

REPUBLIC OF THE PHILIPPINES  
SANGGUNIANG PANLUNGSOD  
PASAY CITY

ORDINANCE NO. 962, S. 1997

ORDINANCE ADOPTING THE COMPREHENSIVE LAND AND BUILDING  
USES PLAN FOR PASAY CITY

Sponsored by: Councilor ROMULO M. CABRERA and Vice Mayor WENCESLAO B. TRINIDAD, Councilors GREG F. ALCERA, ANTONINO G. CALIXTO, EMMANUEL M. IBAY, JUSTO C. JUSTO, REYNALDO O. PADUA, ROBERTO L. ALVAREZ, EDITA V. VERGEL DE DIOS, ULДАРICO C. ARABIA, ALBERTO V. PAREDES, EDUARDO I. ADVINCULA, TEODULO R. LORCA, JR., GENEROSO F. CUNETА and LEVINE A. CUNETА

WHEREAS, Republic Act 7160, otherwise known as The Local Government Code of 1991 devolved to local government units the power to regulate the land and building uses in their respective areas of responsibilities.

WHEREAS, consistent to the local anatomy and decentralization, the CITY PLANNING OFFICE of Pasay recommended to the SANGGUNIANG PANLUNGSOD a land and building uses scheme for Pasay City.

WHEREAS, there is a need for adoption of a comprehensive land and uses plan for Pasay City to encourage the economic growth and prosperity, promote health and safety, preserve and enrich culture, enhance balance ecology and preserve the convenience and comfort of the City residents;

WHEREAS, the SANGGUNIANG PANLUNGSOD is expressly empowered to regulate the land and building uses through the enactment of zoning ordinance for an efficient and effective governance and the promotion of the general welfare of the inhabitants;

NOW THEREFORE, be it ORDAINED as it hereby ORDAINED, in session duly assembled, that:

SECTION 1. TITLE.- this ordinance shall be known as the "THE COMPREHENSIVE LAND AND BUILDING USES PLAN FOR PASAY CITY".

SECTION 2. PURPOSE.- This ordinance is enacted to promote the general welfare of the inhabitants, encourage and achieve the economic growth and prosperity, promote health and safety, preserve and enrich culture, enhance balance ecology and preserve the convenience and comfort of the City residents.

SECTION 3. DECLARATION OF POLICY.- It is hereby declared the policy of the City to regulate the use of the land and building into different zones based on the nature, characteristics of its uses and environmental regulations as prepared by the City Planning Office.

SECTION 4. ZONE CLASSIFICATION.- For the purpose of the land and building uses in the City, they are hereby divided into MAJOR and SPECIAL ZONES based on their predominant uses.

The MAJOR ZONES shall be comprised of RESIDENTIAL, COMMERCIAL, INDUSTRIAL and PARKS while SPECIAL ZONES consist of INSTITUTIONAL, UTILITIES, CULTURAL, CEMETERY and PLANNED AREAS FOR DEVELOPMENT.

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- a. Gil Puyat Avenue;
- b. Leveriza Street;
- c. Antonio Arnaiz Avenue; and
- d. Harrison Street;

and those declared Special Zones;

Sec. 6-C. The areas bounded on the North by Gil Puyat Avenue; on the East by Tripa de Gallina, on the South by Arnaiz Avenue; and on the west by Taft Avenue, Pasay City, except those lots, one (1) lot deep, fronting and abutting the following streets as river:

- a. Gil Puyat Avenue;
- b. Antonio Arnaiz Avenue;
- c. Padre Burgos Street;
- d. Taft Avenue; and
- e. Tripa de Gallina;

and those declared Special Zones;

Sec. 6-D. The areas bounded on the North by Antonio Arnaiz Avenue; on the East by Tripa de Gallina; on the South by Efigenio De Los Santos Avenue (EDSA); and on the West by Harrison Street, Pasay City, except those lots, one (1) lot deep, fronting and abutting the following streets and river:

- a. Antonio Arnaiz Avenue;
- b. Taft Avenue;
- c. Padre Zamora Street;
- d. Protacio Street;
- e. EDSA;
- f. Harrison Street; and
- g. Tripa de Gallina;

and those declared Special Zones;

Sec. 6-E. The areas bounded on the North by Cuneta Avenue; on the East by Taft Avenue; on the South by the boundary line between Pasay City and Parañaque and on the West by Harrison Street, Pasay City, except those lots, one (1) lot deep, fronting and abutting the following streets:

- a. Taft Avenue;
- b. Cuneta Avenue; and
- c. Harrison Street;

and those areas declared Special Zones in the said areas;

Sec. 6-F. The area bounded on the North by EDSA; on the East by Aurora Boulevard; and on the South by Trip de Gallina and the West by Taft Avenue Extension, except those lots, one (1) lot deep, fronting and abutting the following streets:

- a. EDSA;
- b. Aurora Boulevard; and
- c. Taft Avenue;

and those areas declared Special Zones;

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*Glenn T. Dargul de Dios*

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Sec. 6-G. The areas bounded on the North by EDSA; on the East by the boundary line between Pasay City and Makati City; on the South by Dilain Creek; and on the West by Tripa de Gallina, except those lots, ONE (1) lot deep, fronting and abutting the following streets and river;

- a. EDSA;
- b. C. Jose Street;
- c. P. Santos Street; and
- d. Tripa de Gallina;

and those areas declared Industrial and Special Zones;

SECTION 7. COMMERCIAL ZONES.- The following areas are declared:

MINOR COMMERCIAL AREA (C-1)

Sec. 7-A. All lots ONE (1) lot deep, fronting and abutting both sides of Protacio Street from Taft Avenue to the boundary line of PASAY CITY and MAKATI CITY;

