

**[ VALENZUELA CITY ORDINANCE NO. 164 SERIES  
OF 2014, October 20, 2014 ]**

**SANGGUNIANG PANLUNGSOD**

**\*\* Excerpts from the minutes of the 56th Regular Session of the 6th City Council of Valenzuela held on October 20, 2014 at 3:12 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metro Manila.**

**AN ORDINANCE AMENDING ORDINANCE NO. 80, SERIES OF 2010, OTHERWISE KNOWN AS THE VALENZUELA CITY ZONING ORDINANCE, INCORPORATING ADDITIONAL ZONES, EXPANDING THE COVERAGE OF GENERAL INDUSTRIAL ZONE AND FOR OTHER PURPOSES.**

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Be it ordained and enacted by the Sangguniang Panlungsod of VALENZUELA:

**WHEREAS**, on June 23, 2010 the Sangguniang Panlungsod of Valenzuela enacted Ordinance No. 80, more commonly known as the Valenzuela City Zoning Ordinance, providing the Comprehensive Land Use Plan for the City;

**WHEREAS**, under the said Zoning Ordinance proposal for changes, amendments or modification thereto may be made based on the review and recommendation made by the Local Zoning Review Committee;

**WHEREAS**, on November 21, 2013, the Local Zoning Review Committee was constituted by Executive Order No. 2013-196 issued by the Honorable City Mayor Rexion T. Gatchalian;

**WHEREAS**, one of the recommendations made by the Local Zoning Review Committee for the effective implementation and strict compliance of the said Ordinance is to prescribe and impose administrative penalty in case of violation and/or non-compliance thereof;

**WHEREAS**, the City Government of Valenzuela, through its Sangguniang Panlungsod, is empowered to regulate the use of land and/or its improvement and

to enact measures prescribing reasonable limitations and restraints on the use of property within its jurisdiction;

**WHEREAS,** the City Government of Valenzuela in the exercise of the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare as provided under its Charter (Republic Act No. 8526) and of the Local Government Code (Republic Act No. 7160) and in the exercise of its power to create its own sources of revenues and to levy fees and charges for its use and disposition hereby adopt the proposed changes recommended by the Local Zoning Review Committee.

**NOW THEREFORE,** the *Sangguniang Panlungsod* of VALENZUELA in a session assembled hereby adopts the following Zoning Ordinance.

**Section 1.** Section 1 of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

*"Section 1. Title of the Ordinance. This Zoning Ordinance shall be known as the VALENZUELA CITY Zoning Ordinance Revisions and shall hereinafter be referred to as the ZO Revisions.*

**Section 2.** Article III - Definition of Terms of Ordinance No. 80 is hereby amended to incorporate the following additional Definition of Terms, to read as follows:

*"57. **BASE ZONE** - refers to the primary zoning classification of areas within the City that are provided with a list of allowable uses and regulations on building density and bulk, among others.*

*"58. **FLOOD OVERLAY ZONE (FLD-OZ)** - an area that has been identified as prone to flooding; and where specific regulations are provided in order to minimize its potential negative effect to developments.*

*"59. **LIQUEFACTION OVERLAY ZONE (LQ-OZ)** - an area that has been identified as prone to liquefaction and where specific regulations are provided in order to minimize its potential negative effect to developments.*

*"60. **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. 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 3.** Section 5 of Ordinance No. 80, Series of 2010 Is hereby amended to read as follows:

**Section 5 Division into Zones.** *The City of VALENZUELA is hereby divided into the following zones, namely, Residential - 2 (Basic), Residential - 2 (Maximum), Residential - 3 (Maximum), Residential 5, Socialized Housing, Commercial - 1, Commercial - 2, Commercial -3, General Industrial, General Institutional, Cultural, Fishpond, Utilities, Cemetery and Special Development.*

*The above divisions are for the purposes of the following:*

- 1. implementing the VALENZUELA CLUP;*
- 2. defining specific areas of the City of VALENZUELA, each requiring different standards of development to meet different circumstances present within the zone; and*
- 3. serving the purposes and intent of the ZO as outlined in Article II.*

**Section 4.** Section 7 of Ordinance No. 80, Series of 2010 is hereby amended to incorporate the following additional zones to read as follows:

**"17. SPECIAL DEVELOPMENT ZONE**

"This is a zone that may be developed either as Parks/ Open Space, Cemetery or Socialized Housing as determined by the City Government."

**"18. FLOOD OVERLAY ZONE.**

'This is an Overlay Zone covering areas that have been determined as flood-prone.

**"19. LIQUEFACTION OVERLAY ZONE.**

"This is an Overlay Zone covering areas that have been determined as prone to liquefaction."

