, parkways, and promenades
20. Pumping plants [water supply, storm drainage, sewage, irrigation, and waste treatment plants]
21. Repackaging of industrial products e.g. paints, varnishes, and other related products
22. Sawali, nipa, and split cane factory
23. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, solid waste handling facilities)
24. Warehouse/Storage Facility for non-pollutive/hazardous industries

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.
3. Must have sufficient firewall to protect adjacent structures or establishments.

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan, duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.

2. Gasoline/service stations should be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures, such as, firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or any other building or structures (IRR of Republic Act 9514 or the “Revised Fire Code of the Philippines 2008”).
3. UTS is allowed provided it is a government-initiated project.
4. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), “An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.8. Regulations in Medium Industrial (I-2) Zone - An area intended for medium intensity manufacturing or production industries that are:

- a. Pollutive/non-hazardous; and
- b. Pollutive/hazardous

Allowable Uses/Activities:

Pollutive/Non-Hazardous Industries

1. Candy, chocolate and cocoa, and confectionary products factory
2. Class “A” slaughterhouse/abattoir
3. Class “AA” slaughterhouse/abattoir
4. Corn mill/rice mill
5. 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
6. Ice plants and cold storage
 7. Large-scale manufacturing of ice cream
 8. Manufacture of abrasive products
 9. Manufacture or assembly of agricultural machinery and equipment
 10. Manufacture or assembly of elevators and escalators
 11. Manufacture or assembly of service industry machines
 12. Manufacture or assembly of sewing machines
 13. Manufacture of boilers, tanks, and other structural sheet metal works
 14. Manufacture and canning of ham, bacon, and native sausage
 15. Manufacture of electrical equipment and machineries (radio, television, transmitting, signaling and detection), apparatus (cables and wires), and accessories
 16. Manufacture of electronic equipment and machineries
 17. Manufacture of fabricated wire and cable products
 18. Manufacture of fish meal
 19. Manufacturing of flavoring extracts
 20. Manufacture of heating, cooking, and lighting equipment except electrical
 21. Manufacture of household equipment
 22. Manufacture of medicinal and pharmaceutical preparations
 23. Manufacture of metal cans, boxes, and containers
 24. Manufacture of metal works (furniture, metal fixtures, fabricated structural iron and steel, architectural and ornamental)
 25. Manufacture of miscellaneous cutlery hand tools and general hardware
 26. Manufacture of miscellaneous non-metallic mineral products
 27. Manufacture of office, store, household, and restaurant metal furniture
 28. Manufacture of stamped coated and engraved metal products
 29. Manufacture of stationery, art goods, cut stone, and marble products
 30. Manufacture of water pumps
 31. Native plow and harrow factory
 32. Oyster shell grading
 33. Poultry processing and canning
 34. Refrigeration industry
 35. Repair of agricultural machinery
 36. Sheet metal works generally manual operation
 37. Warehouse/Storage Facility for pollutive/non-hazardous products

Pollutive/Hazardous Industries

1. Boat building and repairing
2. Cassava flour mill
3. Cigar and cigarette factory
4. Curing and re-drying tobacco leaves
5. Dry cleaning plants using flammable liquids
6. Flour mill
7. Grains and cement silos
8. Hangars
9. Hosiery mill
10. Jute spinning and weaving
11. Manufacture of coffee
12. Manufacture of unprepared animal feeds, other grain milling
13. Production prepared feeds for animals
14. Miscellaneous processing of tobacco leaves
15. Textile, fiber spinning mills, weaving hemp textile
16. Miscellaneous spinning and weaving mills
17. Outer and inner garments
18. Manufacture of mats and mattings, carpets and rugs
19. Manufacture of cordage, rope, and twine
20. Manufacture of linoleum and other surface coverings
21. Manufacture of artificial leather, oil cloth, and other fabrics except rubberized
22. Manufacture of coir
23. Woodworking establishments (lumber, timber yards, planing mills and sawmills, veneer plants)
24. Manufacture of veneer, plywood, and hardwood
25. Manufacture of doors, windows, and sashes
26. Treating and preserving of wood
27. Wood drying kilns
28. Manufacture of charcoal
29. Manufacture of wood and cane blinds, screens, and shades
30. Pulp, paper, and paperboard factories
31. Manufacture of containers and boxes of paper and paper boards
32. Wood and cardboard box factories
33. Manufacture of miscellaneous pulp and paper products
34. Manufacture of perfumes, cosmetics, and other toilet preparations
35. Manufacture of waxes and polishing preparations
36. Manufacture of candles
37. Manufacture of inks
38. Manufacture of rubber shoes and slippers
39. Manufacture of industrial and molded rubber products

40. Manufacture of plastic footwear
41. Manufacture of plastic furniture
42. Manufacture of table and kitchen articles
43. Manufacture of pottery, china, and earthenware
44. Manufacture of glass wares
45. Manufacture of clay bricks, clay tiles, and hollow clay tiles, structural clay products
46. Manufacture of structural concrete products
47. Manufacture of asbestos products
48. Manufacture of engines and turbines, except motor vehicles, marine, and aircraft
49. Manufacture of metal cutting, shaving, and finishing machinery
50. Manufacture of wood working machinery
51. Manufacture, assembly, rebuilding, repairing of food and beverage making machinery
52. Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
53. Manufacture, assembly, rebuilding, repairing of paper industry machinery
54. Manufacture, assembly, rebuilding, repairing of trade machinery and equipment
55. Manufacture of rice mills
56. Manufacture of machines for leather and leather products
57. Manufacture of construction machinery
58. Manufacture of machines for clay, stove, and glass industries
59. Manufacture, assembly, repair, and rebuilding of miscellaneous special industrial machinery and equipment
60. Manufacture of dry cells, storage battery, and other batteries
61. Ship repairing industry, dock yards, dry dock, shipways
62. Tire retreating and rebuilding
63. Manufacture of railroad and street cars, and parts
64. Manufacture or assembly of automobiles, cars, buses, trucks, and trailers
65. Factories for engines and turbines and attached testing facilities
66. Manufacture and assembly plants of aircraft engine
67. Repair and testing shops for aircraft engines and parts
68. Paint stores with bulk handling
69. Paint shops and spray painting rooms
70. Signs and billboards painting shops
71. Warehouses where highly combustible materials are stored
72. Factories where loose combustible fiber or dirt are manufactured, processed, or generated
73. Warehouse for pollutive/hazardous products

74. 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

75.

Gasoline/service stations

76. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, schools)

77. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019. or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.
3. Must be surrounded by a firewall.

Other Regulations:

1. Any building, structure that is twelve 12 meters high and above should submit a structural plan, duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.
2. Gasoline/services stations are allowed provided these shall be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures, such, as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than six (6) meters from any building openings and public ways; tank edge shall not be less than one (1) meter from the property line or

any other building or structures (IRR of Republic Act 9514 or the “Revised Fire Code of the Philippines 2008”).

3. UTS is allowed provided it is a government-initiated project.
4. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), “An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.9. Regulations in Industrial-3 (I-3) Zone- An area intended for heavy manufacturing or production industries that are:

- a. Highly pollutive/non-hazardous
- b. Highly pollutive/hazardous
- c. Highly pollutive/extremely hazardous
- d. Pollutive/extremely hazardous
- e. Non-pollutive/extremely hazardous.

Allowable Uses/Activities:

Highly Pollutive/Non-Hazardous Industries

1. Meat processing, curing, preserving except processing of ham, bacon, sausage, and chicharon
2. Milk processing plants (manufacturing filled, reconstituted, or recombined milk, condensed or evaporated)
3. Butter and cheese processing plants
4. Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream-related products)
5. Other dairy products
6. Canning and preserving of fruits and fruit juices
7. Canning and preserving of vegetables and vegetable juices
8. Canning and preserving of vegetable sauces
9. Miscellaneous canning and preserving of fruits and vegetables
10. Fish canning
11. Patis factory
12. Bagoong factory
13. Processing, preserving, and canning of fish and other seafood
14. Manufacture of desiccated coconut
15. Manufacture of starch and its by-products
16. Manufacture of wines
17. Manufacture of malt and malt liquors

18. Manufacture of soft drinks, carbonated water
19. Manufacture of instant beverages and syrups
20. Other non-alcoholic beverages
21. Other slaughtering, preparing, and preserving meat products
22. Cooking oil and soap processing plants

23. Warehouse for highly pollutive/non-hazardous industries
24. Parks, playgrounds, pocket parks, parkways, and promenades
25. 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.

Highly Pollutive/Hazardous Industries

1. Vegetable oil mills, including coconut oil
2. Manufacture of refined cooking oil and margarine
3. Manufacture of fish, marine, and other animal oils
4. Manufacture of vegetable and animal oils and fats
5. Sugar cane milling (centrifugal and refined)
6. Sugar refining
7. Muscovado sugar mill
8. Distilled, rectified, and blended liquors
9. Class "A" slaughterhouse/abattoir
10. Class "AA" slaughterhouse/abattoir
11. Cotton textile mill
12. Ramie textile mill
13. Rayon and other man-made fiber textile mill
14. Bleaching and drying mills
15. Manufacture of narrow fabrics
16. Tanneries and leather finishing plants
17. Pulp mill
18. Paper and paperboard mills
19. Manufacture of fiberboard
20. Manufacture of inorganic salts and compounds
21. Manufacture of soap and cleaning preparations
22. Manufacture of hydraulic cement
23. Manufacture of lime and lime kilns
24. Manufacture of plaster

25. Products of blast furnaces, steel works, and rolling mills
26. Products of iron and steel foundries
27. Manufacture of smelted and refined non-ferrous metals
28. Manufacture of rolled, drawn, or extruded non-ferrous metals
29. Manufacture of non-ferrous foundry products
30. Oil depot/terminal (greater than 7.950 kilo-liters)

31. Warehouse for highly pollutive/hazardous industries
32. Parks, playgrounds, pocket parks, parkways, and promenades
33. 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

Highly Pollutive/Extremely Hazardous Industries

1. Manufacture of industrial alcohols
2. Factories for highly flammable chemicals
3. Other basic chemicals
4. Manufacture of fertilizers
5. Manufacture of pesticides
6. Manufacture of synthetic resins, plastic materials, and man-made fibers except glass
7. Plastic resin plants [monomer and polymer]
8. Plastics compounding and processing plants
9. Petroleum refineries
10. Manufacture of reclaimed, blended, and compound petroleum products
11. Manufacture of miscellaneous products of petroleum and coal
12. Warehouse for highly-pollutive/extremely hazardous industries
13. Batching plant for cement and asphalt
14. Customary accessory uses incidental to any of the above uses such as:
 - Parks, playgrounds, pocket parks, parkways, and promenades
 - 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
- Crushing plant
- Generator houses

Pollutive/Extremely Hazardous Industries

1. Manufacture of paints
2. Manufacture of varnishes, shellac, and stains
3. Manufacture of paint removers
4. Manufacture of other paint products
5. Manufacture of matches
6. Manufacture of tires and inner tubes
7. Manufacture of processed natural rubber not in rubber plantation
8. Manufacture of miscellaneous rubber products
9. Water and power generation complexes
10. Liquid and solid waste management complexes
11. Power plants (thermal, hydro, or geothermal)
12. All other types of complexes for public utilities
13. Warehouse for pollutive/extremely hazardous industries
14. Parks, playgrounds, pocket parks, parkways, and promenades
15. 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

Non-pollutive/Extremely Hazardous Industries

1. Manufacture of compressed and liquefied gases
2. Storage tanks, buildings for storing gasoline, acetylene, liquefied petroleum gas, calcium, carbides, oxygen, hydrogen, and the like
3. Armories, arsenals, and munitions factories
4. Match and fireworks factories
5. Acetylene and oxygen generating plants
6. Warehouse for non-pollutive/extremely hazardous industries
7. Parks, playgrounds, pocket parks, parkways, and promenades
8. Gasoline/service stations

9. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, schools)
10. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.
3. Must be surrounded by a firewall.

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan, duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.
2. For land uses following under the use regulations for I-1, I-2, and I-3 sub-zones which are not listed in Sections 2.5.7, 2.5.8, and 2.5.9., the corresponding certification as to non-pollutive, pollutive or highly pollutive and further classified as non-hazardous, hazardous and extremely hazardous, shall first be secured from the Regional Office of the Department of Environment and Natural Resources. But the decision on the application will still be made by the LZBA.
3. No industry listed under use regulation for I-1 and I-2 sub-zones shall be allowed inside areas allowed to purely residential subdivisions existing prior to the approval of this Zoning Ordinance even if such residential subdivisions are within the Industrial sub-zone as described in this Ordinance.
4. A temporary clearance for on-site batching plant shall be issued to developers, construction businesses, the effectivity of which shall cease once construction is concluded.
5. Gasoline/service stations are allowed, provided, these are located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned

agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines 2008")

6. UTS is allowed provided it is a government-initiated project.
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".

12.6.10. Regulations in General Institutional Zone (InsZ) - An area intended principally for general types of institutional establishments, e.g. government offices, hospitals/clinics, academic/research, and convention centers.

Allowable Uses/Activities:

1. Government Center to house national, regional or local offices in the area
2. Colleges, universities, professional business schools, vocational and trade schools, technical schools and other institutions of higher learning
3. General hospitals, medical centers, multipurpose clinics
4. Convention centers and related facilities
5. Convention structures, e.g. church, seminary, convents
6. Religious structures, e.g. church, mosque, seminary, convents
7. Museums/ Public libraries
8. Embassies/ consulates
9. Civic Centers
10. All kinds of cultural and historical landmarks and structures
11. Special public and private institutional buildings and other land uses of similar nature
12. Police and Fire stations
13. Learning facilities as training centers, seminar halls and libraries
14. Parking buildings
15. Evacuation centers
16. Customary accessory uses incidental to any of the above 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
17. Gasoline /service stations

18. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities).

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan, duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.
2. Gasoline/service stations are allowed provided these shall be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the Revised Fire Code of the Philippines 2008)
3. UTS is allowed provided it is a government-initiated project.
4. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices."

12.6.11. Regulations in Special Institutional Zone (SInsZ) -An area intended primarily for particular types of institutional establishments e.g. welfare homes, orphanages, home for the aged, rehabilitation and training centers, military camps/reservation/bases/training grounds, etc.

Allowable Uses/Activities:

1. 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
2. Gasoline/service stations
3. Jails, prisons, reformatories, and correctional institutions
4. Leprosaria
5. Military camps/reservations/bases and training grounds
6. Parks, playgrounds, pocket parks, parkways, promenades, and play lots
7. Penitentiaries and correctional institutions
8. Psychiatric facilities, such as mental hospitals, mental sanitarium/asylums
9. Rehabilitation and vocational training centers for ex-convicts, drug addicts, unwed mothers, physically, mentally, and emotionally handicapped, ex-sanitarium inmates, and similar establishments
10. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, solid waste handling facilities)
11. Welfare homes, orphanages, boys and girls town, nursing homes, home for the aged, and the like.

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No.027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies

Other Regulations:

1. Any building, structure that is twelve (12) meters high and above should submit a structural plan, duly signed by a Structural Engineer and a soil analysis for evaluation by OCBO/CEO, prior to the issuance of the locational clearance.

2. Gasoline/service stations are allowed provided these shall be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines 2008")
3. UTS is allowed provided it is a government-initiated project.
4. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".

12.6.12. Regulations in Parks and Recreation Zone (PRZ) - An area designed for diversion/amusements and for the maintenance of ecological balance in the communities.

Allowable Uses/Activities:

1. All types of resort complexes such as those providing accommodation, sports, dining, and other leisure facilities
2. All uses/activities in Buffer/Green Zone (BU), Open Space/Easement (OSE) and in Urban Ecological Enhancement Sub-zone
3. Ball courts, skating rinks, race track and similar uses
4. Customary accessory uses incidental to any of the above uses such as:
 - Staff house/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
5. Ecotourism Parks
6. Functional wetlands, easement and buffer areas
7. Gasoline/service stations

8. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers, schools)
9. Memorial/Shrines monuments, kiosks, and other park structures
10. Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheatres, swimming pools, and golf courses
11. Open space buffers and easements
12. Parks, playgrounds, pocket parks, parkways, promenades, play lots, gardens
13. Parking structures/facilities
14. Pump house
15. Sports clubs
16. Theme park/tree park
17. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)
18. Wild life park/botanical and zoological gardens.

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No.027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

1. Gasoline/service stations are allowed provided these shall be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any other building or structures (IRR of Republic Act 9514 or the "Revised Fire Code of the Philippines 2008").
2. UTS is allowed provided it is a government-initiated project.
3. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled

Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.13. Regulations in Cemetery/Memorial Park Zone (C/MPZ) - This refers to an area intended for the interment of the dead.

Allowable Uses/Activities:

1. Cemetery
2. Crematorium
3. Columbarium
4. Customary accessory uses such as crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking, and toilet facilities
5. Gasoline stations/service stations
6. Memorial Parks
7. Ossuary
8. Utilities, Transportation and Services (power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, and solid waste handling facilities).

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower
2. Subject to HLURB/DHSUD Rules and Regulations for Memorial Parks and Cemeteries and other applicable guidelines/standards of concerned agencies.
3. Subject to national and locational guidelines and standards of concerned agencies.

Other Regulations:

1. Gasoline stations/service stations are allowed provided these shall be located in major thoroughfares with Level C or higher level of service roads as certified by the Department of Public Works and Highways (DPWH), and are not within 2.5 kms from the nearest existing gasoline station; if located beside a residential or other urban use areas, mitigating measures such as firewall, concrete fence must be provided; clearances from concerned agencies (BoF, DoE, DENR-EMB, City Health Office) must be secured. The dispensing devices should not be less than 6 meters from any building openings and public ways; tank edge shall not be less than 1 meter from the property line or any

other building or structures (IRR of Republic Act 9514 or the “Revised Fire Code of the Philippines 2008”).

2. UTS is allowed provided it is a government-initiated project.
3. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), “An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices”.

12.6.14. Regulations in Open Space/Easement Zone - This refers to a strip of land along the entire length of the banks of rivers, creeks and streams, shores of the sea, lakes, all waterways.

Allowable Uses/Activities:

1. Ecotourism project
2. Improvement and maintenance of waterway easements
3. Fishing
4. Floatage
5. Navigation
6. Parks and playground
7. Parks and recreation
8. Recreation
9. Reforestation Projects
10. Salvage
11. Slope protection projects
12. Tree parks
13. Utilities, Transportation and Services (power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation projects, and solid waste handling facilities)

Other Regulations:

1. A 30-meter easement shall be required on both sides of the Davao River from its mouth all the way to Ma-a Bridge wherein the 10 meters will be developed as Davao River Promenade and the remaining 20 meters as Road Right of Way.
2. A 30-meter easement shall be provided on both sides from the mouth of Matina Riverbank until C.P Garcia Highway.
3. An easement of 30-meters shall be provided on both sides from the mouth of Talomo River up to McArthur Highway.
4. All other rivers and creeks shall have a 5-meter easement on both sides for urban areas, 20 meters in agricultural areas and 40 meters in forest areas.

5. Mandatory 5-meter easement on both sides of earthquake fault traces on the ground identified by PHIVOLCS.
6. A 15-meter easement shall be observed for 69 kV transmission lines; while a 30-meter easement for 138 kV transmission lines; and a 40-meter easement for 230 kV transmission lines.
7. Easement requirement for road widening and road construction programs as required by the City Government as well as other projects that may later on be identified.
8. The easement shall be measured in accordance with the procedure set forth in the National Building Code of the Philippines (P.D. No. 1096) and shall be increased or enlarged, subject to the climate change and disaster risk reduction management studies.
9. 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.
10. UTS is allowed provided it is a government-initiated project.
11. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".

12.6.15. Regulations in Buffer/Greenbelt Zone (B/GZ) - These are yards, parks, or open spaces intended to separate incompatible/conflicting uses to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.

Allowable Uses/Activities:

1. Agriculture, silviculture, horticulture
2. Customary accessory uses incidental to any of the above such as offices, eateries/canteens, parking, kiosks, retail stores, and toilet facilities
3. Ground-level or underground parking structures/facilities
4. Open spaces/gardens
5. Parks and park structures such as playgrounds, jogging trails, bicycle lanes
6. Plant nurseries
7. Tree parks
8. Uses in parks and recreational zones
9. Utilities, Transportation and Services (power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, flood mitigation

projects, flood control structures, and solid waste handling facilities).

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019 or as set by CAAP, whichever is lower
2. Subject to national locational guidelines and standards of concerned agencies.

A. Other Regulations:

1. A 20-meter buffer zone shall be observed between conflicting zones with the buffer to be provided by the zone of intense activity.
2. The 15 percent (15%) green space in all developments shall be imposed.
3. Planting suitable trees as screen fencing shall be spaced to achieve the maximum screening effect and aesthetics of the buffer area.
4. Where a good quality top soil exists, it shall not be removed and shall be preserved for finishing grades of yards, playgrounds, parks and garden areas.
5. Grass, shrubs, plants and other landscaping materials use for ground cover shall be planted as to allow complete and permanent cover of the area.
6. UTS is allowed provided it is a government-initiated project.
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".

12.6.16. Urban Ecological Enhancement Sub-Zone (UEESZ) - This refers to areas intended for massive greening program for ecological enhancement in major urban zone as precautionary and pro-active approach to climate change adaptation and part of risk reduction management program against flooding, landslide and inundation as the edges and slopes of the ridge or hill are found to be highly susceptible to landslide; and therefore the same is hereby declared protected at all times and any development in the area must strictly comply with the requirements in Article XI, Section 63.2.

Allowable Uses/Activities:

1. All uses/activities in Forest Zone (FZ)
2. Ecotourism projects

3. Improvement and maintenance of all waterway easement
4. Other greening program which includes enhancement of biodiversity projects
5. Reforestation Development Projects

Building Regulations:

For Exemptions for Residential Purposes: Individual private landowners who do not wish to include their lot or participate in any land consolidation activity for revenue-generating Eco-Tourism Projects in the UEE Sub Zone may exercise their right to construct a residential building, subject to all of the following conditions/ qualifications, to wit:

1. The lot was acquired prior to the effectivity of the 2013 Zoning Ordinance amendment, or if the property was acquired through hereditary succession.
2. The applicant/landowner has no other property classified as residential for zoning purposes anywhere in Davao City. For this purpose, the applicant shall be required to submit an omnibus affidavit of such fact of no other residential lot and undertaking to voluntarily remove all improvements on the property subject of the application in case of misrepresentation.
3. The area/land subject of the application on which the residential building will be constructed is outside the high risk to landslide area as recommended by the Committee and upon approval of the Sangguniang Panlungsod.
4. The design of the residential structure shall be such that:
 - The ground floor shall be built at least 1.5 meters above the ground in such a manner that allows free passage of storm water run-off, maintain the natural terrain and to preserve the natural absorptive capacity of the sub- zone.
 - No natural ground area shall be flattened, slope altered, and concreted. However, the owner can use permeable and semi-permeable pavement for the parking area as may be desired, provided that, the permeable or semi-permeable bricks are laid on top of the natural ground using levelling materials like sand or natural fiber.
 - A balcony and/or view deck may be constructed which will not be included in the computation of the FAR, provided that, the flooring of the attached feature outside the main building is designed in such a way that it allows air and water to pass through it.

Floor Area Ratio: The required Floor Area Ratio (FAR) for all residential buildings in the UEE Sub-Zone shall be 0.5 to cover a maximum of twenty-five percent (25%) of the entire lot, provided that another 25% shall be planted with endemic/indigenous tree species and provided further that such planting area shall be maintained in accordance with the specifications set by the Mines and Geosciences Bureau (MGB).

Landslide Protection and Surface Erosion Control Measures:

- *Slope Maintenance*: Given the high susceptibility to landslide and surface erosion of the fringes of Shrine Hills, a Slope Protection Measure Program must be established by the City in partnership with the land owners. In all cases, slope maintenance responsibility belongs to the owner of the land.
- *Slope Maintenance Inspection*: Regular inspection should be carried out to determine the conditions of a slope. These inspections can be sub-divided into three (3) levels/categories:
 - Routine inspection - by NGOs, POs based on some general visual guidelines;
 - Engineering inspection – by qualified geotechnical engineer and the City Engineer in accordance with engineering standards;
 - Regular monitoring process - by a qualified engineering firm/consultant with special expertise and may involve the use of some monitoring devices or analysis.

A. Other Regulation:

1. When public interests so require, the Preliminary Subdivision Development Plan (PSDP) granted for subdivision projects in Urban Ecological Enhancement Zone as provided herein may be recalled or revoked by the Sangguniang Panlungsod, through a resolution, upon majority vote of all its members, after observance of due process of law.

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

Allowable Uses/Activities:

1. Airport and related facilities
2. Bike lanes, line trees, sidewalks, ramps, walkways
3. Bus/jeep, taxi terminals
4. Car barns
5. Depots
6. Fish ports, fish landing, and related facilities
7. Flood Mitigation Projects (e.g retarding pond, drainage)
8. Freight storage and buildings
9. LRT/Monorail stations
10. Passive Telecommunication Tower Infrastructure (PTTI)
11. Piers, harbors, dockyard, and related facilities
12. Power generating plants/ stations
13. Water pumping stations and related facilities

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

1. A 2-meter greenbelt will be required along the periphery of the project site.
2. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices".
3. Cell site tower may be constructed within 25-meter radius from residential areas with consent from the affected households.

12.6.18. Waste Management, Treatment, Utilization, Disposal Zone - This refers to areas intended for waste segregation, separating the reusable and recyclable materials before final disposal of residual waste; for treatment of medical, toxic, and hazardous solid and liquid waste before proper disposal; for composting of biodegradable waste; for treatment of sewerage and septage waste before proper disposal and possible utilization of waste as source of energy.

Allowable Uses/Activities:

1. Dumping site/sanitary landfill
2. Hospital/medical waste treatment facility

3. Materials Recovery Facility (MRF) projects
4. Other solid and liquid waste treatment facility
5. Septage waste treatment facility
6. Sewerage treatment facility and composting plant/facility
7. Waste to energy facility.

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower.
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

No Locational Clearance shall be issued unless the following clearances/certifications are obtained from the different concerned agencies:

1. Barangay Council Resolution of No Objection
2. Barangay Development Council Resolution favorably indorsing the project
3. City Engineer's Office for Drainage Clearance
4. City Environment and Natural Resources Office for Solid Waste Management Plan
5. City Health Office for Sanitation Clearance
6. City Assessor's Office for new Tax Declaration
7. City Treasurer's Office for Realty Tax Clearance
8. Davao City Water District for Certification of water supply availability
9. Davao Light and Power Company for Certification of power supply availability
10. Mines and Geosciences Bureau for Certification for possible Geohazard and recommended mitigating measures
11. DENR- Environmental Management Bureau for Certification for waste treatment facilities and permit to discharge effluents.

An Affidavit of No Objection from all adjoining, adjacent lots/land owners is also required.

The following conditions must be met prior to the establishment of a WTE facility as provided in Section 5 of DENR Administrative Order No 2019-21:

- a) All WTE facilities shall undergo Environmental Impact Statement System and secure all applicable environmental permits,

clearances and other legal requirements from concerned agencies prior to construction, set-up and operation of a WTE facility.

- b) Documentation for compliance with the requirements of PD 1586 shall include an environmental and health risk assessment.
- c) The host LGU, including the LGUs, where the source of the feedstock will originate from shall ensure that the plan to establish and/or utilize WTE facility is integrated in their approved 10-year Solid Waste Management Plan consistent with the provisions of Republic Act 9003.
- d) The host LGU is allowed to implement clustering and/or form partnerships with the private sector in the establishment, construction and operation of WTE facility.
- e) The proponent shall submit an Environmental Technology Verification (ETV) Statement and Report following the DOST ETV Protocol as per DENR-DOST Joint Administrative Order 2006-01.