Sec. 7-B. All lots ONE (1) lot deep, fronting and abutting both sides of C. Jose to Tripa de Gallina;

Sec. 7-C. All lots ONE (1) lot deep, fronting and abutting both sides of P. Santos Street, Malibay form EDSA to S. De Guzman Street;

SECTION 8. The following areas are declared MAJOR COMMERCIAL AREA (C-2):

Sec.8-A. All lots ONE (1) lot deep, fronting and abutting both sides of F.B. Harrison Street from Gil Puyat Avenue to the boundary line of PASAY CITY and MANILA, except those declared as Institutional areas;

Sec. 8-B. All lots ONE (1) lot deep, fronting and abutting the Eastern side of F.B. Harrison Street from A.Arnaiz Avenue to Gil Puyat Avenue, except those declared as Institutional areas;

Sec. 8-C. All lots ONE (1) lot deep, fronting and abutting both sides of F.B. Harrison Street from Gil Puyat Avenue to the boundary line of Pasay City and Parañaque to A. Arnaiz Avenue, except those declared as Institutional areas;

Sec. 8-D. All lots ONE (1) lot deep, fronting and abutting both sides of Taft Avenue from Gil Puyat Avenue to the boundary line of PASAY CITY and MANILA, except those declared as Institutional areas;

Sec. 8-E. All lots ONE (1) lot deep, fronting and abutting both sides of Taft Avenue from Antonio Araniz Avenue to Gil Puyat Avenue, except those declared as Institutional areas;

Sec. 8-F. All lots ONE (1) lot deep, fronting and abutting both sides of Taft Avenue from the boundary line of PASAY CITY and PARAÑAQUE to A. Arnaiz Avenue;

Sec. 8-G. All lots ONE (1) lot deep, fronting and abutting both sides of Leveriza Street from Gil Puyat Avenue to the boundary line of PASAY CITY and MANILA, except those declared as Institutional areas;

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- Sec. 8-H. All lots ONE (1) lot deep, fronting and abutting Eastern side of Leveriza Street from A. Arnaiz Avenue to Gil Puyat Avenue;
- Sec. 8-I. All lots ONE (1) lot deep, fronting and abutting both sides of Dominga Street from Gil Puyat Avenue to the boundary line of PASAY CITY and MANILA;
- Sec. 8-J. All lots ONE (1) lot deep, fronting and abutting both sides of P. Burgos Street from A. Arnaiz Avenue to Gil Puyat Avenue, except those declared as Institutional areas;
- Sec. 8-K. All lots ONE (1) lot deep, fronting and abutting both sides of Zamora Street from EDSA to A. Arnaiz Avenue, except those declared as Institutional areas;
- Sec. 8-L. All lots ONE (1) lot deep, fronting and abutting both sides of Aurora Boulevard from Andrew Avenue to EDSA;
- Sec. 8-M. All lots FIFTEEN (15) meters deep strip, fronting and abutting both sides of Domestic Road from MIA Road To Andrew Avenue;
- Sec. 8-N. All lots FIFTEEN (15) meters deep strip, fronting and abutting both sides of MIA Road from the boundary line of PASAY CITY and PARAÑAQUE to Rotonda fronting Philippine Village Hotel except Nayong Pilipino;
- Sec. 8-O. All lots FIFTEEN (15) meters deep strip, fronting and abutting the Western side of NAIA Avenue from the boundary line of PASAY CITY and PARAÑAQUE to MIA Road;
- Sec. 8-P. All lots FIFTEEN (15) meters deep strip, fronting and abutting the Western side of South Super Highway from the boundary line of PASAY CITY and PARAÑAQUE to Nichols Toll Gate;
- Sec. 8-Q. All lots FIFTEEN (15) meters deep strip, fronting and abutting Merville Access Road in Barangay 201;
- Sec. 8-R. All lots ONE (1) lot deep strip, fronting and abutting both sides of Andrews Avenue from Pasay-Parañaque Boundary to gate of Villamor Air Base.

SECTION 9. The following areas are declared METROPOLITAN COMMERCIAL ZONE (C-3):

- Sec. 9-A. All lots ONE (1) lot deep strip, fronting and abutting the eastern side of the Service Road of Roxas Boulevard from Gil Puyat to the boundary line of PASAY CITY and MANILA;
- Sec. 9-B. All lots ONE (1) lot deep strip, fronting and abutting both sides of Gil Puyat Avenue from Roxas Boulevard to the boundary line of PASAY CITY and MAKATI;
- Sec. 9-C. All lots ONE (1) lot deep strip, fronting and abutting the both sides of A. Arnaiz Avenue from Roxas Boulevard to the boundary line of PASAY CITY and MAKATI;
- Sec. 9-D. All lots ONE (1) lot deep strip, fronting and abutting the both sides of EDSA from Roxas Boulevard to the boundary line of PASAY CITY and MAKATI;

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Sec. 9-E. The area bounded on the North by Gil Puyat Avenue, on the East by F.B. Harrison Street, on the South by the boundary line of PASAY CITY and PARANAQUE and the West by the Service Road of Roxas Boulevard, except those areas declared as Special Zones;

Sec. 9-F. The area bounded on the North by Gil Puyat Avenue, on the East by Taft Avenue, on the South by A. Arnaiz Avenue and on the West by Leveriza Street; and

Sec. 9-G. The area bounded on the North by EDSA, on the East by Taft Avenue, on the South by Cuneta Avenue and on the West by F.B. Harrison Street;

SECTION 10. INDUSTRIAL ZONE.- The following areas are declared:

LIGHT INDUSTRIAL/MEDIUM INDUSTRIAL ZONE:

Sec. 10-A. All lots ONE (1) lot deep, fronting and abutting the level of Tripa de Gallina from Apelo Cruz to the boundary line of PASAY CITY and MANILA;

Sec. 10-B. The areas bounded by the levee of Tripa de Gallina, EDSA, E. Rodriguez Street, Apelo Cruz and its Extension, the Boundary line of PASAY CITY and MAKATI, E. Flores Street, Vitales Street, E. Rodriguez Street, Maricaban Creek, and Tripa de Gallina, except those declared as Commercial and Institutional areas;

SECTION 11. PARKS & RECREATIONAL ZONES.- The following areas are declared PARKS and RECREATIONAL ZONES:

Sec. 11-A. The parklet between Luna Street and Taft Avenue near A. Arnaiz street;

Sec. 11-B. The Derham Park bounded on the North by Antonio Arnaiz Avenue, on the West by the Auxiliary Road of Roxas Boulevard, on the East by F.B. Harrison Street and South by the property line of Sea Front;

Sec. 11-C. The Malibay Plaza bounded by C. Jose Street and Apelo Cruz Extension, Malibay;

Sec. 11-D. The area bounded by Andrews Avenue, 12th Street, Manlunas Street and 10th Street, Villamor Air Base;

SECTION 12. INSTITUTIONAL ZONES.- All areas presently occupied by all existing institutions, private or government owned prior to the adoption of this zoning ordinance notwithstanding their location in other zone are declared INSTITUTIONAL ZONES;

SECTION 13. UTILITY ZONE.- The areas occupied by the Board of Air Transportation, Domestic and Ninoy Aquino International Airports, except those areas therein that are declared, Residential, Commercial and Institutional areas, are declared as Utility Zone;

SECTION 14. CULTURAL ZONES.- The areas occupied by the Cultural Center Tanghalang Francisco Balagtas (Folk Arts Theater), Philippine International Convention Center (PICC) at the reclamation area and the Nayong Pilipino in the NAIA district are declared CULTURAL ZONES;

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well as those manufacturing products for regional consumption.

Sec. 17-H. INSTITUTIONAL ZONES. - shall be characterized by governmental, and protective uses as well as institutional and characterized further by specialized governmental agencies providing institutional, protective, security and social services for the region or the country as a whole, and which are governed by specialized regulations, including mental hospitals, rehabilitations and training centers, military and security services.

Sec. 17-I. PARKS AND RECREATION ZONES.- shall be characterized by parks facilities and amusements centers, resort establishments including marine and costal resorts, playgrounds, scenic areas and environmental conservation ad protection areas.

Sec. 17-J. UTILITY AREAS.- Areas devoted to transport support facilities, such as bus/jeep terminals or stations, carbans, taxi stands, freight loading, storage, handling, unloading are, depot repair and maintenance facilities, piers, airports, train yards and other related facilities including communications infrastructure an other utilities.

Sec. 17-K. CULTURAL AREAS.- Areas characterized by the presence of mixed institutional uses and structures that have contributed to the nation's cultural heritage, and all such other uses which have historical significance in the community, such as museum, amphitheatres, old places and house, the preservation restoration of which is practical and desirable.

Sec. 17-L. CEMETERY AREAS. - Consist of public and private graveyard and above-ground burial areas.

Sec. 17-M. BLISS SITES.- Areas identified by the ministry of Human Settlements for its sites and services improvement program, characterized by high density housing, accessory uses and commercial support facilities.

Sec. 17-N. PLANNED AREAS FOR DEVELOPMENT.- Consist of those areas identified by the Human Settlement Commission as areas for priority development and those areas indentified in Section 16-A and Section 16-B hereof.

SECTION 18. ALLOWABLE LAND AND BUILDING USES.- No building, structure or land used and no building and structure shall be erected or altered in whole or in part except for one or more of the following:

LOW DENSITY RESIDENTIAL ZONE

A - PRINCIPAL USES

- 1. One family dwelling ;
- 2. Duplex type buildings;
- 3. Churches or similar places of worship and dwelling for the religious and seminaries;

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4. Nursery and kindergarten schools, provided that they do not exceed two (2) classrooms;
5. Clubhouses, lodges and other social centers;
6. Parks, playgrounds, pocket parks, parkways, promenades and playlots;
7. Recreational uses such as tennis courts, basketball courts, swimming pools and similar uses operated by the government or private individuals as membership organizations for the benefit of their members, families or guests and not primarily for gain;
8. Townhouses.

#### B - ACCESSORY USES

1. Uses customarily incidental to any of the aforementioned uses located on the same lot, provided that such accessory uses shall not include any activity conducted for monetary gain or commercial purposes;
- a) Servants quarters;
  - b) Home laundries;
  - c) Non-commercial garages;
  - d) Houses for pets such as dogs, birds, rabbits, and the like of not more than four square meters in floor area;
  - e) Cottage or home industries such as embroidery, sewing, handicrafts, shell crafts, and the like, conducted within a dwelling, provided that a maximum of 10 persons is employed and not more than 30% of the floor area of any one floor of the dwelling is devoted to such home occupation; provided further, that such home occupation does not require internal or external alterations, or involve construction features or use of equipment not customary in dwelling.

#### MIXED MEDIUM AND HIGH DENSITY RESIDENTIAL ZONE

##### A-PRINCIPAL USES

1. One-family dwellings or more;
2. Duplex type buildings;
3. Town houses
4. Residential condominium or medium and high rise type;
5. apartment houses, apartelle, hometels;
6. Multi-family dwellings, accessories;
7. Boarding houses;
8. Tenements and mass housing;
9. Multi-storey apartment;







- 21) Parking lots;
- 22) Radio and television broadcasting stations, and
- 23) Warehouses and storage facilities incidental to the above uses.

