



Republic of the Philippines
Province of Cebu
SANGGUNIANG PANLUNGSOD
City of Naga



EXCERPT FROM THE MINUTES OF THE 17TH REGULAR SESSION OF THE 5TH SANGGUNIANG PANLUNGSOD (SP) HELD AT THE SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON OCTOBER 26, 2022.

PRESENT:

HON. VIRGILIO M. CHIONG	- Vice Mayor /Presiding Officer
HON. CLINT ISIDRO A. CHIONG	- Presiding Officer Pro Tempore
HON. CARMELINO N. CRUZ, JR.	- Majority Floor Leader
HON. SCOTT JUVENAL A. CHIONG	- Assistant Majority Floor Leader/Liga ng mga Barangay President
HON. ALEXANDER R. LARA	- Sangguniang Panlungsod Member
HON. AURELIO B. ALINSONORIN	- Sangguniang Panlungsod Member
HON. CHARMAINE R. NAVARRO	- Sangguniang Panlungsod Member
HON. RAY A. MANABAT	- Sangguniang Panlungsod Member
HON. LUZMINDA R. LAPITAN	- Sangguniang Panlungsod Member
HON. JUSTINO L. DAKAY	- Sangguniang Panlungsod Member
HON. DOMINADOR A. LIBOR	- Sangguniang Panlungsod Member
HON. LETECIA F. ABANGAN	- Sangguniang Panlungsod Member
HON. KERSY C. BAFLOR	- SK Federation President

CITY ORDINANCE NO. 2022-02

Hon. Dominador A. Libor - Sponsor

Chairperson, Committee on Housing, Urban Planning and Land Utilization

APPROVING THE 2022 REVISED COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF NAGA, CEBU, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH

EXPLANATORY NOTE

Zoning is the division of a city into zones or sub-zones (e.g. commercial, residential, industrial, institutional, agricultural, forest, etc.) according to present and potential uses of land to maximize, regulate and direct their use and development in accordance with the Comprehensive Land Use Plan (CLUP).

Section 458 a (2) (ix) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 empowers the local government units (LGUs), through the local Sanggunian, to enact zoning ordinances in consonance with the approved CLUP, subject to existing laws, rules and regulations

Moreover, the enactment of zoning ordinances in consonance with Section 2 (c) of the same Code states that the LGUs shall continue to prepare their respective CLUPs enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources taking into consideration the requirements for food production, human settlements, and industrial expansion.

The benefits attributed to zoning include, among others, the use of prime agricultural land for agricultural purposes and high value areas for intense urban developments; promotion of public health and safety through compatible arrangement of various land uses; preservation of desirable character and real estate values of the zone or sub-zone through standards intended to facilitate high quality and appropriate developments; and promotion of the rational and orderly growth of the city by employing a system that allows the adequate evaluation of development proposals in both public and private lands.

The City Government deems it necessary for its old zoning ordinance to be revised and updated in order for this LGU to be responsive and attuned to the existing landscape, changing conditions and environment.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

ARTICLE I. TITLE OF THE ORDINANCE

SECTION 1. SHORT TITLE. This Ordinance shall be known as the "2022 Revised Comprehensive Zoning Ordinance of the City of Naga, Cebu" and shall hereinafter be referred to as the Ordinance or RCZO.

ARTICLE II. AUTHORITY AND PURPOSE

SECTION 2. AUTHORITY. This Ordinance is enacted pursuant to the provisions of RA 7160 Sections 447, 448 and 458 a.2 (7-9), "authorizing the City, through the Sangguniang Panlungsod (SP), to adopt a Zoning Ordinance subject to the provisions of existing laws" and in accordance with related laws such as but not limited to the Commonwealth Act 141, RA 8550 Fisheries Code, PD 705 Forestry Code, PD 1067 Water Code, PD 1096 National Building Code (NBC), and EO No. 72.

SECTION 3. PURPOSE. The RCZO is enacted for the following purposes:

1. To promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the city;
2. To guide, control and regulate the growth and development of public and private lands in the City of Naga in accordance with its CLUP;
3. To provide the proper regulatory environment to maximize opportunities for creativity, innovation and to make ample room for development within the framework of good governance and community participation; and
4. To 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.

SECTION 4. GENERAL ZONING PRINCIPLES. These Zoning Regulations are based on the principles provided in the approved CLUP 2020-2029.

1. The Ordinance reflects the city's vision to become "a city of energy in the region, cradled in a clean, peaceful and balanced environment, propelled by a progressive economy and wholesome people, supported by sustainable infrastructure, steered by dynamic local leadership and proactive people participation."
2. The LGU recognizes that any land use is a use by right but stipulates, however, that the exercise of such right shall be subject to the standards of this Ordinance;
3. The Ordinance is designed to encourage the evolution of high-quality development rather than regulating against the worst type of projects;
4. The Ordinance provides a direct venue for community empowerment where the stakeholders become involved especially in critical development decisions; and
5. The regulations in the RCZO 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

SECTION 5. DEFINITION OF TERMS. Words and phrases used in this RCZO are compiled and defined below and are integral part of this Ordinance. The interpretation of technical terms shall carry the same meaning given to them in already approved codes, rules and regulations, such as, but not limited to, the National Building Code, Water Code, Philippine Environmental Code, Code on Sanitation, National Pollution Control Act of 1976, Urban Development and Housing Act (UDHA) of 1992 and other Implementing Rules and Regulations, promulgated by the Housing Land Use and Regulatory Board (HLURB).

Absolute Majority Vote – means that the affirmative vote of all SP members or 6 affirmative votes.

Accessory Use – pertains to those that are customarily associated with the Principal Use application (such as a garage is an accessory to a house).

Actual Use – refers to the purpose by which the property is principally or predominantly utilized by the person in possession of the property.

AFMA – shall refer to the Agriculture and Fisheries Modernization Act of 1997 or RA 8435.

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.

Agricultural Land – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.

Agricultural Land Use Conversion – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.

Agricultural Zone (AGZ) – an area within a city intended "for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations..." (AFMA).

Agri-Industrial Zone (AgIndZ) – an area within a city intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugarcane, etc. or raising of at least 21 heads of adults and zero young; or at least 41 heads of young; or at least 10 heads of adults and 22 heads of young animals of the bovine family (e.g., cattle, carabao, goats, etc.)

Agri-Processing Activities – "refers to the processing of raw agricultural and fishery products into semi processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products" (AFMA).

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 and to include fully mined-out areas converted to rehabilitation sites for eco-agricultural activities.

Allowable Uses – uses that conform to those allowed in a specific zone and those that are given exemptions by express declaration of the Variance Committee.

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 lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs.

Aquaculture Sub-Zone (Aq-SZ) – an area within the City Waters Zone of a city designated for "fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas" (Fisheries Code).

Areas for Priority Action – areas within the city that are affected or in danger of being drastically affected by landslide, flood, storm surge, or any kind of hazard where buildings and establishments are located.

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).

Base Zones – refers 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.

Buffer/Greenbelt Zone (B/G-Z) – areas within a city that are yards, parks or open spaces intended to separate incompatible elements or uses to control pollution/nuisance and for identifying and defining development areas or zones where no permanent structures are allowed.

Building Height Limit (BHL) – per the National Building Code, this is “the maximum height to be allowed for buildings/structures and shall be generally measured from the established grade line to the topmost portion of the proposed building/structure. If applicable, the BHL may be subject to clearance requirements of the Civil Aviation Authority of the Philippines (CAAP) or the concerned military/security authorities.” BHL is expressed as the number of allowable storey/s/floor above established grade and/ or meters above highest grade.

Cemetery/Memorial Park Zone (C/MP-Z) – an area in a city intended for the interment of the dead.

Certificate of Non-Conformance – certificate issued to Owners of non-conforming uses as provided in this RCZO. It shall also include establishments not conforming but allowed to exist by the Local Zoning Board of Appeals.

Central Business District (CBD) – shall refer to areas designated principally for trade, services and business purposes.

City Waters Zone (WZ) – per RA 8550 or the Philippine Fisheries Code of 1998, this zone covers the City 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 RA 7586 (The National Integrated Protected Areas System (NIPAS) Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters... (Boundary delineation defined in the Fisheries Code)."

Class "AAA" Slaughterhouse/Abattoir – those with facilities and operational procedures appropriate to slaughter livestock and fowls for sale in any market, domestic or international.

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.

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.

Commercial-1 Zone (C1-Z) – a low density commercial area within a city intended for neighbourhood or community scale trade, service and business activities.

Commercial-2 Zone (C2-Z) – a medium to high density commercial area within a city intended for trade, service and business activities performing complementary/supplementary functions to the CBD.

Commercial-3 Zone (C3-Z) – 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 stadium or sports complexes area also allowed in this zone. This zone may also be called as the CBD.

Commercial Garage – a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.

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 RCZO.

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 CLUP in this usage are the land use plan and sectoral studies including Demography, Ecosystems Analysis (Terrestrial and Coastal), and Special Area Studies such as Climate Change Adaptation, Disaster Risk Reduction and Management, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.

Comprehensive Development Master Plan (CDMP) – a unitary development plan/site plan that permits flexibility in planning/urban design, building/structure siting, complementary of building types and land uses, usable open spaces for general public uses services and business activities and the preservation of significant land features (NBC) and may also be referred to as a Master Development Plan.

Conflicting Uses – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.

Conforming Use – a use that is in accordance with the zone regulations as provided for in the Ordinance.

Deed Restrictions – written order, and agreements that imposes limitations on the use of property in order to maintain the intended character of a neighbourhood.

Easement – open space imposed on any land use/activities sited along waterways, fault lines, road rights-of-way, cemeteries/memorial parks, utilities and the like.

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 Department of Environment and Natural Resources (DENR) Administrative Order (AO) 2013-19 Guidelines on Ecotourism Planning and Management in Protected Areas).

Ecotourism Overlay Zone (ETM-OZ) – an area in a city intended for ecotourism uses.

Environmentally Critical Areas (ECA) – refer to those areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 1981, as follows:

1. All areas declared by law as national parks, watershed reserves, wildlife preserves and sanctuaries;
2. Areas set aside as aesthetic potential tourist spots;
3. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna);
4. Areas of unique historic, archaeological, or scientific interests;
5. Areas which are traditionally occupied by cultural communities or tribes;
6. Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.);
7. Areas with critical slopes;
8. Areas classified as prime agricultural lands;
9. Recharge areas of aquifers;
10. Water bodies characterized by one or any combination of the following conditions:
 - a. tapped for domestic purposes;
 - b. within the controlled and/or protected areas declared by appropriate authorities; and
 - c. Which support wildlife and fishery activities.
11. Mangrove areas characterized by one or any combination of the following conditions:
 - a. with primary pristine and dense young growth;
 - b. adjoining the mouth of major river systems;
 - c. near or adjacent to traditional productive fry or fishing grounds;
 - d. which act as natural buffers against shore erosion, strong winds and storm floods; and
 - e. On which people are dependent on their livelihood.
12. Coral reef characterized by one or any combination of the following conditions:
 - a. with 50% and above live coralline cover;
 - b. spawning and nursery grounds of fish; and
 - c. Which acts as natural breakwater of coastlines.

Proponents of Projects within ECAs are required to submit Initial Environmental Examinations to DENR Regional Offices. They may later be required by the DENR to submit an Environmental Impact Statement (EIS), if necessary. The City Council must also endorse and/or comment on it.

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:

1. Heavy industries
 - a. non-ferrous metal industries;
 - b. iron and steel mills;
 - c. petroleum and petro-chemical industries including oil and gas; and
 - d. Smelting plants.

2. Resource extractive industries
 - a. major mining and quarrying projects; and
 - b. Forestry projects such as logging, major wood processing, introduction of fauna (exotic animals) in public/private forests, forest occupancy, extraction of mangroves and grazing.
 - c. fishery projects (dikes for/and fishpond development projects)
3. Infrastructure projects
 - a. major dams;
 - b. major power plants (fossil-fuelled, nuclear-fuelled, hydroelectric or geothermal);
 - c. major reclamation projects, and
 - d. Major roads and bridges.
4. Golf course projects

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

Environmental Impact Statement (EIS) System – pursuant to PD 1586 of 1978, refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the significance of the effects of physical developments on the quality of the environment. Projects that fall within the purview of the EIS System include:

1. ECPs
2. Projects located in ECAs

Estuary – a partially enclosed body of water along the coast where freshwater from rivers and streams meets and mixes with salt water from the ocean.

Exception – a device which grants a property owner relief from certain provisions of the Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

Fisheries Code – shall refer to the Philippine Fisheries Code of 1998 (RA 8550).

Fishery Refuge and Sanctuary Sub-Zone (FRS-SZ) – an area within the City Waters Zone of a city “where fishing or other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted” (Fisheries Code).

Fish Pond – “a land-based facility enclosed with earthen or stone material to impound water for growing fish” (Fisheries Code).

Flood Overlay Zone (FLD-OZ) – areas in a city that have been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.

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.

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 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.

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 (ha) with tree crown covering at least ten percent (10%) of the areas, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is a stand dominated by trees whose structure, functions and dynamics have been largely the result of natural succession process. A natural forest is classified as either (1) primary or virgin forest which has not 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 maybe classified into either degraded or productive type (DENR Administrative Order (DAO) No. 99-53).

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, 1978).

Forest Reservation – refers to “forestlands which have been reserved by the President of the Philippines for any specific purpose or purposes” (Forestry Code).

Forest Zone (FZ) – areas within a city which are intended primarily for forest purposes. This includes forestlands and areas outside of forestlands that are declared for forest purposes by this Ordinance.

Forestry Code – refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.

General Institutional Zone (GI-Z) – an area within the city principally for general types of institutional establishment e.g., government offices, schools, hospital/clinic, academic/research, convention centers.

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

1. Office areas
2. Residential areas
3. Corridors
4. Lobbies
5. Mezzanine
6. Vertical penetrations, which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls
7. Rest rooms or toilets
8. Machine rooms and closets
9. Storage rooms and closets
10. Covered balconies and terraces
11. Interior walls and columns, and other interior features but excluding:
 - a. Covered areas used for parking and driveways, including vertical
 - b. Penetrations in parking floors where no residential or office units are present
 - c. Uncovered areas for air-condition cooling towers, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or Jacuzzi, gardens, courts or plazas.