Additional Requirement:

There must be one kilometer radius buffer zone between the waste management zone and other zones.

12.6.19. Tourism Development Zone - Tourism development zone refers to areas where major tourism projects or tourist related activities shall be allowed provided that the structures and facilities for tourists shall be in accordance with the Department of Tourism (DOT) guidelines and standards and shall have secured special local government requirements subject to an environmental impact and vulnerability assessment.

Allowable Uses/Activities:

1. Agri-tourism
2. Allowable uses/activities in Parks and Recreation Zone and Urban Ecological Enhancement sub-zone are also allowed
3. Beach resorts
4. Eco-tourism
5. Farm lot or leisure farm
6. General types of institutional establishments (government offices, hospitals/ clinics, academic/research, and convention centers)
7. Heritage and historical sites

8. Meetings, Incentives, Conventions, and Events Facility (MICE Facility)
9. Mountain resorts
10. Other related activities such as tree parks and botanical gardens
11. Theme parks.
12. Utilities, Transportation and Services (terminals, inter-modals, multi-modals, depots, power and water generation/distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, and solid waste handling facilities)

Building Density and Bulk Regulations:

1. Building height limits will be based on City Ordinance No. 027-19, Series of 2019, or as set by CAAP, whichever is lower
2. Subject to national locational guidelines and standards of concerned agencies.

Other Regulations:

Farm lot/leisure farm may be allowed provided that the following criteria/conditions are satisfied:

1. Not more than 11 lots per hectare.
2. Land contours and mature trees are preserved in a work with nature development scheme.
3. Land scraping to flatten areas shall not be allowed.
4. The total cumulative ground floor area for building structures shall not exceed 20% of the total lot area.
5. These conditions shall be reflected in the deed of restrictions for compliance.
6. UTS is allowed provided it is a government-initiated project.
7. Per relevant provisions of the Implementing Rules and Regulations as amended by Batas Pambansa Bilang 344 (Accessibility Law), "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Other Public Utilities to Install Facilities and Other Devices

SECTION 13. REGULATIONS IN OVERLAY ZONES - Overlay zones is 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 additional allowable uses, building density and bulk and building/ structure design that are deemed necessary to achieve the objectives for the Overlay Zone.

All hazard overlay zones shall automatically be updated with every updating of CDRA within the approved planning period of the CLUP. However, in order to immediately avert any or all disasters attributed to these identified hazards, any official updating of the hazard maps/hazard overlay maps by the DENR-MGB, Phivolcs, and DOST, shall be properly endorsed by the DRRMC to the City Council for adoption and updating of the hazard overlay zone.

13.1. Landslide Overlay Zone

13.1.1. High Risk to Landslide Overlay Zone (HR-LSD-OZ) - LSD-OZ refers to areas identified in the CLUP as high risk to landslides after the Climate and Disaster Risk Assessment (CDRA). The objectives of these regulations are to avoid/minimize potentials for landslide occurrence, and to protect lives and properties from its impacts.

Allowable Uses:

1. Allowable uses as enumerated in the Base Zone, subject to the following additional regulations:
2. No development shall be allowed within these areas except planting of trees and vetiver grass to mitigate landslide.

Building Density and Bulk Regulations:

1. No new structures, including buildings and fences, shall be allowed.
2. Existing structures shall not be allowed to expand or alter.
3. Existing structures shall be required to retrofit.
4. Employ slope stabilization measures such as control of surface and ground water drainage, earth buttresses, retaining walls, terracing, etc.

13.1.2. Moderate Risk to Landslide Overlay Zone

Allowable Uses/Activities:

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

Building Density and Bulk Regulations:

1. The Maximum Allowable Percentage of Site Occupancy (MAPSO) defined in the NBC as the area of ground coverage of Allowable Maximum Building Footprint and expressed as a percentage of the total area, shall be:
 - 30% of the identified moderate risk to landslide areas are allowed for other uses in the base zone.

- Subdividing a lot after the establishment of the 30% shall not be allowed.
- The remaining 70% are for greening purposes.
- The MAPSO shall include all buildings and structures built or to be built on the lot.

2. The Unpaved Surface Area (USA) of developments shall:

- Not be less than 70% for Parks and Recreation uses
- Not be less than 60% for all other uses/activities

3. As defined in the NBC, USA is the “true open space which should be of exposed soil and planted.” The USA is located outside the building envelope.

4. Site development shall be designed to avoid/minimize:

- 1) risks that it will be affected by landslides;
- 2) its adverse impacts to the soil;
- 3) and risks that it will cause landslide to nearby areas/properties.

Other Regulations:

1. Buildings and structures should be laid out and designed to harmonize with the terrain to minimize earth moving activities.
2. Appropriate slope, erosion, and soil stabilization measures shall be applied, either through hard or soft engineering measures.
3. Indigenous and mature vegetation should be retained.
4. Natural drainage patterns should not be altered.
5. Use sustainable drainage systems to include rainwater storage tanks, green roofs, etc. that can decrease the flow and make productive use of storm water run-off.
6. Buildings and structures must comply with mandatory retrofitting.
7. The GIS section of the City Planning and Development Office (CPDO) together with the Office of the City Building Official (OCBO) shall monitor the development limitations of the hazardous areas.

13.2 Flood Overlay Zone

13.2.1 High Risk to Flood Overlay Zone -High Risk to flood overlay zone refers to areas determined in the CLUP as high-risk to flood after CDRA considering the likelihood of occurrence and the severity of consequence to hazard of the exposed elements.

The objective of the Flood Overlay Zone is to protect lives and properties from the harmful effects of flood.

Allowable Uses/Activities:

1. Allowable uses shall be as provided in the respective Base Zone, subject to the following additional regulations:
 - developers and contractors are able to demonstrate engineering interventions and mitigating actions which are adequate enough to ensure the safety and well-being of the residents;
2. Commercial and Industrial uses with appropriate density, building design, and environmental restrictions.
3. Functional wetlands, easement and buffer areas
4. Regulated sports and other recreational activities
5. Wildlife park, botanical/zoological gardens, provided, that it is outside of the urban core.

13.2.2. Moderate Risk to Flood Overlay Zone - Moderate risk to flood overlay zone refers to areas determined in the CLUP as moderate-risk to flood after CDRA considering the likelihood of occurrence and the severity of consequence to hazard of the exposed elements.

Allowable Uses/Activities:

1. Allowable uses shall be as provided in the Base Zone, subject to the following additional regulations:
 - Buildings, both old and new, 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.
- 2. Functional wetlands, easement and buffer areas
- 3. Regulated sports activities and other recreational uses
- 4. Regulated urban uses
- 5. Wildlife park, botanical / zoological gardens.

Building Density and Bulk Regulations:

1. Required elevation requirement is (1.5 meters minimum) for the lowest floor line of newly constructed and improved buildings. The enclosed spaces below flood elevation shall be used for parking, access or limited storage.
2. Provide wet and dry flood proofing measures, such as backflow valves, waterproofing for doors and windows, elevated electric circuits, etc.
3. Provide measures to increase storm water retention capacity of new building sites,
4. Provide measures to retrofit existing buildings.

Other Regulations:

Environmental Conservation and Protection Standards Development shall:

1. Preserve riparian strips/ ecological buffers along water channels.
2. Not alter natural drainage patterns.
3. Not alter, fill or build on the floodplain without proper drainage design and without proper consideration of possible inundation effects of nearby properties.
4. No drainage systems shall be built within watercourses unless necessary for access provided that clearances shall be secured from agencies concerned
5. Use permeable pavement materials and sustainable urban drainage systems such as filtration trenches, retention ponds, swales, rainwater storage, green roofs and other related technologies that can improve storm water quality, decrease runoff, manage peak flows, and make productive use of storm water.
6. Protect water bodies from sedimentation and erosion.
7. Design internal drainage so as not to increase turbidity, sediment yield, or discharge harmful substances.
8. Retain at least fifteen (15%) of the property for green space.

The following shall also be required for the locational clearance of allowable commercial, industrial uses: Drainage Impact Assessment Statement for new and existing infrastructure and Environmental Compliance Certificate.

13.3. Highly Vulnerable to Storm Surge Overlay - This refers to areas in the city that have been determined as highly vulnerable to storm surge considering the possible degree of damage and the adaptive capacity to the exposed elements.

Allowable Uses/Activities:

1. Agricultural
2. Coastal
3. Easement
4. Forest (Mangroves)
5. Regulated urban uses with restrictions on building design and environmental:
 - Required elevation requirements for the lowest floor line of new constructed and improved buildings. Requirements for construction of structures on stilts as applicable
 - Limitations on uses of enclosed spaces below flood elevation (for parking, access, or limited storage only)
 - Wet and dry flood proofing measures, such as, backflow valves, waterproofing for doors and windows, elevated electric circuits, etc.
 - Environmental Conservation and Protection Standards Developments shall:
 - ✦ Build only in the allowable areas beyond the required coastal easement
 - ✦ Preserve and maintain mangroves and natural vegetation along the coast.

Building Density and Bulk Regulations:

1. Structurally resilient buildings designed and approved by a licensed Civil and Structural Engineer as prescribed in the NBC, Structural Code, and other applicable provisions from other concerned agencies.
2. Buildings or structures, whether public or private, should be at least two storeys high and should provide mitigating measures for storm surge protection.

13.4 Highly Vulnerable to Liquefaction Overlay Zone - An area in the city that has been determined as highly vulnerable to liquefaction considering the possible degree of damage and the adaptive capacity to the exposed elements.

Allowable Uses/Activities:

1. Horticulture
2. Legal easements
3. Parks, pocket parkways, promenades
4. Vegetation, planting of trees

Building Density and Bulk Regulations:

1. No permanent buildings/structures shall be built within AF-OZs defined buffer against fissuring of at least five (5) meters on both sides of the active fault line
2. Environmental Geo-hazard Assessment Review (EGGAR) should be endorsed by MGB to EMB.

13.5 Active Fault Overlay Zone- Active fault overlay zones are areas defined by five (5)-meter wide strips on both sides of and running along identified earthquake faults. The objective of these regulations is to minimize the possible harmful effects of fault movements to properties.

Allowable Uses/Activities:

Only the following uses shall be allowed within identified FOZs:

1. Horticulture
2. Legal easements
3. Vegetation, planting of trees

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

Building Density and Bulk Regulation:

1. No permanent buildings/structures shall be built within FOZ's defined buffer.

13.6. Heritage Overlay Zone - The HTG-OZ is applied in areas with historic centers/heritage zones, including heritage houses.

The objectives are:

- 1) to preserve the fabric and setting of existing heritage historic or structures/sites; and

- 2) to ensure that design and construction of new ones give due recognition to the significance and attributes of the historic structures/sites.

Allowable Uses/Activities:

1. Uses allowed under Rule II, Land Use Policies and Regulations of the Guidelines, Policies, and Standards for the Conservation and Development of Historic Centers/Heritage Zones by the National Historical Commission of the Philippines (NHCP) shall apply to sites that the NHCP or the National Museum (NM) has declared Historic Centers or Heritage Zones, by virtue of Republic Act 10066 (Heritage Act).

Building/Structure Design Regulation:

1. Rule III. Building Requirements of the Guidelines, Policies, and Standards for the Conservation and Development of Historic Centers/Heritage Zones by the National Historical Commission of the Philippines (NHCP) shall apply to sites that the NHCP or the National Museum (NM) has declared as Historic Centers or Heritage Zones, by virtue of Republic Act 10066 (Heritage Act).

C. Other Regulation:

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

13.7. Tourism Development Overlay Zone - This refers to the area designated as Chinatown Tourism Development Area. While one is already developed for the Chinatown community, this does not exclude the emergence of other cultural development zones.

Additional Allowable Uses:

1. Tourism and other related uses
2. Sta. Ana Wharf as center for maritime tradition
3. Botanical garden featuring an oriental landscape in a section of Magsaysay Park
4. Pocket parks highlighting Chinese culture (maximum of 100 square meters) within Chinatown District
5. Civic center within the Chinatown District
6. Meetings, Incentives, Conventions, and Events (MICE) facility.

Building Regulations:

1. All renovations and new construction within the Chinatown Tourism Development Overlay Zone shall secure approval of design aesthetics from the Davao City Chinatown Development Council which shall form part of the requirements for Locational Clearance.
2. Way-finding signage provided by the city government and other agencies shall contain an icon and Chinese/English characters in 50/50 ratio. It shall in no means be removed without a written permission from the assigned agency.
3. Store/Building signage shall have both Chinese and English characters with a 60/40 ratio respectively. All signages shall prescribe to the National Building Code of the Philippines and other Codes and laws adjoining to this Ordinance.
4. The theme of the area/community shall conform to the traditional/oriental/modern Chinese architecture. The theme shall bring a visual perception of Chinese culture to the area. This shall be defined by its pattern, color and texture.
5. No stakeholder/owner, person, firm or corporation shall construct, alter, repair, move or demolish any building or structure without first obtaining a written approval from the Davao City Engineer's Office and any such act must conform in every aspect with the rules enlisted herein and all applicable codes, rules, regulations and Ordinances of the National and Local government.
6. All buildings and improvements constructed within the area must be of strong and durable materials, properly finished and the type of architecture should be in harmony with the concept or theme of the area.
7. The property shall be subject to setbacks for drainage, sewage, water and other utilities as may be necessary or desirable, measured horizontally from the property line to the utmost protrusion of the building lines.
8. The property shall provide safe and walkable sidewalk for the pedestrians. The sidewalk shall have a pedestrian clear zone of 2.40 meters and a landscape/green zone of 1.2 meters on the roadside. The size of the sidewalk shall be in standard 3.60 meters. The floor finish shall be protected with non-skid coating.
9. The elevation of the sidewalk shall be of standard 0.15 meters from the road. It shall have a slope of two percent (2%) towards the drainage.

10. The sidewalk shall have no obstruction of any built or temporary protrusion within the pedestrian clear zone. It shall provide pedestrian access to Persons with Disabilities (PWD).
11. Canopies and covered walkways shall be provided in all sidewalks. The prescribed size of the canopy shall be 3.60 meters from the building fronting the sidewalk with a minimum height of 4.00 meters.
12. Firewall shall be allowed as prescribed in the National Building Code of the Philippines. No opening shall be allowed in any constructed firewall and it shall have waterproofing treatment.
13. Filling of the lots shall not exceed the existing sidewalk elevation, provided that drainage, sewage system, and other utilities are installed under.
14. Roofs, eaves/gutter over required spacing to adjacent properties must be observed. No such improvements shall be made beyond the property line and the prescribed width of roof/canopy to the roadside.
15. All constructions/expansions/extensions/alterations on the property shall first be presented to the Davao City Engineer's Office, for review and approval. A scaled schematic plan shall be required for preliminary evaluation.
16. Code of the Philippines and all applicable codes, rules, regulations and Ordinances of the National and Local government.
17. Road lots, open spaces and amenities, specifically parks and other recreation facilities shall not be used or converted to any other purpose.

13.8. Transit-Oriented Development Overlay Zone (TOD-OZ) - The Transit-Oriented Overlay Zone covers all properties having a radial distance of one (1) kilometer from the City Multi-Modal Terminal. The objectives of these regulations are:

- To facilitate the development of a walkable and compact urban center thereby reducing opportunities for urban sprawl.
- To encourage the use of public vehicles thereby reducing vehicular traffic volumes

Allowable Uses/Activities:

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

2. The area within one (1) kilometer radius shall be zoned Commercial-2, excluding the existing and approved residential subdivision projects and institutional

Building Density and Bulk Regulations:

1. Height limits allowed for construction projects which are within 500 meters from the boundary of an Intermodal Transit Station shall be fully maximized where applicable based on Section 3.3.6 of Ordinance No. 027-19, Series of 2019
2. Within six (6) months from the passage of this Ordinance, and from time to time, owing to the projected modernization and development of the public transport system in the city, the CTTMB shall provide an endorsement of updated list of transport terminal and stations to be reflected in the TOD Overlay Zone to the CDC. In turn, the CDC shall endorse to the city council the updating of said TOD Overlay Zone for appropriate action.

13.9. Billboards Overlay Zone - The Billboards Overlay Zone includes all lots fronting the national road. The objectives of these regulations are:

1. To rationalize the location of billboards and minimize probability of ensuing hazards to lives and properties.
2. To ensure that billboards do not obstruct the view of any scenic spot (e.g., Mt. Apo, Mt. Talomo and Davao Gulf).
3. To ensure that billboards would not constitute nuisance to adjoining property owners, distract motorists or constitute as hazard to public safety.
4. To ensure that billboards are in harmony with the intended urban character of the Base Zone.

General Provisions

1. No advertising, billboards or business signs, whether on or off the 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. The same shall in no case obstruct the view of any scenic spot, such as the view of Mt. Apo and all other natural or man-made landscapes, for the enjoyment of the viewing public.

2. 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 be erected within public property unless expressly allowed by the Zoning Administrator/ Zoning Officer.
3. Temporary signs and billboards for not more than two months may be allowed by the Zoning Officer/Administrator upon payment of corresponding fees to the City. The permit for such sign shall indicate the location, size, slope, contents and type of construction.
4. No sign shall be erected or installed at a distance of at least 50 meters from the periphery of historical monuments and shrines, natural scenic areas, parks and parkways.
5. Signs written in foreign language shall have corresponding translation, either in English, Filipino or in the local dialect.
6. Sign stands or display stands shall not be placed on sidewalk, parks and street islands.
7. Sign structures built within highly restrictive fire zones, as determined by the Bureau of Fire Protection, shall be of incombustible materials.
8. Signs shall be placed in such a manner that no part of its surface will interfere in any way with the free use of doorway, fire escape, stand pipe, window, emergency exit or other required means of exit and fire-protection devices.
9. No sign shall be erected or placed closer than a minimum of one (1) meter distance from any electric and telephone posts or wires. Existing signs in the city Poblacion pre-dating the requirements of subsection hereof may still be allowed, provided, proper insulators from the local telephone and power companies shall be installed thereby.
10. Signs shall be erected in such a manner as not to confuse or obstruct the view or interpretation of any public sign, traffic sign or device, nor obstruct the sight, distract the attention of motorists, reflect blinding light or cause glare to incoming traffic.
11. It shall be unlawful to maintain an obsolete sign by reason of discontinuance of business, service or activity for more than 60 days therefrom.
12. The City Planning and Development Coordinator and the City Engineer are jointly mandated to come up with Rules and Regulations on non-obstruction of views that need to be preserved, in general, subject to the approval of the City

Council by majority vote of all its members, through a resolution and ordinance.

Specific Provisions

1. Advertising signs.
 - Billboard. Outdoor advertising signs shall not be allowed in a residential zone as designated in the Official Zoning Map. Billboards and other self-supporting outdoor signs along highways shall be located within a minimum of 10 meters away from the property lines abutting the road right-of-way.
 - The approach areas within 200 meters of Generoso Bridge I and II, Bolton Bridge I and II, and the Lasang Bridge are regulated areas in order to preserve the natural view and beauty of the Davao River, Mt. Apo, the Davao City skyline and the view of Samal Island.
2. Business signs.
 - Signs shall have a length not exceeding the frontage of the lot.
 - Signs shall be placed parallel to the road/street. Overhang and projecting signs perpendicular to the frontage of the lot shall no longer be allowed except those within the property line of the owner.
 - Signs in highly built-up urban areas may not be allowed within the immediate approaches from the periphery of historical monuments, shrines, natural scenic areas, parks and parkways.
3. Roof signs
 - In no case shall such signs be erected, attached to or fastened on roof top of wooden structures.
 - No roof signs shall be allowed on top of structures or buildings which have been built to their maximum height limit already.
4. Ground signs
 - Signs shall not exceed twelve (12) meters in height above the street crown and in cases where there are no streets, on the ground level, and subject to other applicable provisions of the Ordinance.
5. Wall signs
 - Display signs placed against the exterior surface of building shall not extend more than 0.3 meter from the

wall with its lowest portion and not less than three (3) meters above the sidewalk, provided that, wall signs shall not extend beyond the top and /or sides of any face of the exterior walls of the building; wall signs made of combustible materials shall not be allowed

6. Temporary signs

- Streamers strung along any public thoroughfares shall have the necessary permit from the building official.

7. Loads and Stresses

- Signs and sign structures shall be designed and constructed to resist wind and seismic forces, as specified in the National Structural Code for Building (NSCB). All bracing system shall be designed and constructed to transfer lateral forces to the foundation.

8. Construction

- The supports of all signs or sign structures shall be placed on or upon private property and shall be securely built, constructed and erected in conformity with the requirements of this Ordinance.

Materials for construction of signs and sign structures shall be of quality and structural grade as specified for buildings under this Ordinance.

Prohibited Acts

It shall be unlawful for any person, juridical or natural, to hang temporary signs, post posters or install billboards, business signs, electrical signs, ground signs, projecting signs, roof signs, signboards and wall signs, or display similar advertising and propaganda materials unless an application is filed with the local building official and approved by the mayor or his/her representative.

13.10 Key Biodiversity Area Overlay Zone (KBA-OZ) - Key Biodiversity Area Overlay Zone refers to areas having high biodiversity

Allowable Uses/Activities:

1. Only scientific studies which do not involve gathering of species or any alteration in the area
2. Bird-watching
3. Nesting
4. Ecotourism
5. Marine species regeneration
6. Organic farming.

Building Density and Bulk Regulation:

- No buildings/structures shall be allowed except breeding facility for endangered species .

Other Regulations:

- The gathering of natural and historical artifacts shall not be allowed.

13.11 Ancestral Domain Overlay Zone (AD-OZ) - The Overlay Zone is intended to preserve the traditional way of life of the ICCs/IPs.

Allowable Uses/Activities:

1. Traditional dwellings of IPs
2. Traditional livelihood activities of IPs (e.g. community-based tourism; farming, except for slash and burn practices)
3. Traditional/customary religious ceremonies or rituals of IPs (e.g., ritual grounds)
4. Tribal Village
5. Tribal Museum
6. Climate-proof facilities
7. Slope protection/stabilization (e.g., tree-planting activities)
8. IP Burial Grounds
9. Institutional facilities such as schools, hospitals
10. Scientific research study.

Building Density and Bulk Regulation:

1. Buildings/structures shall be according to traditional/customary designs of dwellings.

Other Regulations:

1. Uses/activities in these areas are also subject to the provision of the Indigenous People Rights Act (IPRA) and its respective Ancestral Domain Sustainable Development Protection Plan (ADSDPP) FPIC and/or Tenurial Agreement with CADT owners and DENR whenever applicable.

13.12. Water Resource Overlay Zone - This refers to areas identified as location of principal source of drinking water of Davao City containing huge volume of water available for appropriation where Davao City Water District (DCWD) has existing planned/proposed production wells with a 25-meter radius buffer for each well. Areas within the water resource zone are hereby declared as protected areas.

Allowable Use/Activities:

1. Tree parks
2. Uses in Urban Ecological Enhancement Sub-Zone shall be allowed in this zone.
3. Subdivision or housing projects, provided plans and designs for protective measures are approved by WRMC.

Restrictions:

1. No person shall drill a free flowing or artesian well within the water resource area.
2. No water well dug for domestic purposes shall have a casing in excess of 2 inches in diameter or a capacity of more than 10 gallons per minute, whichever is greater.
3. No person shall maintain a solid waste disposal system or garbage dumpsite within this zone.
4. Each subdivision should implement waste treatment facility.
5. No underground oil storage tanks shall be constructed within these areas.
6. No sanitary landfill or incinerator shall be located within the water resource areas.
7. The application of agricultural fertilizers and pesticides or other chemicals that may cause pollution to surface or ground water or endanger the health of the residents nearby may be prohibited.
8. Dumping, depositing or throwing of tailings or sediments from mining operations or chemical wastes from industries is strictly prohibited.
9. No cemetery or memorial park shall be located within these areas. Cemeteries and memorial parks existing in water resource zone before the enactment of this Ordinance shall institute immediate corrective measures to prevent leakage and seepage of noxious substance and chemicals into the aquifers.
10. No underground interment services shall be allowed in cemeteries and memorial parks within water resource overlay zone.
11. Activities or industries that deal with chemical and industrial products will not be allowed to prevent possible contamination.
12. Filling/service stations will not be issued locational clearance until the project proponents submit a safety measure plan to the Zoning Administrator to ensure that there will be no contamination of the ground water.

13. No Preliminary Approval and Locational Clearance (PALC), Development Permit (DP) and Building Permit (BP) shall be issued without clearances from the Water Resource Management Council (Task Force), Davao City Water District (DCWD), DENR-Mines and Geosciences Bureau (MGB), DENR- Environmental Management Bureau (EMB), and the City Planning Development Office (CPDO).

SECTION 14. ZONING INCENTIVES - Density bonuses, such as through allowable building height increases, may be provided as incentives for projects that use CCA/DRRM technology or innovations, i.e. use of solar panels, rainwater harvesting, smart urban drainage systems, green architecture/building systems.

Similar incentives may also be given to projects that provide wider setbacks, increased ground level open spaces, provide public infrastructure or conserve heritage sites.

The Implementing Rules and Regulations in determining the specific incentives that can be provided by the city shall be drafted and submitted jointly by the DRRMO, CPDO, DCIPC, and CEO.

Article VI

GENERAL REGULATIONS

SECTION 15. HEIGHT REGULATIONS - The height regulations as stated in the Building Height Limits Ordinance 092-19, Series of 2019, shall prescribe the rules applicable to any building construction activity within the territorial jurisdiction of Davao City. It shall prescribe the guidelines on applicable, permissible height in relation to the distance from the flight path and with reference to the desired urban densities and in setting relative order to the city's skyline and preservation efforts. Variance or additional premium height over and above the regular height limit set by the city shall be allowed and permitted provided that it shall not be higher than the limitations set by the Civil Aviation Authority of the Philippines (CAAP).

A. Building Regulations:

REGULAR HEIGHT LIMIT: The City of Davao imposes varying regular height limits for building structures, the maximum limit being 72 meters above mean sea level.

Table 1. Regular Height limit versus Premium Height Limit of the city in METERS ABOVE MEAN SEA LEVEL in the 15 Height Zones

ZONE	REGULAR HEIGHT LIMIT in meters	PREMIUM HEIGHT LIMIT in meters	CAAP OLS BOUNDARIES
TS	28-42	33-72	TS-1, TS-2
TO-A	28-42	33-72	TON-1, TOS-1
TO-B	42	72	TON-2, TOS-2
TO-C	45-72	72-100	TON-3, TOS-3
TO-D	72	100	TON-4, TOS-4
TO-E	72	100	TON-5, TOS-5
TO-F	72	100	TON-6, TOS-6
AP-A	28-42	33-72	APN-1, APN-2, APS-1, APS-2
AP-B	42	72	APN-3, APN-4, APS-3, APS-4
AP-C	42-72	72-100	APN-5, APN-6, APS-5, APS-6
AP-D	72	100	APN-7, APN-8, APS-7, APS-8
AP-E	72	100	APN-9, APN-10, APS-9, APS-10
IH	42	72	IHN-1, IHN-2, IHM-1, IHM-2, IHS-1, IHS-2
CS	42-72	72-100	CSN-1, CSN-2, CSM-1, CSM-2, CSS-1, CSS-2
CHS	72	100	CHS-1, CHS-2

PREMIUM HEIGHT LIMIT - There shall be established in the city premium height limits, the maximum of which is 100 meters above mean sea level. The table above shows the specific premium height limits in the 15 Height Zones.

For permission to construct a building or structure up to the premium height in the 15 Height Zones, the project owner and/or developer must apply for Premium Additional Floor Spaces.

Applicable Zoning Classification for the Premium Height Limit - Developers in the following zones may be granted permit to construct up to the premium height limit if the structure is within the following zoning classes:

- Major Commercial Zone (C2);
- High-Density Residential Zone (R3); and
- Institutional Zone.