**'Section 5.** Section 8 (Zoning Map) of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

**"Section Zoning Mao.** *It is hereby adopted as an integral part of the*  
**8.** *ZO, the Official Amended Zoning Map of the City, duly signed by the Mayor. The designation, location and boundaries of the Base Zones herein established are shown and indicated in the said Official Zoning Map (Figure 1). The designation, location and boundaries of the Overlay Zones are attached as Figure 2 Flood Overlay Zone and Figure 3 Liquefaction Overlay Zone.*

**Section 6.** Section 9 of Ordinance No, 80, Series of 2010 is hereby amended to read as follows:

**"Section Zone Boundaries.** *The locations and boundaries of the above*  
**9.** *mentioned zones into which the City has been subdivided are presented, in the attached Official Amended Zoning Map and in the map of Overlay Zones.*

*The zone boundaries for Commercial 2 is reckoned to be one lot deep along MH del Pilar St., T. Santiago to Sapang Bakaw - Kabesang Porong- Ibaba -Bignay- Gitna - Hulo Road (Lawang Bato-Punturin Road), Maysan Road, Bagbaguin Rd., Gen. T. de Leon St, SulokRd.*

*The zone boundaries for Commercial 3 are reckoned to be:*

- One lot deep along McArthur Highway from Marulas until*

*the junction of Gen. T. De Leon Rd.*

- *One lot deep along McArthur Highway from railroad crossing in Malinta and junction of Malinta-Maysan Rd. to Malanday*
- *One lot deep along Mindanao Avenue Extension.*

**Section 7.** Section 10 of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

**"Section 10. Interpretation of the Zone Boundary.** *In the interpretation of the boundaries for any of the zones indicated on the Official Amended 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 street or highway right-of-way lines shall be construed to be the boundaries.*
- 2. Where zone boundaries are so indicated that they approximately follow barangay boundary lines, the delineation shall be based on those indicated on the amended zoning maps.*
- 3. Where zone boundaries are so indicated that they are approximately parallel to the centerlines or right-of-way lines of streets and highways, such zone boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated in the Official Amended 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 a stream, lake or other bodies of water, said boundary line should be deemed to be at the limit of the political jurisdiction of the community unless otherwise indicated. Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of change in the shorelines, shall be construed as moving with the actual shorelines. Boundaries following bodies of water shall be subject to public easement requirements as provided in the Water Code, in the provisions of this ordinance and with other applicable regulations.*
- 5. Where a zone boundary line divides a lot, the lot shall be construed to be within the zone where its major portion is located. In case the boundary line bisects the lot, it shall fall in the zone where the principal structure falls.*
- 6. Where zone boundaries are said to be as indicated in the Official Amended Zoning Map, the location of the parcel in consideration shall be determined by overlapping the cadastral map to the former.*

**Section 8.** Section 19 of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

**"Section 19. Subdivision Projects.** *All owners and developers of subdivision projects shall be required, in addition to securing a Locational Clearance as provided by this ZO, 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 in the case of Socialized Housing Projects in accordance with the procedures laid down in EO 71, Series of 1993.*

*Further, proposed subdivision projects shall prepare their respective Deed Restrictions that shall 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 to which it belongs. Compliance with the provisions of Deed Restrictions shall form part of the requirements for Locational Clearance.*

*Existing subdivisions, if without Deed Restrictions with a list of allowable uses, shall prepare the same within six months from the passage of this ZO, for the approval of the Zoning Administrator.*

*Moreover, socialized housing projects are required to provide and deliver completely asphalted/ concreted roads, as well as drainage, power, potable water, fire fighting and other utilities.*

**Section 9.** Section 20 of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

*Section 20. **Easement.** The following easements shall be observed:*

- 1. Pursuant to the provisions of the Water Code, the following easements of public use in the interest of recreation, navigation, floatage, fishing and salvage shall be observed throughout the entire lengths of the banks of rivers and streams and the shores of seas and lakes, as applicable: three meters in urban areas, 20 meters in agricultural areas and 40 meters in forest areas.*

*Per Section 31 Determination of Easements of the Water Code's Implementing Rules and Regulations (as amended), "all easements for public use prescribed for the banks of rivers and the shores of seas and lakes shall be reckoned from the line reached by the highest flood which does not cause inundation or the highest equinoctial tide whichever is higher."*

*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.*

- 2. Mandatory five-meter easement on both sides of earthquake fault traces on the ground identified by PHIVOLCS.*
- 3. As required by the City Government, road widening and road construction program illustrated in Figure 5 as well as other projects that may later on be identified.*

**Section 10.** Section 24 of Ordinance No. 80, Series of 2010 is hereby amended to read as follows:

**"Section 24. Buffer Yards.** Building setbacks or yards shall be considered as buffer yards. Aside from providing light and ventilation, buffers can mitigate adverse impacts and nuisances between two adjacent developments. Whenever necessary,