Hazard Overlay Zone – areas within cities that are affected by landslide, flood, storm surge, or any kind of hazard where agricultural lands are located. These are areas that inform people that there is a hazard located in a specific area.

Heritage Act – shall mean the National Cultural Heritage Act of 2009 or RA 10066 and any other Ordinance the city may pass.

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).

Industrial-1 Zone (I1-Z) – an area within cities intended for light manufacturing or production industries that are:

1. non-pollutive/non-hazardous; and
2. non-pollutive/hazardous

Industrial-2 Zone (I2-Z) – an area within cities intended for medium intensity manufacturing or production industries that are:

1. pollutive/non-hazardous; and
2. pollutive/hazardous

Industrial-3 Zone (I3-Z) – an area within cities intended for heavy manufacturing or production industries that are:

1. highly pollutive/non-hazardous
2. highly pollutive/hazardous
3. highly pollutive/extremely hazardous
4. pollutive/extremely hazardous
5. non-pollutive/extremely hazardous

Inland Fishery – the freshwater fishery and brackish water fishponds (Fisheries Code).

Innovative Design– introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development.

IPRA – shall mean the Indigenous Peoples Rights Act of 1997 (Republic Act 8371).

Joint-Venture Projects – the developer may enter into a joint project or agreement with the city LGU or any of the housing agencies to develop a socialized housing project (BP 220).

Landslide Overlay Zone (LSD-OZ) – areas in a city that have been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.

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.

Locational Clearance (LC) – a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.

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.

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.

Mangrove Sub-Zone (Mn-SZ) – an area in the City Waters Zone of a city 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).

Materials Recovery Facility (MRF) – includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.

Mines and Geosciences Bureau Zonation Overlay Zone – covers areas affected by the landslide that occurred in 2018 at the quarry site of the Apo Land and Quarry Corporations (ALQC).

Mineral Land Zone (ML-Z) – an area in a city “where mineral resources are found” and declared by the government as having mineral resources in accordance with the Mining Act.

Mining Act – shall refer to the Philippine Mining Act of 1995 or RA 7942.

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.

Navigational Lane – areas in the city designated for the passage of water vessels.

New Settlement – development of an entire new settlement or a portion thereof as certified by the appropriate national agency or by the city LGU (BP 220).

NIPAS Act – shall refer to the National Integrated Protected Areas System Act of 1992 or RA 7586.

No Build Zone – areas within the city that are affected by high levels of landslide, flood, storm surge, or any kind of hazard that is present in the area. These are areas affected by greater than three (3) meters flood depth, and areas where sinkholes are located.

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 RCZO.

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.

Non-NIPAS Areas – areas yet 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:

1. Reserved second growth forests;
2. Mangroves;
3. Buffer strips;
4. Freshwater swamps and marshes; and
5. Un-proclaimed watersheds.

Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAAD) – per AFMA, refers to agricultural areas identified by the Department of Agriculture (DA) 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. The NPAAAD covers the following:

1. All irrigated areas;
2. All irrigable lands already covered by irrigation projects with firm funding commitments;
3. All alluvial plain land highly suitable for agriculture whether irrigated or not;
4. Agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises;
5. Highlands or areas located at an elevation of 500 meters or above and have the potential for growing semi-temperate and high-value crops;
6. All agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation; and
7. Mangrove areas and fish sanctuaries.

Official Zoning Map – a duly authenticated map delineating the different zones into which the whole city is divided.

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.

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.

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

Planned Unit Development (PUD) – a land development scheme wherein the project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complementarity of building types and land uses, usable open spaces and the preservation of significant natural land features.

Port – an area with facilities for loading and unloading of ships and may include, among others, harbor, docks, wharves, and piers.

Production Agricultural Sub-Zone (PDA-SZ) – areas within the Agricultural Zone of cities that are outside of the NPAAAD and declared by the city for agricultural use.

Production Forest – areas within a city 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” (DAO 95- 15). 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).

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:

1. Strict nature reserves;
2. Natural parks;
3. National monuments;
4. Wildlife sanctuary;
5. Protected landscapes and seascapes;
6. Resource reserves;
7. Natural biotic areas; and
8. Other categories established by law, conventions or international agreements which the Philippine Government is a signatory

Protection Forest – areas within the city that are “forestlands outside NIPAS obtained essentially for their beneficial influence on soil and water in particular and the environment in general (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).

Quarry Sub-Zone (Q-SZ) – areas within the Mineral Land Zone of the city that are declared by the Director of Mines and Geosciences Bureau as having “quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass” (Mining Act).

Quarrying – shall mean “the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land” (Mining Act).

Reclassification of Agricultural Lands – “the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, and commercial as embodied in the CLUP” (LGC and MC 54).

Residential-1 Zone (R1-Z) – an area within the city 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.

Residential-2 Zone (R2-Z) – an area within the city intended for medium density residential use. Per the NBC, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.

Rezoning – a process of introducing amendments to or change in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.

Sinkholes Overlay Zone – areas in the city that have been identified as susceptible to sinkholes and where specific regulations are provided in order to minimize its potential negative effect to developments.

Silviculture – refers to the establishment, development, reproduction, and care of forest trees” (Forestry Code).

Slum Upgrading – development, upgrading and improvement of a slum or blighted area to be certified by the National Housing Authority or the city LGU (BP 220).

Sinkholes – a cavity in the ground, especially in limestone bedrock, caused by water erosion and providing a route for surface water to disappear underground.

Socialized Housing – refers to "housing, programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens" (UDHA).

Socialized Housing Zone (SH-Z) – an area in a city designated for socialized housing projects.

Special Institutional Zone (SI-Z) – an area within a city 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.

Storm Surge Overlay Zone (SS-OZ) – areas in a city that have been identified as highly susceptible to storm surge and where specific regulations are provided in order to minimize its potential negative effect to developments.

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" (AFMA).

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.

Tourism Act – shall mean the Tourism Act of 2009 or RA 9593.

Tourism Zone (T-Z) – are sites within cities endowed with natural or man-made physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

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" (Forestry Code).

UDHA – shall mean the Urban Development and Housing Act of 1992 or RA 7279.

Utilities, Transportation and Services Zone (UTS-Z) – an area in a 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" (NBC).

Variance – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

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

Water Code – shall mean the Water Code of the Philippines (PD 1067).

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

Yard – as defined in the National Building Code, this 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."

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

Zoning Administrator/Zoning Officer – a city government employee responsible for the implementation/enforcement of the RCZO.

Zoning Certificate – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.

ARTICLE IV. ZONE CLASSIFICATIONS

SECTION 6. DIVISION INTO ZONE 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 found in Annex B.

SECTION 7. BASE ZONES. The following are designated as Base Zones:

1. Forest Zone (FZ)
2. Agricultural Zone (AGZ)
 - Production Agricultural Sub-Zone (PDA-SZ)
3. Agri-industrial Zone (AgIndZ)
4. City Waters Zone (WZ)
 - Aquaculture Sub-Zone (Aq-SZ)
 - Fishery Refuge and Sancturay Sub-Zone (FRS-SZ)
 - Mangrove Sub-Zone (Mn-SZ)
5. Mineral Land Zone (MLZ)
 - Quarry Sub-Zone (Q-SZ)
6. Residential-1 Zone (R1-Z)
7. Residential-2 Zone (R2-Z)
8. Socialized Housing Zone (SH-Z)
9. Commercial-1 Zone (C1-Z)
10. Commercial-2 Zone (C2-Z)
11. Commercial-3 Zone (C3-Z)
12. General Institutional Zone (GI-Z)
13. Special Institutional Zone (SI-Z)
14. Industrial-1 Zone (I1-Z)
15. Industrial-2 Zone (I2-Z)
16. Industrial-3 Zone (I3-Z)
17. Parks and Recreation Zone (PR-Z)
18. Cemetery/Memorial Park Zone (C/MP-Z)
19. Buffer/Greenbelt Zone (B/G-Z)
20. Tourism Zone (T-Z)
21. Utilities, Transportation, and Services Zone (UTS-SZ)

SECTION 8. OVERLAY ZONES. The following are designated as Overlay Zones:

1. Ecotourism Overlay Zone (ETM-OZ)
2. Flood Overlay Zone (FLD-OZ)
3. Landslide Overlay Zone (LSD-OZ)
4. Mines and Geosciences Bureau (MGB) Zonation Overlay Zone
5. Sinkholes Overlay Zone
6. Storm Surge Overlay Zone (SS-OZ)

SECTION 9. ZONING MAPS. It is hereby adopted as an 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 C).

SECTION 10. ZONE BOUNDARIES. The locations and boundaries of the above-mentioned various zones into which the city has been subdivided are identified and specified in Annex C.

SECTION 11. INTERPRETATION OF ZONE BOUNDARIES. In the interpretation of the boundaries for any of the zones indicated on the Zoning Map, the following rules shall apply:

1. Where zone boundaries are so indicated that they approximately follow the center of streets or highway, the streets or highways right-of-way (ROW) 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 ROW lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance there from as indicated in the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown in said zoning map.
4. Where the boundary of a zone follows approximately a railroad line, such boundary shall be deemed to be the railroad ROW.
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 shoreline 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 the effective date of this Ordinance, is divided by a zone boundary line, the lot shall be construed to be within the zone where the major portion of the lot is located. In case the lot is bisected by the boundary line, it shall fall in the zone where the principal structure falls.
7. Where zone boundaries are indicated by lot parcels or said to be one-lot deep, this should mean that the said zone boundaries are defined by the parcellary subdivision existing at the time of the passage of this Ordinance.
8. The textual description of the zone boundaries shall prevail over that of the Official Zoning Maps.

ARTICLE V. ZONE REGULATIONS

SECTION 12. GENERAL PROVISIONS. Zone regulations refer to Use and Building Regulations as described below:

ALLOWABLE USES

- The uses enumerated in the succeeding sections are not exhaustive nor all inclusive. The 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 NBC and this Ordinance. In certain zones, the design of buildings/structures may also be regulated by this Ordinance according to Building Height Limit in consonance with the NBC and to architectural design to ensure harmony with the desired character of the zone in consideration.

SECTION 13. REGULATIONS IN BASE ZONES. 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.

SECTION 13.1. REGULATIONS IN FOREST ZONES. The Forest Zone includes the Protection Forest in the city. The following regulations shall be applied in accordance with the relevant provisions of the Revised Forestry Code, Revised Public Land Act of 1937, NIPAS Act of 1992, and specific proclamations of Forest Reservations, and related issuances as well as with approved City Forest Land Use Plan (FLUP).

SECTION 13.2. REGULATIONS IN AGRICULTURAL ZONES. 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 operation (AFMA). These include Protected Agricultural Areas (as defined by AFMA, Comprehensive Agrarian Reform Law (CARL) and related issuances) as well as Production Agricultural Areas as may be declared by cities. Regulations shall be in accordance with AFMA, CARL, RA 7160 or the LGC of 1991 and related issuances.

SECTION 13.2.1. PRODUCTION AGRICULTURAL SUB-ZONE. These are areas that are outside of NPAAAD and declared by the city for agricultural use. This zone includes 5,983.73 ha allotted for agricultural production.

ALLOWABLE USES/ ACTIVITIES

- Cultivation, raising and growing of staple crops such as rice, corn, camote, cassava and the like
- Growing of diversified plants and trees, such as fruit and flower bearing trees, coffee, tobacco, etc.
- Silviculture, mushroom culture and the like
- Pastoral activities such as goat raising and cattle fattening
- Fishpond activities
- Poultry and piggery subject to the HLURB Rules and Regulation Governing the Processing of Applications for Locational Clearance of Poultry and Piggery
- Rice/ corn mill (single pass such as cono mill)
- Rice/ corn warehouses and solar dryers
- Agricultural research and experimentation facilities such as breeding stations, fish farms, nurseries, demonstration farms, etc.
- Plant nursery
- Single-detached dwelling units of landowners
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/ farmhouses for tillers and laborers
- Engaging home business such as dressmaking, tailoring, baking, running a sarisari store and the like provided that:
 - The number of persons engaged in such business/ industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and

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

SECTION 13.3. REGULATIONS IN AGRI-INDUSTRIAL ZONE. These are areas within cities intended primarily for integrated farm operations and related product-processing activities such as plantation for bananas, pineapple, sugarcane, etc. Existing conforming agri-industrial areas shall be subjected to a 30-meter buffer zone which shall serve as open spaces. Existing non-conforming, pollutive, and non-compliant agri-industrial areas shall be removed after a certain period, and establishments identified as non-conforming to existing local regulations shall be for immediate removal. Upon removal, these shall be reverted to production agricultural use provided that the land is still arable. Should the land be irreversible, these shall be converted to other uses, such as commercial, residential, open space, and/or mixed use. This zone includes all backyard piggeries and poultrys that will be converted to residential areas and the 0.51 ha slaughterhouse in Barangay Tina-an that will be relocated.

ALLOWABLE USES/ ACTIVITIES

- All uses allowed in agriculture zone
- Rice/ corn mills
- Rice/ corn mill warehouses & solar dryers
- Agricultural and/ or agri-industrial research & experimentation facilities
- Drying, cleaning, curing and preserving of meat and its by-products and derivatives
- Drying, smoking and airing of tobacco
- Flour mill
- Cassava flour mill
- Manufacture of coffee
- Manufacture of unprepared animal feeds and other grain milling
- Production of prepared feeds for animals
- Cigar and cigarette factory
- Curing and re-drying tobacco leaves
- Miscellaneous processing of tobacco leaves not elsewhere classified
- Weaving hemp textile
- Jute spinning and weaving
- Manufacture of charcoal
- Milk processing plants (manufacturing filled, reconstituted or recombined milk, condensed or evaporated)
- Butter and cheese processing plants
- Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream related products)
- Other dairy products not elsewhere classified
- Canning and preserving of fruits and fruit juices
- Canning and preserving of vegetables and vegetable juices
- Canning and preserving of vegetable sauces
- Miscellaneous canning and preserving of fruit and vegetables not elsewhere classified
- Fish canning
- Patis factory

- Bagoong factory
- Processing, preserving and canning of fish and other seafood not elsewhere classified
- Manufacture of desiccated coconut
- Manufacture of starch and its products
- Manufacture of wines from fruit juices
- Vegetable oil mills, including coconut oil
- Muscovado sugar mill
- Cotton textile mill
- Manufacture/ processing of other plantation crops e.g. pineapple, bananas, etc.
- Other commercial handicrafts and industrial activities utilizing plant or animal parts and/ or products as raw materials
- Other accessory uses incidental to agri-industrial activities
- Sugarcane milling (centrifugal and refined)
- Sugar refining
- Customary support facilities such as palay dryers, rice threshers and storage barns and warehouses
- Ancillary dwelling units/ farmhouses for landowners, tenants, tillers and laborers
- Class "A" slaughterhouse/ abattoir
- Class "AA" slaughterhouse/ abattoir

BUILDING DENSITY AND BULK REGULATIONS

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

SECTION 13.4. REGULATIONS IN MUNICIPAL WATERS ZONE. Per RA 8550 or the Philippines Fisheries Code of 1998, this zone covers the Municipal Waters which "include not only streams, lakes, inland bodies of water and tidal waters within the city which are not included within the protected areas as defined under RA 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters. . . (Boundary delineation defined in the Fisheries Code)." Regulations shall be in accordance with the Fisheries Code, PD 1067 or the Water Code of the Philippines, RA 9275 or the Philippine Clean Water Act of 2004 and related issuances.