Permissible Height Limits for projects within 500 meters from an Intermodal Transit Station (ITS) - In pursuit of a more efficient urban environment leading to a Transit Oriented Development in the city, the height limits allowed for construction projects which are within

500 meters from the boundary of an intermodal transit station shall be fully maximized where applicable with due consideration to Article 11. For purposes of qualifying under this category, the plot of land subject to this provision shall be considered for the maximum permissible height if it is, wholly or in part, within 500 meters from the boundaries of an Intermodal Transit Station.

Table 2. Permissible Height Limits for projects within 500 meters from an Intermodal Transit Station

ZONE	REGULAR HEIGHT LIMIT in meters within 500 meters from an ITS	CAAP OLS BOUNDARIES
TS	33-72	TS-1, TS-2
TO-A	33-72	TON-1, TOS-1
TO-B	72	TON-2, TOS-2
TO-C	72-100	TON-3, TOS-3
TO-D	100	TON-4, TOS-4
TO-E	100	TON-5, TOS-5
TO-F	100	TON-6, TOS-6
AP-A	33-72	APN-1, APN-2, APS-1, APS-2
AP-B	72	APN-3, APN-4, APS-3, APS-4
AP-C	72-100	APN-5, APN-6, APS-5, APS-6
AP-D	100	APN-7, APN-8, APS-7, APS-8
AP-E	100	APN-9, APN-10, APS-9, APS-10
IH	72	IHN-1, IHN-2, IHM-1, IHM-2, IHS-1, IHS-2
CS	72-100	CSN-1, CSN-2, CSM-1, CSM-2, CSS-1, CSS-2
CHS	100	CHS-1, CHS-2

Permissible height for structures which are not classified as medium to high susceptible to landslide and elevated to 68 meters or higher above mean sea level - Vertical structures that will be built on top of elevated ground equal to or higher than 68 meters above mean sea level shall have the following effective height limits as shown in Table 3.

Table 3. Permissible height for Proposed Structures on Elevated areas not susceptible to landslide which are 68 meters or higher above mean sea level, the height limit of which shall be reckoned from the average grade of the ground upon which the structure shall be built.

ZONE	REGULAR HEIGHT LIMIT in meters for areas equal to or higher than 68 meters above mean sea level	Premium HEIGHT LIMIT in meters for areas equal to or higher than 68 meters above mean sea level	CAAP OLS BOUNDARIES
TO-F	33	42	TON-6, TOS-6
AP-E	33	42	APN-9, APN-10, APS-9, APS-10

ZONE	REGULAR HEIGHT LIMIT in meters for areas equal to or higher than 68 meters above mean sea level	Premium HEIGHT LIMIT in meters for areas equal to or higher than 68 meters above mean sea level	CAAP OLS BOUNDARIES
IH	4	-	IHN-1, IHN-2, IHM-1, IHM-2, IHS-1, IHS-2
CS	4-33	4-42	CSN-1, CSN-2, CSM-1, CSM-2, CSS-1, CSS-2
CHS	33	42	CHS-1, CHS-2
Height Limits shall be measured from the average grade of the ground			

Permissible height for structures on elevated ground which are susceptible to landslide and equal to or above 68 meters from mean sea level - Vertical structures that will be built on top of elevated ground equal to or above 68 meters or above mean sea level shall have the following effective height limits as shown in Table 4. For areas under the UEESZ, the needed clearance of 1.5 meters from the ground shall not be counted in the height limit of the structure.

Table 4. Permissible height for Proposed Structures on Elevated areas which have medium to high susceptibility to landslide which are 68 meters or higher above mean sea level.

ZONE	REGULAR HEIGHT LIMIT in meters in areas with medium to high susceptibility to landslide measured from the average grade of the ground	CAAP OLS BOUNDARIES
TO-F	7	TON-6, TOS-6
AP-E	7	APN-9, APN-10, APS-9, APS-10
IH	4	IHN-1, IHN-2, IHM-1, IHM-2, IHS-1, IHS-2
CS	4-7	CSN-1, CSN-2, CSM-1, CSM-2, CSS-1, CSS-2
CHS	7	CHS-1, CHS-2
Height Limits shall be measured from the average grade of the ground		

Determination of the average grade or ground level by the City Engineer's Office - For elevated plots of land which are equal to or higher than 68 meters above mean sea level and have uneven grade or slope, the average grade shall be determined by the City Engineer's Office through a technical evaluation, the results of which shall become basis in determining the allowable height of the project in relation to the limits set by the city.

Tallest Landmark Structure Limitation - The City Government of Davao may allow the construction of a structure which can reach up to 140 meters above mean sea level which will serve as the city's tallest landmark and postcard image, provided, it is to be built in any of the following Height Zones: TO-E; TO-F; AP-D; AP-E; and CHS.

Provided, further, that only one tallest structure shall be allowed to be built within Davao City.

Criteria for Permitting Construction of the Tallest Structure - For a structure to be considered and awarded with the privilege of becoming the tallest landmark in the city, the project must meet the following criteria:

1. The building's project design is unique and should bear semblance to or representation of Davao City's culture and heritage;
2. It must devote at least 50 percent of its ground floor area accessible to the public. The summit must also be made accessible to the public for tourism and viewing purposes either for free or for a fee; and
3. The usable floor spaces must be at least 70% non-residential development.

Exempted from the imposition of height regulations in residential zones are the following: towers, churches, 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 16. AREA REGULATIONS - Area regulations in all zones shall conform to the applicable minimum requirements of existing laws, codes and regulations such as:

1. Presidential Decree 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. Republic Act 7279 – Urban Development and Housing Act;
4. Presidential Decree 1096 – National Building Code
5. Presidential Decree 1185 – Fire Code
6. Presidential Decree 856 – Sanitation Code
7. Republic Act 6541 – Structural Code
8. Batas Pambansa 344 – Accessibility Law
9. Rules and Regulations – HLURB Locational Guidelines and CLUP Guidebook 20132014
10. Commonwealth Act 141 or the Public Land Act – Public lands, including foreshore and reclaimed lands;
11. Presidential Decree 705 or the Revised Forestry Code – Forestlands;

12. Presidential Decree 1076 or the Water Code of the Philippines – Inland and coastal waters, shorelines and riverbank easements;
13. Republic Act 6657 or the Comprehensive Agrarian Reform Law – Agrarian reform lands.
14. Republic Act 8749 – Clean Air Act
15. Republic Act 9003 – Ecological Solid Waste Management Act
16. Republic Act 7586 or the National Integrated Protected Areas Act – Protected areas in both land and seas;
17. Republic Act 7942 or the Philippine Mining Act – Mining areas;
18. Republic Act 8371 or the Indigenous People’s Rights Act (IPRA) – ancestral lands;
19. Republic Act 8435 or the Agriculture and Fisheries Modernization Act (AFMA) – SAFDZs and prime agricultural lands;
20. Republic Act 8550 or the Revised Fisheries Code – Municipal waters and coastal zones;
21. Republic Act 9593 or the Philippine Tourism Act – Tourism zones and estates
22. Republic Act 9729 or the Philippine Climate Change Act, as amended;
23. Republic Act 10066 or the Philippine Cultural Heritage Act – Cultural and heritage zones/areas;
24. Republic Act 10121 or the Disaster Risk Reduction and Management Act – Disaster-prone and geo-hazard areas.
25. Republic Act 1378 or the Plumbing Code
26. Executive Order No. 648
27. Green Building Code
28. Other relevant guidelines promulgated by the national agencies concerned

SECTION 17. 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 on rear lots, access yard requirements, and dwelling groups, which are not in conflict with the provisions of the Zoning Ordinance, shall be observed.

Article VII

COMMON REGULATIONS FOR BASE ZONES AND ALL SUB-ZONES

SECTION 18. POLLUTION CONTROL - For effective pollution control, all manufacturing industries classified as pollutive by the Department of Environment and Natural Resources and pollutive agricultural building or structures shall provide proper anti-pollutive devices and acquire clearance and certificates of anti-pollutive compliance from the DENR-EMB.

18.1. Noise Control- Noise disturbance and hearing risk shall be controlled through generally accepted standards for both internal and external environment.

The maximum allowable noise quality standard shall be as follows, as provided in Ordinance No. 78, Series of 2000, also known as Health and Sanitation Ordinance of Davao City:

Maximum Allowable Noise Level in General Areas (in decibels)			
Category of Area	Day Time (9:00 a.m. to 6:00 p.m.)	Morning (5:00 a.m. to 9:00 a.m.) and Evening (6:00 p.m. to 10:00 p.m)	Night Time (10:00 p.m. to 5:00 a.m.)
AA	50 dB	45 dB	40 dB
A	55 dB	50 dB	45 dB
B	65 dB	60 dB	55 dB
C	70 dB	65 dB	60 dB
D	75 dB	70 dB	65 dB

Classification of General Areas per Ordinance No 78, Series of 2000, are as follows:

Class AA	A section or contiguous area which requires quietness such as areas within 100 meters from school sites, nursery schools, hospitals, special homes, home for the aged and other health care institutions and place of worship
Class A	A section or contiguous area that is primarily used for residential purposes
Class B	A section or contiguous area that is primarily a commercial area
Class C	A section that is primarily reserved as a light industrial area
Class D	A section that is primarily reserved as a heavy industrial area

In the case of restobars and similar establishments, sound/noise production should be contained within the establishment. Any noise reaching the nearest structure should be lesser by at least five (5) decibels than what is required within the affected structure.

Any violations hereof shall be subject to Sections 2, 3, and 4 of the Health and Sanitation Ordinance of Davao City.

18.2. On Dust/Mud Pollution - Construction and other business activities as a result of their regular operation may produce dust pollution and mud litter, shall be required to practice or implement pollution control strategies or face the risk of being penalized for polluting the environment. Dust and soil pollution must be contained within the property subject of the building or business permit and must not significantly affect the adjacent roads/streets, and the surrounding properties

Pollution spillovers shall be assessed with Pollution Fee Penalty and/or discontinuance of operation.

18.3. Wastewater Management - Wastewater management shall be governed by the regulations provided in Ordinance No. 03630-10, Series of 2010, also known as the Septage and Sewerage Management Ordinance of Davao City which states:

- Article IV, Section 6 of the Septage and Sewerage Management Ordinance provides that all building plans for residential, commercial, and industrial, including those for apartelles and condominiums, before it is approved by the City Engineer's Office, shall conform to the design of the sanitary plumbing and septic tank specifications set in the Ordinance and other pertinent regulations.
- Article VI, Section 12 of the same Ordinance, states: "it is the duty of the owner or co-owner, administrator or contractor to inform the concerned agencies that the newly-constructed or repaired septic tank, sewage treatment facility or alternative treatment system with prior plan approval is ready for inspection".
- Article IX, Section 21. On Buildings or Structures Proposed for Construction in Protected Areas states that:
Buildings, structures proposed for construction in protected areas shall include a Sewerage Facility Plan, duly reviewed and approved by the DOH, before the issuance of a Development Permit (DP) by the CEO.
- Section 22 on Housing Subdivisions states that:

All subdivisions that will be developed shall be required to install appropriate sewerage facilities. The proposed development plan shall include a DOH-approved sewage disposal system before it is submitted to the City Council for consideration.

- Section 23 on Commercial Establishments states that:

If the wastewater contains substances of a commercial nature such as oil or fuel residue, metals or high volumes of fats or grease, an appropriate pre-treatment program approved by the City Health Office, must be in place. Said commercial and business establishments shall be required to install appropriate sewerage facilities and grease traps or oil-water separator, whichever is applicable, in the outfall of its sewerage facility.

All food establishments are required to have grease traps. Motor vehicle repair shops, garage, motor pool, second hand spare parts retailer, public utility garage, machine shops and other similar establishments that generate oil residue shall have oil-water separator.

Multi-use and multi-storey buildings, such as shopping malls and similar structures, are required to have sewage treatment facility.

Commercial and business establishments which generate health hazardous wastewater, such as funeral parlors, hospitals and clinics, shall install an appropriate sewerage treatment facility as approved by the City Health Office.

- Section 24 on Industrial Establishments states that:

All industrial establishments are required to construct a wastewater treatment facility.

Any violations hereof shall be subject to Article XV of City Ordinance No. 0363-10, Series of 2010.

18.4. Pollution Control Officer - Per the Environmental Management Bureau (EMB) Memorandum dated June 2018, all establishments, except SMEs, are required to have a Pollution Control Officer within its organizational structure.

SECTION 19. FLOOR AREA RATIO (FAR) - All projects must comply with the FAR of each general and sub-zone. The FAR will be jointly determined by the City Planning and Development Coordinator and City Engineer's Office, subject to the approval of the majority vote of all the Members of the Sangguniang Panlungsod (SP), through a resolution and Ordinance. No building structure shall be allowed to be constructed above the FAR.

For purposes of this Ordinance, the Floor Area Ratio 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;
- covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present;

But excluding:

- uncovered areas for AC cooling towers, overhead water tanks, roof decks, laundry areas and cages; wading or swimming pools, whirlpools or jacuzzis, garden, courts or plazas.

SECTION 20. ARCADED SIDEWALKS/THOROUGHFARES - Except for the existing arcaded national highways in the Central Business District (CBD) and its immediate environs, the Chinatown Area and the major city streets in the CBD-E. Quirino Avenue, San Pedro St., A. Pichon St., Magsaysay Avenue, J.P Laurel Avenue, from Magsaysay Avenue to Sta. Ana Avenue should be arcaded. Sidewalks shall have a minimum width of two (2) meters. As far as practicable, a tree line shall be established along open sidewalks.

SECTION 21. ROAD RIGHT-OF-WAY - No building structure shall be allowed to be constructed within the Road Right-of-Way (RROW). The following width of the RROW shall be strictly observed from the center line of the road: for national roads, it shall be a maximum of 60 meters from the center line, while for city and barangay roads, it shall be 15 meters.

SECTION 22. GREEN ARCHITECTURE COMPONENT - No building permit shall be issued for residential, commercial, industrial and institutional projects unless a green architecture component is integrated in the development plan incorporating natural light, air ventilation and rainwater harvesting in the design of the building.

The provisions of the Green Building Code shall apply to all new constructions and/or with alteration of buildings in the following classifications with the required minimum Total Gross Floor Areas (TGFA) as indicated in the table below:

Use/Occupancy Classification of any jurisdiction	TGFA as defined by NBC
Residential Dwelling Condominium	20,000 sqm
Hotel/Resort	10,000 sqm
Educational : School	10,000 sqm
Institutional : Hospital	10,000 sqm
Business : Office	10,000 sqm
Mercantile : Mall	15,000 sqm
Mixed Occupancy	10,000 sqm

SECTION 23. TAX DECLARATION AND REALTY TAX CLEARANCE - No Preliminary Subdivision Development Plan (PSDP) shall be issued unless the tax declaration of the property is changed to the use for which the project is applied for or is intended and the realty tax up to the current year correspondingly paid and tax clearance is consequently issued.

SECTION 24. REVIEW OF BASE ZONES - Base zones are subject to review by the Zoning Review Committee every five (5) years from the enactment of this Ordinance. Any

amendment thereof as recommended by the committee shall be in accordance with the provisions of Article XI, Section 64.

Any change of zone to another zone shall be considered as amendment of the Zoning Ordinance and must comply with the provision of Article XI, Section 64 hereof.

Article VIII

COMMON REGULATIONS FOR URBAN USE ZONES

SECTION 25. REVIEW OF URBAN USE ZONES - The Urban Use Zones are only subject to review by the Local Zoning Review Committee (LZRC) every three (3) years from enactment of this Ordinance. Any recommendation for change in the zones shall be subject for approval by at least three-fourths (3/4) votes of the Members of the Sangguniang Panlungsod, through a resolution and ordinance. Any change in the major urban sub-zone shall be considered as amendment in the Zoning Ordinance and must comply with the provisions of Article XI, Section 64 hereof.

SECTION 26. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) - Notwithstanding the issuance of Locational Clearance under Article XI, Section 40 of this Ordinance, neither environmentally critical projects nor projects located in environmentally critical areas shall be commenced, developed or operated unless the requirements of ECC have been complied with.

SECTION 27. RESIDENTIAL SUBDIVISION PROJECTS - All owners and/or developers of subdivision projects in securing Preliminary Subdivision Development Plan (PSDP) and Development Permit (DP) shall comply with all the requirements of PD 957 and its Implementing Rules and Regulations (IRR), in case of high end projects or BP 220 and its IRR for Economic and Socialized Housing Projects.

SECTION 28. BALANCED HOUSING REQUIREMENTS - No Development Permit (DP) shall be granted for residential subdivision projects classified as economic housing projects under BP220 and open market housing under PD 957 unless in compliance with the 15% balanced housing requirement pursuant to Section 18 of RA 7279 as amended by RA 10884 and its existing rules and regulations implemented by the DHSUD. No building permits shall be issued for residential condominium projects unless in compliance with the 5% housing balanced housing requirement, within the City of Davao, in accordance with the provisions of the Shelter Code of Davao and its Implementing Rules and Regulations.

SECTION 29. AFFECTED RESIDENTIAL SUBDIVISION - No locational clearance and building permit shall be issued for projects in commercial and/or residential subdivisions altered and affected by the revision of the Zoning Ordinance unless an alteration plan is submitted in accordance with the new Zoning Ordinance.

A written conformity of the community association is also required. In the absence thereof, a written conformity by the majority of the lot buyers therein are submitted to the zoning officer by the project proponent.

In the absence of lot buyers, an affidavit to this effect shall be submitted by the project proponent. However, if there are changes in the configuration of the subdivision plan, the project proponent is required to apply for the alteration of the subdivision project in accordance with the procedure provided by law.

Article IX

PERFORMANCE STANDARDS

SECTION 30. 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 are made part of this ZO.

SECTION 31. ENVIRONMENTAL CONSERVATION AND PROTECTION STANDARDS - It is the intent of the ZO to protect the natural resources of the City. In order to achieve this objective, all developments shall comply with the following regulations:

1. Views shall be preserved for public enjoyment, especially in sites with high scenic quality, by closely considering building orientation, height, bulk, fencing and landscaping.
2. Deep wells shall not be allowed unless a Water Permit is obtained from the National Water Resources Board.
3. Land use activities shall not cause the alteration of natural drainage patterns or change the velocities, volumes, and physical, chemical, and biological characteristics of storm water. Streams, watercourses, wetlands, lakes or ponds shall not be altered, re-graded, developed, piped, diverted or built upon.
4. All developments shall ensure that storm water runoff shall be controlled through appropriate storm water drainage system design.
5. All developments shall undertake the protection of rivers, streams, lakes and ponds from sedimentation and erosion damage.
6. The internal drainage systems of developments shall be so designed as not to increase turbidity, sediment yield, or cause the discharge of any harmful substances

that will degrade the quality of water. Water quality shall be maintained according to DENR's latest Revised Water Usage and Classification/Ambient Water Quality Criteria;

7. Municipal and industrial wastewater effluents shall not be discharged 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. Acidity or alkalinity shall be neutralized to a PH of between 6.5 and 8.5 as a daily average on a volumetric basis with a temporary variation of 5.0 to PH 10.0.
9. Developments that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements and approved by the DENR.
10. 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.
11. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures.
12. 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.
13. All noise and vibration-producing machinery shall be enclosed by a building and shall be provided with effective noise absorbing materials, noise silencers and mufflers, an open yard of a distance of not less than twenty (20) meters from the street or adjoining property lines and property planted to dense trees as buffers. To minimize vibration, a machinery should be mounted on shock-absorbing mountings, such as cork set on reinforced concrete foundations or a floating isolated foundation set on piles, as needed by the machinery, minimum noise which is objectionable due to intermittence, lease frequently or high pitch roof building as tested and approved by the City Officials concerned.
14. Glare and heat from any operation or activity shall not be allowed to be radiated, seen or felt at any point beyond the limits of the property.
15. Developments that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
16. Industrial processes/activities should not cause negative impacts to the environment.
17. No land movement, scraping, filling activities will be allowed without the necessary permit/clearance from concerned agencies.

The Zoning Administrator/Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance.

SECTION 32. AGRICULTURAL LAND CONSERVATION AND PRESERVATION CRITERIA - Agricultural lands are recognized as valuable resources that provide employment, amenity and biodiversity. All agricultural lands in the City shall not be prematurely re-classified.

Requests for re-classification shall be evaluated and reviewed by the Local Zoning Review Committee (LZRC) 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 Series of 1993, "Prescribing the Guidelines Governing Section 20 of RA 7160 Authorizing Cities and Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses".

The reclassification shall be limited to fifteen percent (15%) of the city's total agricultural land.

The following types of agricultural lands shall not be covered by said reclassification:

1. Agricultural lands distributed to agrarian reform beneficiaries subject to Section 65 of RA 6657.
2. Agricultural lands already issued a notice of coverage or voluntarily offered for coverage under CARP.
3. Agricultural lands identified under AO 20, Series of 1992, as non-negotiable for conversion:
 - all irrigated lands where water is available to support rice and other crop production
 - all irrigated lands where water is not available for rice and other crop production but within areas programmed for irrigation facility rehabilitation by the Department of Agriculture (DA) and the National Irrigation Administration (NIA); and
 - all irrigable lands already covered by irrigation projects with firm funding commitments at the time of the application for land conversion or reclassification.
4. The Sangguniang Panlungsod shall seek the advice of the LZRC and DA prior to the enactment of an Ordinance reclassifying agricultural lands. If the DA has failed to act on such request within 30 days from receipt thereof, the same shall be deemed to have been complied with.
5. Agricultural lands may be re-classified in the following cases:
 - when the land ceases to be economically feasible and sound for agricultural purposes as determined by the DA, in accordance with the standards and guidelines prescribed for the purpose;
 - when the land shall have substantial greater economic value for residential, commercial or industrial purposes as determined by the Sangguniang Panglungsod (SP).
 - when plans have been approved and reviewed in accordance with Executive Order 72 issued in 1993.
6. The Sangguniang Panlungsod should notify the Department of Agriculture (DA), the Department of Human Settlements and Urban Development (DHSUD), the Department of Trade and Industry (DTI), the Department of Tourism (DOT) and other concerned agencies on the proposed reclassification of agricultural lands and furnish

copies of the report to the Local Zoning Review Committee (LZRC) - City Development Council (CDC).

SECTION 33. NETWORK OF GREEN AND OPEN SPACES - The City intends to develop a network of green and open spaces as a way to minimize the occurrence of urban heat islands. A green space refers to an area partly or completely covered by natural vegetation that is accessible and enjoyed by the public. It can be a singular entity or a combination of any of the amenities, such as urban wetlands, forest patches, rotunda, green strips, green islands, plantable easements, retarding ponds, lagoons, ponding areas, linear parks, community gardens, slopes, and undeveloped areas, provided they remain devoted for greening purposes in perpetuity and excluded from the computation of required amenities and facilities under BP 220, PD 953, PD 1216, and PD 957.

Developments shall conform to the following provisions, as applicable:

1. All residential, commercial, industrial and mixed-use subdivisions, in compliance with the rules and regulations of PD 1216, PD 953, PD 957 and BP 220, are respectively required to provide tree-planted strips along their internal roads.
2. Similar developments shall also be required to provide landscaped tree parks that may be made part of the open space requirements mandated by PD 957, BP 220 and related laws. These mandated open spaces shall be classified as non-alienable public lands, and non-buildable.
3. Roof decks of all buildings shall be landscaped, as applicable.
4. Parking lots having at least 20 car parking slots shall be:
 - 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.
 - 50% paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.
5. Any new sidewalk development should use permeable materials.
6. Over and above the required amenities and facilities as above-stated, the proponent shall allocate 15% of the total land area for more green spaces to be planted with trees and ornamental plants and/or to be developed as amenities for environmental sustainability. However, residential subdivision shall remain at 10% more green spaces. This is in addition to the open space already required by law.
7. The additional greening space requirements and the open space as required by law, shall have been developed by the project proponent before turn over to the city for maintenance and enhancement.

SECTION 34. SITE DEVELOPMENT STANDARDS - The City 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. For compliance, a Traffic Impact Assessment should be submitted for approval by the City Transport and Traffic Management Board (CTTMB).
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 35. 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

All traffic generating buildings and structures allowed in any of the base zones and urban subzones must provide parking spaces for their employees, clients and visitors in accordance with the standards set forth by the National Building Code of the Philippines (P.D. 1096).

Major, high intensity facilities such as commercial-residential buildings or condominiums having four (4) 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 Assessment. Other traffic generating developments, as determined by the Zoning Administrator/Zoning Officer, shall be required to submit the same.

Submitted TIAs will be reviewed and approved by City Transport and Traffic Management Board (CTTMB). Upon approval, a resolution will be issued by the CTTMB which shall form part of the requirements for development, building, and business permits.

Article X

MITIGATING DEVICES

SECTION 36. DEVIATION - Variances 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. Variances (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 public health, safety or welfare.
 - e. The variance will be in harmony with the spirit of this Ordinance.
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 public health, safety, and welfare; and will not hinder 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 37. 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.
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 in the concerned barangay.
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).

8. The decision for the approval or denial of the application shall be forwarded to the Sangguniang Panlungsod for appropriate action.

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

Article XI

ADMINISTRATION AND ENFORCEMENT

SECTION 38. APPROVED ZONING MAPS - The approved City Zoning Maps, 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
- City Planning and Development Office
- City Assessor's Office
- City Engineer's Office
- Office of the City Building Official
- City Agriculturist's Office
- City Environment and Natural Resources Office

Zoning maps for each barangay shall be posted at their 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 39. ZONING CERTIFICATION - A Zoning Certification will be issued by the Office of the City Planning & Development Coordinator based on the approved Zoning Ordinance.

Below is the Checklist of Requirements in securing a Zoning Certification.

ITEM		OFFICES/PARTIES CONCERNED
1	Photocopy of Land Title	Register of Deeds
2	Duly accomplished application form	CPDO
3	Subdivision / Sketch Plan	Bureau of Lands or from private Geodetic Engineer
4	Order of Payment	CPDO
5	Official Receipt	City Treasurer's Office

SECTION 40. 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.

In case of violation by a corporation, partnership or association a penalty shall be imposed upon the erring officers thereof.

40.1. For Building - A written authority/ permit granted by the Office of the City Planning and Development Coordinator pursuant to applicable laws on land use planning and zoning for the establishment or operation of projects of national/ local significance.