METROPOLITAN COMMERCIAL AREA. - Only the following uses are permitted and allowed and the scale of operations include the outlying cities and municipalities:

1. All permitted uses in R-2, R-3, C-1 and C-2 areas;
2. Supermarkets, superstores, shopping and commercial centers;
3. Commercial recreation such as bars and nightclubs, boxing, wrestling, stadia, cinema, cockfighting arenas and racetracks, jai-alai;
4. Machinery equipment supply and related wholesale trade;
5. Radio-phonographs and records shops;
6. Musical instrument stores;
7. Printing, book binding shops, publishing shops and other related activities;
8. Lumber yards;
9. Institutional uses as university, complexes;
10. Commercial parking lots and garages;
11. Warehouses and storage facilities incidental to the above uses.

#### MIXED LIGHT AND MEDIUM INDUSTRIAL AREAS

1. Manufacturing of human and animal food products and flavoring extracts;
2. Canning, preserving and processing fruits, juices, fish, crustaceans, meats and manufacture of vegetable, animal oils and fats;
3. slaughtering and meet dressing;
4. Distilling, rectifying and blending of spirits, liquor, wines, malt, softdrinks, carbonated water, beverages and syrups;
5. Ice plants and cold storage;
6. Milling rice, corn, flour and manufacturing of synthetic coffee from corn, rice and other cereals;
7. Spinning, waving and finishing textiles, hosiery, carpets, rugs, manufacturing of linoleum (artificial leather), cordage, ropes, canvas and jute products;
8. Manufacturing of footwear, umbrellas, canes, brooms, fans, raincoats and other water proof garments, hats, ready to wear apparels and other accessories;

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*Quinta Vergel de Dios*

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9. Manufacturing of tires, tubes and rubber products including recapping of tires;
10. Manufacturing and assembly plants of bicycles, motorcycles, automobiles, cars, buses, trucks trailers, motor engines and equipments, body and sidecar building, and repair thereof;
11. Manufacturing of wood, rattan and metal furnitures and fixtures and other products;
12. Manufacturing of clay products, pottery, china and earthenware products, kitchen and table articles;
13. Manufacturing of tobaccos, cigar, cigarettes, chewing gum tobaccos, including curing, processing and redrying tobacco leaves;
14. Printing, publishing and other allied industries;
15. Fabricator of structural metal products, boilers, tanks and other structural and sheet metal, tins, cans, boxes, containers and other metal products and repair thereof;
16. Manufacturing of paints, varnishes, lacquers, shellac and stains;
17. Manufacturing of school and office supplies and other artists materials and athletic goods, except firearms;
18. Manufacturing and assembly plants for service industry machinery and household appliances and industrial apparatus and repair thereof;
19. Manufacturing of office, computing and accounting machines, radio, television and communication equipment and accessories and repair thereof.

SECTION 19. BUILDING OR STRUCTURE USE. - No building, structure or land shall; hereafter be occupied or used and building and structure or part thereof shall be erected, constructed, moved or structurally altered except in conformity with the provisions of this ordinance;

SECTION 20. YARD, OFF STREET PARKING SPACE. - No part of a road, off-street parking space, loading space, or other open space required of any building shall, for the purpose of complying with this ordinance, be included as part of the yard open space, off-street parking or loading space similarly required of any adjacent neighboring building. However, this shall not apply to building/s with common party walls or adjacent building lines, in which case, only the yard for free or non-abutting sides will be required;

SECTION 21. TRAFFIC GENERATING BUILDING. - All traffic generating buildings and structures allowed in any of the areas must provide for adequate parking spaces for their employees, clients and visitors. where a person plans to establish a certain use/activity which will necessary affect the character of residential area in terms of traffic to be generated, the prior approval of the Barangay will have to be secured as one of the pre-requisite for location clearance and building permit. Furthermore it shall allocate an inner bay within its property for loading and unloading of passengers so that continuous flow of traffic will not be obstructed;

SECTION 22. HIGH RISE BUILDING. - All high rise buildings must strictly comply with all the provisions of National Building Code and must provide its own

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source of potable water in addition from the NAWASA, by putting up its own deepwell, which should not be less than ONE HUNDRED FEET (100) feet deep and should not be less than THIRTY (30) feet away from any sewerage lines and septic tanks;

SECTION 23. ADVERTISING AND BUSINESS SIGNS. - Advertising and business signs to be displayed or put up for public view in any of the areas herein enumerated must comply with existing laws, rules and regulations and shall not be allowed along scenic parks, recreation areas and the shoreline of the Manila Bay;

SECTION 24. DWELLING ON REAL LOTS. - No building used or intended to be used as residence shall be allowed in any rear lot unless such lot has a right of way easement of at least THREE (3) meters leading to the street;

SECTION 25. STRUCTURE TO HAVE ACCESS. - Every building hereafter erected or moved shall have access to a public street or to a private street open to the public and all structures shall be so located on lots so as to provide safe and convenient access for servicing fire protection units;

SECTION 26. YARD REQUIREMENTS ALONG A DISTRICT BOUNDARY LINE. - Lots abutting on a zone boundary line shall conform to the yard requirements of the more restrictive zone boundary by the line;

SECTION 27. DWELLING GROUP. - When it is impractical to apply the requirements of these zoning regulations to individual building unit in a residential compound, consisting of a two or more buildings, a permit for the construction of such compound may be issued, provided that the plan thereof conform to the following conditions:

Sec. 27-A. That the building are to be used only for residential purposes and such uses are permitted in the zone where the compound is located;

Sec. 27-B. That the average lot area per family, of dwelling unit in the compound, exclusive of the area used or to be used for streets or driveways, is not less than the lot area per family required in the district;

Sec. 27-C. That there is provided within the tract on which the residential compound is to be located, an open space for playground purposes with an area equivalent to at least an aggregate area of five (5%) percent of the required lot area per family, but in no case less than one hundred square meters; provided that where the residential compound is intended for less than ten families, the setting aside of such area for playground purposes may be dispensed with; and provided further, that an open space may be used as part of the yard requirements for the compound; and

Sec. 27-D. That there is provided within the tract on which the residential compound is to be erected or immediately adjacent thereto, an adequate private garage or off-street parking area, depending on the needs of the residents and their visitors.