SECTION 13.4.1. AQUACULTURE SUB-ZONE. Per the Fisheries Code, this is an area within the Municipal Waters Zone of a city designated for "fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas."

ALLOWABLE USES/ ACTIVITIES

- Aquaculture

BUILDING REGULATIONS

- Except for duly-approved aquaculture-related structures such as fish cages, no other temporary structures are allowed.
- No permanent buildings or structures are allowed.

SECTION 13.4.2. FISHERY REFUGE AND SANCTUARY SUB-ZONE. Per the Fisheries Code, these are designated areas "where fishing and other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted."

The area will not be included in the calculation of the proposed land use.

ALLOWABLE USES/ ACTIVITIES

- Regeneration of marine life

BUILDING REGULATIONS

- No permanent buildings or structures are allowed.

SECTION 13.4.3. MANGROVE SUB-ZONE. 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

- Mangrove plantations
- Forest plantation
- Forest reservation

BUILDING REGULATIONS

- No permanent buildings or structures are allowed.

SECTION 13.5. REGULATIONS IN MINERAL LAND ZONE. This zone includes "any area where mineral resources are found" as provided in Republic Act No. 7942 or the Philippine Mining Act of 1995, and where the appropriate license or permit has been issued subject to reasonable limitations set by the city.

The following regulations shall be applied in accordance with the relevant provisions of the Philippine Mining Act, People's Small-scale Mining Act, Revised Forestry Code, Revised Public Land Act of 1937, NIPAS Act of 1992, and related national and local issuances.

SECTION 13.5.1. QUARRY SUB-ZONE In accordance with the Philippine Mining Act, these are areas declared by the Director of MGB as having "quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, dolomite, bentonite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass."

This zone includes the proposed ALQC future mining in Barangays Inoburan, Mainit and Pangdan; adjusted Quarry Venture Philippines, Inc. (QVPI) in Barangays Tagjaguimit and Cogon, and JLR Construction and Aggregates, Inc. extent based on MPSA in Barangay Cogon. The City of Naga, hereafter, shall not allow any new mining activities.

ALLOWABLE USES/ACTIVITIES

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

BUILDING REGULATIONS

Without prejudice to the issuance of any mining and quarry permit, any building or edifice shall be the joint responsibility of the City Engineer and CENRO in accordance with the NBC and/or any local ordinance.

REGULATIONS ON QUARRIES

- It is mandatory that all quarry sites shall be validated and regularly inspected.
- After the receipt of the City Government of the approved Quarry Map, it shall exercise its power to inspect the extent of its operation.
- If the MPSA has overlapped the forest zone, the city shall recommend to the appropriate authorities the suspension of mining or quarry operations within the areas.
- The Operational Plan of all quarry owners shall be filed with the CENRO as well as to the Sangguniang Panlungsod Committee Chairman on Environment and Natural Resources and Energy Management. Mining companies shall likewise submit other requirements by DENR such as the Social Development and Management Program (SDMP), Community Development Program, Environmental Work Program, and other related programs, to the city LGU every six (6) months.

SECTION 13.6. REGULATIONS IN RESIDENTIAL-1 (R-1) ZONE. The R-1 Zone is an area within cities actually characterized for low density residential use of twenty (20) dwelling units per ha. Per the NBC, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings. It also covers all other residential structures and subdivisions. This zone includes all non-Poblacion barangays of the City of Naga.

ALLOWABLE USES

- Single-detached dwelling units
- Semi-detached family dwelling units, e.g., duplex
- Residential Subdivisions approved per PD 957 standards
- Home occupation for the practice of one's profession such as offices of physicians, surgeons, dentists, architects, engineers, lawyers, and other professionals or for engaging home business such as dressmaking, tailoring, baking, running a sari-sari store and the like, provided that:
 - The number of persons engaged in such business/ industry shall not exceed five, inclusive of owner;
 - There shall be no change in the outside appearance of the building premises;
 - That in no case shall more than 20% of the building be used for said home occupation;
 - No home occupation shall be conducted in any customary accessory uses cited above;
 - No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in a place other than the required front yard; and
 - No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors and electrical interference detectable to the normal senses and visual or audible interference in any radio or television receiver or causes fluctuations in line voltage off the premises.
- Home Industry classified as cottage industry, provided that:
 - Such home industry shall not occupy more than thirty percent (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 RCZO;
 - Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI); and
 - Such shall consider the provisions pertaining to customary accessory uses, traffic and equipment/ process under Home Occupation of this section.
- Recreational facilities for the exclusive use of the members of the family residing within the premises, such as:
 - Swimming pool
 - Tennis courts
 - Basketball courts
- Parks and Open Spaces
- Nursery/Elementary School
- Tutorial services
- Sports club
- Religious use
- Multi-purpose/Barangay hall
- Clinic, nursing and convalescing home, health center
- Plant nursery
- Customary accessory uses incidental to any of the principal uses provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes such as:
 - Servants quarters
 - Private garage
 - Guardhouse
 - Laundries
 - Non-commercial garages
 - Houses for pets such as dogs, birds, rabbits and the like of not more than 4.00 square meters (sq.m.) in floor area
 - Pump houses
 - Generator houses

NON-ALLOWABLE USES

- The displaying, refilling, storing, marketing, and selling of liquefied petroleum gas (LPG) to end users and other consumers are not allowed in R-1 Zone

BUILDING REGULATIONS

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

SECTION 13.7. REGULATIONS IN RESIDENTIAL-2 (R-2) ZONE. The R-2 Zone is an area within cities actually characterized for medium density residential use. Per the NBC, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multifamily dwellings. This includes the residential areas from the five (5) poblacion barangays of the City of Naga: *North Poblacion, South Poblacion, East Poblacion, West Poblacion, and Central Poblacion.*

ALLOWABLE USES

- All uses allowed in R-1 Zone
- Apartments
- Boarding houses
- Dormitories
- Museums
- Libraries
- High School
- Vocational School

NON-ALLOWABLE USES

- The displaying, refilling, storing, marketing, and selling of liquefied petroleum gas (LPG) to end users and other consumers are not allowed in R-2 Zone

BUILDING REGULATIONS

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

SECTION 13.8. REGULATIONS IN SOCIALIZED HOUSING ZONE. This zone is an area within cities designated to housing programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens (UDHA). It also includes resettlement areas within the city where the displaced households are relocated after the 2018 landslide. These socialized housings are Balili Socialized Housing in Barangays Tinaan (1 ha), and Inoburan (0.69 ha), Tapon Tinaan Housing in Barangay Tinaan (0.82 ha), Socialized Housing in Barangay Balirong with 8.27 ha, Socialized Housing in Barangay Tinaan with an area of 1.06 ha, and Socialized Housing in Barangay Uling with 3.46 ha. This socialized housing zone has a total area of 15.30 ha.

All major residential subdivisions in the city are required under the RA 7279 to develop a balanced housing development or an area for socialized housing equivalent to at least twenty percent (20.00%) of the total subdivision area or total subdivision project cost, at the option of the developer, within the City of Naga, whenever feasible, and in accordance with the standards set by the HLURB and other existing laws. The balanced housing development as herein required may also be complied with by the developers concerned in any of the following manner:

- New Settlement
- Slum Upgrading
- Community Mortgage Program
- Joint-Venture Projects

ALLOWABLE USES

- All uses allowed according to the provisions of Batas Pambansa (BP) 220
- Convenience/retail centers
- Community facilities

NON-ALLOWABLE USES

- The displaying, refilling, storing, marketing, and selling of liquefied petroleum gas (LPG) to end users and other consumers are not allowed in Socialized Housing Zone

BUILDING REGULATIONS

- Applicable provisions of BP 220, BP 344 otherwise known as the Accessibility Law, PD 953 or Requiring the Planting of Trees in Certain Places and Penalizing Unauthorized Cutting, Destruction, Damaging and Injuring of Certain Trees, Plans and Vegetation, PD 1096, and RA 9514
- The saleable area allocation is not fixed.
- Not less than thirty percent (30.00%) of the total area of the subdivision, exclusive of roads, service streets and alleys, shall be reserved, maintained, and developed as open space for parks and recreational areas (PD 953).
- The area allocated for circulation system shall not be fixed, as long as the prescribed dimension and requirements for access (both for project site and dwelling units) specified in the pertinent requirements of BP 220, BP 344, and PD 953 are complied with.
- The planting strips and sidewalks along roads shall be observed in accordance with PD 953 and its Implementing Rules and Regulations.
- For socialized housing projects one ha and above, the open space requirement for parks and playgrounds and neighborhood multi-purpose centers are provided in BP 220.
- The minimum lot area is 64.00 m² for single detached units, 48.00 m² for duplex/single attached, and 28.00 m² for row houses as provided by BP 220.
- The minimum floor area requirement for single-family dwelling shall be 18 m² as provided by BP 220.
- Provision of firewall shall be mandatory for duplex and single-attached units and at every unit for row houses.
- Each lot and/or dwelling unit shall be served with water connection. If public water supply system is not available, the developer shall provide for an independent water supply system within the project with a minimum quantity requirement of 150.00 liters (L) per capita per day, as provided by BP 220.
- All electric systems, equipment and installation shall conform to the provisions of the latest edition of the Philippine Electrical Code and the requirements of the electric utility that serves the locality. Solar-powered streetlight fixtures, however, shall be adopted in accordance with the vision of the city.
- All sanitary systems, equipment and installation shall conform to the provisions of the latest edition of Sanitation Code of the Philippines and its Implementing Rules and Regulations and National Plumbing Code
- All constructions shall conform to the provisions of the latest edition of the NBC (PD 1096).

SECTION 13.9. REGULATIONS IN COMMERCIAL-1 (C-1) ZONE. The C-1 Zone is a low density commercial area within a city intended for neighborhood or community scale trade, service and business activities. This zone includes the establishments which cater the residents of Barangays Alpaco, Bairan, Balirong, Cabungahan, Cantao-an, Cogon, Inayagan, Lanas, Langtad, Lutac, Mainit, Mayana, Pangdan, Patag, Tagjaguimit, Tangke, Tuyan, Uling, and Central, South, and West Poblacion.

ALLOWABLE USES

- Retail stores and shops like:
 - Department stores
 - Bookstores and office supply shops
 - Art supplies and novelties
 - Home appliance stores
 - Car display and dealer stores
 - Photo shops

- Flower shops
- Curio or antique shops
- Pet shops and aquarium stores
- Jewelry shops
- Consumer electronics such as cellular phones, cameras, laptops, home appliances and the like
- Drugstores
- Food market and shops like:
 - Bakery, cake, pastry and delicatessen shops
 - Liquor and wine stores
 - Groceries
 - Supermarkets
 - Convenience stores
- Product showroom/ display store
- Warehouse/ storage facility for non-pollutive/ non-hazardous finished products
- Personal service shops like:
 - Medical, dental, and similar clinics
 - Beauty parlor
 - Barber shop
 - Wellness facilities such as sauna, spa, massage and facial clinics
 - Dressmaking and tailoring shop
- Bayad centers
- Laundries
- Internet cafe and cyber stations
- Photo/ video, lights & sounds services
- Catering services
- Event planners
- Water stations
- Courier services
- Security agencies
- Janitorial services
- Travel agencies
- Photo and portrait studios
- Repair shops like:
 - House furniture and appliances repair shops
 - Motor vehicles and accessory repair shops
 - Battery shops and repair shops
 - Bicycle repair shops
 - Repair shops for watches, bags, shoes, cellular phones, cameras, computers and the like
- Recreational centers/ establishments like
 - Play courts e.g. tennis court, bowling lane, billiard hall
 - Swimming pool
 - Gymnasium
- Restaurants and other eateries
- Lotto terminals, off-fronton, online bingo outlets and off-track betting stations
- Parks, playgrounds, pocket parks, parkways, promenades and play lots
- Plant nurseries
- Vocational/ technical school
- Special Education (SPED) school
- Short term special education like:
 - Dance schools
 - Schools for self-defense
 - Driving school
 - Speech clinics
 - Tutorial centers

- Embassies/ consulates
- Libraries/ museums
- Financial institutions/ services like:
 - Banks
 - Stand-alone automated teller machines
 - Insurance
 - Foreign exchange
 - Money lending
 - Pawnshops
- Offices
- Parking lots/ garage facilities
- Parking buildings (aboveground/ underground)
- Auto repair, tire, vulcanizing shops and car wash
- Gasoline filling stations/ services stations
- Engraving, photo developing and printing shops
- Printing, publication and graphics shops
- Manufacture of insignia, badges and similar emblems except metal
- Construction supply stores/ depots
- Funeral parlors (Category II and III)
- Commercial housing like:
 - Hotel
 - Apartment
 - Apartel
 - Boarding house
 - Dormitory
 - Pension house
- All uses allowed R-1 Zones
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/ quarters
 - Parking lots/ Building garage
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

BUILDING REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.10. REGULATIONS IN COMMERCIAL-2 (C-2) ZONE. The C-2 Zone is a medium to high density commercial area within a city intended for trade, service and business activities performing complementary/supplementary functions to the CBD. Areas in this zone are located in the urban barangays of the Poblacion and other barangays within the CBD. Also included in this zone are commercial establishments in rural barangays along the provincial roads that cater to the whole City of Naga.