ITEM		OFFICES/PARTIES CONCERNED
1	Order of Payment for filing fee of P300.00	CPDO
2	Official Receipt for filing fee	City Treasurer's Office
3	GIS Zoning Map	CPDO
4	SPA from the building owner to process application for Locational Clearance	Applicant
5	7 complete sets of Building Plans	Applicant
	A. Filled-up title blocks	
	B. Signed and sealed by CE / Architect	
6	Certified True Copy of Title issued by the Registry of Deeds (ROD) or show original copy of title for validation	Register of Deeds
7	Locational Clearance Application duly notarized and signed by the applicant	CPDO
8	Sketch Plan with scaled Vicinity Map w/ landmark	Applicant
9	Bill of Materials for Assessment	Applicant
10	Duly notarized copy of Deed of Absolute Sale, or any of the following:	Applicant
	a. Contract of Lease or Contract to Sell,	
	b. Authority to construct from the lot owner,	
	c. Authority to construct from husband / wife,	
	d. S.P.A. or Secretary Certification	
11	Accomplished Building Permit Application Form	Applicant/OCBO
12	If within Water Resource Zone:	
	a. DCWD Certification interposing no objection considering presence of production well	DCWD
	b. WRMC Resolution, if applicable	WRMC
13	If within Floodway Mitigation Zone:	
	a. For new development, MGB Geohazard Certification	MGB
	b. Safety measures plan (for gasoline station)	Applicant
14	If within CADT area:	

ITEM		OFFICES/PARTIES CONCERNED
	1. Pre-conditioned certificate	NCIP
	2. Brgy. Resolution of No Objection	Barangay Council
	3. Memorandum of Agreement	Tribal Council
	4. Geographic coordinates	Applicant
15	If within Landslide Mitigation Sub-Zone:	
	a. For new development, clearance from DENR - Mines and Geosciences Bureau	DENR - Mines and Geosciences Bureau
	b. Approved mitigating measures for slope protection in areas with moderate to steep slopes	Applicant
	c. Detailed Engineering Geological and Geohazard Assessment by a licensed Geologist or licensed Engineer based on DENR MC 2000-21	Applicant
16	If applicable, approved Traffic Impact Assessment	CTTMB
17	For UEEZ, LZRC, CDC-LZBAA, WRMC, CHLURU: approved resolution from concerned committee	Concerned Committee
18	For poultry and piggery applications:	
	a. Environmental Compliance Certificate	DENR - Environmental Management Bureau
	b. Brgy. Council Resolution of No Objection	Barangay Council
	c. GIS plotting with 1km radius / zoning classification	CPDO
	d. Certificate of Compatibility	CPDO
19	If application is for processing, secure the following for zoning and filing fees:	
	1. Order of payment	CPDO
	2. Official Receipt for zoning and filing fees	CTO

402. For Application for Reconsideration for Building

ITEM		OFFICES/PARTIES CONCERNED
1	Letter of Reconsideration Addressed to: Office of the City Planning & Development Coordinator Davao City Thru: Local Zoning Board of Appeals (LZBA)	Applicant
2	Denial Letter	Applicant
3	Order of Payment	City Planning and Development Office
4	Official Receipt for reconsideration fee	City Treasurer's Office
5	Building Permit Application	Office of the City Building Official
6	Certified True Copy of Title / Contract of Lease /	Register of Deeds

ITEM		OFFICES/PARTIES CONCERNED
	Authority to Construct / Deed of Sale	
7	Sketch plan of the project site with vicinity map and landmarks	Applicant
8	Barangay Resolution Interposing No Objection	Barangay Council
9	Affidavit of No-Objection to the project by the owners of properties adjoining the proposed project site w/ attached copy of lot title	Applicant
10	Locational mapping of neighbor's consent signatories	Applicant
11	Affidavit of Undertaking	Applicant
12	One (1) set of Building Plans	Applicant
13	Locational Clearance application form	City Planning and Development Office
14	Bill of Materials	Applicant

403. For Business

ITEM		OFFICES/PARTIES CONCERNED
1	Uploaded Application Form	Business Bureau
2	Affidavit of Undertaking (if applicable)	Applicant/CPDO
3	Business Location Capture Form / Sketch Plan	Applicant/Simple GPS Coordinate Display by Generic Co

404. For Application for Reconsideration for Business

ITEM		OFFICES/PARTIES CONCERNED
1	Letter of Reconsideration Addressed to: Office of the City Planning & Development Coordinator Davao City Thru: Local Zoning Board of Appeals (LZBA)	Applicant
2	Denial Letter	Applicant
3	Order of Payment	City Planning and Development Office
4	Official Receipt for reconsideration fee of P 600.00	City Treasurer's Office
5	Business Permit Application	Business Bureau
6	Certified True Copy of Title / Contract of Lease / Deed of Sale	Register of Deeds
7	Sketch plan of the project site with vicinity map and landmarks	Applicant
8	Barangay Resolution Interposing No	Barangay Council

ITEM		OFFICES/PARTIES CONCERNED
	Objection	
9	Affidavit of non-objection to the project by the owners of properties adjoining the proposed project site w/ attached copy of lot title	Applicant
10	Locational mapping of neighbor's consent signatories	Applicant
11	Affidavit of Undertaking	Applicant
12	Building Permit, if applicable	Office of the City Building Official

SECTION 41. PROJECTS OF NATIONAL SIGNIFICANCE - Based on established national standards and priorities, DHSUD shall continue to issue locational clearances for projects considered to be vital and important to the national and regional economy and the environment. Unless otherwise declared by the NEDA Board, all projects shall be presumed locally-significant. (Para. 2 Section 3a, of EO 72)

SECTION 42. MAJOR AND/OR INNOVATIVE PROJECTS - Request for Additional Allowable Uses. The Sangguniang Panlungsod, upon application of project proponent and upon favorable recommendation by Local Zoning Board of Appeals (LZBA), may allow other uses not enumerated hereunder as it may deem fit and proper including, but not limited to, the following projects which are of socio-economic and environmental significance and/or national interest by a $\frac{3}{4}$ majority vote of all the Members of the Sangguniang Panlungsod through resolution and ordinance:

- a. Cellsite towers
- b. Columbarium
- c. Class "AAA" Dressing plant
- d. Funeral Parlors/Memorial Chapel/Mortuaries
- e. Memorial Parks/Cemeteries Crematorium
- f. Ossuaries
- g. Ports and Harbors
- h. Power Generation Plants/Stations
- i. Private and Landing Strips, Airports, Heliports, and Helipads
- j. Quarrying
- k. Reclamation Site
- l. Class "AAA" Slaughterhouse.

A temporary clearance for rock crushing for quarry operators shall be issued, the effectivity of which shall cease at the same time as the validity of the business permit issued.

The Zoning Administrator/Zoning Officer or the LZBA, as the case may be, may seek the assistance of DHSUD 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 43. SUBDIVISION PROJECTS - All owners and/or developers of subdivision projects shall, in addition to securing a Preliminary Subdivision Development Plan (PSDP), 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.

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.

43.1 Checklist of Requirements for Certificate of Completion of Subdivision

ITEM		OFFICES/PARTIES CONCERNED
1	Application Form	City Planning and Development Office
2	SP Resolution approving the project	Sangguniang Panlungsod
3	Copy of Subdivision Plans	Applicant
4	Copy of Subdivision Plan approved by DENR	Applicant/DENR
5	Affidavit of Completion	Applicant
6	Copy of Title(s) of areas where the structures/facilities are located	Register of Deeds
7	Real Property Tax Declaration	City Assessor's Office
8	Real Property Tax Clearance	City Treasurer's Office
9	Pictures (with descriptions) of completed structures/facilities	Applicant

SECTION 44. PRELIMINARY SUBDIVISION DEVELOPMENT PLAN (PSDP) AND/OR DEVELOPMENT PERMIT (DP) - The following projects are required to secure Preliminary Subdivision and Development Plan (PSDP) and/or Development Permit (DP) from the Sangguniang Panlungsod which shall be granted through a resolution by a majority vote of all its Members:

- Memorial Parks/Cemeteries
- Commercial, residential and industrial and farmlot subdivisions.

The following projects are required to secure Preliminary Subdivision and Development Plan (PSDP) and/or Development Permit (DP) from the Department of Human Settlements and Urban Development per Rule 3, Section 6 of the Implementing Rules and Regulations (IRR) of PD 957:

- Commercial condominium
- Condotels
- No Development Permit should be deliberated, decided on at the SP without the favorable endorsement of the City Housing and Land Use Regulatory Unit (CHLURU).
- 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.
- High density residential projects are required to have a perimeter fence with the orientation of the houses facing the inner subdivision roads to prevent unplanned and unauthorized commercialization of the residential area.
- No Development Permit shall be issued unless balanced housing requirement is complied with as stated under Republic Act No 10884 otherwise known as the “Balanced Housing Development Program Amendments

Section 44.1 Checklist of Requirements for PSDP and/or DP

ITEM		OFFICES/AGENCIES CONCERNED
1	Zoning Certification	City Planning and Development Office
2	Certified true copy of title/s	Register of Deeds
3	Current tax receipts	City Treasurer’s Office
4	Site Development Plan	Applicant / Plan signed and sealed by a duly licensed Civil Engineer/Architect/Geodetic Engineer/Environmental Planner
5	Design Professional	Applicant
6	Lot/Sketch Plan	Applicant / Plan signed and sealed by a licensed Geodetic Engineer
7	Vicinity Map	Applicant / Plan signed and sealed by a licensed Geodetic Engineer
8	Topographic Plan	Applicant / Plan signed and sealed by a Geodetic Engineer
9	Barangay Council Resolution of No Objection	Barangay Council
10	Barangay Development Council Resolution	Barangay Development Council
11	Drainage Clearance	City Engineer’s Office / DPWH
12	Clearance from CENRO for the Solid Waste Management Plan	CENRO
13	Sanitation Clearance	City Health Office
14	Realty Tax Clearance	City Treasurer’s Office
15	Tax Declaration	City Assessor’s Office
16	DCWD Certification for Water Supply	DCWD

ITEM		OFFICES/AGENCIES CONCERNED
17	DLPC Certification for power supply	DLPC
18	MGB Certification	Mines and Geosciences Bureau
19	ECC or CNC from DENR	DENR
20	Traffic Impact Assessment w/ approved CTTMB Resolution	Applicant / CTTMB
21	Water Resource Clearance (in areas w/in water resource zone)	Water Resource Management Council
22	Golf Construction and Development Committee (for golf course)	Golf Construction and Development Committee
23	CAAP Clearance	Civil Aviation Authority of the Philippines
24	PPA Clearance (for ports and harbors)	Philippine Ports Authority
25	Clearance from National Power Corporation	National Power Corporation
26	3D Presentation of the Structural Integrity of the Building	Applicant
27	Building Plans	Applicant
28	Approval Certification	City Building Official/City Engineer's Office

SECTION 45. 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 46. BUILDING PERMIT

- No building permit shall be issued by the City without a valid Locational Clearance in accordance with the integrated Zoning Ordinance.
- No building, structure or land shall be used, or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, moved or structurally altered, except in conformity with the provisions of this Ordinance and the National Building Code of the Philippines (P.D. No. 1096) and all the Implementing Rules and Regulations issued thereof.
- No Building Permit for construction of new buildings, repair/renovation of existing buildings shall be issued by the City Building Official without a valid Locational Clearance in accordance with the ZO.
- No Building Occupancy permit shall be issued by the Building Official without official validation/verification from the Office of the City Administrator.
- In compliance with Batas Pambansa 344, no license or permit for the construction, repair or renovations of public and private buildings for public use, educational institutions, airports, sports and recreation centers and complexes, shopping centers or establishments, public parking places, work places, public utilities, shall be granted or issued unless the owner or operator thereof shall install and incorporate in such building, establishment, institution or public

utility, such architectural facilities or structural features which shall reasonably enhance the mobility of disabled persons such as sidewalks, ramps, railings, and the like. If feasible, all such existing buildings, institutions, establishments or public utilities may be renovated or altered to enable the disable persons to have access to them. Provided however, that buildings, institutions, establishments, or public utilities to be constructed or established for which licenses or permits had already been issued may comply with the requirements of this law. Provided further, that in case of government buildings, streets and highways, the Department of Public Works and Highways shall see to it that the same shall be provided with architectural facilities or structural features for disabled persons. In the case of parking place of any of the above institutions, buildings, or establishments, or public utilities, the owner or operator shall reserve sufficient space for the use of disabled persons.

SECTION 47. BUSINESS PERMIT

- The Business and Licensing Division shall require a Locational Clearance for new developments.
- Should there be any change in location or in the activity or expansion of the area or any portion thereof subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.
- Proponents, upon renewing their business permits, shall secure a clearance from the Zoning Administrator attesting to the compliance to the approved Zoning Ordinance of the city. Non-compliance will result to imposition of sanction/s as provided for in Section 68 of this Ordinance.
- As a supplementary provision to the existing Amended Tax Code of Davao City, no Business/Mayor’s permits and/or licenses of any kind shall be granted or issued in favor of any establishment if such establishment is situated/located in non- conforming area or areas where such business or establishment is not allowed, unless the provisions of Article VIII, Section 2 are complied with.

SECTION 48. VALIDATION OF OCCUPANCY PERMIT - No Occupancy Permit shall be issued by the Local Building Official without certification from the Zoning Administrator that the building has complied with the conditions stated in the Locational Clearance.

48.1. Checklist of Requirements for Validation of Occupancy Permit

ITEM		OFFICES/PARTIES CONCERNED
1	Approved Building Plans with building permit application form	Applicant / Office of the City Building Official
2	If bulk application (subdivision), submit approved individual Site Development Plan	Applicant / Plan approved by City Planning and Development Office
3	Approved Locational Clearance, if applicable	City Planning and Development Office

ITEM		OFFICES/PARTIES CONCERNED
4	1 set of Occupancy Permit application form	City Engineer's Office
5	Pictures of Building . Front . Left side . Back . Right side	Applicant
6	Order of Payment	City Planning and Development Office
7	Official Receipt	City Treasurer's Office
8	As Built Plan with attached Bill of Materials and Notarized Locational Application form, if applicable	Applicant / City Planning and Development Office

SECTION 49. VALIDITY OF LOCATIONAL CLEARANCE

- Upon issuance of an LC, the grantee thereof shall have one (1) year within which to commence or undertake the use, activity or development covered by such clearance on his property. Non-use of 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 location, in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

SECTION 50. 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 51. 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 to 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 may be 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 may be 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.
10. The owner of a non-conforming use and/or structure shall program the phase-out and relocation within 10 years from the effectivity of this Ordinance
11. For Previously Conforming Structures and Activities prior to the Effectivity of the 2013 and 2020 Amendment: For buildings, structures already in the area before the effectivity of the current Ordinance, which are previously found conforming but became non-conforming due to the passage of the 2013 and 2021 amendments, they shall be given a Certificate of Non-Conformance indefinitely with conditions that the business operation or building structure can remain unless the activity or structure becomes hazardous, nuisance or poses risks or threats to health and safety of the general public.
12. Renovation and Retrofitting to mitigate risks, hazards, and pollution shall be encouraged and allowed, provided, that any building footprint expansion will be solely for the purpose of establishing facilities related to mitigating hazards, risks and sanitation measures
13. For Non-Conforming Structures and Activities which were started prior to the effectivity of the 2013 and 2020 Amendments.
 - a. If within protected forest, the phase-out period shall apply.

- b. If within protected agriculture, Certificate of Non-Conformance shall be issued after the determination of the metes and bounds, expansion shall not be allowed unless for facilities that will mitigate risks and provide sanitation control measures. Retrofitting shall be required to mitigate risks against landslide and a building renovation permit shall be required. A certification to the structural soundness of the building shall also be required as well as a Certification from the DENR-MGB that the site is not within the moderate to high risk landslide area.
 - c. If within Marine Protected Area, immediate demolition of structures such as fish cages. Projects of national significance can be allowed to take place in the area, provided that, an EIS is submitted and approved by concerned agencies plus the implementation of restorative program to cover for any area and biodiversity function losses as a result of the project being pursued.
14. For Non-Conforming Structures and Activities which were started after the effectivity of the 2013 and 2020 Amendments: For non-conforming buildings, structures that were built or business activities that were established after the effectivity of the 2013 and 2020 Zoning Ordinance:
- a. An immediate demolition order shall be issued if within protection zones (forest, marine, agriculture).
 - b. A phase-out period, as shown in the table below, shall be observed in production zones (forest, marine, agriculture) and other urban use areas or the owner can seek reprieve by applying for variance, exception, or seek the City Council’s approval through the additional allowable use route, whichever is applicable.

Cost of Structure/Building	Number of Years
Up to 50 million project cost	Three (3) years
Greater than 50 million up to 100 million project cost	Five (5) years
Above 100 million project cost	Seven (7) years

15. For Existing Non-Conforming Establishments within Protection Forest: A Demolition Order of structures shall be issued once officially ascertained that structures or land development have been introduced within the Protection Forest. Aside from all the applicable charges and penalties that may be imposed against the violators, a reforestation program within the disturbed site shall be required to be undertaken by the violator.
16. A Notice of Non-Conformance must be issued within three (3) months from the approval of this Ordinance and the owners of the non-conforming projects must apply for a CERTIFICATE of NON-CONFORMANCE indicating therein the phase-out period of their establishments or structures once officially ascertained that structures or land development have been introduced within Protection Forest. Aside from all the applicable charges and penalties that may be imposed against the violators, a reforestation program within the disturbed site shall be required to be undertaken by the violator.

17. Buildings, structures located within the Protection Forest shall be given five (5) years to transform/transition into bio-diversity facilities. Those located in between Protection and Production Forest areas will be advised to utilize the former in future development activities. Mitigating measures such as tree planting shall also be imposed.
18. For Existing Non-conforming Establishments within Production Forest:
 - a. The identified owners must apply for a CERTIFICATE ON NON-CONFORMANCE with the City Planning and Development Office and Zoning Officer/Administrator who shall evaluate the said application and forward it to the Local Zoning Board of Appeals (LZBA) for approval specifying therein the phase-out period. Aside from all the applicable charges and penalties that may be imposed for constructing and operating without the necessary permits, a restoration or reforestation program shall become a requisite within a three (3)-year period reckoned from the time of the approval of the application.
 - b. The applicant for building and business permits shall restore and/or reforest previously utilized areas in excess of the 2% concrete construction footprint limitation wherein the reforestation program can be undertaken within the area, subject of the tenurial agreement and if found to be insufficient, the required reforestation program shall extend to areas that may be recommended by DENR or CENRO. If restoration and reforestation program is proven unsuccessful in the 3-year period, as per joint assessment by DENR and CENRO, the mayor's permit shall not be renewed.
 - c. A maximum of 2% concrete construction footprint and/or cultivation measured by the cumulative total of ground floor areas covered by concrete and/or cultivated areas as against the total area under tenurial agreement wherein structures should be no higher than eight (8) meters from the ground.
 - d. The reforestation program can be undertaken within the area subject of the tenurial agreement and if found to be insufficient, the required reforestation program shall extend to areas that may be recommended by DENR or CENRO. If restoration and reforestation program is proven unsuccessful in the 3-year period, as per joint assessment by DENR and CENRO, the mayor's permit shall not be renewed.
 - e. Additionally, existing non-conforming establishments within Forest Production Zone which have been subjected to the reforestation program as per guidance by WRMC and CENRO and as part of the compliance process of securing permits shall in no way be allowed to expand concrete structures within the area.
 - f. Further, for existing non-conforming structures which were constructed in areas identified as high risk to hazards as a result of Climate and Disaster Risk Assessment (CDRA) (e.g., landslide or other natural/man-made hazards), a demolition order shall be issued by the City Engineer's Office (CEO) immediately upon written recommendation by the City Disaster Risk Reduction and Management Office (CDRRMO).

SECTION 52. CERTIFICATE OF NON-CONFORMANCE

- A Certificate of Non-Conformance shall be applied for by the owner of the structure or operator of the activity involved within one (1) year from the date of enactment of this Ordinance. Failure on the part of the owner to register/apply for a Certificate of Non-Conformance shall be considered in violation of the Zoning Ordinance and is subject to fine/penalties as provided for under Section 68 Article XI.
- No business permit will be renewed unless the entity obtains a Certificate of Non-Conformance from the ZA.
- For the purpose of this Ordinance, a certificate of non-conformance is issued to owners of all uses existing prior to the approval of this Zoning Ordinance which does not conform to allowable uses in a particular district as per provision of the said Ordinance.
- The Zoning Administrator shall immediately notify owners of known existing non-conforming uses/structures within six (6) months from the enactment of this Ordinance for them to apply for a Certificate of Non-Conformance.

SECTION 53. 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 the existing rules and regulations on the subject.

SECTION 54. QUALIFICATIONS OF THE ZONING ADMINISTRATOR/ZONING OFFICER - The Zoning Administrator/Zoning Officer must comply with the requirements of Republic Act No. 10587, also known as the "Environmental Planning Act of 2013".

SECTION 55. POWERS AND FUNCTIONS OF A ZONING ADMINISTRATOR/ZONING OFFICER
Pursuant to the provisions of EO 72 implementing Republic Act 7160, in relation to Sec. 5, Paragraphs (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 consistent with laws, rules, and policies laid down under this Ordinance;
 - b. Issue corresponding Certificate of Zoning Compliance for projects conforming to the zoning regulations;
 - c. Issue Notice of Non-Conformance to owners/operators of uses, buildings or structures that are non-conforming to the applicable provisions of this Ordinance;
 - d. Recommend to the submission of recommendation to the Local Zoning Board of Appeals (LZBA) on variances and exceptions and request for additional allowable use;

- e. 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;
- f. Coordinate with the Philippine National Police (PNP) for enforcement of all orders and processes issued in the implementation of this Ordinance;
- g. Coordinate with the City Fiscal and/or City Legal Officer for other legal actions/remedies relative to the foregoing;
- h. Ensure the roll out of the Plan Implementation Scheme of the Zoning Ordinance by setting up the appropriate organizational structure and process flow; promote linkages with non-government agencies and pursue co-management agreements, memorandum of understanding or any collaborative efforts to implement the plan.

2. Planning:

Coordinate with the Regional Office of the DHSUD regarding proposed amendments to the integrated ZO prior to adoption by the Sangguniang Panlungsod.

SECTION 56. 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, and additional allowable use shall be treated as a complaint and shall likewise be filed with the LZBA.

Decision/s of the LZBA is/are appealable to the Human Settlements Adjudication Commission (HSAC) per Republic Act 11201, Chapter IV, Section 15, letter (b) thereof.

SECTION 57. FUNCTIONS AND RESPONSIBILITIES OF THE LOCAL ZONING BOARD OF APPEALS (LZBA) - There is hereby created a LZBA which shall perform the following functions and responsibilities:

- 1. Act and recommend on applications of the following nature:
 - a. Variances
 - b. Exceptions
 - c. Non - Conforming Uses
 - d. Complaints and Oppositions to Application/s
- 2. Recommend for additional allowable use under Article XI, Section 42
- 3. Act on appeals on Grant or Denial of Locational Clearance by the Zoning Administrator/Zoning Officer.
- 4. Act on appeals regarding the non-conformity of existing uses, buildings or structures to the applicable provisions of this Ordinance.
- 5. Decide on appeals concerning administrative fines.

6. Decisions of the LZBA shall be carried by an absolute majority vote (50% + 1) of its members and is final and executory.

SECTION 58. COMPOSITION OF THE LOCAL ZONING BOARD OF APPEALS (LZBA) - The LZBA shall be composed of the following members:

- Chairperson : City Mayor
- Members : SP Committee Chairperson on Land Use/Zoning (If said committee is non-existent, the SP may elect a representative)
- : City Legal Officer
 - : City Assessor
 - : City Engineer
 - : City Planning and Development Coordinator (if other than the Zoning Administrator/Zoning Officer)
 - : City Environment and Natural Resources Officer/Disaster Risk Reduction and Management Officer
 - : Two (2) representatives of the private sector nominated by their respective organizations
 - : Two (2) representatives from non-government and civil society organizations nominated by their respective organizations.

The City Planning and Development Office shall serve as the Secretariat to the LZBA. The Zoning Administrator shall act as the secretariat and action officer of the Board. The LZBA shall conduct hearings at least once a month and as often as possible to dispose pending applications within thirty (30) days from receipt of application. Lapse of 30 days shall cause the referral of the application to the Sangguniang Panlungsod. The Committee may invite resource persons in support of the performance of its functions.

There are two (2) types of applications handled by the LZBA:

1. Variance - a form of deviation which grants a property owner relief from certain provisions of these rules when strict compliance with physical standards/guidelines such as building height, area requirement, setback and the like would result in unnecessary hardship or difficulty upon the owner due to the peculiar physical surroundings, shape or topographical conditions of the property.
2. Exception - a form of deviation which grants a property owner relief from certain provisions of these rules when strict enforcement thereof would result in an unnecessary hardship or difficulty upon the owner.

58.1. Checklist of Requirements for Appeals Application and Additional Allowable Use

ITEM		OFFICES/PARTIES CONCERNED
1	Application Form	CPDO
2	Zoning Certification	CPDO
3	Certified true copy of title(s) / Contract of Lease	Register of Deeds / Applicant

ITEM		OFFICES/PARTIES CONCERNED
	/ Deed of Sale	
4	Right-of-way of access road (right to use or deed of sale)	Department of Public Works & Highways/City Engineer's Office/Office of the Barangay Captain/private land owner
5	Site development plan with land distribution	Applicant
6	Vicinity map	Applicant
7	Barangay Council Resolution Interposing No Objection	Barangay Council
8	Barangay Development Council Resolution favorably indorsing the project	Barangay Development Council
9	New Tax Declaration	City Assessor's Office
10	Realty Tax Clearance	City Treasurer's Office
11	Affidavit of No-objection to the project by the owners of properties adjoining the proposed project site w/ attached copy of lot title	Applicant
12	Solid Waste Management Plan Certificate	CENRO
13	Sanitation Clearance	City Health Office
14	Power Supply Certification	Davao Light and Power Company (DLPC)
15	Water Supply Certification, if applicable	Davao City Water District (DCWD)
16	Drainage clearance, if applicable	City Engineer's Office
17	Geohazard Certification, if applicable	DENR-Mines and Geosciences Bureau
18	Affidavit of Undertaking	Applicant
19	Water Resource Clearance for projects within water resource zone	Water Resource Management Council
20	Barangay Watershed Management Council and City Watershed Management Council for areas in Conservation Zone	Barangay Watershed Management Council and City Watershed Management Council
21	Clearance from Golf Construction and Development Committee (for golf course)	Golf Construction and Development Committee
22	Clearance from Civil Aviation Authority of the Philippines and Philippine Air Force Command Davao City (for Private landing strips, airports, and heliports and helipads)	Civil Aviation Authority of the Philippines and Philippine Air Force Command Davao City
23	Clearance from Philippine Ports Authority (for ports and harbors)	Philippine Ports Authority
24	Clearance from National Power Corporation Davao City (for power generation plant/station)	National Power Corporation Davao City
<i>After submission of complete requirements:</i>		
25	Visible project sign posted at the project site	Applicant / CPDO
26	Photo of visible project sign	Applicant
27	Notice of Pending Application published in a newspaper once a week for three (3) weeks	Applicant / publishing company

58.2. Additional Requirements for Commercial Quarry Activities

ITEM		OFFICES/PARTIES CONCERNED
1	CENRO area verification report with findings and recommendations to proceed application	CENRO
2	City Mining Regulatory Board recommendation to proceed application	CMRB
3	Duly Accomplished Application Form	CPDO
4	Locational Clearance Fees (Official Receipt)	CPDO / CTO
5	Zoning Certification	CPDO
6	Site development plan indicating area and boundaries of lot (property line)	Applicant/Plan signed and sealed by a duly licensed geodetic engineer
7	Vicinity map showing major landmarks within a radius of 200 meters	Applicant/Plan signed and sealed by a duly licensed geodetic engineer
8	Barangay Council Resolution of No Objection	Barangay Council
9	Barangay Development Council Resolution favorably indorsing the project	Barangay Development Council
10	Affidavit of No-objection to the project by the owners of properties adjoining the proposed project site w/ attached copy of lot title	Applicant
11	Locational mapping of neighbor's consent signatories (neighborhood map)	Applicant
12	Affidavit of Undertaking	Applicant
<i>After submission of complete requirements:</i>		
13	Visible project sign posted at the project site	Applicant / CPDO
14	Photo of visible project sign	Applicant
15	Notice of Pending Application published in a newspaper once a week for three (3) weeks	Applicant / publishing company

SECTION 59. REVIEW OF THE ZONING ORDINANCE - The Local Zoning Review Committee (LZRC) is hereby created under the City Development Council, to review the integrated ZO considering the CLUP, based on the following reasons/situations:

1. Updating/revision of the CLUP
2. Review of the Zoning Ordinance every (3) years from the enactment of this Ordinance to consider amendments in base zones.
3. Introduction of projects of national and/or local significance
4. Force majeure events with City-wide land use implications
5. Petition for re-zoning/re-classification with City-wide implications
6. Increasing number of applications/issuances invoking Variances and Exceptions

SECTION 60. COMPOSITION OF THE LOCAL ZONING REVIEW COMMITTEE (LZRC) - The Local Zoning Review Committee shall be composed of the following:

Chairperson	:	City Planning and Development Coordinator
Members	:	Sangguniang Panlungsod Chairperson Committee on Rules, Privileges, Laws and Ordinances
	:	SP Chairperson Committee on Housing, Rural and Urban Development (Low-End Projects)
	:	City Legal Officer
	:	City Environment and Natural Resources Officer
	:	One (1) Private Sector Representative (City Chamber of Commerce, housing industry, homeowner's associations, urban poor community associations)
	:	One (1) non-government and civil society organization representative

- The City 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 (CHO, CAGRO, Barangay Captain of the area where the project is located, CEO, Davao City High School Superintendent).
- Applications/petitions for reclassification shall be filed with the City Planning and Development Office. The chairman/chairperson shall convene the LZRC to deliberate the application. The LZRC will recommend whether it is for approval or disapproval to the Sangguniang Panlungsod

SECTION 61. 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.
 - c. Identify provisions of the Ordinance that are difficult to enforce or are unworkable.
2. Recommend to the Sangguniang Panlungsod necessary legislative amendments on the needed changes in the integrated ZO as a result of the review conducted.