SECTION 28. HEIGHT REGULATION.

Sec. 28-A. Where as residential area adjoins a C2 district without an intervening street or permanent open spaces over 6 meters in width, and where zoning lots separated by area

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boundaries have adjacent front yards, the proposed structure fronting the residential area shall be limited to a height of 12 meters of four-storey building whichever is lesser;

Sec. 28-B. Where an R2 district adjoins a C2 or C3 area without a intervening street or permanent open spaces over 3 meters in width, the proposed structure of C2 or C3 district adjacent to R2 zone shall be limited to a height of 9 meters or three-storey building whichever is lesser;

Sec. 28-C. Where an R2 or R3 area adjoins an 1-1 or 1-2 zone without an intervening street or permanent open spaces over EIGHT meters in width, the proposed industrial structure fronting the residential zone shall be limited to a height equivalent to 9 meters or three-storey building whichever is lower;

Sec. 28-D. Structures adjacent to airports must comply with the building heights set by the Board of Air Transportation.

**SECTION 29. PERFORMANCE STANDARDS.** - All land uses, developments or constructions shall conform to the following standards:

Sec. 29-A. Noise and Vibration. - All noise and vibration producing machinery shall be enclosed by a building and shall be provided with effective, noise absorbing materials, noise silencers and mufflers, and an open yard of a distance of not less than twenty (20) meters from the street or adjoining property lines and property planted to dense trees and buffers. To minimize vibration, a machinery should be mounted on a shock absorbing mountings, such as cork set on set reinforced concrete foundations or a floating isolated foundation set on piles, as needed by the machinery concerned, to reduce all noise and vibration to a reasonable minimum. Noise which is objectionable due to intermittence beat frequency or high pitch shall not be allowed unless enclosed in sound proof buildings as tested and approved by the city officials concerned;

Sec. 29-B. Smoke. - Any smoke emitted from any source for a period aggregating seven (7) minutes in any thirty minute interval particularly when starting a new fire, shall have a density not greater than No. 2 of the Ringlemann Chart;

Sec. 29-C. Dust dirt and fly ash. - The emission of dust, dirt or fly ash from any source or activity which shall pollute the air and render it unclean, destructive, unhealthful or hazardous, or cause visibility to be impaired, shall not be permitted.. In no case whatsoever shall dust, dirt or fly ash be allowed to exceed 0.3 gram per cubic meter of flue gas at stack temperature at 0° centigrade or to create a haze with opaqueness equivalent to or greater than No. 1 of the Ringlemann Chart;

Sec. 29-D. Odors and gases. - The emission of foul odors and gasses deleterious to public health, safety and general welfare shall not be permitted. Activities emitting foul odors and obnoxious gases shall be enclosed by airtight buildings provided with air-conditioning system, filters, deodorizing and other air cleaning equipment.

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- Middle: *Clayton V. Vergel de Silva*  
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Sec. 29-E. Glare and heat. - Glare and heat from any operation or activity shall not be allowed to be radiated, seen or felt from any point beyond the limits of the property.

Sec. 29-F. Industrial wastes. - Industrial/plant wastes shall be disposed of only in a manner which will not create any nuisance or danger to adjoining properties or to the community in general.

Sec. 29-G. Sewerage disposal. - No sewerage dangerous to the public health, safety and general welfare shall be discharged into any public sewage system, natural waterway or drainage channel. In addition to the following requirements, all sewerage shall comply with pertinent requirements of the Department of Environment and Natural Resources.

Acidity or alkalinity shall be neutralized to PH of between 6.5 and 8.5 as a daily average to a volumetric basis with a temporary variation of 5.0 to PH 10.0.

Wastewater shall not contain grease and oil in excess of 300 PPM or exceed a daily average of 10 PPM.

SECTION 30. POLLUTION CONTROL. - For effective pollution control, all locational clearance granted for industrial activities must be subject to the condition of compliance with National Pollution Control Commission laws, rules and regulation. and must submit Environmental Certificate of Clearance from the Department of Environment and Natural Resources. Furthermore the provisions of Ordinance No 154, S-1992 of Pasay City on tree planting and must be complied with;

SECTION 31. PROVISION FOR BUFFER STRIP. - Buffer strip of a minimum of three (3) meters planting strip is required along the periphery of all industrial zones;

SECTION 32. SPECIAL USE PERMITS. -

Sec. 32-A. Incinerator plants

- a) Incinerator plants shall be located within a reasonable distance from residential zones;
- b) A site shall be conducted to ensure that the proposal plant is not inconsistent with the adjacent land uses and will not pose a hazard to the safety of the community in general;
- c) The sound maintenance of the plant shall be the sole responsibility of the proponent and/or persons operating them;

Sec. 32-B. Cemeteries

- a) Proper maintenance of cemeteries shall be the exclusive duty of the proponent and/or persons operating them;
- b) Requirements set by sanitation and water codes must be complied with.