ALLOWABLE USES

- All uses allowed in C-1 Zone
- Wholesale stores
- Wet and dry markets
- Shopping centers, malls and supermarkets
- Recreational center/establishments like:
 - Movie house/theater
 - Stadium, coliseum
 - 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
- Exhibit halls

- Convention centers and related facilities
- Business process outsourcing services
- Radio and television stations
- Transportation terminals/ garage with and without repair
- Display for cars, tractors, etc.
- Motorpool
- Hauling services and garage terminals for trucks, tow trucks and buses
- Auto sales and rentals, automotive handicraft, accessory and spare parts shops, marine craft and aircraft sales yards
- Boat storage
- Vehicle emission testing center
- Machinery display shop/ center
- Welding shops
- Machine shop service operation (repairing/ rebuilding or custom job orders)
- Medium scale junk shop
- Glassware and metalware stores, household equipment and appliances
- Signboard and streamer painting and silk screening
- Printing/ typesetting, copiers and duplicating services
- Recording and film laboratories
- Gravel and sand stores
- Lumber/ hardware
- Paint stores without bulk handling
- Gardens and landscaping supply/ contractors
- Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice
- Lechon stores
- Chicharon factory
- Biscuit factory-manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Other bakery products not elsewhere classified
- Shops for repacking of food products e.g. fruits, vegetables, sugar and other related products
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Funeral parlors (all categories)
- Commercial condominium (with residential units in upper floors)
- Commercial housing like:
 - Motel
 - Condotel
- All uses allowed in R-1 and R-2 Zones

BUILDING REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.11. REGULATIONS IN COMMERCIAL-3 (C-3) ZONE. The C-3 Zone is 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 stadium or sports complexes area also allowed in this zone. This zone may be called as the CBD. This zone also includes all gasoline stations, banks, funeral parlors, car and motorcycle dealers, supermarkets, and commercial buildings which are located both in rural and urban barangays.

ALLOWABLE USES

- All uses allowed in C-1 and C-2 Zones
- Large shopping malls/centers

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.12. REGULATIONS IN GENERAL INSTITUTIONAL (GI) ZONE. The GI Zone is an area within a city intended principally for general types of institutional establishments, e.g. government offices, hospitals/ clinics, academic/ research and convention centers.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.13. REGULATIONS IN SPECIAL INSTITUTIONAL (SI) ZONE. The SI Zone is an area within a city 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. Included in this zone are the proposed 0.01 ha Bahay Pag-asa for Children in Conflict with the Laws (CICL) in Barangay Inayagan, 0.05 ha rehabilitation center in Barangay East Poblacion, and the 0.18 ha Naga City Jail located in Barangay Naalad.

ALLOWABLE USES

- Welfare home, orphanages, boys and girls town, nursing homes, homes for the aged and the like
- Rehabilitation and vocational training centers for ex-convicts, drug addicts, unwed mothers, physically, mentally and emotionally handicapped, ex-sanitaria inmates and similar establishments
- Military camps/reservations/bases and training grounds
- Jails, prisons, reformatories and correctional institution
- Penitentiaries and correctional institutions
- Leprosaria
- Psychiatric facilities, such as mental hospitals, mental sanitaria/ asylums,
- Parks, playgrounds, pocket parks, parkways, promenades and playlots
- Customary accessory uses incidental to any of the above uses such as:

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

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.14. REGULATIONS IN INDUSTRIAL-1 (I-1) ZONE. The I-1 zone is an area within cities intended for light manufacturing or production industries that are:

- non-pollutive/non-hazardous; and
- non-pollutive/hazardous

ALLOWABLE USES

Non-Pollutive/Non-Hazardous Industries

- River discoloration if it has adverse effect as the growth of flora and fauna shall be considered pollutive.
- Drying fish
- Biscuit factory—manufacture of biscuits, cookies, crackers and other similar dried bakery products
- Doughnut and hopia factory
- Manufacture of macaroni, spaghetti, vermicelli and other noodles
- Other bakery production not elsewhere classified
- Life belts factory
- Manufacture of luggage, handbags, wallets and small leather goods
- Manufacture of miscellaneous products of leather and leather substitute and not elsewhere classified
- Manufacture of shoes except rubber, plastic and wood
- Manufacture of slipper and sandal except rubber and plastic
- Manufacture of footwear parts except rubber and plastic
- Printing, publishing and allied industries and those not elsewhere classified
- Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines
- Manufacture or assembly of electronic data processing machinery and accessories
- Renovation and repair of office machinery
- Manufacture or assembly of miscellaneous office machines and those not elsewhere classified
- Manufacture of rowboats, bancas and sailboats
- Manufacture of animal-drawn vehicles
- Manufacture of children vehicles and baby carriages
- Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.
- Manufacture of measuring and controlling equipment, plumb bob, rain gauge, taxi meter, thermometer, etc.
- Manufacture or assembly of surgical, medical, dental equipment and medical furniture
- Ice plants and cold storage buildings
- Quick freezing and cold packaging for fish and other seafoods
- Quick freezing and cold packaging for fruits and vegetables
- Popcorn/rice factory
- Manufacture of medical/surgical supplies, adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.
- Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.)
- Manufacture of photographic equipment and accessories
- Manufacture or assembly of optical instruments
- Manufacture of eyeglasses and spectacles
- Manufacture of optical lenses

- Manufacture of watches and clocks
- Manufacture of pianos
- Manufacture of string instruments
- Manufacture of wind and percussion instruments
- Manufacture or assembly of electronic organs
- Manufacture of sporting gloves and mitts
- Manufacture of sporting balls (not of rubber or plastic)
- Manufacture of gym and playground equipment
- Manufacture of sporting tables (billiards, pingpong, pool)
- Manufacture of other sporting and athletic goods not elsewhere classified
- Manufacture of toys and dolls except rubber and mold plastic
- Manufacture of pens, pencils and other office and artist materials
- Manufacture of umbrella and canes
- Manufacture of buttons except plastic
- Manufacture of brooms, brushes and fans
- Manufacture of needles, pens, fasteners and zippers
- Manufacture of insignia, badges and similar emblems (except metal)
- Manufacture of signs and advertising displays (except printed)
- Small-scale manufacturing of ice cream
- Dairies and creameries
- Warehouse/Storage facility for non-pollutive/non-hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

Non-Pollutive/Hazardous Industries

- Manufacture of house furnishing
- Textile bag factories
- Canvass bags and other canvass products factory
- Jute bag factory
- Manufacture of miscellaneous textile goods, embroideries and weaving apparel
- Manufacture of fiber batting, padding and upholstery filling except coir
- Men's and boys' garment factory
- Women's and girls' and ladies' garments factory
- Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories
- Manufacture of raincoats and waterproof outer garments except jackets
- Manufacture of miscellaneous wearing apparel except footwear
- Manufacture of miscellaneous fabricated mill work and those not elsewhere classified
- Manufacture of wooden and cane containers
- Sawali, nipa and split cane factory
- Manufacture of bamboo, rattan and other cane baskets and wares
- Manufacture of cork products
- Manufacture of wooden shoes, shoe lace and other similar products
- Manufacture of miscellaneous wood products and those not elsewhere classified
- Manufacture of miscellaneous furniture and fixture except primarily of metals and those not elsewhere classified
- Manufacture of paper stationery, envelopes and related articles
- Manufacture of dry ice
- Repackaging of industrial products e.g. paints, varnishes and other related products
- Pumping plants [water supply, storm drainage, sewerage, irrigation and waste treatment plants]
- Warehouse/Storage Facility for non-pollutive/hazardous industries

- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.15. REGULATIONS IN INDUSTRIAL-2 (I-2) ZONE. The I-2 zone is an area within cities intended for medium intensity manufacturing or production industries that are:

- pollutive/non-hazardous; and
- pollutive/hazardous

ALLOWABLE USES

Pollutive/Non-Hazardous Industries

- Manufacturing and canning of ham, bacon and native sausage
- Poultry processing and canning
- Large-scale manufacturing of ice cream
- Ice plants and cold storage
- Corn mill/rice mill
- Chocolate and cocoa factory
- Candy factory
- Chewing gum factory
- Peanuts and other nuts factory
- Other chocolate and confectionery products
- Manufacturing of flavoring extracts
- Manufacture of food products not elsewhere classified (vinegar, vetsin)
- Manufacture of fish meal
- Oyster shell grading
- Manufacture of medicinal and pharmaceutical preparations
- Manufacture of stationery, art goods, cut stone and marble products
- Manufacture of abrasive products
- Manufacture of miscellaneous non-metallic mineral products not elsewhere classified
- Manufacture of cutlery, except table flatware
- Manufacture of hand tools
- Manufacture of general hardware
- Manufacture of miscellaneous cutlery hand tools and general hardware not elsewhere classified
- Manufacture of household metal furniture
- Manufacture of office, store and restaurant metal furniture
- Manufacture of metal blinds, screens and shades
- Manufacture of miscellaneous furniture and fixture primarily of metal not elsewhere classified
- Manufacture of fabricated structural iron and steel
- Manufacture of architectural and ornamental metal works
- Manufacture of boilers, tanks and other structural sheet metal works
- Manufacture of other structural products not elsewhere classified
- Manufacture of metal cans, boxes and containers
- Manufacture of stamped coated and engraved metal products
- Manufacture of fabricated wire and cable products
- Manufacture of heating, cooking and lighting equipment except electrical
- Sheet metal works generally manual operation
- Manufacture of other fabricated metal products except machinery and equipment not elsewhere classified
- Manufacture or assembly of agricultural machinery and equipment
- Native plow and harrow factory

- Repair of agricultural machinery
- Manufacture or assembly of service industry machines
- Manufacture or assembly of elevators and escalators
- Manufacture or assembly of sewing machines
- Manufacture or assembly of cooking ranges
- Manufacture or assembly of water pumps
- Refrigeration industry
- Manufacture or assembly of other machinery and equipment except electrical not elsewhere classified
- Manufacture or assembly of electrical apparatus
- Manufacture or assembly of electrical cables and wires
- Manufacture of other electrical industrial machinery and apparatus not elsewhere classified
- Manufacture or assembly of electric equipment—radio, television, tape recorder, stereo
- Manufacture or assembly of radio and television transmitting, signaling and detection equipment
- Manufacture or assembly of telephone and telegraphic equipment
- Manufacture of other electronic equipment and apparatus not elsewhere classified
- Manufacture of industrial and commercial electrical appliances
- Manufacture of household cooking, heating and laundry appliances
- Manufacture of other electrical appliances not elsewhere classified
- Manufacture of electric lamp fixtures
- Warehouse/Storage Facility for pollutive/non-hazardous
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

POLLUTIVE/HAZARDOUS INDUSTRIES

- Flour mill
- Cassava flour mill
- Manufacture of coffee
- Manufacturing of unprepared animal feeds, other grain milling not elsewhere classified
- Production prepared feeds for animals
- Grains and cement silos
- Cigar and cigarette factory
- Curing and re-drying tobacco leaves
- Miscellaneous processing tobacco leaves not elsewhere classified
- Textile and fiber spinning mills
- Weaving hemp textile
- Jute spinning and weaving
- Miscellaneous spinning and weaving mills not elsewhere classified
- Hosiery mill
- Underwear and outwear knitting mills
- Garment and undergarment factories
- Fabric knitting mills
- Miscellaneous knitting mills not elsewhere classified
- Manufacture of mats and matings
- Manufacture of carpets and rugs
- Manufacture of cordage, rope and twine
- Manufacture of related products from abaca, sisal, henequen, hemp, cotton, paper, etc.
- Manufacture of linoleum and other surface coverings
- Manufacture of artificial leather, oil cloth and other fabrics except rubberized
- Manufacture of coir

- Manufacture of miscellaneous textile not elsewhere classified
- Manufacture of rough lumber, unworked
- Manufacture of worked lumber
- Re-sawmills
- Woodworking establishments, lumber and timber yards
- Planing mills and sawmills, veneer plants
- Manufacture of veneer, plywood and hardwood
- Manufacture of doors, windows and sashes
- Treating and preserving of wood
- Wood drying kilns
- Manufacture of charcoal
- Manufacture of wood and cane blinds, screens and shades
- Pulp, paper and paperboard factories
- Manufacture of containers and boxes of paper and paper boards
- Wood and cardboard box factories
- Manufacture of miscellaneous pulp and paper products not elsewhere classified
- Manufacture of perfumes, cosmetics and other toilet preparations
- Manufacture of waxes and polishing preparations
- Manufacture of candles
- Manufacture of inks
- Manufacture of miscellaneous chemical products not elsewhere classified
- Tire retreating and rebuilding
- Manufacture of rubber shoes and slippers
- Manufacture of industrial and molded rubber products
- Manufacture of plastic footwear
- Manufacture of plastic furniture
- Manufacture of other fabricated plastic products not elsewhere classified
- Manufacture of table and kitchen articles
- Manufacture of pottery, china and earthen ware not elsewhere classified
- Manufacture of flat glass
- Manufacture of glass containers
- Manufacture of miscellaneous glass and glass products not elsewhere classified
- Manufacture of clay bricks, clay tiles and hollow clay tiles
- Manufacture of miscellaneous structural clay products not elsewhere classified
- Manufacture of structural concrete products
- Manufacture of asbestos products
- Manufacture of engines and turbines except motor vehicles, marine and aircraft
- Manufacture of metal cutting, shaving and finishing machinery
- Manufacture of wood working machinery
- Manufacture, assembly, rebuilding, repairing of food and beverage making machinery
- Manufacture, assembly, rebuilding, repairing of textile machinery and equipment
- Manufacture, assembly, rebuilding, repairing of paper industry machinery
- Manufacture, assembly, rebuilding, repairing of trade machinery and equipment
- Manufacture of rice mills
- Manufacture of machines for leather and leather products
- Manufacture of construction machinery
- Manufacture of machines for clay, stove and glass industries
- Manufacture, assembly, repair and rebuilding of miscellaneous special industrial machinery and equipment not elsewhere classified
- Manufacture of dry cells, storage battery and other batteries
- Boat building and repairing
- Ship repairing industry, dock yards, dry dock, shipways
- Miscellaneous shipbuilding and repairing not elsewhere classified
- Manufacture of locomotives and parts
- Manufacture of railroad and street cars
- Manufacture or assembly of automobiles, cars, buses, trucks and trailers
- Factories for engines and turbines and attached testing facilities
- Hangars