3. Coordinate with DHSUD the recommended changes to the integrated ZO as a result of its review.

Section 61.1. Checklist of Requirements for Reclassification and Re-Zoning Applications

ITEM		OFFICES/PARTIES CONCERNED
1	Application Form	CPDO
2	Zoning Certification	CPDO
3	Certified true copy of title(s)	Register of Deeds
4	Right of way of access road (right to use or deed of sale, Barangay Certification on Road Right of Way) with attached sketch plan from Bureau of Lands	Department of Public Works & Highways(DPWH)/City Engineer's Office/Office of the Barangay Captain/private land owners
5	Site development plan reflecting land distribution (green area, parking, building foot print, etc), property line & access road if property is an interior lot	Applicant
6	Vicinity Map showing major landmarks/structures within a radius of 200 meters	Applicant
7	Barangay Council Resolution Interposing No Objection	Barangay Council
8	Barangay Development Council Resolution favorably indorsing the project	Barangay Development Council
9	Drainage Clearance	City Engineer's Office (CEO)
10	Solid Waste Management Plan Certificate	City Environment and Natural Resources (CENRO)
11	Sanitation clearance	City Health Office
12	Water supply certification	Davao City Water District (DCWD)
13	Power supply certification	Davao Light and Power Corporation, Inc. (DLPC)
14	Certification for possible geohazard and recommended mitigating measures	DENR - Mines and Geosciences Bureau
15	New Tax Declaration	City Assessor's Office
16	Realty Tax Clearance	City Treasurer's Office
17	Affidavit of No-objection to the project by the owners of properties adjoining the proposed project site w/ attached copy of lot title	Applicant

SECTION 62. COMPOSITION OF THE WATER RESOURCE MANAGEMENT COUNCIL - The Council, as an inter-departmental body shall implement the provisions of City Ordinance No. 117-01 or the Water Resource Management and Protection Code of Davao City, monitor its compliance and coordinate programs, projects and actions for the protection of the water resources of Davao City particularly, but not limited to, the quality and quantity thereof.

The Water Resource Management Council shall be composed of the following, hereby amending City Ordinance No. 117-01, Series of 2001

- Chairperson : City Mayor
- Vice-Chairperson : City Administrator
- Members : Chairperson, Sangguniang Panlungsod Committee on Environment and Natural Resources
- : SP Chairperson, Committee on Energy
- : SP Chairperson, Committee on Transportation and Communications
- : The General Manager of Davao City Water District
- : Office of the City Environment and Natural Resources Officer
- : Office of the City Health Officer
- : Office of the City Engineer
- : Office of the City Planning and Development Coordinator
- : Office of the City Legal Officer
- : Business Bureau
- : Zoning Administrator of Davao City

Functions of the Water Resource Management Council:

- a. Ensure the implementation of all the provisions of the Water Resource Management and Protection Code and its Implementing Rules and Regulations.
- b. Monitor all activities relative to the compliance or non-compliance of the provisions of the Code and its Implementing Rules and Regulations.
- c. Coordinate water protection, conservation, utilization and development activities of the agencies and offices represented in the Council, provided that, the Council shall not encroach upon the functions of these member offices as mandated by law.
- d. Prepare a comprehensive program that will provide guidelines for the protection, conservation, management, utilization and development of the water resources of the city; and in coordination with Davao City Water District, a program for the protection, conservation, preservation, and rehabilitation of the City's watershed.
- e. Study and recommend to the Sangguniang Panlungsod water resources protection laws which may, in the future, become necessary.
- f. Conduct a continuing education program to generate public awareness and support to the need of protecting and conserving the water resources of the City.

A clearance should be secured from the Water Resource Management Council (WRMC) for applications in areas within the water resource overlay zone. The WRMC functions as an inter-departmental body to protect the water resources of Davao City is required.

62.1. List of Requirements in Securing a Water Resource Clearance

ITEM		OFFICES/PARTIES CONCERNED
1	Application Letter	City Planning & Development Office

ITEM		OFFICES/PARTIES CONCERNED
2	Verification of Project Location a. Certified true copy of land title; b. Lot/Sketch Plan with Vicinity Map signed and sealed by a duly licensed Geodetic Engineer;	a. Register of Deeds b. Applicant
3	Identification of Project Type a. Project Description; b. Project System Operation; c. Declaration or statement of the type of waste that the project generates;	Applicant
4	Verification of Outfall Catchment Area a. Watershed Map of Davao City (from CPDO or DENR-EMB) reflecting the location of the project; b. Certificate/Statement from DENR-EMB specifying the outfall's catchment area with water classification;	a. City Planning & Development Office / DENR – Environmental Management Bureau b. DENR – Environmental Management Bureau
5	Matching of River Classification a. Schematic and process flow of the WTF's operational system; b. Design of the WTF structure;	Applicant
6	Verification of Government Issued Certifications a. Zoning Certificate and Zoning Map; b. Water Supply Certification by DCWD; c. Water Permit from NWRB (if DCWD cannot supply); d. Certificate of NO OBJECTION from DCWD; e. Geo-hazard Certification from DENR-MGB; f. ECC or CNC issued by DENR-EMB; g. Sanitation Inspection Clearance issued by CHO; h. Valid Drainage Clearance issued by CEO or DPWH; i. Solid Waste Certification from CENRO;	a. City Planning & Development Office b. Davao City Water District c. Davao City Water District / National Water Resources Board d. Davao City Water District e. DENR – Mines and Geosciences Bureau f. DENR – Environmental Management Bureau g. City Health Office h. CEO/DPWH i. CENRO
7	Verification of WTF/Septic Vault Adequacy (if applicable) a. Parameters, Assumptions and Calculations of wastewater generation; b. Parameters, Assumptions and Calculations of Septic Vault capacity/ WTF/ STF; c. Statement of Septic Vault capacity/ WTF/ STF adequacy;	Applicant
8	Verification of WTF's Operational Sustainability (if applicable) a. Topographic Plan (for land area of 1 hectare and above); b. Site Grading Plan (for land area of 1 hectare and above);	Applicant

ITEM		OFFICES/PARTIES CONCERNED
9	<p>Other Documents</p> <ol style="list-style-type: none"> a. Slope protection and/or other mitigating measures, if necessary as recommended by Structural Engineers or appropriate offices; b. Solid Waste Management Plan; c. Actual Site Photos; <p>1. For Residential, Commercial, Institutional, Industrial, and other Building Structures</p> <ol style="list-style-type: none"> a. Site Development Plan with tabulation signed and sealed by a duly licensed civil engineer /architect/geodetic engineer and environmental planner reflecting the following: <ol style="list-style-type: none"> 1. Area of the lot with technical descriptions; 2. Building footprint (with dimensions); 3. Green space (for applications 1 hectare and above); 4. Setbacks; 5. Distance of the building from the road centerline; 6. Width of adjacent road/s; 7. Rainwater Harvesting System 8. Slope Protection/ Mitigating measures, if applicable 9. Retarding Pond, if applicable b. Sanitary/ Plumbing plans duly signed and sealed by a licensed sanitary engineer/master plumber, if applicable c. Detailed plans of septic vault (signed and sealed by a master plumber)/WTF/STF with Hydraulic Computations, schematic and process flow, duly signed and sealed by a sanitary engineer, if applicable d. Drainage plan with details of catch basin and other similar applicable structure, duly signed and sealed by a licensed civil engineer e. Rainwater Harvesting System Plan f. Retarding pond detailed plans, duly signed and sealed by a licensed sanitary engineer/civil engineer, if applicable g. Affidavit of Undertaking on the Maintenance of Green Space and that it shall not be used or converted to any other use (with template) <p>2. For Towers and other Similar Structures (No Occupancy)</p> <ol style="list-style-type: none"> a. Site Development Plan reflecting the following: <ol style="list-style-type: none"> 1. Area of the lot with technical descriptions 2. Structure footprint (with dimensions) 3. Setbacks 4. Distance of the structure from the road centerline 5. Width of adjacent road/s 	<ol style="list-style-type: none"> a. DENR – Mines and Geosciences Bureau / DENR – Environmental Management Bureau b. Applicant c. Applicant <p>9.1.a. Applicant Plan signed and sealed by a duly licensed civil engineer/architect/geodetic engineer and environmental planner</p> <p>9.2.a. Applicant</p>

ITEM		OFFICES/PARTIES CONCERNED
	<p>3. For Subdivision Developments</p> <p>a. Site Development Plan with tabulation signed and sealed by a civil engineer /architect/geodetic engineer and environmental planner and reflecting the location/position of following:</p> <ol style="list-style-type: none"> 1. Area of the lot with technical descriptions 2. saleable lots 3. roads lots 4. community facility 5. Parks and Playground 6. green space 7. parking lots (when required) 8. Waste water treatment facility 9. Easement (when required) 10. Slope Protection/ Mitigating measures, if applicable 11. Retarding Pond <p>b. Storm water/ drainage plans signed and sealed by a civil engineer</p> <p>c. Detailed plans of retarding pond signed and sealed by a duly licensed civil engineer or sanitary engineer</p> <p>d. Sanitary/Sewerage plans (separate line from Storm water drainage plan)</p> <p>e. Detailed plans of wastewater treatment facility</p> <p>f. Affidavit of Undertaking on the Maintenance of Green Space and that it shall not be used or converted to any other use (with template)</p> <p>g. Retarding pond duly signed and sealed by a licensed sanitary engineer/civil engineer</p>	<p>9.3.a. Applicant Plan signed and sealed by a duly licensed civil engineer/architect/geodetic engineer and environmental planner</p>

SECTION 63. COMPOSITION OF THE URBAN ECOLOGICAL ENHANCEMENT SUB-ZONE COMMITTEE -The Urban Ecological Enhancement Sub-Zone Committee shall be composed of the following:

- Chairperson : City Mayor, or in his/her absence the City Administrator

- Vice-Chairperson : City Planning and Development Coordinator

- Co-Vice-Chairperson : City Engineer

- Members : City Legal Officer

- : SP Chairperson or representative, Committee on Rules, Privileges, Laws, and Ordinances

- : SP Chairperson or representative, Committee on Housing, Rural and Urban Development (High-end, Medium-end, and Low-end projects)
- : SP Chairperson or representative, Committee on Environment and Natural Resources
- : City Assessor
- : City Environment and Natural Resources Officer
- : Zoning Administrator
- : Mines and Geosciences Bureau - Department of Environment and Natural Resources
- : Philippine Institute of Civil Engineers

- (NGOs) : Two (2) representatives from Non-government Organizations (NGOs)
- : Two (2) representatives from the private sector to be appointed by the City Mayor (co-terminus)
- : Representative from the United Architects of the Philippines District 1 Davao Chapter
- : Representative from the Urban Ecological Enhancement Sub-Zone area

63.1. Functions of the Urban Ecological Enhancement Sub-Zone Committee - The Urban Ecological Enhancement Sub-Zone Committee shall have the following functions and responsibilities:

- a. Conduct comprehensive research and studies and adopt long-term measures and programs aimed at environmental promotion and development of the UEE Sub-Zone.
- b. Identify and determine areas in the city appropriate for rezoning as Urban Ecological Enhancement Sub-Zone or treated as a Privately-Owned Public Open Spaces (POPOS), and propose changes on the land use to the City Council.
- c. Grant Credit Certificate for Additional Allowable Floor Space applicable to Floor Area ratio or Height Limits set by the City.
- d. Review and deliberate on the pertinent provisions of its IRR and recommend revision or amendments thereon.
- e. Submit recommendations and resolutions to the Sangguniang Panlungsod.
- f. Perform such other functions necessary and proper in carrying out the provisions of this amendment.
 - Meetings: The Committee shall meet at least once a month or as often as deemed necessary.

- Appointment of Permanent Representatives: At the beginning of every year, a member of the Committee may name in writing his/her permanent authorized representative.

63.2. Checklist of Requirements for Applications in the UEESZ

ITEM		OFFICES/AGENCIES CONCERNED																		
1	Application Letter	City Planning & Development Office																		
2	Barangay Resolution of No Objection (for eco-tourism facilities)	Barangay Council																		
3	Zoning Certification	City Planning & Development Office																		
4	Certified True Copy of Title	Register of Deeds / Applicant																		
5	Survey Sketch Plan	Applicant Plan duly signed and sealed by a licensed geodetic engineer																		
6	Topographic Plan	Applicant Plan duly signed and sealed by a licensed geodetic engineer																		
7	Site Grading Plan	Applicant Plan duly signed and sealed by a licensed geodetic engineer																		
8	Site Development Plan reflecting the following: <table border="1" data-bbox="288 1234 968 1644"> <thead> <tr> <th colspan="3">LAND TABULATION DATA</th> </tr> <tr> <th></th> <th>Area in sqm</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Total Land Area</td> <td></td> <td></td> </tr> <tr> <td>Building Footprint</td> <td></td> <td></td> </tr> <tr> <td>Green Space</td> <td></td> <td></td> </tr> <tr> <td>Slope Protection, if any</td> <td></td> <td></td> </tr> </tbody> </table>	LAND TABULATION DATA				Area in sqm	Percentage	Total Land Area			Building Footprint			Green Space			Slope Protection, if any			Applicant Plan duly signed and sealed by a licensed environmental planner/civil engineer/architect
LAND TABULATION DATA																				
	Area in sqm	Percentage																		
Total Land Area																				
Building Footprint																				
Green Space																				
Slope Protection, if any																				
9	Building Plans signed and sealed by a duly licensed professional: <ul style="list-style-type: none"> • Building Plans (Floor plans and elevation drawings) • Structural Plans 	Applicant Plan duly signed and sealed by a licensed civil engineer and structural engineer																		
10	Drainage Plan with hydraulic computation signed and sealed by a duly licensed civil engineer	Applicant Plan duly signed and sealed by a licensed civil engineer/architect																		
11	Geotechnical analysis signed and sealed by a duly licensed	Applicant																		

ITEM		OFFICES/AGENCIES CONCERNED
	geologist	Plan duly signed and sealed by a licensed geologist
12	MGB Geohazard Certification	Department of Environment and Natural Resources – Mines and Geosciences Bureau
13	<p>Additional requirements if applying for exemptions for residential purposes:</p> <ul style="list-style-type: none"> • Proof that the lot was acquired prior to the effectivity of the 2013 Zoning Ordinance amendment, except if the property was acquired through hereditary succession. • Omnibus Affidavit stating that the applicant/landowner has no other property classified as residential for zoning purposes, anywhere in Davao City and an Undertaking to voluntarily remove all improvements to the property subject of the application in case of misrepresentation. • Approved Sangguniang Panlungsod Resolution that the area/land subject of the application is outside the Higher Susceptibility to Landslide Area 	Applicant / Sangguniang Panlungsod (for Resolution)

SECTION 64. AMENDMENTS TO THE INTEGRATED ZONING ORDINANCE - 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 Members of the Sangguniang Panlungsod.

Any amendment shall take effect only after approval and authentication by HLURB or the Sangguniang Panlungsod.

SECTION 65. PROCESSING FEE - All processing fees shall be in accordance with the schedule prescribed under the existing Amended Tax Code of Davao City and shall be paid directly to the Office of the City Treasurer.

SECTION 66. PROCESSING TIME - The table below indicates the processing time required for the following documents:

Documents	Processing Time
Zoning Certification	3 days
Validation of Occupancy Permit	3 days
Request for Allowable Use	40 days
Reclassification and Re-zoning	40 days
Water Resource Management Council Clearance	40 days
Preliminary Subdivision Development Plan and Development Permit	40 days
Certificate of Completion of Subdivision	40 days
Locational Clearance for Building	7 days
Locational Clearance for Business	3 days
Motion for Reconsideration	40 days

Inaction/delay for three (3) days shall render the application approved and compliant with the directive on ease of doing business.

SECTION 67. ADMINISTRATIVE PENALTY - An administrative penalty of Five Hundred Pesos (P500.00) per day shall be imposed against any person who undertakes pre-development or pre-construction of a project in any area or land without locational clearance or Preliminary Subdivision Development Plan (PSDP) and/or Development Permit (DP) reckoned from the start of the conduct of any activity of the construction on the land or property to be determined by the Zoning Administrator.

Fines and penalties imposed by the ZA can be appealed to the LZBA.

SECTION 68. VIOLATION AND PENALTY - Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine not exceeding Five Thousand Pesos (P5,000.00) or imprisonment not exceeding one (1) year or both at the discretion of the Court.

In case of violation by a corporation, partnership or association, the penalty shall be imposed upon the officer-in-charge of the construction and the president thereof.

1. Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by:
 - a fine not exceeding Five Thousand Pesos (P5,000.00); or
 - imprisonment not exceeding one (1) year or both at the discretion of the Court.
2. In case of violation by a corporation, partnership or association, the penalty shall be imposed upon the officer-in-charge of the construction and the president thereof.

SECTION 69. SUPPLEMENTARY 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 70. BUSINESS PERMITS AND/OR LICENSES - As a supplementary provision to the existing Amended Tax Code of Davao City, no Business/Mayor's permit and/or licenses of any kind shall be granted or issued in favor of any establishment if such establishment is situated/located in non-conforming area or areas where such business or establishment is not allowed unless the provisions of Article XI Section 51 and Section 52 are complied with.

SECTION 71. 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 72. 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 ZO.

SECTION 73. 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 this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid. Pending applications for amendment received by the City Planning and Development Office shall be considered for evaluation under Ordinance No. 2546-13, Series of 2013, by the said office in accordance with the procedure laid down in the Ordinance and its Implementing Rules And Regulations.

SECTION 74. 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 75. EFFECTIVITY CLAUSE - This Ordinance shall take effect upon approval by the Sangguniang Panlungsod and after publication in a local newspaper of general circulation in accordance with the provisions of the Local Government Code.

ENACTED, on the 18th day of January 2022, by a unanimous vote of all the Members of the Sanggunian, there being a quorum.

CERTIFIED CORRECT:

CHARITO N. SANTOS

Secretary to the Sangguniang Panlungsod
(City Government Department Head II)

ATTESTED:

EDGAR P. IBUYAN JR.

President Pro Tempore
Temporary Presiding Officer
cns/kjtq

APPROVED: _____, 2022

SARA Z. DUTERTE

City Mayor

ATTESTED:

ATTY. ZULEIKA T. LOPEZ

City Administrator

RALPH O. ABELLA

Councilor

NILO D. ABELLERA

Councilor

BAI HUNDRA CASSANDRA DOMINIQUE N.

ADVINCULA

Councilor

WILBERTO E. AL-AG

Councilor

DANTE L. APOSTOL SR.