Sec. 32-C. Radio transmitting stations

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- 2-1-7.5
- a) Radio transmitting stations shall be located within transport and utility zones;
  - b) The sound maintenance of such station shall be the exclusive responsibility of the proponent and/or persons operating them;
  - c) Where the public welfare demands, however, radio transmitting stations may be located in some residential zones provided the preceding conditions is complied with strictly, and no interference with or damage to local electrical appliances or other property will likely result.

Sec. 32-D. Private helicopters

- Quinto  
Alita V. Serygel de Pina
- a) Helicopters may be allowed along commercial, industrial or institutional building provided safety requirements of Board of Air Transportation are complied with;
  - b) They must be at least 500 meters from the nearest residential zone;
  - c) A written authority shall be secured from the Board of Air Transportation by the proponent at least 90 days before the intended date of operation, and a notice shall be posted or published in at least one of the daily newspapers to determine public opposition to the proposed landing site;
  - d) Sworn statement of the owners of the adjoining lands signifying their conformity to the proposed landing site shall be obtained by the proponent at least 30 days before the intended date of operation.

Sec. 32-E. Filling stations

- of area A.
- a) They must conform with the standards set by the Department of Energy;
  - b) Filling stations shall be located at least 200 meter distance from the nearest schools, churches, hospitals and other similar institutions;
  - c) They shall not constitute safety hazards in a community developed entirely for residential purposes
  - d) Buffer strip and adequate fire fighting equipment must be provided.

Sec. 32-F. Open storage

- impedance
- a) Open storage shall be located within at least two hundred meters distance from schools, churches, hospitals and other similar institutions;
- 2/1/7.5



- b) Their sound maintenance shall be the sole responsibility of the proponent;

Sec. 32-G. Abattoir/slaughter house

- a) Abattoir shall be located within reasonable distance from residential and commercial areas as determined by the Office of the City Planning, provided that they shall not be located within the same premises as public markets;
- b) A written authority to operate shall be secured from the City Health and Sanitation Office by the applicant at least 90 days before the intended date of operation, and a notice shall be posted in the City Hall to determine public opposition, if any, to the proposed abattoir;
- c) Proper waste disposal, odor control and other abatement procedures must be adopted;
- d) The proponent shall obtain sworn statement of owners of land immediately adjacent to the proposed site signifying their conformity or non-conformity to the proposed activity as one of prerequisites for the granting of special use permit.

Sec. 32-H. Cockpits

- a) They shall be located in parks and recreation zones, and shall be at least two hundred meters (200 m.) distant from the nearest residence or institutional use;
- b) Adequate parking space and loading/unloading areas capable of accommodating the maximum expected number of aficionados/spectators during major derbies shall be provided;
- c) The applicant have the duty of maintaining the premises in sanitary condition;
- d) Other pertinent laws, rules and regulations and City Ordinance shall be complied with.

Sec. 32-I. BUS STATIONS/TERMINALS. - No bus stations/terminals shall be allowed in any part of the City of Pasay except those legally existing at the time of the enactment of this Ordinance.

SECTION 33. NON-CONFORMING USES AND BUILDINGS. - The lawful use of any building, structure or land at the time of the adoption of this zoning regulations may be continued although such use does not conform with the provisions of this Ordinance, provided that:

Sec. 33-A. In case the non-conforming uses is not an industrial use:

- a) No such non-conforming use shall be enlarged, increased or extended to occupy a greater area of land than that actually occupied by the buildings or structures thereon at the time of the adoption of this

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zoning ordinance, or moved in whole or part in any other portion of the lot or parcel of land where it existed at the time of the adoption of this ordinance, unless such act shall decrease its non-conformity

- b) No building or structure devoted to a non-confirming use shall be repaired, altered to remedy the effects of ordinary wear and the tear or remodeled unless the total aggregate value of all such repairs, alteration or remodeling, shall not exceed twenty five percent (25%) of the assessed value of such building at the time of the adoption of this zoning ordinance, such aggregate value referring to all the repairs undertaken throughout the entire remaining period of useful life of such building or structure, irrespective of whether they were undertaken at the time, successively or intermittently, provided repairs exceeding such value shall be allowed if they decrease the non-conformity of the use;
- c) No building or structure devoted to a non-conforming use which has been damaged or destroyed, in whole or part, by or as a result of fire, earthquake, typhoon, flood, lightning, war, riot, strike, or other forms of disorder shall be rebuilt or reconstructed, unless the total aggregate cost of all such rebuilding and reconstruction activities, shall not for the entire period of the remaining useful life of such building or structure exceed fifty percent (50%) of the assessed value thereof at the time of the adoption of this ordinance; provided that rebuilding or reconstruction which depresses the non-conformity of the use shall be allowed;
- d) No building or structure shall be devoted to a non-conforming use which has not been used for such purpose for a total aggregate period of at least six (6) months since the adoption of this zoning ordinance, irrespective of whether the non-use thereof was continuous or intermittent, shall again be revived as a non-conforming use;
- e) Non-conforming use shall be repaired, improved or altered in any way that will increase its non-conformity; but such repairs and alterations will be encouraged if the purpose is to convert it to conforming use;
- f) Non-conforming uses shall be subject to the same limitations and conditions imposed on permitted uses with reference to height, area and yard regulations; however they shall be subject to stricter performance standards appropriate to this use.