- Manufacture and assembly plants of aircraft engine
- Repair and testing shops for aircraft engines and parts
- Manufacture of wood furniture including upholstered
- Manufacture of rattan furniture including upholstered
- Manufacture of box beds and mattresses
- Dry cleaning plants using flammable liquids
- Paint stores with bulk handling
- Paint shops and spray painting rooms
- Signs and billboards painting shops
- Warehouses where highly combustible materials are stored
- Factories where loose combustible fiber or dirt are manufactured, processed or generated
- Warehouse for pollutive/hazardous
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses
- Class "A" slaughterhouse/abattoir
- Class "AA" slaughterhouse/abattoir

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.16. REGULATIONS IN INDUSTRIAL-3 (I-3) ZONE. The I-3 zone is an area within cities intended for heavy manufacturing or production industries that are:

- highly pollutive/non-hazardous
- highly pollutive/hazardous
- highly pollutive/extremely hazardous
- pollutive/extremely hazardous
- non-pollutive/extremely hazardous

ALLOWABLE USES

Highly Pollutive/Non-Hazardous Industries

- Meat processing, curing, preserving except processing of ham, bacon, sausage and chicharron
- Milk processing plants (manufacturing filled, reconstituted, or recombined milk, condensed or evaporated)
- Butter and cheese processing plants
- Natural fluid milk processing (pasteurizing, homogenizing, vitaminizing, bottling of natural animal milk and cream-related products)
- Other dairy products not elsewhere classified
- Canning and preserving of fruits and fruit juices
- Canning and preserving of vegetables and vegetable juices
- Canning and preserving of vegetable sauces
- Miscellaneous canning and preserving of fruits and vegetables not elsewhere classified
- Fish canning
- Patis factory
- Bagoong factory
- Processing, preserving and canning of fish and other seafood not elsewhere classified
- Manufacture of desiccated coconut
- Manufacture of starch and its by-products

- Manufacture of wines Manufacture of malt and malt liquors
- Manufacture of soft drinks, carbonated water
- Manufacture of instant beverages and syrups
- Other non-alcoholic beverages not elsewhere classified
- Other slaughtering, preparing and preserving meat products not elsewhere classified
- Cooking oil and soap processing plants
- Warehouse for highly pollutive/non-hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

HIGHLY POLLUTIVE/HAZARDOUS INDUSTRIES

- Vegetable oil mills, including coconut oil
- Manufacture of refined cooking oil and margarine
- Manufacture of fish, marine and other animal oils
- Manufacture of vegetable and animal oils and fats not elsewhere classified
- Sugar cane milling (centrifugal and refined)
- Sugar refining
- Muscovado sugar mill
- Distilled, rectified and blended liquors not elsewhere classified
- Cotton textile mill
- Ramie textile mill
- Rayon and other man-made fiber textile mill
- Bleaching and drying mills
- Manufacture of narrow fabrics
- Tanneries and leather finishing plants
- Pulp mill
- Paper and paperboard mills
- Manufacture of fiberboard
- Manufacture of inorganic salts and compounds
- Manufacture of soap and cleaning preparations
- Manufacture of hydraulic cement
- Manufacture of lime and lime kilns
- Manufacture of plaster
- Products of blast furnaces, steel works and rolling mills
- Products of iron and steel foundries
- Manufacture of smelted and refined non-ferrous metals
- Manufacture of rolled, drawn or extruded non-ferrous metals
- Manufacture of non-ferrous foundry products
- Oil depot/terminal (greater than 7.950 kilo-liters)
- Warehouse for highly pollutive/hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business

- Pump houses
- Generator houses
- Class "A" slaughterhouse/abattoir
- Class "AA" slaughterhouse/abattoir
- Class "AAA" slaughterhouse/abattoir

HIGHLY POLLUTIVE/EXTREMELY HAZARDOUS INDUSTRIES

- Manufacture of industrial alcohols
- Factories for highly flammable chemicals
- Other basic chemicals not elsewhere classified
- Manufacture of fertilizers
- Manufacture of pesticides
- Manufacture of synthetic resins, plastic materials and man-made fibers except glass
- Plastics resin plants [monomer and polymer
- Plastics compounding and processing plants
- Petroleum refineries
- Manufacture of reclaimed, blended and compound petroleum products
- Manufacture of miscellaneous products of petroleum and coal, not elsewhere classified
- Warehouse for highly pollutive/extremely hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

POLLUTIVE/EXTREMELY HAZARDOUS INDUSTRIES

- Manufacture of paints
- Manufacture of varnishes, shellac and stains
- Manufacture of paint removers
- Manufacture of other paint products
- Manufacture of matches
- Manufacture of tires and inner tubes
- Manufacture of processed natural rubber not in rubber plantation
- Manufacture of miscellaneous rubber products not elsewhere classified
- Water and power generation complexes
- Liquid and solid waste management complexes
- Power plants (thermal, hydro or geothermal)
- All other types of complexes for public utilities
- Warehouse for pollutive/extremely hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

NON-POLLUTIVE/EXTREMELY HAZARDOUS INDUSTRIES

- Manufacture of compressed and liquefied gases
- Storage tanks, buildings for storing gasoline, acetylene, liquefied petroleum gas, calcium, carbides, oxygen, hydrogen and the like
- Armories, arsenals and munitions factories
- Match and fireworks factories
- Acetylene and oxygen generating plants
- Warehouse for non-pollutive/extremely hazardous industries
- Parks, playgrounds, pocket parks, parkways and promenades
- Customary accessory uses incidental to any of the above uses such as
- Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.17. REGULATIONS IN PARKS AND RECREATION (PR) ZONE. The PR Zone is an area designed for diversion/amusement and for the maintenance of ecological balance in the community. There are proposed areas for parks and recreation in all barangays, except for Poblacion barangays and barangays Inoburan and Mayana. Mini parks to be constructed should be at least 100 sq.m.

ALLOWABLE USES

- Parks, playgrounds, pocket parks, parkways, promenades and playlots, gardens
- All types of resort complexes such as those providing accommodation, sports, dining and other leisure facilities
- Open air or outdoor sports activities and support facilities, including low rise stadia, gyms, amphitheaters and swimming pools
- Ball courts, skating rinks and similar uses
- Memorial/shrines monuments, kiosks and other park structures
- Sports clubs
- Parking structures/facilities
- Open space buffers and easements
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Eateries/canteens
 - Parking lots/garage facilities
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

BUILDING DENSITY AND BULK REGULATIONS

- Mini parks should be at least 100 sq.m.
- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.18. REGULATIONS IN CEMETERY/MEMORIAL PARK (C/MP) ZONE. The C/MP Zone is an area in a city intended for the interment of the dead. Cemeteries shall have a 100-meter buffer zone as per HLURB Board Resolution No. 681, Series of 2000 Rule III 1.A.1. This zone also includes the 2.89 ha proposed private cemetery in Barangay Cantao-an.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.
- Subject to HLURB Rules and Regulations for Memorial Parks and Cemeteries and other applicable guidelines/ standards of concerned agencies.

SECTION 13.19. REGULATIONS IN BUFFER/GREENBELT ZONE. 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. Included in this zone are abandoned/closed quarries and suspended agri-industrial areas that were tagged as open spaces.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 13.20. REGULATIONS IN TOURISM ZONE. The Tourism Zone covers sites within cities endowed with natural or man-made physical attributes and resources that are conducive to recreation, leisure and other wholesome activities. No tourism project or tourist-related activities shall be allowed in this zone unless developed or undertaken in compliance with the Department of Tourism (DOT) Guidelines and Standards. Included in this zone is the 9.70 ha proposed esplanade along the Pangdan river passing through Barangays Balirong, Lanas, Lutac, Mainit Naalad, Pangdan, South Poblacion, Tinaan, and Uling. Also included is the 45.52 ha tourism area in Barangays Cogon and Lanas measured at 400 m radius from the peak of Mt. Naupa.

ALLOWABLE USES

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

SECTION 13.21. REGULATIONS IN UTILITY, TRANSPORTATION AND SERVICES ZONES. This zone is an area in cities designated for "a range of utilitarian/functional uses or occupancies, characterized mainly as a low-rise or medium-rise building/structure for low to high intensity community support functions, e.g. terminals, inter-modals, multi-modals, depots, power and water generation/ distribution facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, solid waste handling facilities and the like" (NBC).

The following guidelines shall be observed pursuant to the provisions of the EO 180, series of 1948:

- National roads shall have a right-of-way of not less than 20.00 meters and a setback width of 3.00 meters for residential area and 5.00 meters for commercial areas;
- Provincial roads shall have a width of not less than 15 meters with a setback width of 3.00 meters for residential area and 5.00 meters for commercial areas;
- City roads shall not be less than 10.00 meters in width;
- Barangay roads shall be within 4.00 to 8.00 meters;
- Barangay roads that have less than 5.00 meters width will widen to seven meters including 1.00 meter pathway in both sides; and
- Expressway roads shall have not less than 5.00 meters width of setback.

Encompassed in this zone are the proposed roads and expressways. One of which is a diversion road with an area of 88.60 ha and width of seven meters, an expressway measuring 16.44 ha in area with a width of 30.00 meters and a setback of five meters passing through barangays Pangdan, Cantao-an, Tuyan, and Inayagan ending in Minglanilla. Additional roads with 6.00 meters of width and 8.86 ha of area are also proposed along barangays Cantao-an, Colon, East Poblacion, Inayagan, Jaguimit, Langtad, Lutac, Mainit, North Poblacion, Pangdan, South Poblacion, Tangke, Tinaan, Tuyan, and in the reclamation area. There is also a proposed 5.00 meter width slaughterhouse road and a one meter pathway in Barangay Pangdan.

As per Resolution No. 003-B-2017 dated April 21, 2017, 108.15 ha of land, which will include a 1.35 ha private yacht club, shall be reclaimed by the City of Naga. There are also five proposed telecommunication towers located in Barangays Langtad, Pangdan, Patag, Tagjaguimit, and Lutac with a total area of 0.04 ha. Furthermore, a 316-meter underground drainage traversing barangays Tangke, West Poblacion, and South Poblacion is proposed as well as a 0.06 ha tricycle and habal-habal terminals in different barangays all over the city.

ALLOWABLE USES

- Bus and railway depots and terminals
- Port facilities
- Airports and heliport facilities
- All other types of transportation complexes
- Power plants (thermal, hydro, geothermal, wind, solar)
- Pumping plants (water supply, storm drainage, sewerage, and irrigation and waste treatment plants)
- Liquid and solid waste management facilities
- Climate monitoring facilities
- Telecommunication facilities such as cell (mobile) phone towers
- All other types of large complexes for public services
- Customary accessory uses incidental to any of the above uses such as:
 - Staff houses/quarters
 - Offices
 - Parking lots/garage facilities
 - Eateries/canteens
 - Storerooms and warehouses but only as may be necessary for the efficient conduct of the business
 - Pump houses
 - Generator houses

BUILDING DENSITY AND BULK REGULATIONS

- Per the relevant provisions of the NBC and this Ordinance.

SECTION 14. REGULATIONS IN OVERLAY ZONE. An Overlay Zone 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 additionally allowable uses, building density and bulk and building/structure design that are deemed necessary to achieve the objectives for the Overlay Zone.

SECTION 14.1. ECOTOURISM OVERLAY ZONE. The objective for this Overlay Zone is to ensure that the dual goals of environmental conservation and tourism economic development are attained.

ALLOWABLE USES

In addition to uses that may be allowed in the Base Zone, the following are uses and activities that may be allowed in the Ecotourism Overlay Zone:

- Accommodation facilities
- Boardwalks
- Dining facilities
- Dive shops/Diving lesson establishments
- Water-oriented recreation/sports rental equipment shops
- Tourism-oriented retail shops (e.g. souvenirs, clothes, etc.)
- Foreign exchange shops/establishments

BUILDING DENSITY AND BULK REGULATIONS

- Ecotourism facilities such as resorts should have heights of no greater than six meters from highest grade to roof apex line.
- The minimum setback of buildings from the inland foreshore line is 5.00 meters.
- Building/ Structure Design Regulations
- Ecotourism facilities such as hotels, resorts, should be made of light indigenous materials.
- Designs should conform to the applicable standards of the DOT.
- Only single-detached or duplex structures shall be allowed.
- The freeboard elevation of buildings shall be 600 mm measured from the outermost building line facing the foreshore to the building's finish floor line.
- Buildings on stilts are encouraged.
- Electrical appliances should be raised with a minimum height of 600 mm from each building's finish floor line.
- The use of impermeable paving materials outside of building envelopes shall not be allowed.
- Only picket fences made of wood or bamboo and with heights no greater than 600 mm shall be allowed.
- The use of firewalls along property lines shall not be allowed.

SECTION 14.2. FLOOD OVERLAY ZONE (FLD-OZ). The FLD-OZ is an area in a city that has been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effects to development. Its objective is to protect lives and properties from the harmful effects of flood. The FLD-OZ is applied in areas identified as flood-prone at a 25-year rainfall return period in the Representative Concentration Pathway (RCP) 4.5 (2049) scenario. The FLD-OZ is further classified into three subcategories: areas for Priority Action, Overlay Zone, and No Build Zone.

SECTION 14.2.1. AREAS FOR PRIORITY ACTION FOR FLOOD HAZARD. Areas for Priority Action are areas within the City of Naga that are affected by floods where buildings are located.

SECTION 14.2.2. OVERLAY ZONE FOR FLOOD HAZARD. Overlay Zone which covers areas within cities that are affected by floods where agricultural lands are located.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- The Maximum Allowable Percentage of Site Occupancy (MAPSO) (defined in the NBC as the area of ground coverage of Allowable Maximum Building Footprint), expressed as a percentage of the total lot area, shall be:
 - 20% for Parks and Recreation uses
 - 0% for all other uses/activities
- The MAPSO shall include all buildings and structures built or to be built on the lot.
- The Unpaved Surface Area (USA) of developments shall:
 - Not be less than 70% for Parks and Recreation Uses

BUILDING/ STRUCTURE DESIGN REGULATIONS

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

SECTION 14.2.3. NO BUILD ZONE FOR FLOOD HAZARD. No Build Zones which are areas that are affected by high level floods with greater than three meters depth. No permanent structures shall be allowed in this zone.