Councilor

CONRADO C. BALURAN

Councilor

JESSICA M. BONGUYAN
Councilor

LOUIE JOHN J. BONGUYAN
Councilor

PILAR C. BRAGA
Councilor

AUGUSTO JAVIER G. CAMPOS III
Councilor

RICHLYN N. JUSTOL-BAGUILOD
Councilor

PAMELA A. LIBRADO-MORATA
Councilor

DIOSDADO ANGELO JUNIOR R. MAHIPUS
Councilor

RODOLFO M. MANDE
Councilor

JAFFAR U. MAROHOMSAIC
Councilor

MYRNA G. L'DALODO-ORTIZ
Councilor

ANTOINETTE G. PRINCIPE-CASTRODES
Councilor

J. MELCHOR B. QUITAIN JR.
Councilor

ALBERTO T. UNGAB
Councilor

MARY JOSELLE D. VILLAFUERTE
Councilor

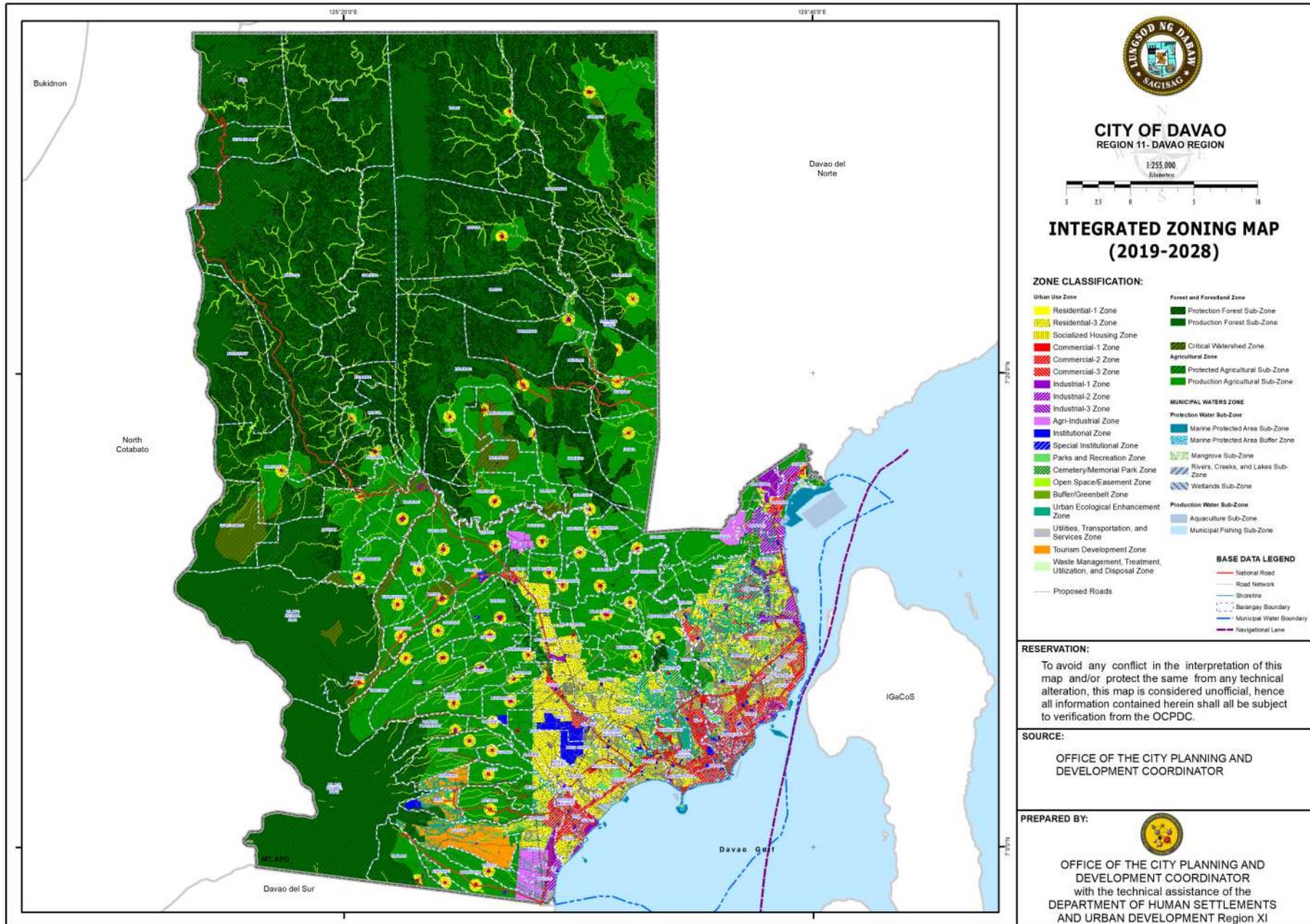
JESUS JOSEPH P. ZOZOBRADO III
Councilor

Annex 1

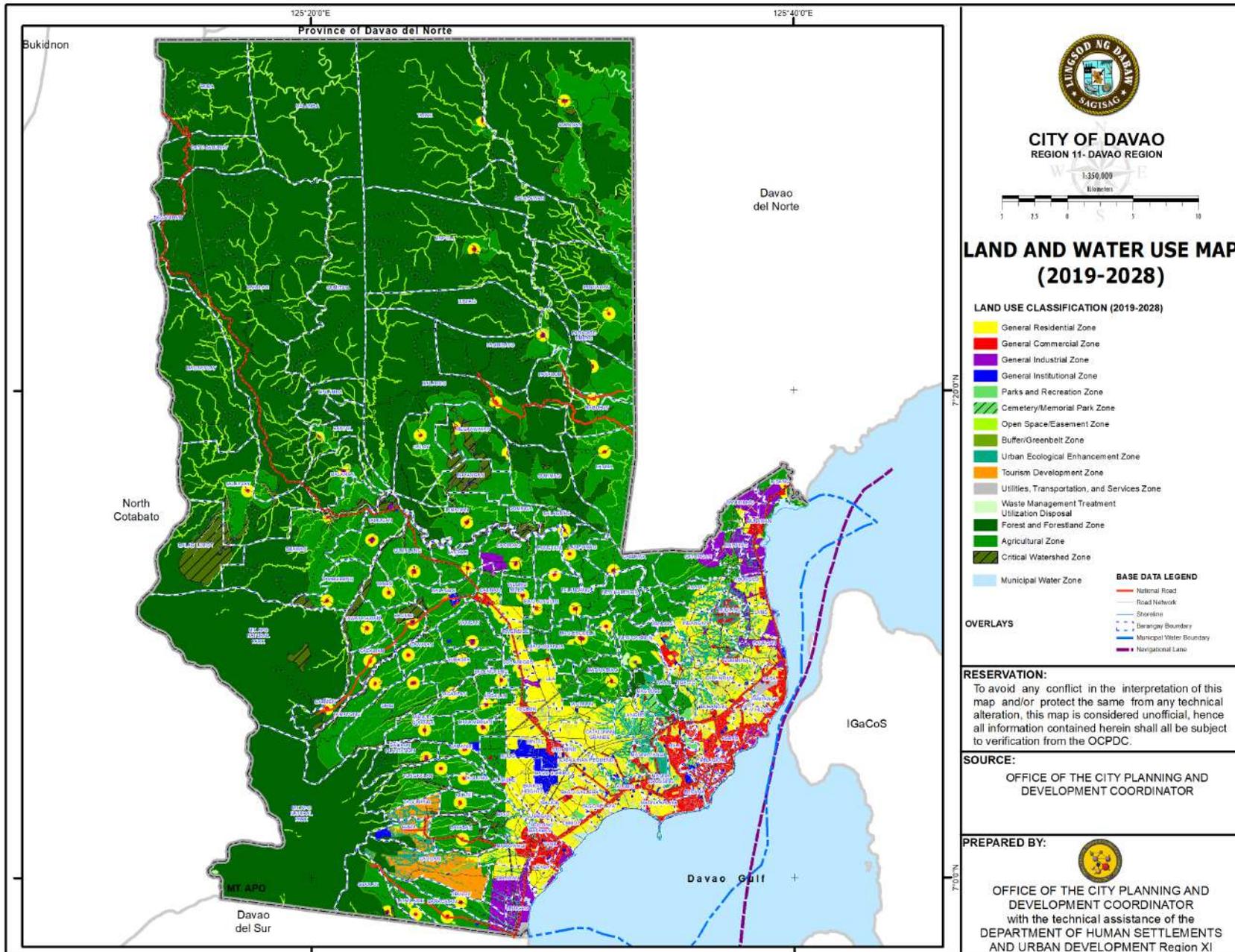
Integrated Zoning Maps

Comprehensive land use plan 2019-2028

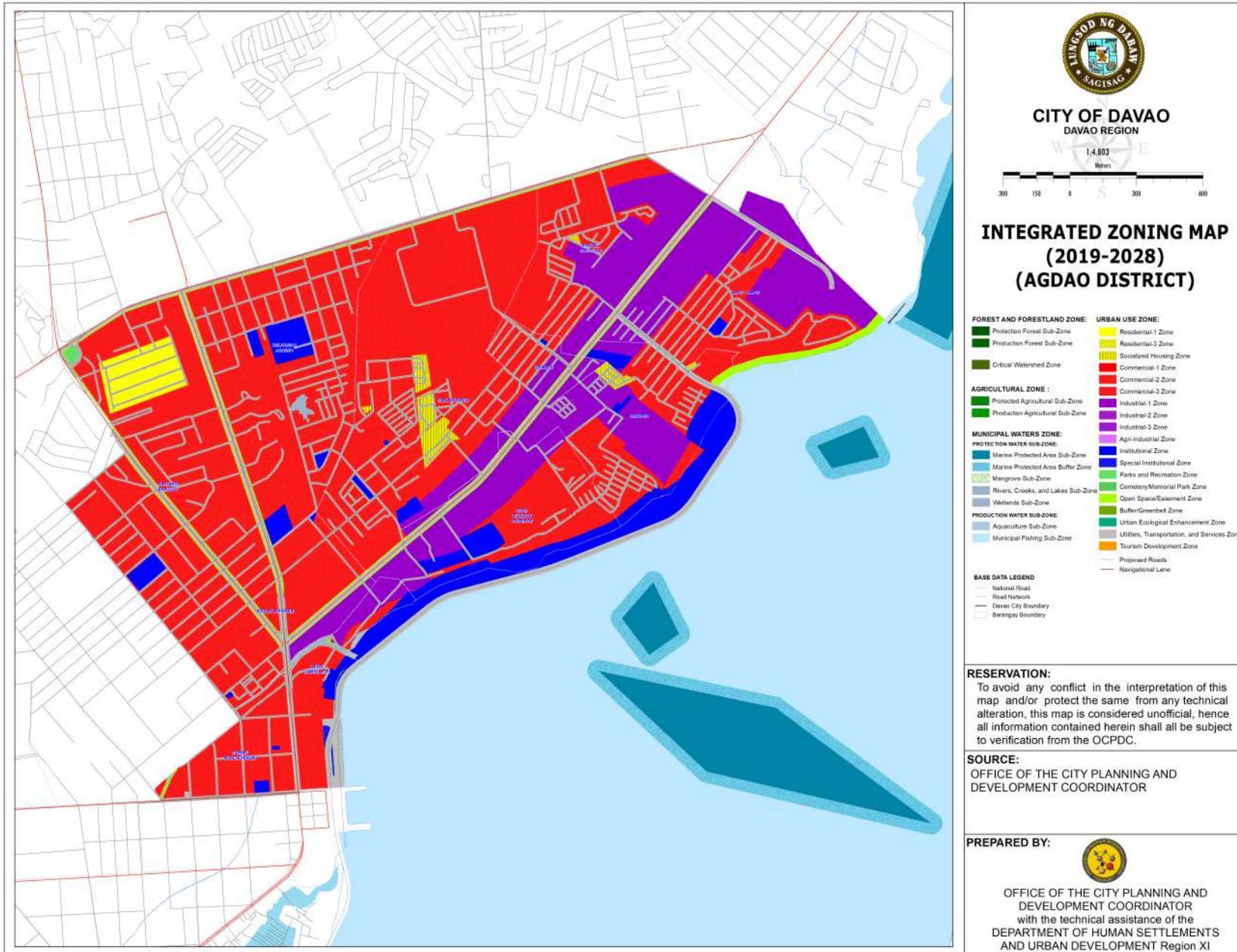
Integrated Zoning Map



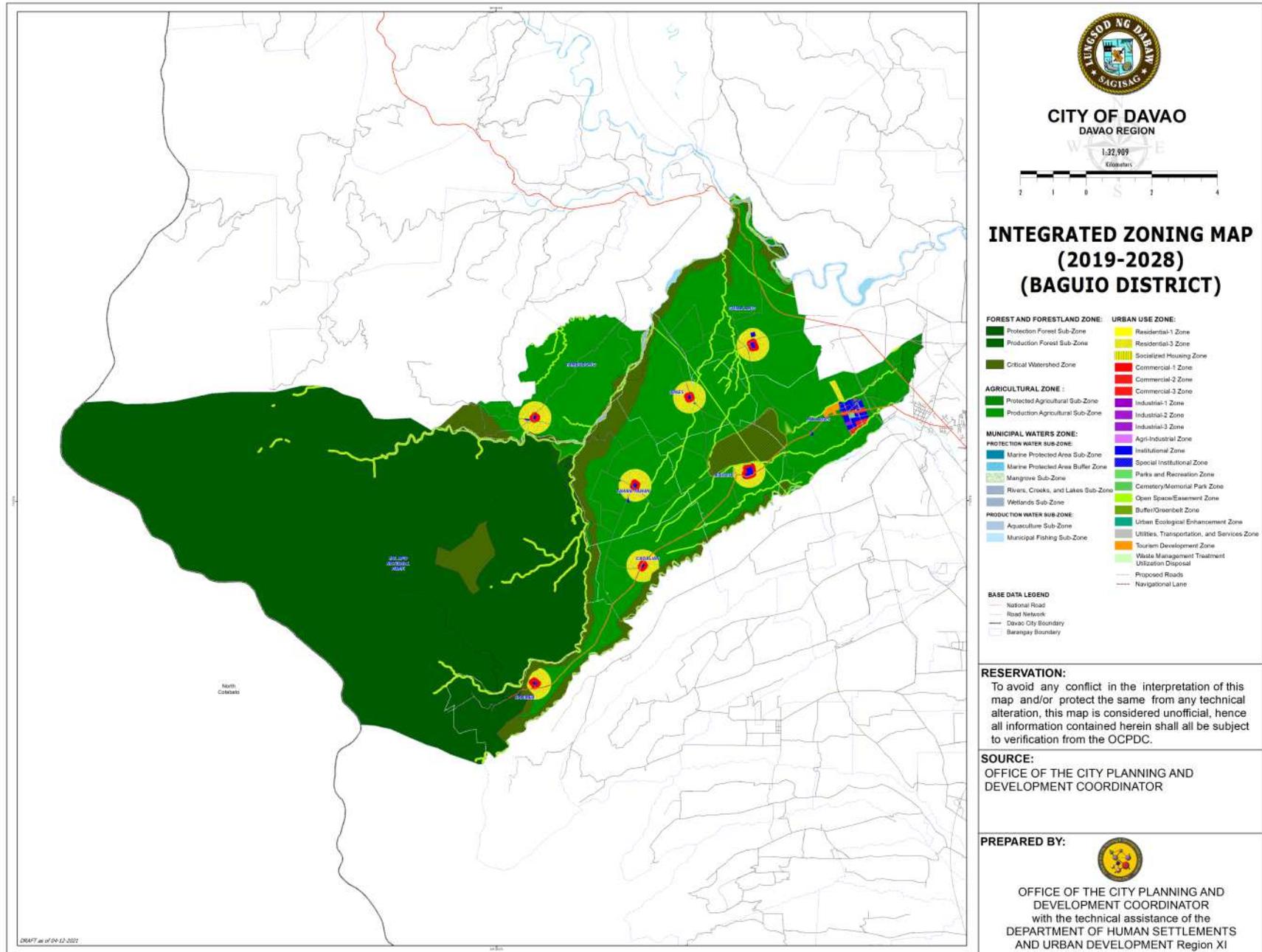
Land and Water Use Map



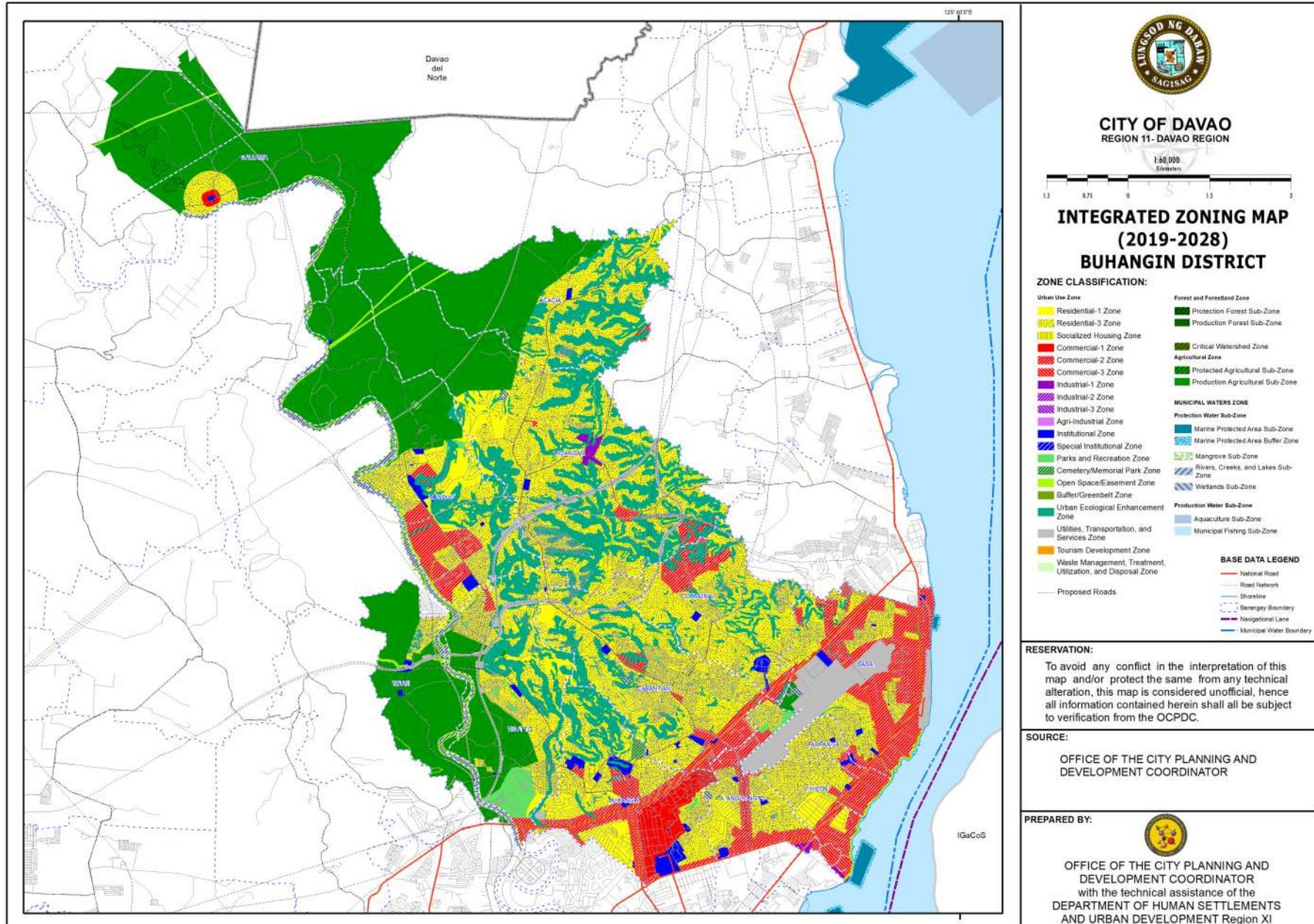
Integrated Zoning Map Agdao District



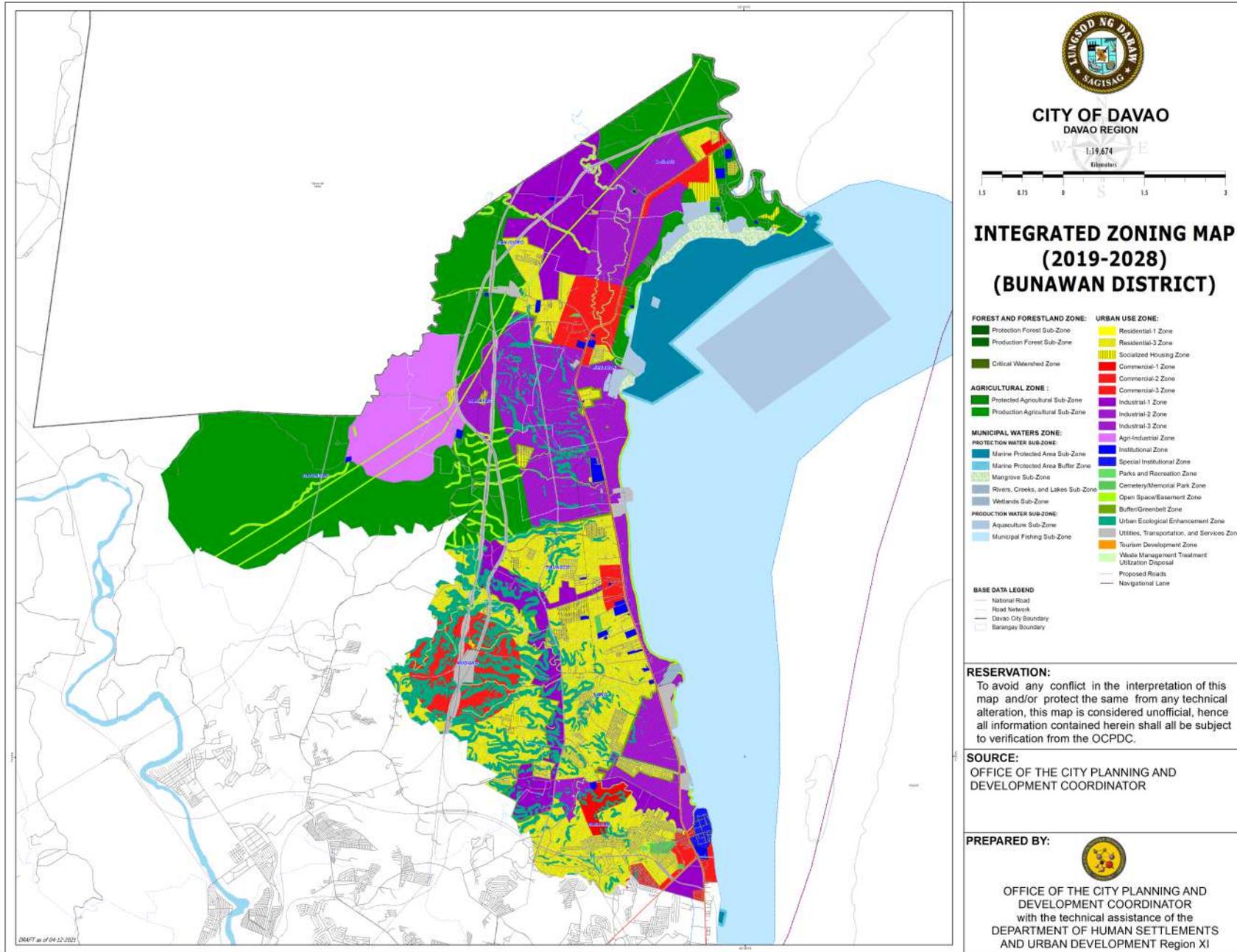
Integrated Zoning Map Baguio District



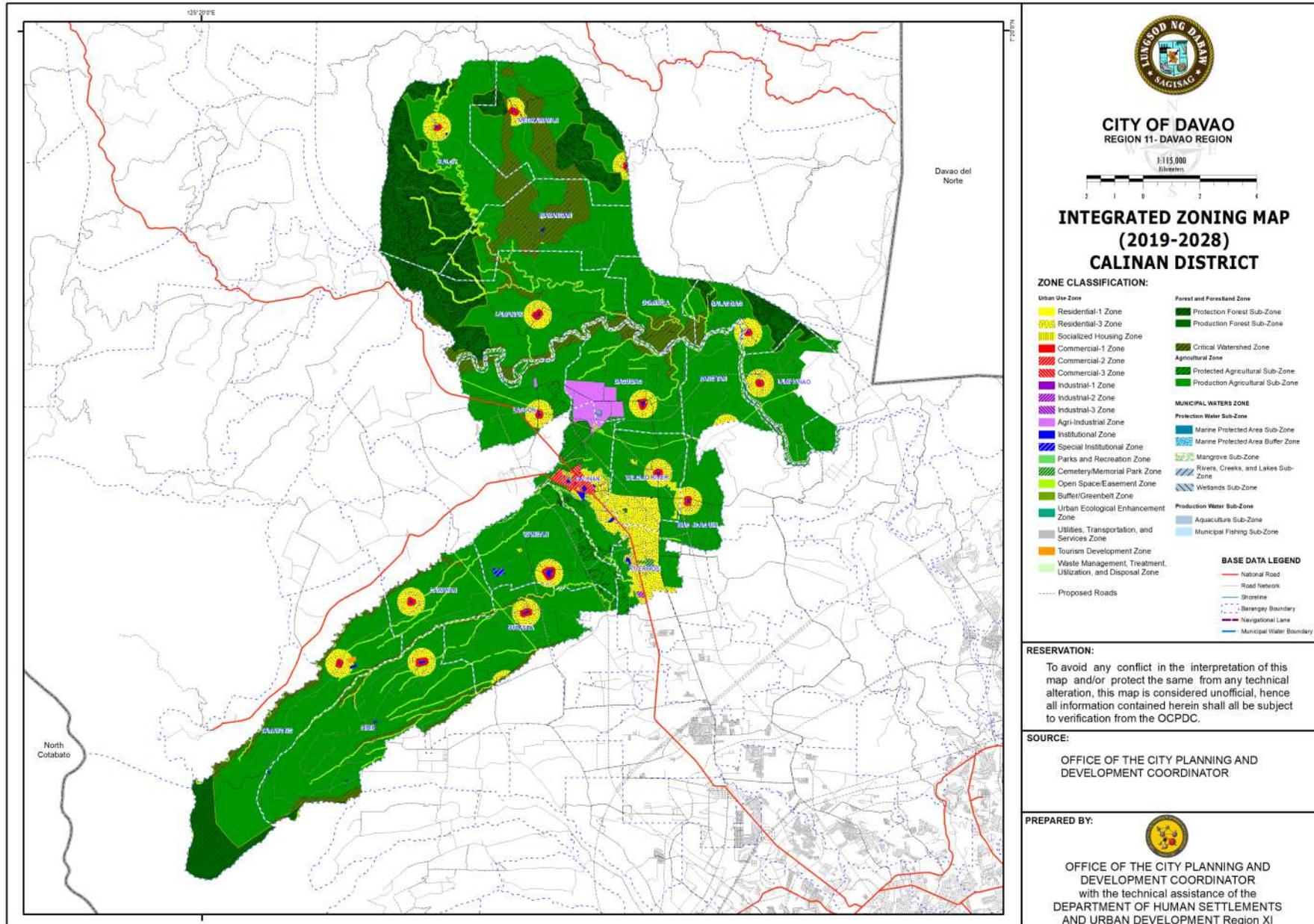
Integrated Zoning Map Buhangin District



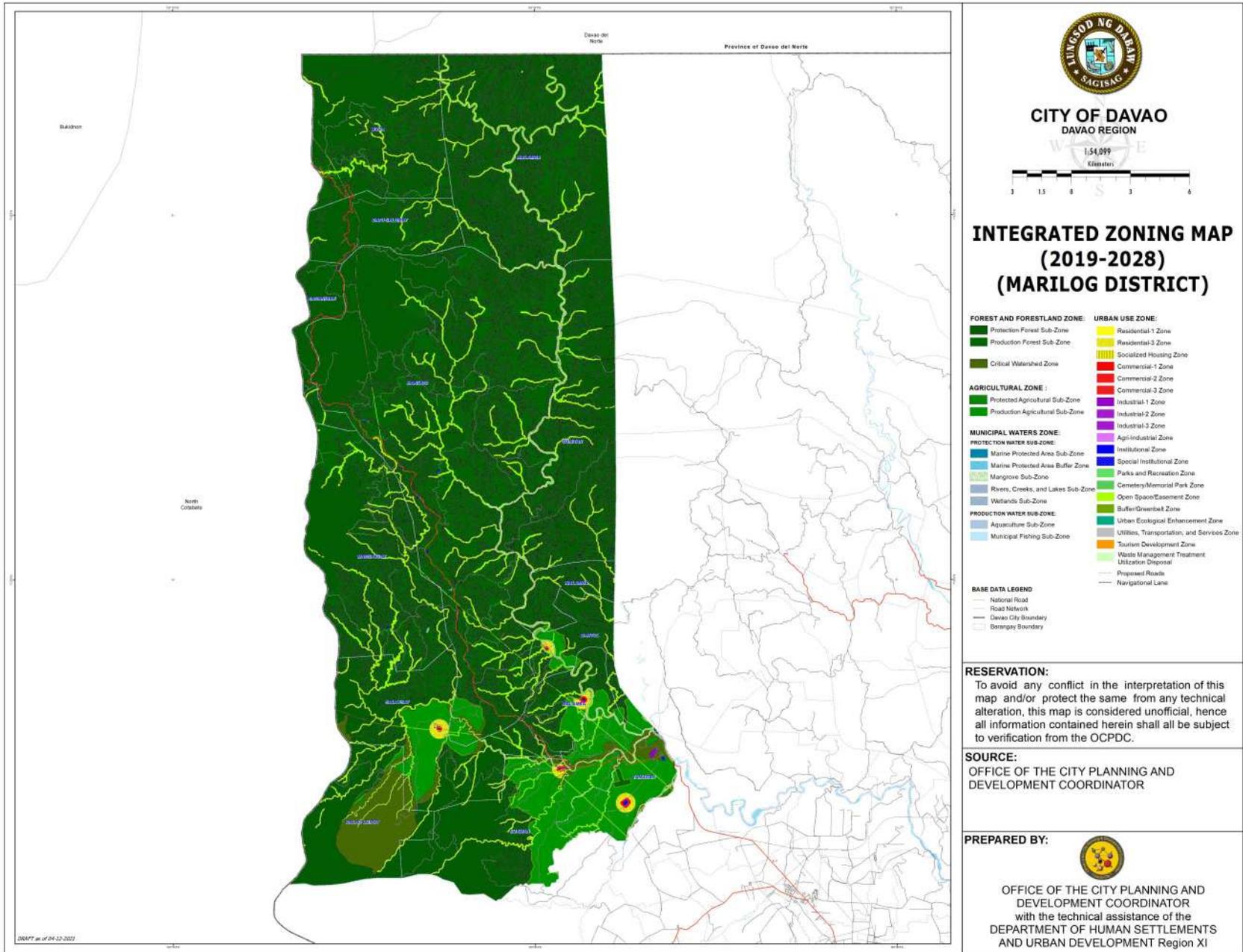
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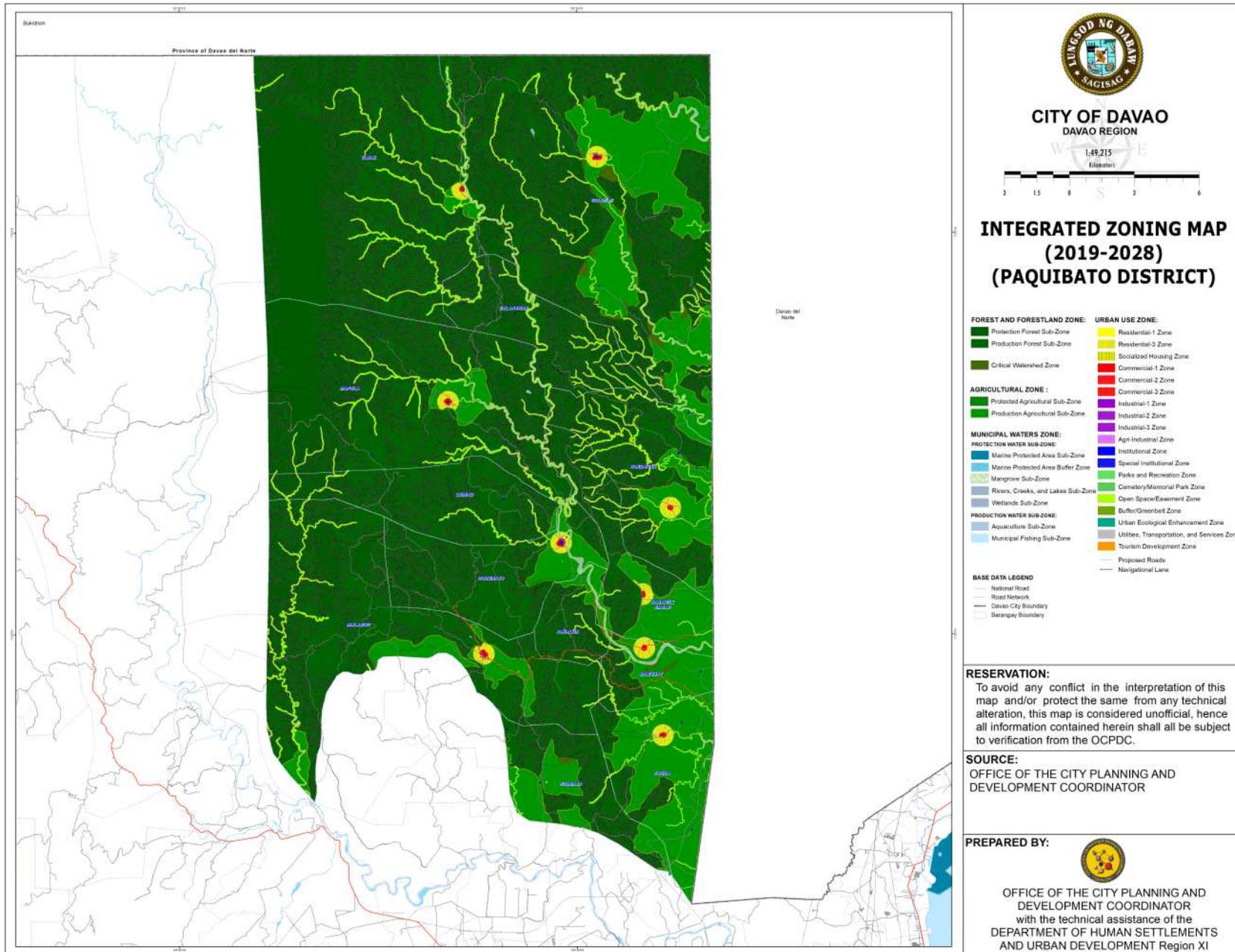
Integrated Zoning Map Calinan District