Sec. 33-B. In case of non-conforming use is an industrial use:

- a) Such non-conforming use shall be allowed to expand, enlarge, increase or extend irrespective or the cost involve, so as to allow it to maximize the production

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potential of its existing presently installed machinery and equipment at the time of the adoption of this ordinance provided that such act shall not require the use or occupancy of additional parcels of land other than the existing structure at the time of the adoption of this ordinance;

- b) Repairs, alteration and improvements, whether brought about as a result of normal wear and tear as a result of natural or man-made calamities shall be allowed so as to enable the use to become more efficient and modernized; provided that buildings or structures totally and/or permanently destroyed/damaged shall not be rebuilt;
- c) Such non-conforming use shall be allowed to increase the scope of its operations, and install new equipment and processes, increase its capital stock, labor force, and production output, provided that such increase shall not entail the addition of another non-conforming structure or a new heavy line of industrial operations;
- d) No new industry, process or operation which is not necessary for the maximization of the capacity of the machinery presently installed at the time of the adoption of this ordinance shall be allowed;
- e) The provisions of paragraphs (1-c) and (1-e) above, applicable to non-industrial, non-conforming uses, shall also be applicable to industrial non-conforming uses.

SECTION 34. CERTIFICATE OF NON-CONFORMANCE. - A certificate of non-conformance of all non-conforming uses shall be applied for by the owner or the authorized agent of the property involved within three months from the promulgation of these Zoning Regulations from the City Planning Office.

Failure to make such application within the aforementioned period shall be presumptive evidence that the property was conforming use at the time of the promulgation, or amendment of these Zoning Regulations, and if found otherwise will be considered as a violation thereof;

SECTION 35. DEVIATIONS. - Exceptions and variances or deviations from the provision of these Regulations may be allowed only when all the following terms and conditions are obtained:

Sec. 35-A. In case of variances:

- a) The property is unique and different from other properties in adjacent locality and because of its uniqueness, the imposition of the regulations of this ordinance would cause undue hardship on the part of the owner;
- b) The hardship is not self-created;
- c) The proposed variance is the minimum deviation necessary to permit a reasonable use of the property;

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- b) Applications that are non-conforming;
- c) Applications which require clearance from other government agencies;
- d) Application for special use permit, temporary use permit, exceptions and variances;
- e) Application for renovations and/or expansion of existing non-conforming uses; and
- f) Requests for reclassification/rezoning.

2. Shall endorse to the City Council thru the Committee on City Planning, Building and Zoning Regulations for innovative development techniques, special use permits, exceptions, such that a Resolution may be finally considered by the City Council to this effect.
3. Shall endorse to the City Council thru the Committee on City Planning, Building and Zoning Regulations requests for reclassification/re-zoning which will be subject to an Ordinance if favorably considered.
4. shall act on complaints concerning violations of the provisions of this Ordinance.

Thereupon, any person who plans to erect, construct or move any building or structure within Pasay City and all projects requiring clearance from any national government agency and Metro Manila Development Authority, including the development projects on government owned lands are required to secure locational clearance from the PASAY CITY PLANNING OFFICER who shall be responsible for the evaluation of all applications for locational clearance and for non-conforming use which responsibilities shall be exercised to the fullest flexibility in a logical, practical manner whereby it will not be detrimental to the public nor discriminatory in its evaluation of each and every application notwithstanding the provisions setforth in this Ordinance.

SECTION 37. APPLICATION FOR BUSINESS AND LICENSE PERMIT. - Any person applying for issuance of business and license permit shall secure from the City Planning Office Certificate of Conformance or Certificate of Non-conformance prior to the issuance of business and license permit.

SECTION 38. PROCEDURE FOR APPEALS. - Any person aggrieved by the decision or action of the City Planning Officer concerning the interpretation, administration or enforcement of this Ordinance may appeal to the City Mayor within THIRTY (30) days from receipt of the decision or action upon payment of the appeal fee. The City Planning Officer shall transmit all the records upon which the decision or action appealed from was taken to the City Mayor who shall decide the same within THIRTY (30) days from receipt of the records and other papers that may be submitted by the appellant, whose decision is final and executory.

SECTION 39. REVIEW OF THE ZONING ORDINANCE. - This zoning ordinance shall be reviewed every year or sooner, when the need arises, by the City Planning Officer or the City Mayor on their initiative or upon petition by a group of persons, association or any local barangay unit.

SECTION 40. PROCEDURE FOR REZONING. - Any association or group of persons or the barangay who wishes to propose a rezoning or reclassification of a certain area, may file a pattern with the City Planning Office of Pasay City for initial evaluation.

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- d) The variance will not alter the essential character of the area where the property for which the variance sought is located, and will not substantially or permanently inure the use of other property in the same area;
- e) The variance will not weaken the general purposes of this Ordinance and will not adversely affect the public health, safety and welfare;
- f) The variance will be harmony with the spirit of this ordinance;
- g) The variance is not sought solely for additional financial advantage.

Sec. 35-B. In case of exceptions:

- 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 exception will not adversely affect the appropriate use of other property in the same zone;
- c) The exception will not alter the essential character of the area where the exception sought is located, and will be in harmony with the general purposes of this ordinance;
- d) The exception will not weaken the general purpose of the regulations established for specific area;
- e) The exception will promote innovative techniques or create or protect a beneficial economic trend that would otherwise not be possible;
- f) In case of pollutive/hazardous or high category industries, they shall be allowed in residential area unless they cannot feasibly be located elsewhere and the consent of adjacent homeowners is secured; and
- g) For industries, a feasibility study should be submitted to the Office of the City Planning for evaluation and approval.