SECTION 14.3. LANDSLIDE OVERLAY ZONE (LSD-OZ). The LSD-OZ is an area in a city that has been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to development. The objectives of these regulations are to avoid/minimize potentials for landslide occurrence and to protect lives and properties from its impacts. The LSD-OZ is tagged in areas identified as highly susceptible at a 25-year rainfall return period in the RCP 4.5 (2049) scenario. The LSD-OZ is further classified into three subcategories:

1. Areas for Priority Action which are areas within cities that are affected by landslides where buildings are located;
2. Hazard Overlay Zone which covers areas within cities that are affected by landslides where agricultural lands are located; and
3. No Build Zones which are areas that are highly susceptible to landslides. Accordingly, this includes the ALQC quarry landslide extent in Barangay Tinaan, protected forests, rivers, foreshores, and areas where sinkholes are present.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- The MAPSO shall be:
 - 20% for Parks and Recreation uses
 - 30% for all other uses/activities
- The MAPSO shall include all buildings and structures built or to be built on the lot.
- The USA of developments shall:
 - Not be less than 70% for Parks and Recreation Uses

BUILDING/ STRUCTURE DESIGN REGULATIONS

- Site development shall be designed with consideration to avoiding/minimizing (1) risks from being affected by landslides; (2) its adverse impacts to the soil; (3) and risks of causing cause landslides to nearby areas/properties.
 - Buildings and structures should be laid out and designed to harmonize with the terrain to minimize earth moving activities;
 - Appropriate slope, erosion and soil stabilization measures shall be applied, either through hard or soft engineering measures;
 - Indigenous and mature vegetation should be retained;
 - Natural drainage patterns should not be altered; and
 - 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.

SECTION 14.4. MINES AND GEOSCIENCES BUREAU (MGB) ZONATION OVERLAY ZONE. The MGB Zonation Overlay Zone is applied in areas affected by the landslide that occurred in 2018 at the quarry site of the ALQC. The zone is further classified into three subcategories:

1. Areas for Priority Action which are areas that are located in the regulated zone and are directly affected by the hazard where buildings and establishments are located;

2. Hazard Overlay Zone which covers areas that are located in the danger zone in which residents should be aware of the potential danger of existing geohazards; and
3. No Build Zones which are areas located in the critical zone in which no residents should stay.

SECTION 14.5. SINKHOLES OVERLAY ZONE. The Sinkholes Overlay Zone covers areas in a city that have been identified as susceptible to sinkholes. This zone is further classified into two subcategories:

1. Areas for Priority Action which are areas that are susceptible to sinkholes generated by the University of the Philippines Resilience Institute - Nationwide Operational Assessment of Hazards (UPRI-NOAH); and
2. No Build Zones which are areas that are susceptible to sinkholes generated by the Mines and Geosciences Bureau.

SECTION 14.6. STORM SURGE OVERLAY ZONE (SS-OZ). The SS-OZ covers areas in a city that have been identified as highly susceptible to storm surge and where specific regulations are provided in order to minimize its potential negative effect to development. This is applied in areas identified as highly susceptible at a 25-year rainfall return period in the RCP 4.5 (2050) scenario. The SS-OZ is further classified into three subcategories:

1. Areas for Priority Action which are areas within cities that are affected by storm surges where buildings are located.
2. Hazard Overlay Zone which covers areas within cities that are affected by storm surges or any kind of hazard where agricultural lands are located; and
3. No Build Zones which are areas that are affected by high level of storm surges with >3 meters flood depth.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- The MAPSO shall be:
 - 20% for Parks and Recreation uses
 - 30% for all other uses/activities
- The MAPSO shall include all buildings and structures built or to be built on the lot.
- The USA of developments shall:
 - Not be less than 70% for Parks and Recreation Uses

SECTION 14.7. MANAGED FOREST RESOURCE OVERLAY ZONE (MFR-OZ). The MFR-OZ are areas that are located within the production forestland that were delineated through the City of Naga Forest Land Use Plan (FLUP) 2017-2026. Land uses within the MFR-OZ are approximately located between 30% slope to 50% slope. The natural features, resources, and integrity of these areas will be preserved by incorporating the concept of sustainable development into changes that will be made throughout the zone.

ALLOWABLE USES

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

BUILDING DENSITY AND BULK REGULATIONS

- The MAPSO shall be:
 - 20% for Parks and Recreation uses
 - 30% for all other uses/activities
- The MAPSO shall include all buildings and structures built or to be built on the lot.
- The USA of developments shall:
 - Not be less than 70% for Parks and Recreation Uses

BUILDING/STRUCTURE DESIGN REGULATIONS

Site development shall promote sustainable management to ensure the continuous productive uses and services of forestlands.

- All land that is not devoted to urban uses, shall be set aside as common land for recreation, conservation, agricultural uses, or preserved in an undeveloped state
- Vacant lots will be utilized as reforestation areas
- Buildings and structures should be laid out and designed to harmonize with the terrain to minimize earth moving activities
- Indigenous and mature vegetation should be retained
- Natural drainage patterns should not be altered
- 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

SECTION 15. 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, provides public infrastructure or conserve heritage sites.

ARTICLE VI. GENERAL REGULATIONS

SECTION 16. HEIGHT REGULATIONS. Notwithstanding the Building Height provisions of this Ordinance, building heights should also conform to the height restrictions and requirements of the CAAP.

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

SECTION 17. AREA REGULATIONS. Area regulations in all zones shall conform to the applicable minimum requirements of existing laws, codes and regulations such as:

1. PD 957, "Subdivision and Condominium Buyers' Protective Law" and its revised implementing rules and regulations;
2. BP 220, "Promulgation of Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects" and its revised implementing rules and regulations;
3. RA 7279 – UDHA;
4. PD 1096 – NBC of the Philippines (Revised RA 6541);
5. PD 1185 – Fire Code of the Philippines;
6. PD 856 – Sanitation Code;
7. RA 6541 – National Building Code of the Philippines;
8. BP 344 – Accessibility Law
9. PD 953 – Requiring the Planting of Trees in Certain Places and Penalizing Unauthorized Cutting, Destruction, Damaging and Injuring of Certain Trees, Plants and Vegetation
10. RA 7920 - Philippine Electrical Code
11. Rules and Regulations – HLURB Locational Guidelines and CLUP Guidebook 2013-2014;
12. Commonwealth Act (CA) 141 or Public Land Act – public lands, including foreshore and reclaimed lands;
13. PD 705 or Revised Forestry Code – forestlands;
14. PD 1067 or Water Code of the Philippines – inland and coastal waters, shorelines and riverbank easements;
15. RA 6657 or CARL– agrarian reform lands;
16. RA 8749 – Clean Air Act;
17. RA 7586 or NIPAS Act – protected areas in both land and seas;
18. RA 7942 or Philippine Mining Act – mining areas;
19. RA 8550 or Revised Fisheries Code – city waters and coastal zones;
20. RA 8435 or AFMA – SAFDZs and prime agricultural lands;
21. RA 9003 – Ecological Solid Waste Management Act;
22. RA 9593 or Philippine Tourism Act – tourism zones and estates;
23. RA 9729 or Philippine Climate Change Act, as amended;
24. RA 10066 or Philippine Cultural Heritage Act – cultural and heritage zones/areas; and
25. RA 10121 or DRRM Act – disaster-prone and geo-hazard areas.
26. Other relevant guidelines promulgated by the national agencies concerned

SECTION 18. EASEMENT. Pursuant to the provisions of the Water Code of the Philippines or PD 1067 of 1996: the banks of rivers and streams and the shores of the seas and lakes throughout their entire length within a zone of 3.00 meters in urban areas, 20.00 meters in agricultural areas and 40.00 meters in forest areas, along their margins, are subject to easements of public use in the interest of recreation, navigation, floatage, fishing and salvage.

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. There shall be a mandatory 5.00 meter easement on both sides of earthquake fault traces on the ground identified by Philippine Institute of Volcanology and Seismology (PHIVOLCS). As required by the City Government, road widening and road construction program as well as other projects may later on be identified.

SECTION 19. BUFFER REGULATIONS. A buffer of 4.00 meters shall be provided along entire boundary length between two or more conflicting zones/sub-zones allocating 2.00 meters from each side of the zone/sub-zone boundary. Such buffer strip should be open and not encroached upon by any building or structure and should be a part of the yard or open space. Varying provisions are hereby enumerated depending on the type of establishment.

1. Slaughterhouses shall have a buffer of at least 200 meters from residential areas, schools, churches, and other places of assembly courts or public office as per HLURB Board Resolution No. R-650, Series of 1999.
2. Agri-industrial piggeries and poultries shall have at least 25 meters away from rivers as per HLURB Resolution No/ R-674 Series of 2000. For the case of the City of Naga, Cebu, a 30-meter buffer zone shall be observed.
3. Cemeteries shall have a 100-meter buffer zone as per HLURB Board Resolution No. 681, Series of 2000 Rule III 1.A.1.
4. Materials Recovery Facilities shall be at least 100 meters away from schools and residential areas, 75 meters away from faults, and 50 meters away from water bodies.
5. Industrial areas shall have a 10-meter buffer zone which will serve as green spaces.
6. Telecommunication towers shall have a minimum buffer radius of 25 meters as what is stated on HLURB Locational Guidelines for cell site.
7. As per EO 180 series of 1948 or the establishing of the classification of roads, all proposed commercial establishments along national and provincial roads shall require a 5-meter setback while residential areas shall require a 3-meter setback.
8. National and provincial roads shall have at least 1.5 meter pathway as what is stated on EO 180 series of 1948.

SECTION 20. SPECIFIC PROVISIONS IN THE NATIONAL BUILDING CODE. Specific provisions stipulated in the NBC (PD 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 RCZO, shall be observed.

SECTION 21. ADVERTISING, BILLBOARDS AND BUSINESS SIGNS. No advertising, billboards or business signs whether on or off premises of an establishment shall be displayed or put up for public view without locational clearance from the Zoning Administrator/Zoning Officer. Locational clearance for such signs or billboards may be granted only when the same is appropriate for the permitted use for a zone and the size thereof is not excessive, taking into account the bulk or size of the building or structure and the business practices or usages of the locality and the same shall in no case obstruct the view of any scenic spot.

Obnoxious signs that would constitute nuisance to adjoining property owners, distract motorists or constitute as hazards to public safety shall not be allowed in any area. No sign should project to public property unless expressly allowed by the Zoning Administrator/Zoning Officer. Temporary signs and billboards for not more than two months may be allowed by the Zoning Officer/Administrator upon payment of corresponding fees to the city. The permit for such sign shall indicate the location, size, slope, contents and type of construction.

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

ARTICLE VII. PERFORMANCE STANDARDS

SECTION 22. APPLICATION OF PERFORMANCE STANDARDS. The following performance standards are intended to ensure land use and neighbourhood 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 LZBA may require other standards, when deemed necessary, to ensure land use and neighbourhood compatibility. These shall be enforced through the Implementing Guidelines that is made part of this ZO.

SECTION 23. 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. City and industrial wastewater effluents shall not discharge into surface and groundwater unless it is scientifically proven that such discharges will not cause the deterioration of the water quality. Effluents shall be maintained according to DENR's latest Effluent Quality Standards for Class "C" Inland Waters;
8. Developments that generate toxic and hazardous waste shall provide appropriate handling and treatment facilities which should be in accordance with the requirements of and approved by the DENR;
9. Floodplains shall not be altered, filled and/or built upon without proper drainage design and without proper consideration of possible inundation effects on nearby properties;
10. All developments, particularly those in sloping areas, shall undertake adequate and appropriate slope and erosion protection as well as soil conservation measures;
11. Facilities and operations that cause the emission of dust, dirt, fly ash, smoke, gas or any other air polluting material that may have harmful effects on health or cause the impairment of visibility are not permitted. Air quality at the point of emission shall be maintained at specified levels according to DENR's latest Air Quality Standards.
12. Developments that generate a significant volume of solid waste shall provide appropriate solid waste collection and disposal systems and facilities.
13. Industrial processes/activities should not cause negative impacts to the environment. The Zoning Administrator/Zoning Officer may request for descriptions of these as part of the requirements for Locational Clearance.

SECTION 24. AGRICULTURAL LAND CONSERVATION AND PRESERVATION CRITERIA. Agricultural lands are recognized as valuable resources that provide employment, amenities and biodiversity. All agricultural lands in the city shall not be prematurely reclassified. Requests for reclassification shall be evaluated on the merits of conditions prevailing at the time of application, compatibility with the CLUP, and subject to the provisions of Memorandum Circular No. 54 Prescribing the Guidelines Governing Section 20 of RA 7160, Authorizing Cities to Reclassify Agricultural Lands into Non-Agricultural Uses. Applications for agricultural land reclassification approved by the city shall be submitted to the HLURB/Sangguniang Panlalawigan for review and final approval.

SECTION 25. 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. 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:
 - a. Landscaped with suitable trees. The minimum height of trees at the time of securing an Occupancy Permit shall be 1.80 meters from the base to the crown.
 - b. 50% paved with permeable or semi-permeable materials such as grass, gravel, grass pavers and the like.

SECTION 26. 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 Public Utility Vehicles (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.
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 27. 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:

- 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.

- Traffic Impact Statement

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

ARTICLE VIII. MITIGATING DEVICES

SECTION 28. DEVIATION. Variances and/or Exceptions from the provisions of this Ordinance may be allowed by the 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 the 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 the public health, safety and welfare and is in keeping with the general pattern of development in the community.
 - b. The proposed project shall support economic based activities/provide livelihood, vital community services and facilities while at the same time posing no adverse effect on the zone/community.
 - c. The exception will not adversely affect the appropriate use of adjoining properties in the same zone such as generating excessive vehicular traffic, causing overcrowding of people or generating excessive noise and the like.
 - d. The exception will not alter the essential character and general purpose of the zone where the exception sought is located.

SECTION 29. 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 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 30 days from the filing of the application, exclusive of the time spent for the preparation of written affidavit of non-objection and the public hearing(s). All expenses to be incurred in evaluating proposals for Variances and/or Exceptions shall be shouldered by the project proponent.