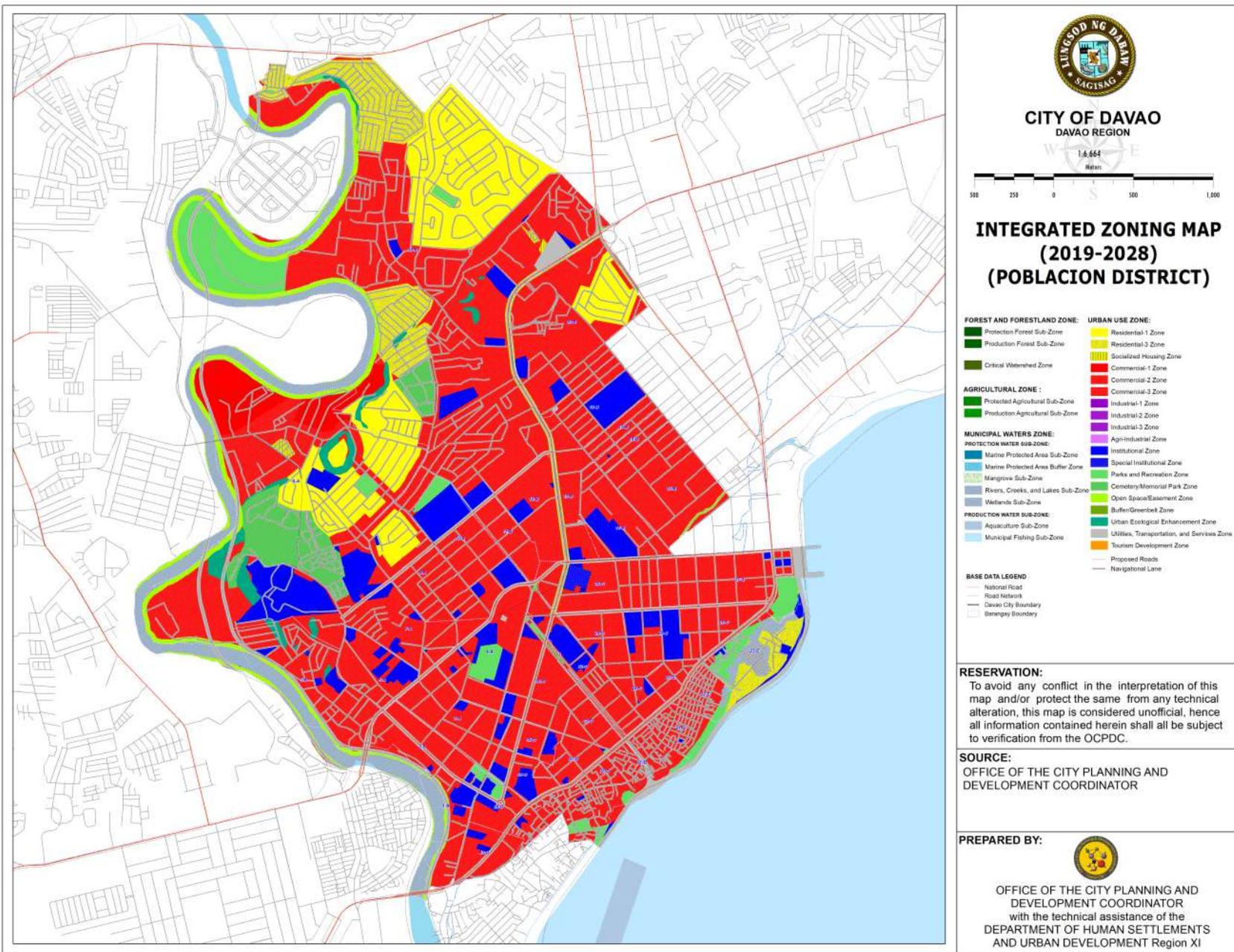
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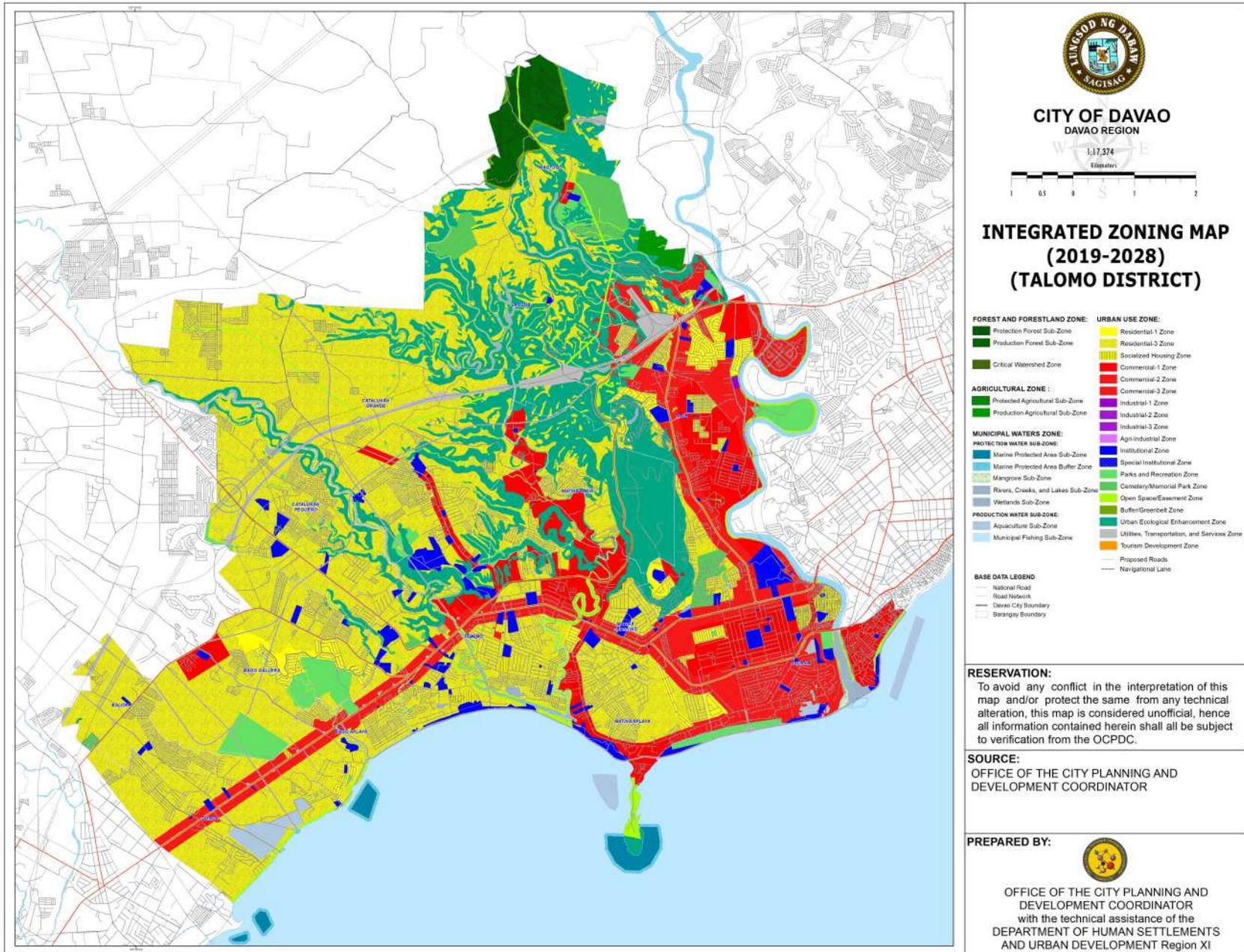
Integrated Zoning Map Paquibato District



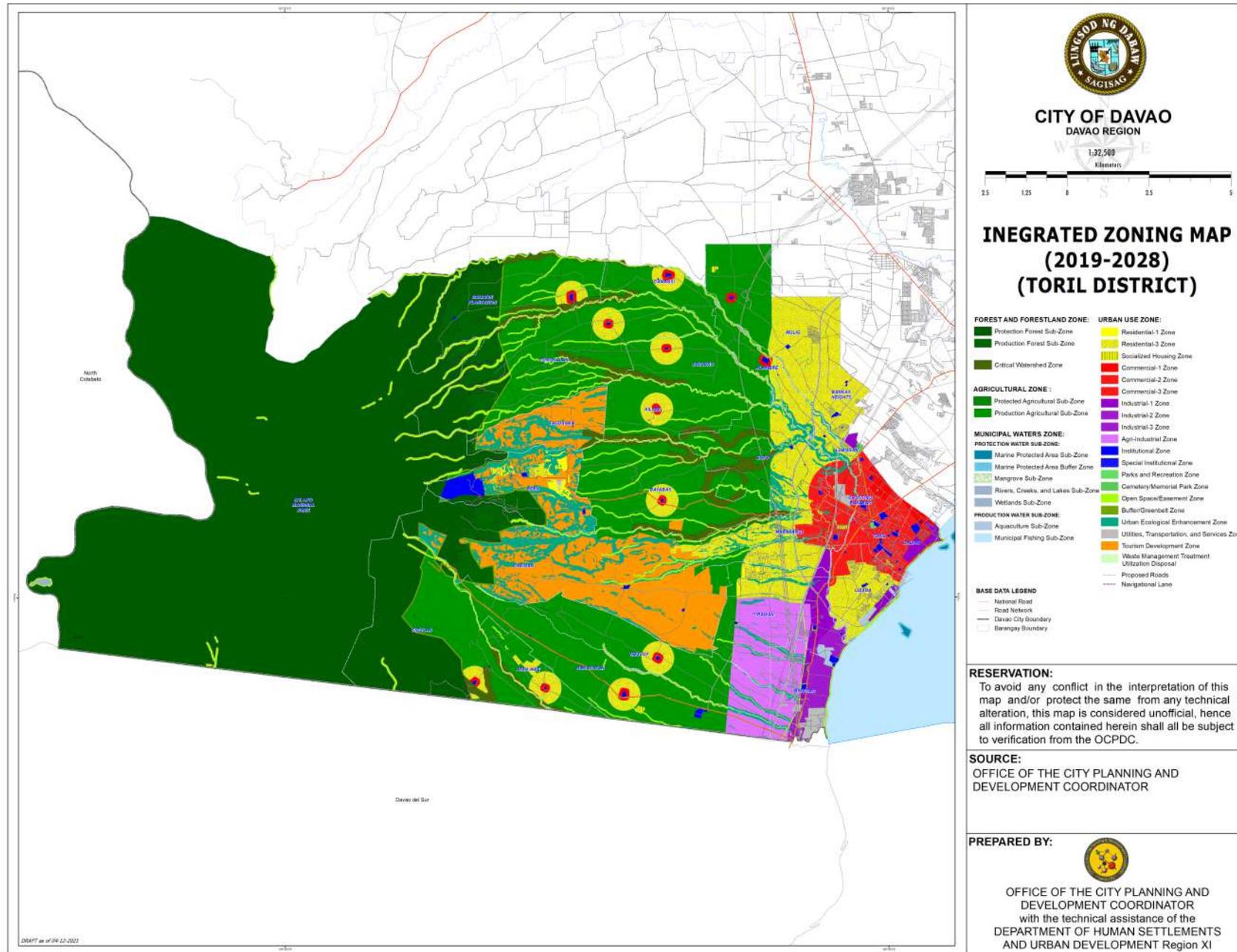
Integrated Zoning Map Poblacion District