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SECTION 36. ADMINISTRATION AND ENFORCEMENT.- The administration and enforcement of this ordinance shall be vested in the PASAY CITY PLANNING OFFICE to be headed by the City Planning Officer. It shall be directly under the control and supervision of the Mayor of Pasay City. The City Planning Officer shall have the following duties and functions:

1. Shall evaluate, process and act on the following applications for locational clearance in accordance with this Ordinance, classified as follows:

- a) Applications that are conforming;

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- b) Applications that are non-conforming;
- c) Applications which require clearance from other government agencies;
- d) Application for special use permit, temporary use permit, exceptions and variances;
- e) Application for renovations and/or expansion of existing non-conforming uses; and
- f) Requests for reclassification/rezoning.

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 - Top: "2-1-97" and a signature.  
 - Middle: "Elita V. Vergel" and a signature.  
 - Lower middle: "Pasay" and a signature.  
 - Bottom: "Pasay" and a signature.

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- Middle: "Alito 2. Bernal de Sings" written vertically.  
- Below: Several large, illegible handwritten signatures and initials.

- 8) Billboards ..... 0.25/sq. ft. site
- 9) Yards utilized for commercial purposes..... 0.50/sq. m. of T.L.A.
- 10) Yards utilized for industrial purposes..... 1.00/sq. m. of T.L.A.
- 11) All types of renovation..... 50% of the prescribed rate
- 12) Renewal of Temporary Use Permit..... 50.00  
Extension of Temporary Use Permit..... same as under schedule (b)
- 13) Payment under schedule (a) shall be made prior to acceptance of application.
- 14) Payment under schedule (b) shall be made prior to the release of approved application.
- 15) Government projects except government owned or controlled corporation are exempted from paying prescribed fees.

**SECTION 42. OFFICIAL ZONING MAPS.** - The location and extent of the various zones identified in this ordinance shall hereby be reflected in the official Zoning Map in a manner that corresponds accurately with the technical description of zone boundaries, which map shall be made an integral part hereof duly signed by the Vice Mayor in his capacity as Presiding Officer of the City Council, the City Planner and the City Mayor and the seal of Pasay City affixed thereon.

Any change or amendment or reclassification duly enacted by the City Council and approved by the City Mayor shall be reflected on the Official Zoning Map.

**SECTION 43. CONSTRUCTION AND INTERPRETATION.** - The words and terms employed in this ordinance shall be interpreted and understood liberally in generic sense unless otherwise indicated and shall as far as practicable be construed in favor of applicants seeking to comply the provisions hereon.

**SECTION 44. PENAL PROVISION.** - Any person violating any provision of this Ordinance, shall, upon conviction, be punished by a fine of not more than One Thousand (P1,000.00) PESOS or by imprisonment of not more than six (6) months, or both such fine and imprisonment, at the discretion of the court.

If the violation is committed by a firm, corporation or partnership or any other judicial person, the manager, managing partner, director or any other person incharged with the management of such firm, corporation, partnership or judicial person shall be criminally and administratively responsible therefore. Furthermore, any person or government official if found to have committed any violation of this ordinance, directly, shall be criminally and administratively responsible as provided by this section.

**SECTION 45. AMENDMENTS.** - The amendment, alteration and/or repeal of this Ordinance, parts hereof, particularly in accommodation of requests to reclassification/re-zoning, exceptions and variances, shall be under the sole authority of the Pasay City Council thru the enactment of an amending ordinance after conducting investigation and public hearing.

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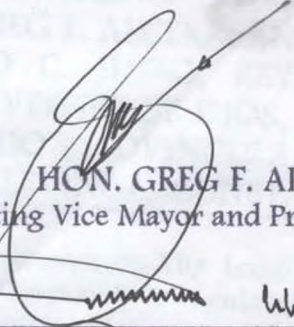
SECTION 46. REPEALING CLAUSE. - All ordinance, regulations or parts thereof which are contrary to or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 47. EFFECTIVITY CLAUSE. - This ordinance shall take effect upon its approval and publication in a news paper of general circulation in Pasay City.

DONE in the City of Pasay this 7th day of October Nineteen Hundred and Ninety Seven.

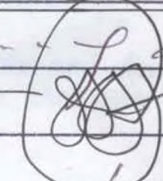
APPROVED.

  
HON. WENCESLAO B. TRINIDAD  
Acting City Mayor

  
HON. GREG F. ALCERA  
Acting Vice Mayor and Presiding Officer

1. HON. ANTONINO G. CALIXTO 

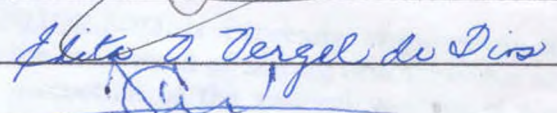
2. HON. EMMANUEL M. IBAY 


3. HON. JUSTO C. JUSTO 

4. HON. ROMULO M. CABRERA 

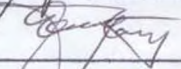
5. HON. REYNALDO O. PADUA 

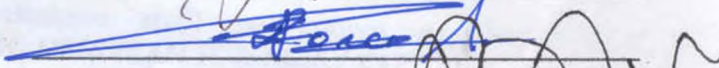
6. HON. ROBERTO L. ALVAREZ 

7. HON. EDITA V. VERGEL DE DIOS 

8. HON. ULDARICO C. ARABIA 

9. HON. ALBERTO V. PAREDES 

10. HON. EDUARDO I. ADVINCULA 

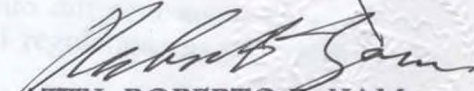
11. HON. TEODULO R. LORCA, JR. 

12. HON. GENEROSO F. CUNETETA 

13. HON. LEVINE A. CUNETETA 

ATTESTED BY:

DR. ANTONIO S. CO  
City Administrator

  
ATTY. ROBERTO B. YAM  
City Secretary