ARTICLE IX. ADMINISTRATION AND ENFORCEMENT

SECTION 30. APPROVED ZONING MAPS. The Approved City Zoning Maps, printed in standard color codes and with minimum dimensions of 1.20 x 1.20 meters, 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
- Office of the City Engineer
- City Agrarian Reform Office
- City Agriculture Office
- City Environment and Natural Resources Office (CENRO)

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

SECTION 31. 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 forestlands, Special Economic Zones and other areas administered by national and special agencies, except for facilities for national security as certified by the Department of National Defense.

SECTION 32. PROJECTS OF NATIONAL SIGNIFICANCE. Based on established national standards and priorities, the HLURB shall continue to issue locational clearances for projects considered to be of vital and national or regional economic or environmental significance. Unless otherwise declared by the NEDA Board, all projects shall be presumed locally-significant. (Para. 2 Section 3a, of EO 72).

SECTION 33. MAJOR AND/OR INNOVATIVE PROJECTS. The Zoning Administrator/Zoning Officer or the LZBA, as the case may be, may seek the assistance of the HLURB or external consultants in the evaluation of proposed Major and/or Innovative Projects such as seaports, airports, oil depots, reclamation areas, shopping malls, special economic zones, tourism enterprise zones, and the like.

SECTION 34. SUBDIVISION PROJECTS. All owners and/or developers of subdivision projects shall, in addition to securing a Locational Clearance, be required to secure a Development Permit pursuant to the provisions of PD 957 and its Implementing Rules and Regulations or BP 220 and its Implementing Rules and Regulations and in accordance with the procedures laid down in EO 71, Series of 1993.

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

SECTION 35. PLANNED UNIT DEVELOPMENT (PUD) PROJECTS. Proposed PUD projects shall be accompanied by CDMPs showing, at the minimum, proposed land uses, building density and bulk, road network layout, road and sidewalk section details, and master layouts of all utilities such as those for potable water, storm drainage, sewerage, power supply, telecommunication and solid waste management.

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

SECTION 36. ENVIRONMENTAL COMPLIANCE CERTIFICATE. No Locational Clearance shall be issued to proposals covered by the EIS System unless the requirements of Environmental Compliance Certificate (ECC) have been complied with.

SECTION 37. BUILDING PERMIT. No Building Permit shall be issued by the City Building Official without a valid Locational Clearance in accordance with the integrated RCZO.

SECTION 38. LOCATIONAL CLEARANCE. The Business and Licensing Division shall require a Locational Clearance for new developments. Should there be any change in the activity or expansion of the area subject of the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

SECTION 39. OCCUPANCY PERMIT. No Occupancy Permit shall be issued by the Local Building Official without certification from the Zoning Administrator/Zoning Officer that the building has complied with the conditions stated in the Locational Clearance.

SECTION 40. VALIDITY OF LOCATIONAL CLEARANCE. Upon issuance of a Locational Clearance, 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 Locational Clearance within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his project without applying for a new clearance. Should there be any change in the activity or expansion of the area subject of the LC, the owner/developer shall apply for a new Locational Clearance.

SECTION 41. 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 42. 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 RCZO, 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 year be again revived as non-conforming use.
3. A vacant/idle building or structure may not be used for non-conforming activity.
4. That any non-conforming building/structure which has been damaged maybe reconstructed and used as before provided that such reconstruction is not more than fifty percent (50%) of the replacement cost. 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.
5. That no such non-conforming use maybe moved to displace any conforming use;
6. 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.
7. 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.
8. That such non-conforming use and/or structure should not cause nuisance effects to its neighbourhood, 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.
9. 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.
10. Engineering interventions such as flood control, slope protection, and drainages would be implemented to hazard prone areas since more than half of the land area of the City of Naga has a slope of greater than 30%.
11. A waiver will be required for those existing and proposed areas that are hazard prone if the owner insists to stay.
12. Due to the limited land, some proposed areas will stay and will only apply engineering interventions if the area is prone to hazard.

SECTION 43. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT. This Ordinance shall be enforced and administered by the Local Chief Executive through the Zoning Administrator/Zoning Officer who shall be appointed by the former in accordance with existing rules and regulations on the subject.

SECTION 44. COMPLIANCE. The Zoning Administrator/Zoning Officer must comply with the requirements of RA 10587, also known as the Environmental Planning Act of 2013.

SECTION 45. POWERS AND FUNCTIONS OF A ZONING ADMINISTRATOR/ZONING OFFICER. Pursuant to the provisions of EO 72 implementing RA 7160 in relation to Sec. 5, Paragraph a and d, and Section 7 of Executive Order No. 648 dated 07 February 1981, the Zoning Administrator shall perform the following:

1. Enforcement
 - a. Act on all applications for LC
 - b. Issuance of Notice of Non-Conformance to owners/ operators of uses, buildings or structures that are non-conforming to the applicable provisions of this Ordinance.
 - c. Monitor on-going/existing projects and issue Notices of Violation and Show Cause Order to owners, developers, or managers of projects that are in violation of the provisions of the RCZO.
 - d. Coordinate with the Philippine National Police (PNP) for enforcement of all orders and processes issued in the implementation of this Ordinance.
 - e. Coordinate with the City Fiscal and/or City Legal Officer for other legal actions/remedies relative to the foregoing.
2. Planning
 - a. Coordinate with the Regional Office of the HLURB regarding proposed amendments to the RCZO prior to adoption by the SP.

SECTION 46. COMPLAINTS AND OPPOSITIONS. A complaint for violation of any provision of the RCZO or any clearance or permit issued pursuant thereto shall be filed with the LZBA.

Oppositions to applications for LC-V or LC-E shall be treated as a complaint and shall likewise be filed with the LZBA.

SECTION 47. FUNCTIONS AND RESPONSIBILITIES OF THE LOCAL ZONING BOARD OF APPEALS. There is hereby created a LZBA which shall perform the following functions and responsibilities:

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

SECTION 48. APPEALS TO LZBA DECISIONS. Decisions of the LZBA shall be appealable to the HLURB.

SECTION 49. COMPOSITION OF THE LOCAL ZONING BOARD OF APPEALS. The LZBA shall be composed of the following members:

1. City Mayor as Chairman
2. SP Committee Chairperson on Land Use/Zoning (If said committee is non- existent, the SP may elect a representative)
3. City Legal Officer
4. City Assessor
5. City Engineer
6. City Planning and Development Coordinator (if other than the Zoning Administrator/Zoning Officer)
7. City Community Environment and Natural Resources Officer/DRRM Officer
8. Two representatives of the private sector nominated by their respective organizations
9. Two representatives from non-government and civil society organizations nominated by their respective organizations.

The City Planning and Development Office (CPDO) shall serve as the Secretariat to the LZBA. The LZBA may invite resource persons in support of the performance of its functions.

SECTION 50. REVIEW OF THE ZONING ORDINANCE. The Local Zoning Review Committee (LZRC) is hereby created under the City Development Council, to review the integrated RCZO considering the CLUP, based on the following reasons/ situations:

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

SECTION 51. COMPOSITION OF THE LZRC.

The LZRC shall be composed of the following:

1. SP Chairperson on Housing, Urban Planning and Land Utilization (or equivalent committee)
2. City Planning and Development Coordinator
3. City Zoning Administrator/Zoning Officer
4. City Assessor
5. City Legal Officer

6. City Engineer
7. City Community Environment and Natural Resources Officer/DRRM Officer
8. City Agriculturist
9. City Agrarian Reform Officer
10. President, Association of Barangay Captains
11. Three Private Sector Representatives such as from Local Chamber of Commerce, local housing industry, federation of homeowner's associations, and academe.
12. Two non-government and civil society organization representatives

The CPDO shall serve as the Secretariat to the LZRC. The LZRC may invite resource persons in support of the performance of its functions.

SECTION 52. FUNCTIONS OF THE LZRC. The LZRC shall have the following functions:

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

SECTION 53. AMENDMENT. Changes in the RCZO, as a result of the review by the LZRC shall be treated as an amendment, provided that any proposed amendment to the RCZO or provisions thereof shall be subject to public hearing and shall be carried out through a three-fourths vote of the SP. Any amendment shall take effect only after approval and authentication by HLURB or Sangguniang Panlalawigan.

SECTION 54. VIOLATION AND PENALTY. Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be punished by a fine or imprisonment as provided under the LGC or both at the discretion of the Court. In case of violation by a corporation, partnership or association the penalty shall be imposed upon the erring officers thereof.

SECTION 55. 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 CLUP of the locality.

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

SECTION 56. CONSISTENCY BETWEEN NATIONAL AND LOCAL PLANS, PROGRAMS AND PROJECTS. Plans, programs and projects of national agencies that will be implemented within the locality, shall as much as practicable, be consistent with the provisions of the RCZO.

SECTION 57. SEPARABILITY CLAUSE. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.


SECTION 58. REPEALING CLAUSE. All ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 59. EFFECTIVITY CLAUSE. This RCZO takes effect upon approval by the Sangguniang Panlalawigan/HLURB and after compliance with the publication/posting requirements of RA 7160 or the Local Government Code of 1991.

ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 26th day of October 2022.

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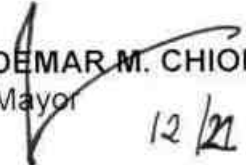
CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice-Mayor/Presiding Officer

APPROVED BY:


VALDEMAR M. CHIONG
City Mayor
12/21/22

ANNEX A. DEFINITION OF TERMS

- 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.
- Accessory Use** – pertains to those that are customarily associated with the Principal Use application (such as a garage is accessory to a house).
- Actual Use** – refers to the purpose for which the property is principally or predominantly utilized by the person in possession of the property.
- AFMA** – shall refer to the Agriculture and Fisheries Modernization Act of 1997 or RA 8435.
- Agricultural Activity** – per the CARL 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.
- Agricultural Land** – per RA 6657, refers to land devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land.
- Agricultural Land Use Conversion** – per RA 6657, refers to the process of changing the use of agricultural land to non-agricultural uses.
- Agricultural Zone (AGZ)** – an area within the city intended “for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations...” (AFMA).
- Agri-Industrial Zone (AgIndZ)** – an area within the city intended primarily for integrated farm operations and related product processing activities such as plantation for bananas, pineapple, sugar, etc.
- Agri-Processing Activities** – “refers to the processing of raw agricultural and fishery products into semi processed or finished products which include materials for the manufacture of food and/or non-food products, pharmaceuticals and other industrial products.” (AFMA)
- 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.
- Allowable Uses** – uses that conform to those allowed in a specific zone.
- Class “AA” Slaughterhouse/Abattoir** – those with facilities and operational procedures sufficiently adequate that the livestock and fowls slaughtered therein is suitable for sale in any market within the country.
- 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.
- Commercial-1 Zone (C1-Z)** – a low density commercial area within the city intended for neighborhood or community scale trade, service and business activities.
- Commercial-2 Zone (C2-Z)** – a medium to high density commercial area within the city intended for trade, service and business activities performing complementary/supplementary functions to the CBD.
- Commercial-3 Zone (C3-Z)** – a high density commercial area within the 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 stadium or sports complexes area also allowed in this zone. This zone may also be called as the CBD.
- Commercial Garage** – a garage where automobiles and other motor vehicles are housed, cared for, equipped, repaired or kept for remuneration, for hire or sale.
- Community Mortgage Program** – the developer shall finance the acquisition, development and subdivision of an identified Community Mortgage Program project duly accredited by the National Home Mortgage Finance Corporation (BP 220).
- 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.
- 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 CLUP 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, DRRM, Ancestral Domain, Biodiversity, Heritage Conservation and Green Urbanism.

Comprehensive Development Master Plan (CDMP) – a unitary development plan/ site plan that permits flexibility in planning/urban design, building/structure siting, complementary of building types and land uses, usable open spaces for general public uses services and business activities and the preservation of significant land features (NBC) and may also be referred to as a Master Development Plan.

Conflicting Uses – uses or land activities with contrasting characteristics and adjacent to each other e.g. residential units adjacent to industrial plants.

Conforming Use – a use that is in accordance with the zone regulations as provided for in the Ordinance.

Deed Restrictions – written agreements that imposes limitations on the use of property in order to maintain the intended character of a neighborhood.

Easement – open space imposed on any land use/activities sited along waterways, fault lines, road rights-of-way, cemeteries/memorial parks, utilities and the like.

Established Grade – the finish ground level of a proposed development which shall be determined according to the provisions of the latest edition of the NBC.

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)

Ecotourism Overlay Zone (ETM-OZ) – an area in the city intended for ecotourism uses.

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:
 - i. tapped for domestic purposes;
 - ii. within the controlled and/or protected areas declared by appropriate authorities; and
 - iii. which support wildlife and fishery activities.
- k. Mangrove areas characterized by one or any combination of the following conditions:
 - i. with primary pristine and dense young growth;
 - ii. adjoining the mouth of major river systems;
 - iii. near or adjacent to traditional productive fry or fishing grounds;
 - iv. which act as natural buffers against shore erosion, strong winds and storm floods; and
 - v. on which people are dependent on their livelihood.
- l. Coral reef characterized by one or any combination of the following conditions:
 - i. with 50% and above live coralline cover;
 - ii. spawning and nursery grounds of fish; and
 - iii. which acts as natural breakwater of coastlines.

Proponents of Projects within ECAs are required to submit Initial Environmental Examinations to DENR Regional Offices. They may later be required by the DENR to submit an EIS, if necessary.

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
 - i. non-ferrous metal industries;
 - ii. iron and steel mills;
 - iii. petroleum and petro-chemical industries including oil and gas; and
 - iv. smelting plants.
- b. Resource extractive industries
 - i. major mining and quarrying projects; and

- ii. forestry projects such as logging, major wood processing, introduction of fauna (exotic animals) in public/private forests, forest occupancy, extraction of mangroves and grazing.
- iii. fishery projects (dikes for/and fishpond development projects)
- c. Infrastructure projects
 - i. major dams;
 - ii. major power plants (fossil-fuelled, nuclear-fuelled, hydroelectric or geothermal);
 - iii. major reclamation projects, and
 - iv. major roads and bridges.
- d. Golf course projects

Proponents of ECPs are required to submit an EIS to the EMB of the DENR.

Environmental Impact Statement (EIS) System – pursuant to PD 1586 of 1978, refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the significance of the effects of physical developments on the quality of the environment. Projects that fall within the purview of the EIS System include:

- a. Environmentally Critical Projects
- b. Projects located in Environmentally Critical Areas

Estuary – a partially enclosed body of water along the coast where freshwater from rivers and streams meets and mixes with salt water from the ocean.