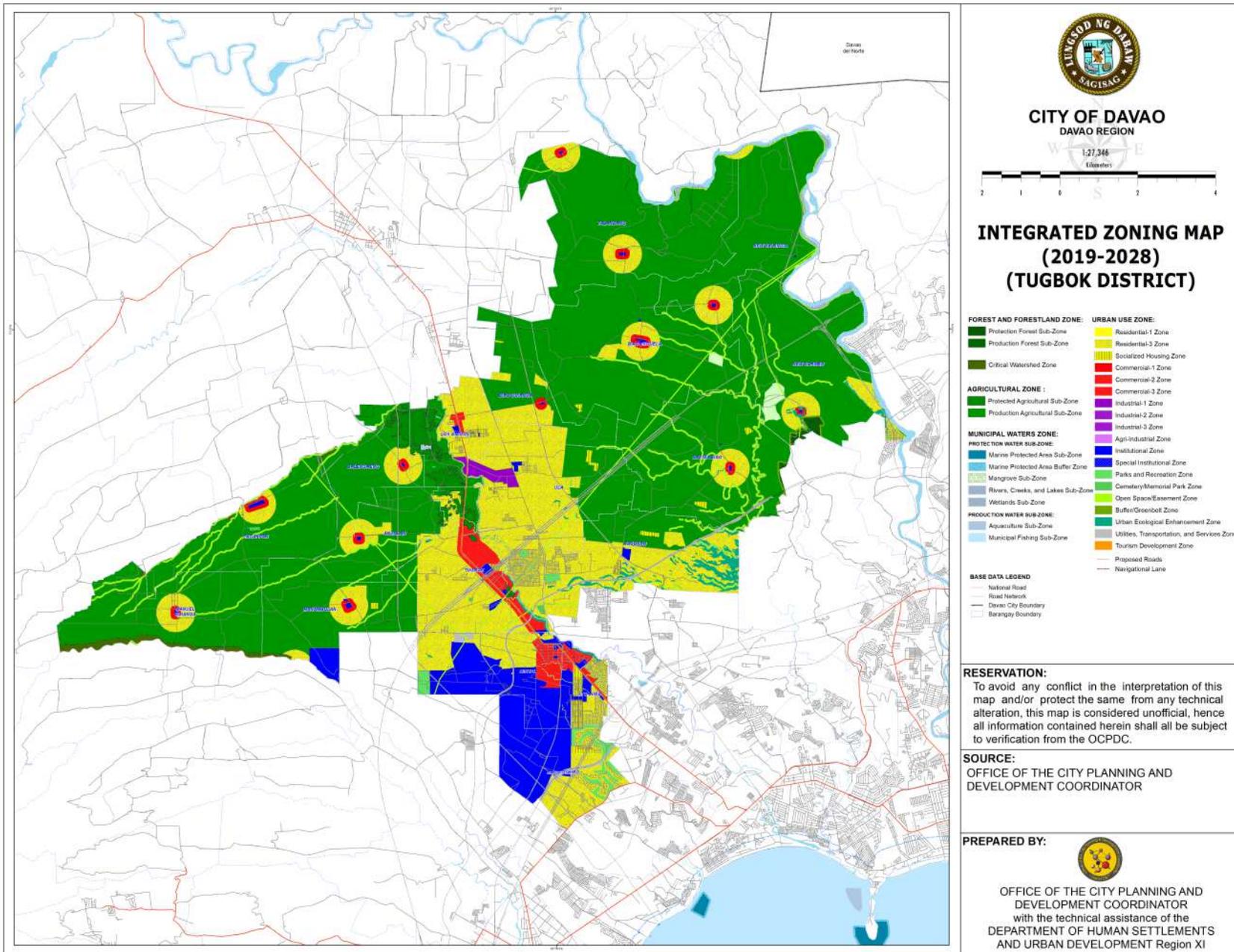
Integrated Zoning Map Talomo District



Integrated Zoning Map Toril District



Integrated Zoning Map Tugbok District

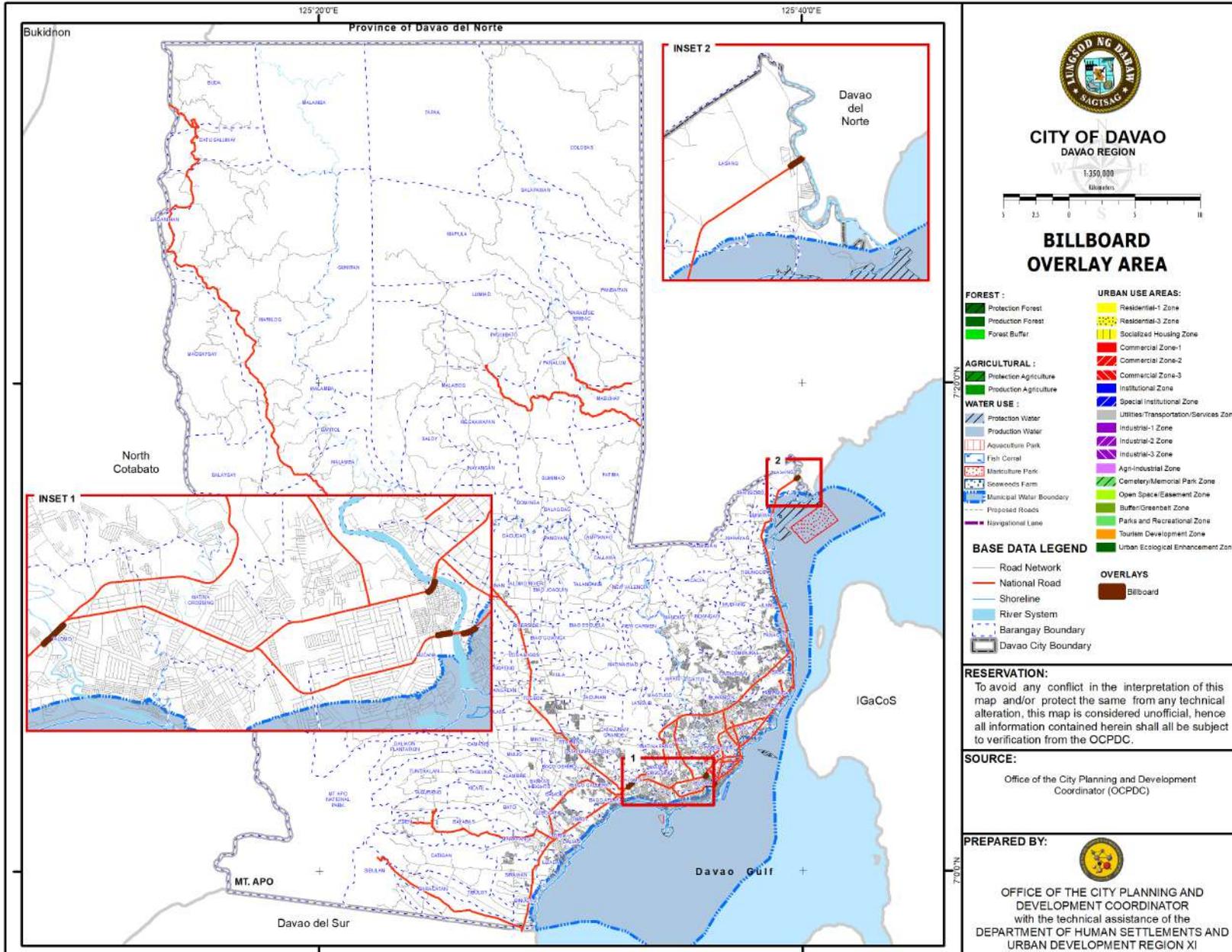


Annex 2

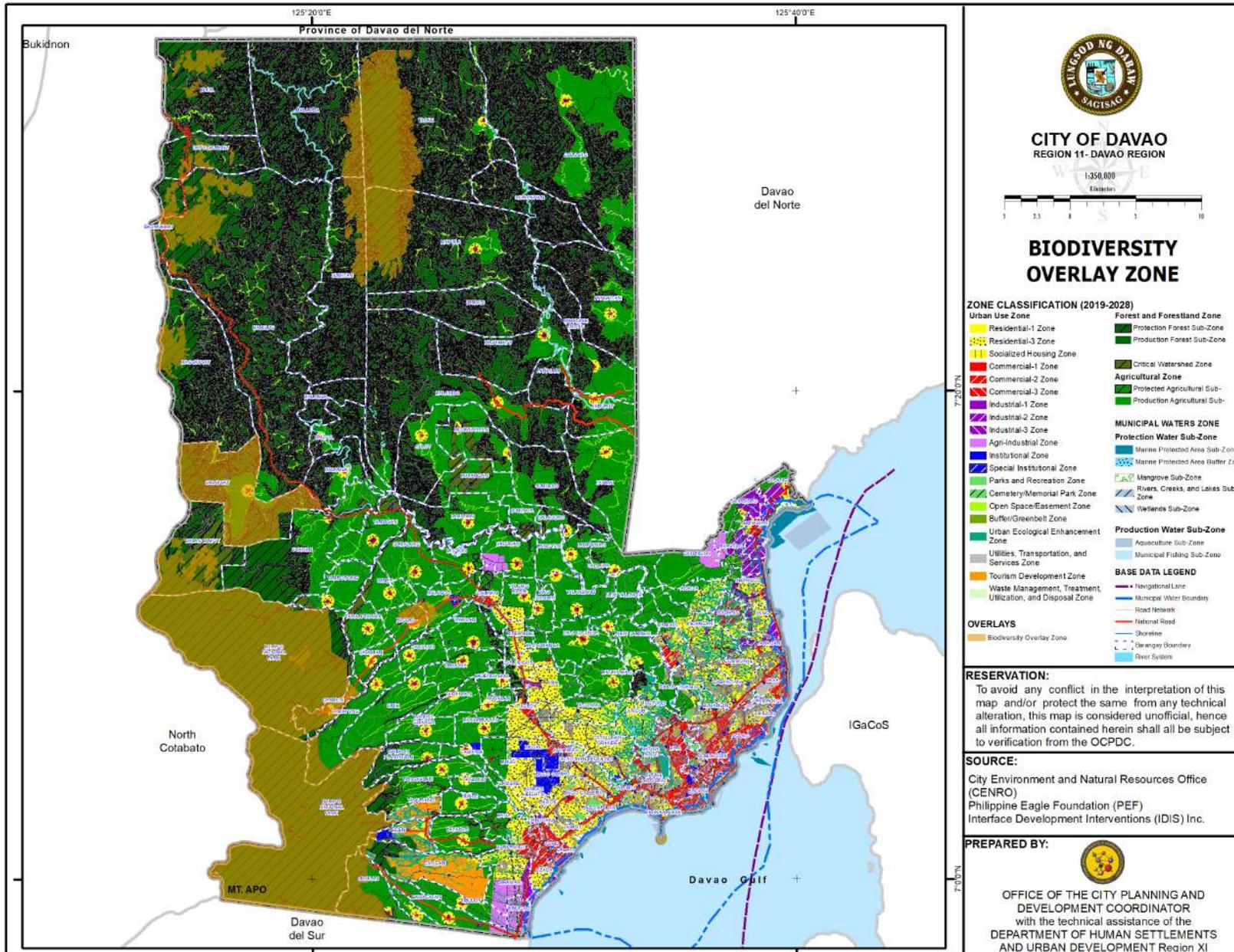
Overlay Maps

Comprehensive land use plan 2019-2028

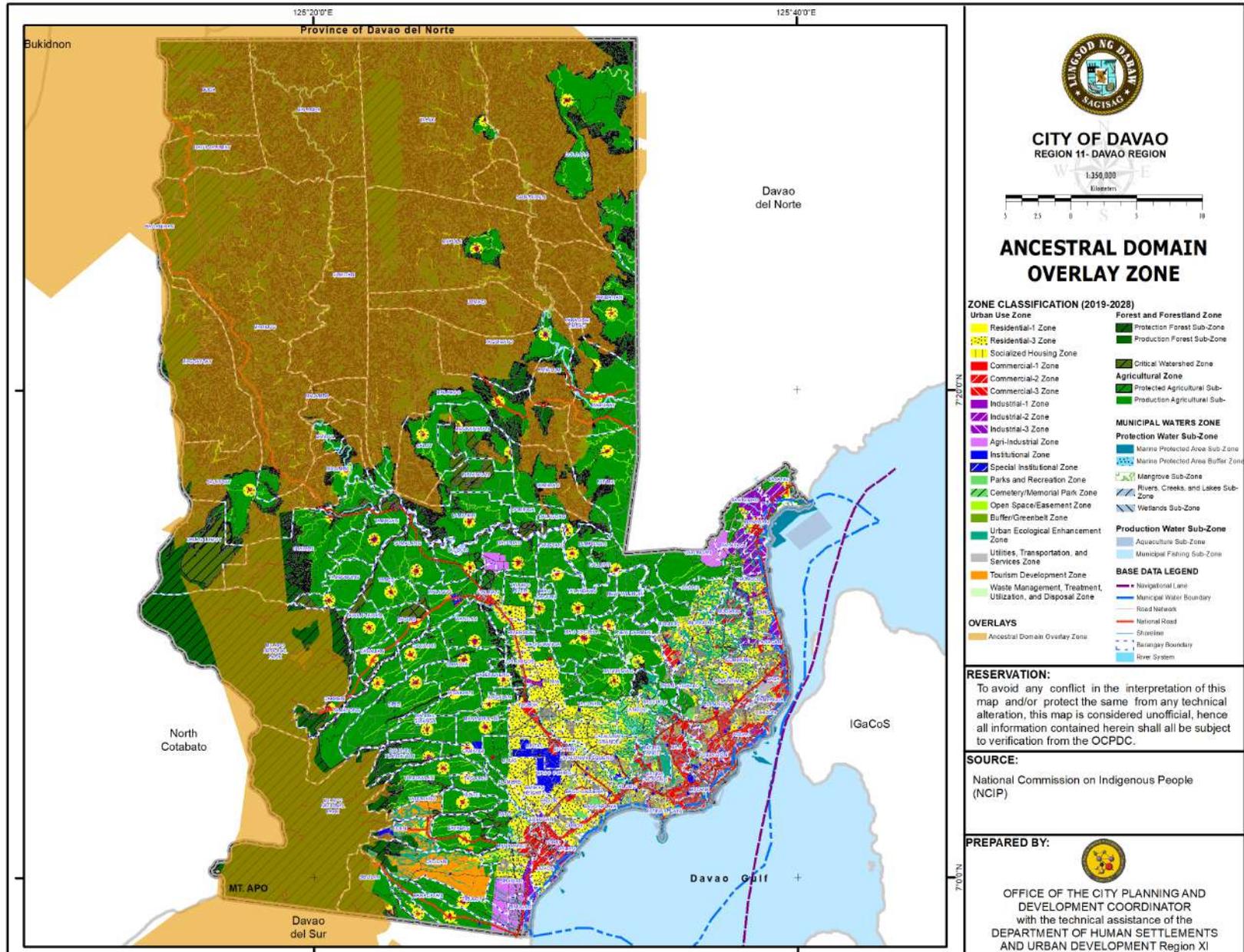
Billboard Overlay Map



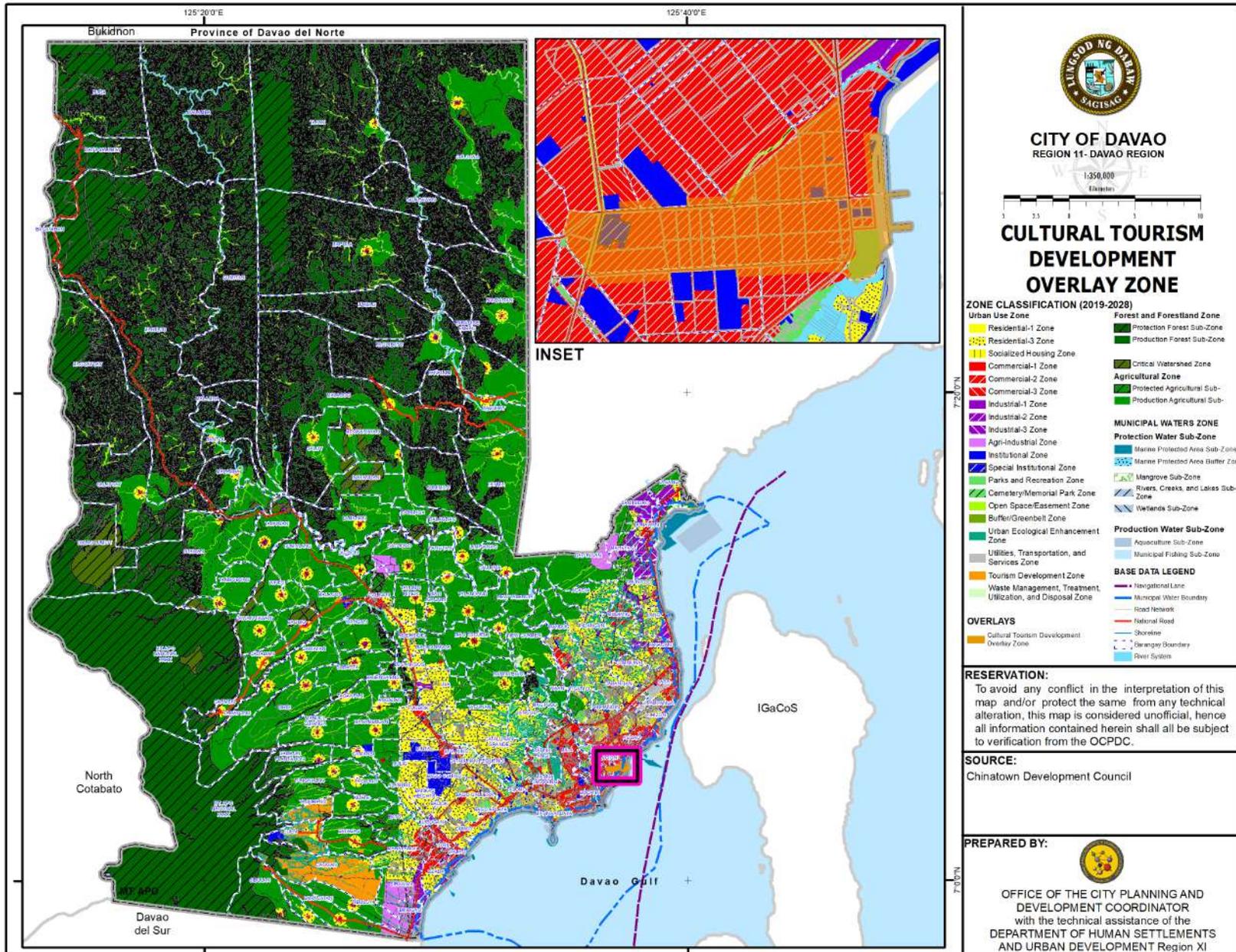
Biodiversity Overlay Zone



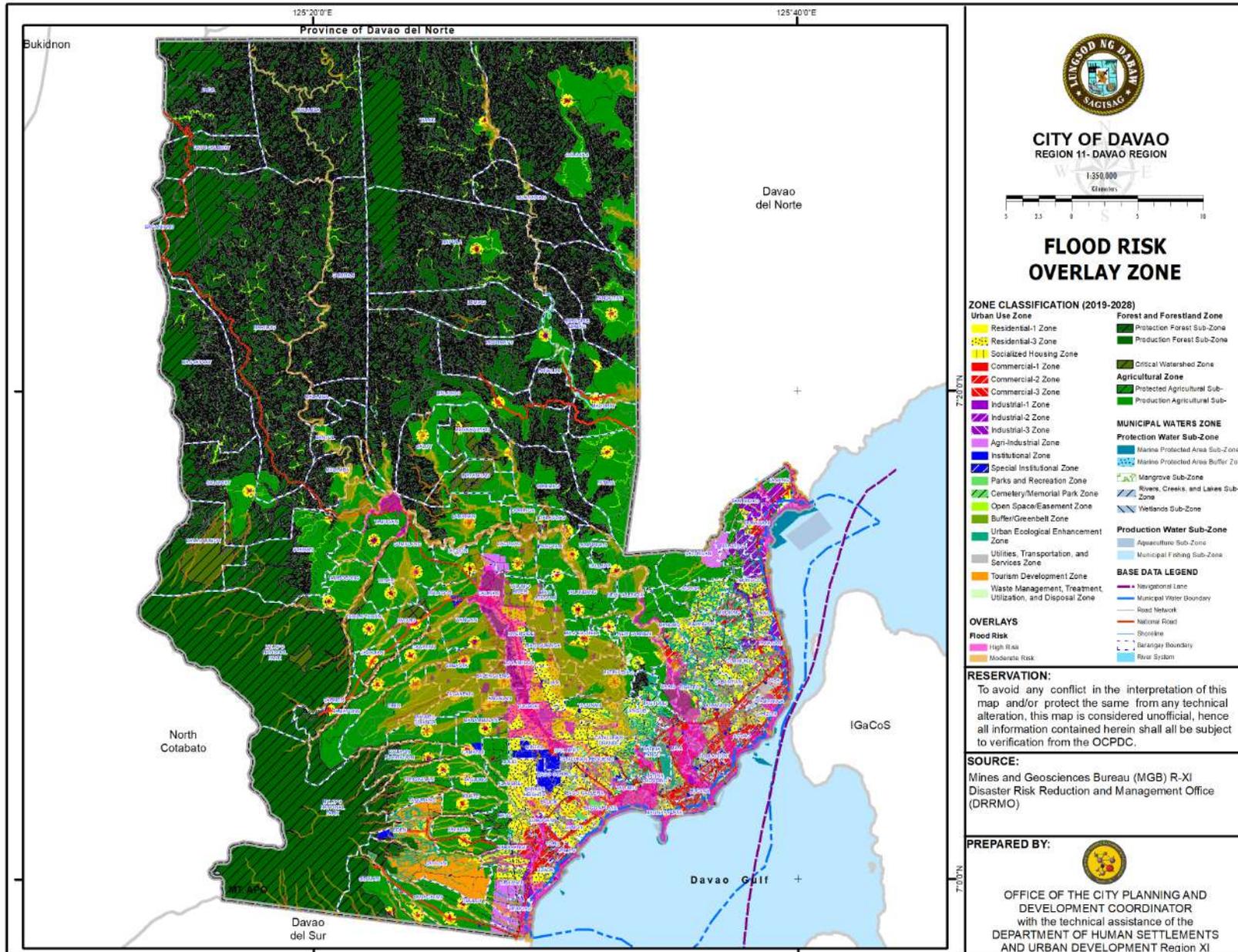
Ancestral Domain Overlay Zone



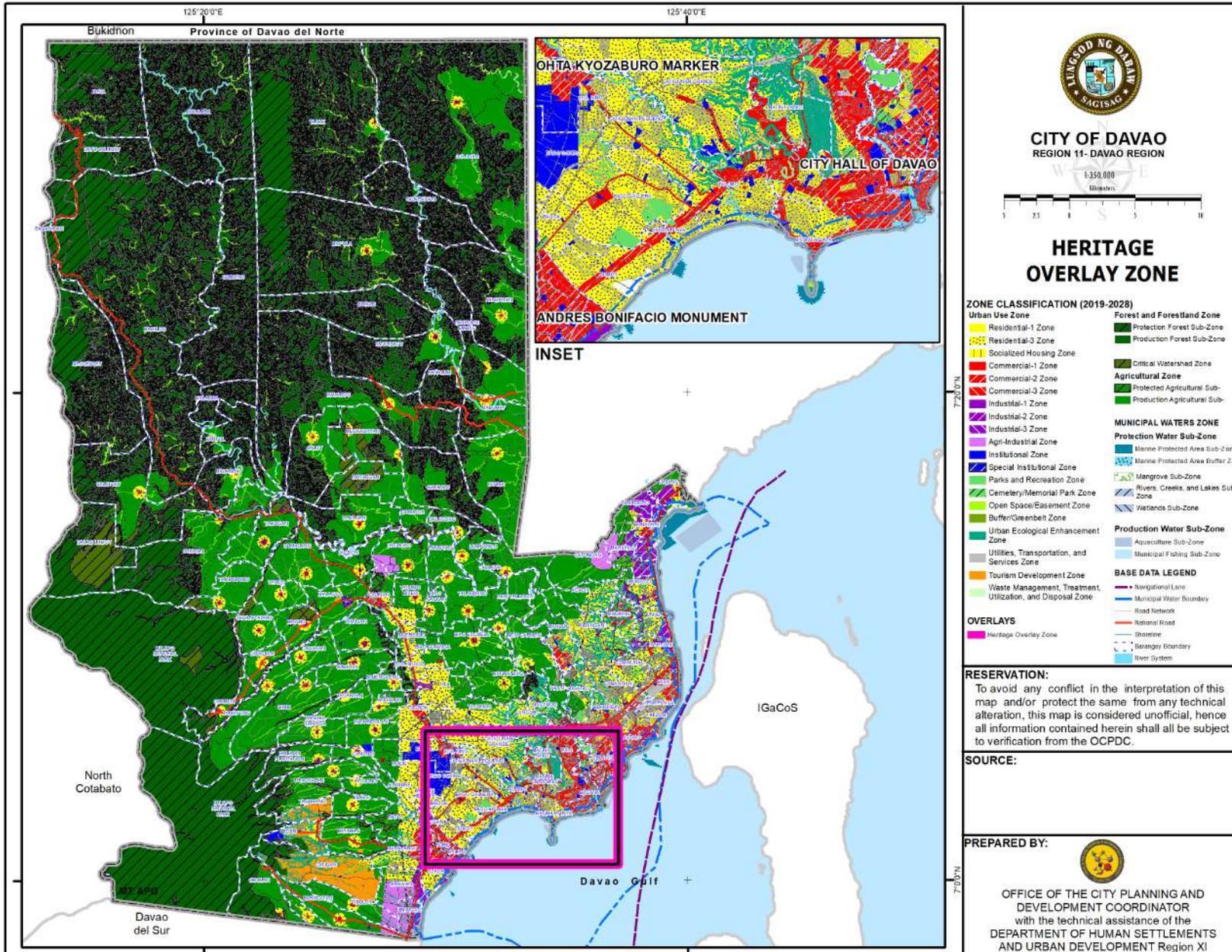
Cultural Tourism Development Overlay Zone



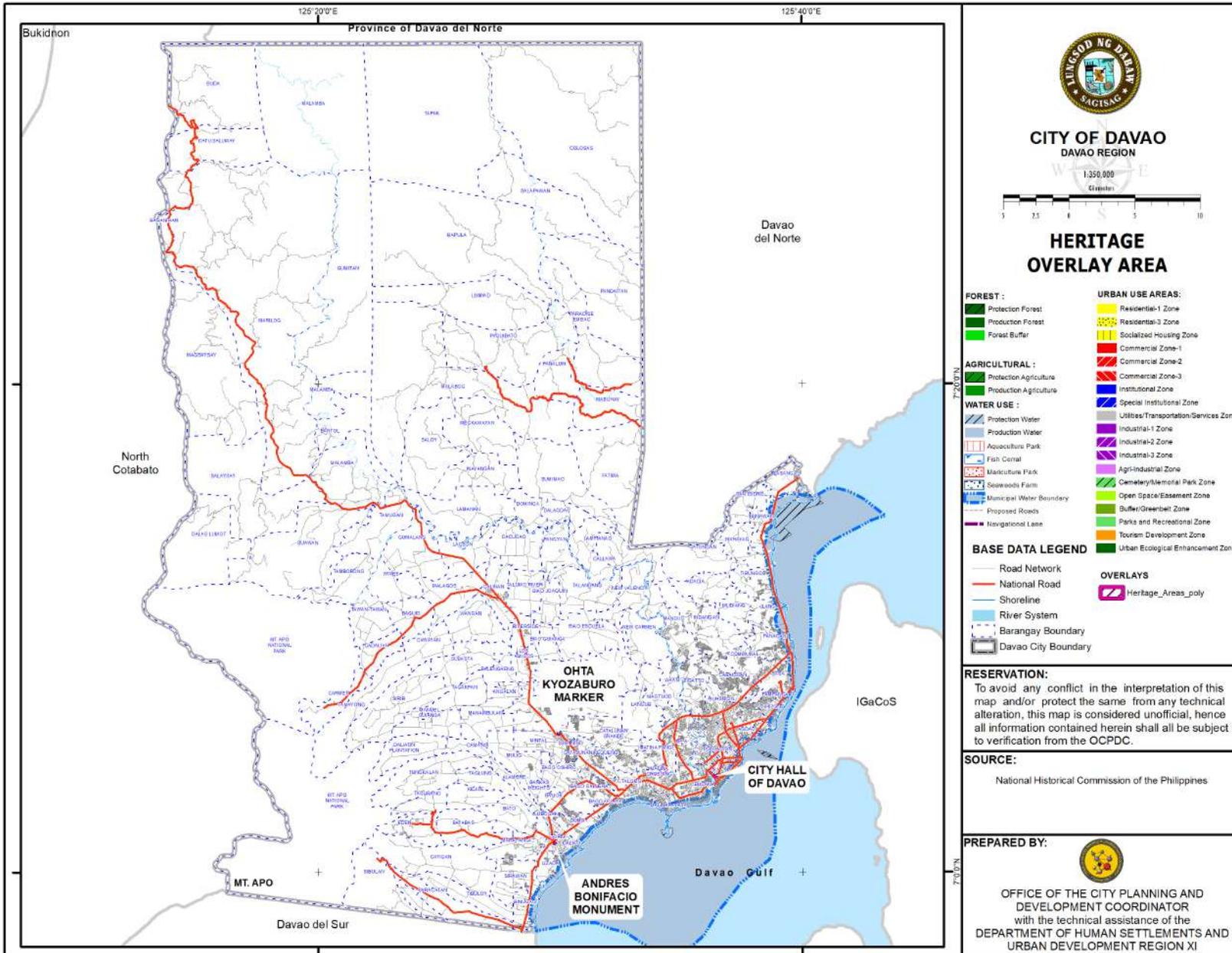
Flood Risk Overlay Zone



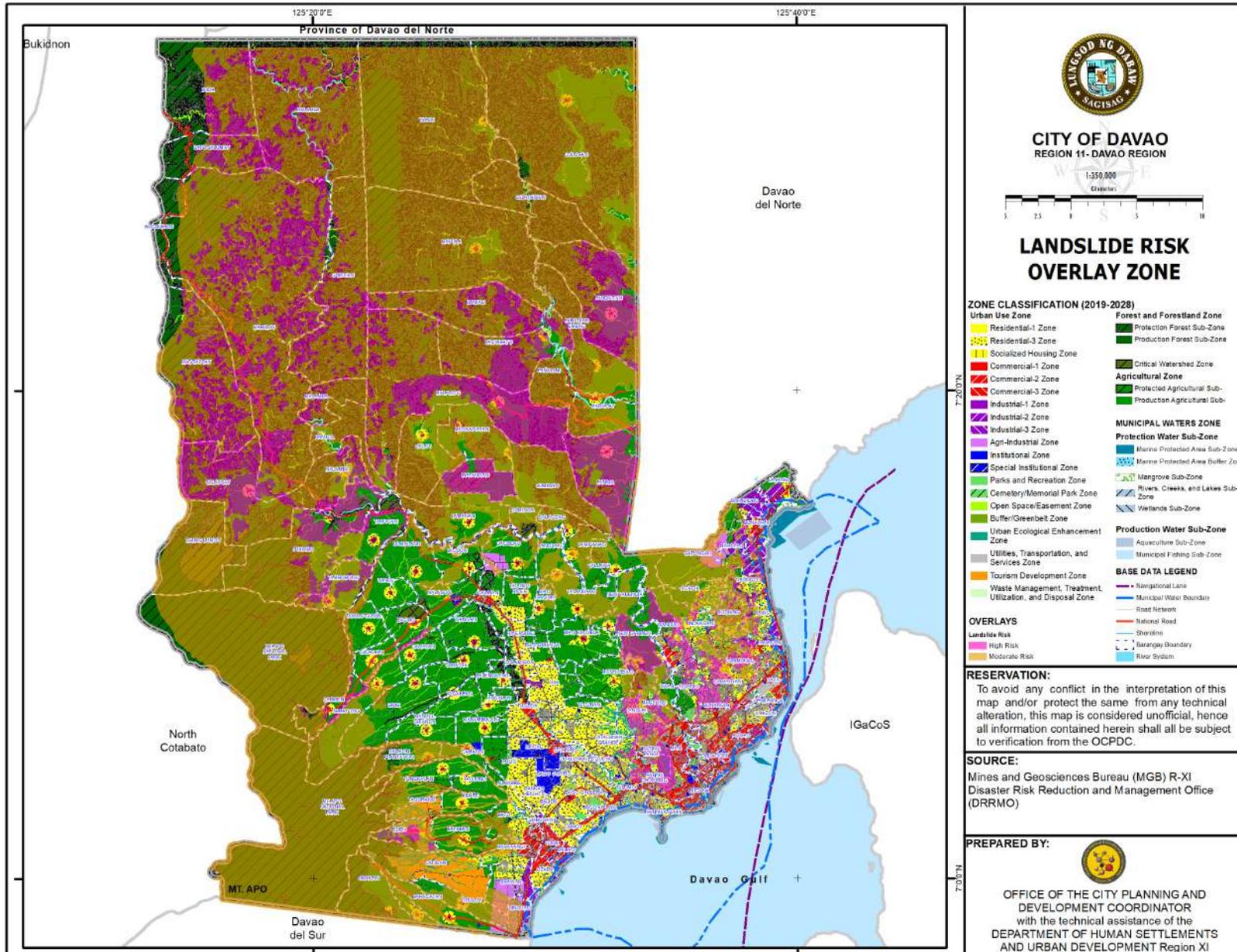
Heritage Overlay Zone



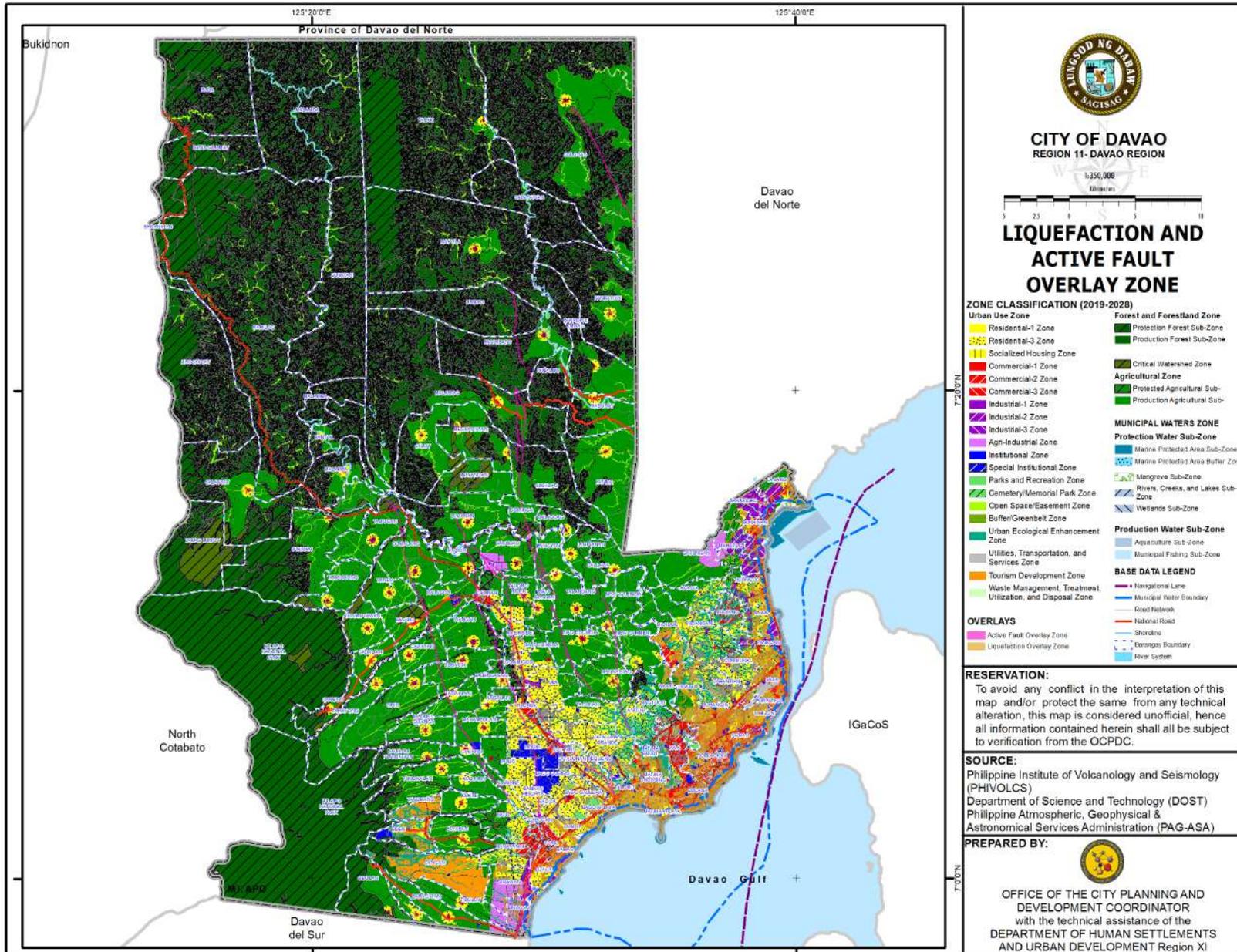
Heritage Overlay Area



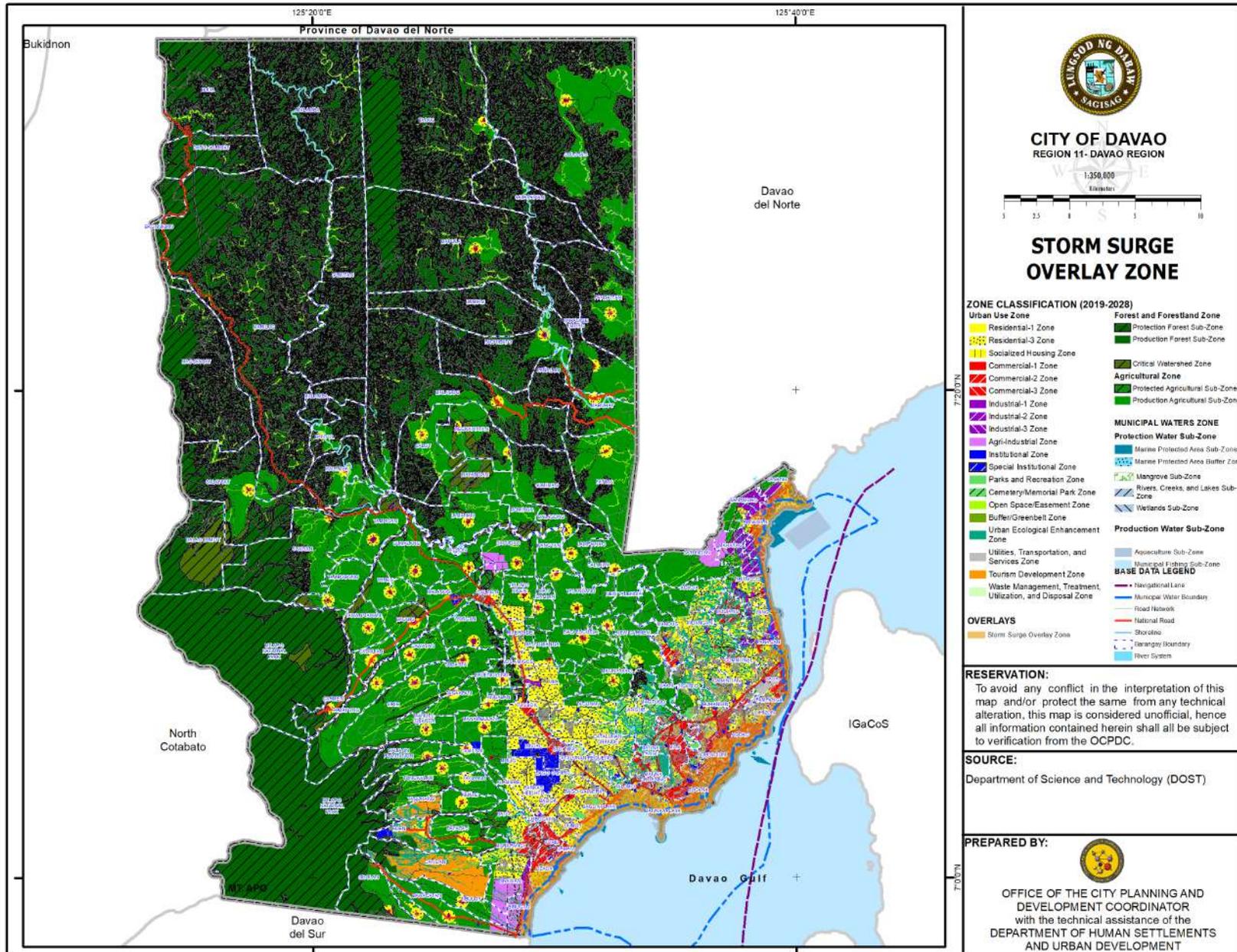
Landslide Risk Overlay Zone



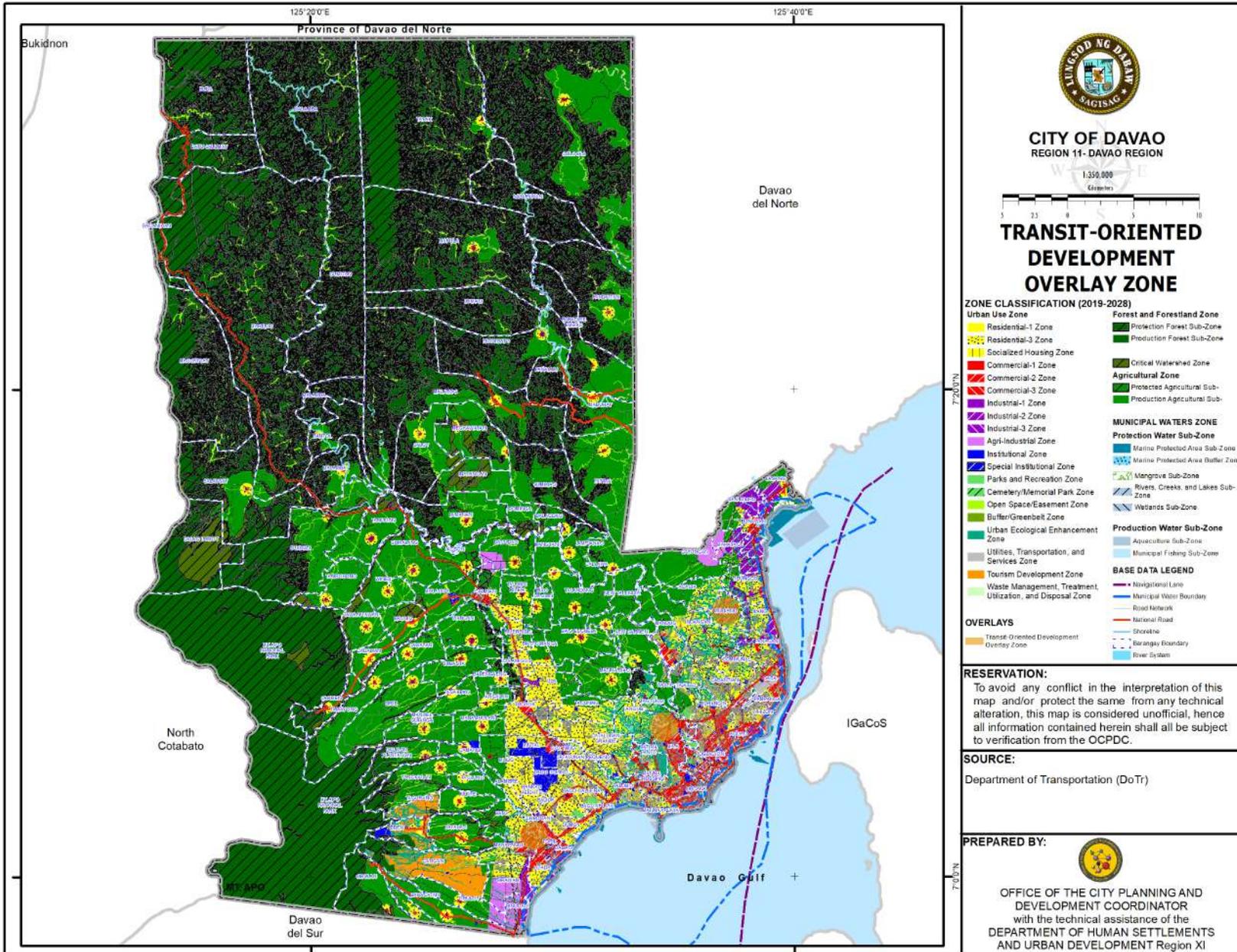
Liquefaction and Active Fault Overlay Zone



Storm Surge Overlay Zone



Transit-Oriented Development Zone



Water Resource Overlay Zone