Exception – a device which grants a property owner relief from certain provisions of the Ordinance where because of the specific use would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

Fisheries Code – shall refer to the Philippine Fisheries Code of 1998 (RA 8550).

Fishery Refuge and Sanctuary Sub-Zone (FRS-SZ) – an area within the City Waters Zone "where fishing or other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted" (Fisheries Code).

Fish Pond – "a land-based facility enclosed with earthen or stone material to impound water for growing fish" (Fisheries Code).

Flood Overlay Zone (FLD-OZ) – areas in a city that have been identified as prone to flooding and where specific regulations are provided in order to minimize its potential negative effect to developments.

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.

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 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.

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 ha. with tree crown covering at least ten percent (10%) of the areas, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is a stand dominated by trees whose structure, functions and dynamics have been largely the result of natural succession process. A natural forest is classified as either (1) primary or virgin forest which has not 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 maybe classified into either degraded or productive type (DAO No. 99-53).

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. 1978).

Forest Reservation – refers to "forestlands which have been reserved by the President of the Philippines for any specific purpose or purposes" (Forestry Code).

Forest Zone (FZ) – areas within a city which are intended primarily for forest purposes. This includes forestlands and areas outside of forestlands that are declared for forest purposes by this Ordinance.

Forestry Code – refers to Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended.

General Institutional Zone (GI-Z) – an area within the city principally for general types of institutional establishment e.g. government offices, schools, hospital/clinic, academic/research, convention centers.

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

- a. Office areas
- b. Residential areas
- c. Corridors
- d. Lobbies
- e. Mezzanine
- f. Vertical penetrations, which shall mean stairs, fire escapes, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls
- g. Rest rooms or toilets
- h. Machine rooms and closets
- i. Storage rooms and closets
- j. Covered balconies and terraces
- k. Interior walls and columns, and other interior features But excluding:
- l. Covered areas used for parking and driveways, including vertical
- m. penetrations in parking floors where no residential or office units are present
- n. Uncovered areas for AC cooling towers, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or jacuzzis, gardens, courts or plazas.

Hazard Overlay Zone – areas within cities that are affected by landslide, flood, storm surge, or any kind of hazard where agricultural lands are located. These are areas that inform people that there is a hazard located in a specific area.

Heritage Act – shall mean the National Cultural Heritage Act of 2009 or RA 10066.

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).

Industrial-1 Zone (I1-Z) – an area within the city intended for light manufacturing or production industries that are:

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

Industrial-2 Zone (I2-Z) – an area within the city intended for medium intensity manufacturing or production industries that are:

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

Industrial-3 Zone (I3-Z) – an area within the city 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

Inland Fishery – the freshwater fishery and brackish water fishponds (Fisheries Code)

Innovative Design – introduction and/or application of new/creative designs and techniques in development projects e.g. Planned Unit Development.

IPRA – shall mean the Indigenous Peoples Rights Act of 1997 (Republic Act 8371)

Joint-Venture Projects – the developer may enter into a joint project or agreement with the City LGU or any of the housing agencies to develop a socialized housing project (BP 220).

Landslide Overlay Zone (LSD-OZ) – areas in the city that have been identified as highly susceptible to landslides and where specific regulations are provided in order to minimize its potential negative effect to developments.

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.

Locational Clearance (LC) – a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of this Ordinance.

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.

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.

Mangrove Sub-Zone (Mn-SZ) – an area in the City Waters Zone of the city 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).

Materials Recovery Facility (MRF) – includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.

Mines and Geosciences Bureau Zonation Overlay Zone – covers areas affected by the landslide that occurred in 2018 at the quarry site of the ALQC.

Mineral Land Zone (ML-Z) – an area in the city “where mineral resources are found” and declared by the government as having mineral resources in accordance with the Mining Act.

Mining Act – shall refer to the Philippine Mining Act of 1995 or RA 7942.

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.

Navigational Lane – areas in the city designated for the passage of water vessels.

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.

New Settlement – development of an entire new settlement or a portion thereof as certified by the appropriate national agency or by the City LGU (BP 220).

NIPAS Act – shall refer to the National Integrated Protected Areas System Act of 1992 or RA 7586.

No Build Zone – areas within the city that are affected by high levels of landslide, flood, storm surge, or any kind of hazard that is present in the area. These are areas affected by greater than 3 meters flood depth, and areas where sinkholes are located.

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.

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.

Non-NIPAS Areas – areas yet un-proclaimed 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. Un-proclaimed watersheds.

Official Zoning Map – a duly authenticated map delineating the different zones into which the whole city is divided.

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.

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.

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

Planned Unit Development (PUD) – a land development scheme wherein the project site is comprehensively planned as an entity via unitary site plan which permits flexibility in planning/design, building siting, complementarity of building types and land uses, usable open spaces and the preservation of significant natural land features.

- Port** – an area with facilities for loading and unloading of ships and may include, among others, harbor, docks, wharves, and piers.
- Production Agricultural Sub-Zone (PDA-SZ)** – areas within the Agricultural Zone of cities that are outside of NPAAAD and declared by the city for agricultural use.
- Production Forest** – areas within a city 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” (DAO 95- 15). 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).
- 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:
- a. Strict nature reserves;
 - b. Natural parks;
 - c. National monuments;
 - d. Wildlife sanctuary;
 - e. Protected landscapes and seascapes;
 - f. Resource reserves;
 - g. Natural biotic areas; and
 - h. Other categories established by law, conventions or international agreements which the Philippine Government is a signatory
- Protection Forest** – areas within the city that are “forestlands outside NIPAS obtained essentially for their beneficial influence on soil and water in particular and the environment in general (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).
- Quarry Sub-Zone (Q-SZ)** – areas within the Mineral Land Zone of the city that are declared by the Director of Mines and Geosciences Bureau as having “quarry resources such as, but not limited to, andesite, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass” (Mining Act).
- Quarrying** – shall mean “the process of extracting, removing and disposing quarry resources found on or near the surface of private or public land” (Mining Act).
- Reclassification of Agricultural Lands** – “the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, and commercial as embodied in the CLUP” (LGC and MC 54).
- Residential-1 Zone (R1-Z)** – an area within the city intended for low density residential use. Per the NBC, R-1 Zone is characterized mainly by low-rise single-detached and duplex residential buildings for exclusive use as single (nuclear) family dwellings.
- Residential-2 Zone (R2-Z)** – an area within the city intended for medium density residential use. Per the NBC, R-2 Zone is characterized mainly by low-rise single-attached, duplex or multi-level structures residential buildings for exclusive use as multi-family dwellings.
- Rezoning** – a process of introducing amendments to or change in the existing zoning of a particular area and reflected in the text and maps of the Ordinance.
- Sinkholes Overlay Zone** – areas in the city that have been identified as susceptible to sinkholes and where specific regulations are provided in order to minimize its potential negative effect to developments.
- Silviculture** – refers to “the establishment, development, reproduction, and care of forest trees” (Forestry Code).
- Slum Upgrading** – development, upgrading and improvement of a slum or blighted area to be certified by the National Housing Authority or the City LGU (BP 220).
- Sinkholes** – a cavity in the ground, especially in limestone bedrock, caused by water erosion and providing a route for surface water to disappear underground.
- Socialized Housing** – refers to “housing, programs and projects covering houses and lots or home lots only undertaken by the Government or the private sector for the underprivileged and homeless citizens” (UDHA).
- Socialized Housing Zone (SH-Z)** – an area in a city designated for socialized housing projects.
- Special Institutional Zone (SI-Z)** – an area within a city 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.
- Storm Surge Overlay Zone (SS-OZ)** – areas in a city that have been identified as highly susceptible to storm surge and where specific regulations are provided in order to minimize its potential negative effect to developments.

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” (AFMA).

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.

Tourism Act – shall mean the Tourism Act of 2009 or RA 9593.

Tourism Zone – are sites within cities endowed with natural or man-made physical attributes and resources that are conducive to recreation, leisure and other wholesome activities.

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” (Forestry Code).

UDHA – shall mean the Urban Development and Housing Act of 1992 or RA 7279.

Utilities, Transportation and Services Zone (UTS-Z) – an area in a 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” (NBC).

Variance – a device which grants a property owner relief from certain provisions of the Zoning Ordinance where, because of the particular physical surrounding, shape or topographical condition of the property, compliance on applicable Building Bulk and Density Regulations, Building Design Regulations and Performance Standards would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

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

Water Code – shall mean the Water Code of the Philippines (Presidential Decree 1067).

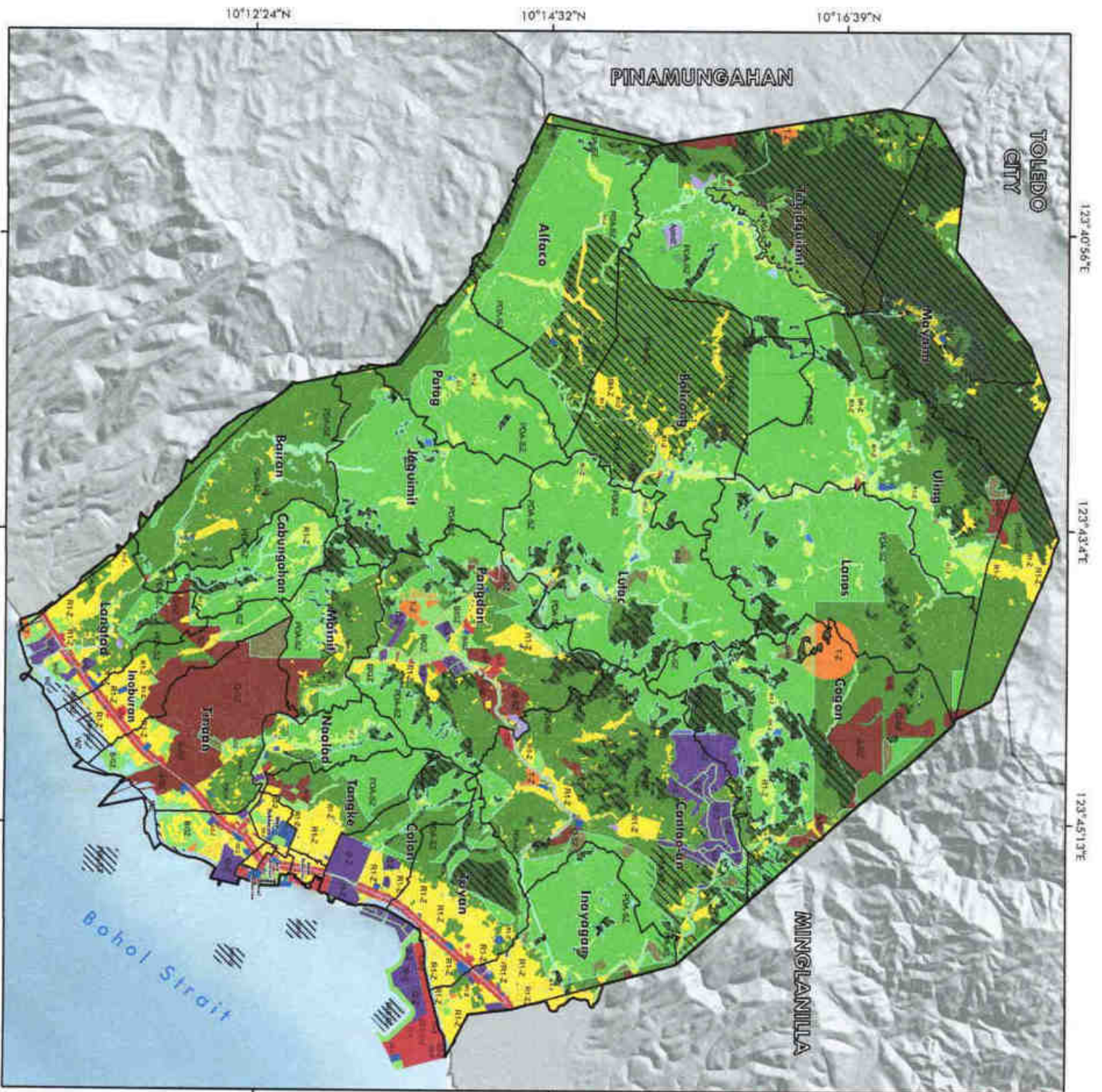
Wharf – an area within a city intended as a landing place where ships may be tied-up or unloaded.

Yard – as defined in the National Building Code, this 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.”

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

Zoning Administrator/Zoning Officer – a city government employee responsible for the implementation/enforcement of the ZO.

Zoning Certificate – a document issued by the Zoning Administrator citing the zoning classification of the land based on this Ordinance.



ZONING MAP

with Sinkholes Overlay

CITY OF NAGA, PROVINCE OF CEBU



- Legend**
- City Boundary
 - Barangay Boundary
 - Sinkholes Hazard Overlay
 - Cardinal lot
 - MTB-02: Multiple Forest Resource Overlay Zone
 - PA-02: Production Agricultural Sub-Zone
 - PA-03: Production Agricultural Sub-Zone
 - PA-04: Forest Buffer Sub-Zone
 - PA-05: Forest Reserve Sub-Zone
 - PA-06: Mangrove Sub-Zone
 - PA-07: Fishery Buffer and Sanctuary Sub-Zone
 - PA-08: Aquaculture Sub-Zone
 - PA-09: Municipal Market Zone
 - PA-10: Agricultural Zone
 - PA-11: Industrial Zone
 - PA-12: Industrial 2 Zone
 - PA-13: Industrial 3 Zone
 - PA-14: Quarry Sub-Zone
 - PA-15: Urban, Transportation and Services Zone
 - PA-16: No Build Zone
 - PA-17: Recreation - Overlay Zone
 - PA-18: Buffer/Overseas Zone
 - PA-19: Cemetery/Memorial Park Zone
 - PA-20: Parks and Recreation Zone
 - PA-21: Commercial 1 Zone
 - PA-22: Commercial 2 Zone
 - PA-23: Commercial 3 Zone
 - PA-24: Cemetery/Memorial Park Zone
 - PA-25: Special Institutional Zone
 - PA-26: Residential 1 Zone
 - PA-27: Residential 2 Zone
 - PA-28: Scattered Housing Zone
 - PA-29: Public Zone



NAGA
Naga City



Prepared: Integrated Planning Agency (IPIA) (2015)
Revised: 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 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