ORDINANCE NO. 91-39

AMENDING CERTAIN PROVISIONS OF ZONING ORDINANCE NO. 81-01 FOR METROPOLITAN MANILA, SPECIFICALLY FOR THE MUNICIPALITY OF MUNTINLUPA, CREATING THE OFFICE OF THE ZONING ADMINISTRATOR, PROVIDING FOR THE ENFORCEMENT THEREOF AND FOR THE OTHER PURPOSES.

Be it enacted by the Sangguniang Bayan of the Municipality of Muntinlupa, sitting in a special session, that:

SECTION 1. Article 1, Section 1 of the Metro Manila Ordinance No 81-01 is hereby amended to read as follows:

"SEC. 1. Title - This Ordinance shall be known as the Zoning Ordinance for Muntinlupa."

SECTION 2. Article IV, Section 2 of the Metro Manila Ordinance No 81-01 is hereby amended to read as follows:

"SEC. 2. Technical Description of Zone Boundaries - The location and extent of the zone boundaries are hereby identified in accordance with the principles of dominant land use and compatibility between uses, and are hereby reflected in the attached list of Zone Boundaries defined as Appendix B and made an integral part of this Ordinance."

In case any, all or part of such list are lost, damaged, destroyed, mutilated or difficult to interpret, the Municipality of Muntinlupa, through the Mayor upon recommendation of the Municipal Development Planning Officer and the Zoning Administrator may adopt a new list or lists under such terms as are similar for the adoption of a new zoning map."

SECTION 3. Article IV, Section 3 of the Metro Manila Ordinance No 81-01 is hereby amended to read as follows:

"SEC. 3. Official Zoning Map - The location and extent of the various zones identified in these zoning regulations shall hereby be reflected in the Official Zoning Map of Muntinlupa in a manner that corresponds accurately with the technical description of zone boundaries and shall hereby be made an integral part hereof. The official zoning map shall be duly signed by the Chairman of Metro Manila Authority (MMA), the Commissioner for Planning of the Housing and Land Use Regulatory Board (HULRB), the Deputy General Manager for Planning, MMA, the Metro Manila Zoning Administrator, MMA as well as the Municipal Mayor of Muntinlupa. The seals of the MMA and the municipality of Muntinlupa shall likewise be affixed to said map."
SECT. 4. Article V, Section 3 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 3. Traffic Generators – Based on Presidential Decree No. 1086, all traffic generating buildings and structures allowed in any of the districts must provide for adequate spaces for their employed clients and visitors, subject to the following provisions:

3.1 Multi-storey apartment buildings for residential purposes shall provide one parking space per apartment unit;

3.2 Hotels, Inns, Pension Houses, Motels, one parking space per 2 rooms up to 40 rooms and one parking space for 4 rooms;

3.3 Shopping Centers, provide 4 parking spaces per 100 sq.m. of rentable floor area;

3.4 Retail Stores, one parking space per 30 sq.m. of floor area;

3.5 Restaurants and bars, one parking space for every 10 customer seats;

3.6 For buildings in the central business district where mass transit is available, provide one parking for every 60 sq.m. rentable floor area;

3.7. For office building and general business, provide one parking space per 50 sq.m. of rentable floor area;

3.8 For banks, other related financial institutions, and service shops, provide one parking space per 25 sq.m. of gross floor area;

3.9 For public assembly buildings such as theaters, auditoriums, and stadiums, provide one parking space per 10 fixed seats;

3.10 For churches and other places of worship, one parking space for every 15 fixed seats;

3.11 For warehouses, provide one parking space per 100 sq.m. of gross floor area plus one truck space per 300 sq.m. of gross floor area; and
3.12 For schools:

   Elementary - one parking space per 20 students
   High School & Trade School - one parking space per 15 students
   Colleges - one parking space per 10 students

SECTION 5. Article V, Section 10 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 10. Height Regulations:

a) Structures within R-1 zones shall not exceed two (2) storeys or a height of nine (9) meters from the natural grade line to the topmost part of the structure which ever is lower.

b) Where an R-1 district adjoins a C-2 or C-3 district without an intervening street or permanent open spaces over six (6) meters in width, the proposed structure fronting the R-1 district shall be limited to a height of fifteen (15) meters from the natural grade line to the topmost part of the structure or five storey building which ever is lower.

c) Where and R-1, or R-2 district adjoins a C-2 or C-3 district without an intervening street or permanent open spaces over three (3) meters in width, the proposed structure of C-2 or C-3 shall be limited to a height of twelve (12) meters from the natural grade line to the topmost part of the structure or four-storey building whichever is lower.

d) Where an R-1, R-2 or R-3 district adjoins an 1-1 or 1-2 zone without an intervening street or permanent open spaces over eight (8) meters in width, the proposed industrial structure fronting the residential zone shall be limited to a height equivalent of nine (9) meters from the natural grade line to the topmost part of the structure or three-storey building which ever is lower."
SECTION 6. Article VII, Section 2 of the Metro Manila ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 2. 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 business activity involved within six (6) months from the approval of this Zoning Ordinance, from the Office of the Local Zoning Administrator of Muntinlupa.

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

SECTION 7. Article VIII, Section 3 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 3. Responsibility for Administration and Enforcement - This Ordinance shall be administered and enforced for all projects except for non-conforming uses by the Local Zoning Administrator of the Municipality of Muntinlupa. The Local Zoning Administrator shall be responsible for carrying out the provisions of this ordinance in the field as well as the enforcement of orders and decisions made pursuant thereto.

The Metro Manila Zoning Administrator upon recommendation by the Municipal Mayor shall designate the Local Zoning Administrator who shall be under his technical supervision.

3.1. Qualifications of Local Zoning Administrator. - No person shall be appointed as Local Zoning Administrator unless he possesses the following qualifications:

a. A Filipino citizen and of good moral character;

b. A duly registered Civil Engineer Architect or Lawyer;

c. A member of good standing of a duly accredited organization of his profession for not less than two years; and
d. Must have a planning or legal background for at least three (3) years prior to his appointment.

3.2. **Powers and Duties** — The Local Zoning Administrator shall administer and enforce the provisions of this Ordinance, specifically to:

a. Grant or deny, with or without conditions, applications for locational clearance based on the approved zoning regulations and the list of the permitted uses as a pre-requisite to the issuance of a Building Permit and/or Business/Mayor's Permit except all those applications which require clearance from the Metro Manila Zoning Administration Office (MMZAO) or other government agencies;

b. Issue certificate of non-conformance/conformance as herein provided.

c. Endorse to MMZAO all projects that are non-conforming, all industries except non-productive and non-hazardous, and all other applications which require clearance from other government agencies;

d. Endorse to MMZAO all applications for special use permit temporary use permit, exceptions and variances.

e. Endorse to MMZAO all applications for renovations and/or expansion of existing non-conforming uses.

f. Call upon the MMZAO to institute any necessary legal proceedings to enforce the provision of this Ordinance.

g. Act on complaint arising from its functions, particularly those alleging violations of this Ordinance.

h. Serve notice requiring the removal of any use in violation of this Ordinance upon the owner, agent, or tenant of the building or land, or other persons who commits or assists in any such violation.
i. Order the discontinuance of the occupancy or use of any building or structure or portion thereof found to be used contrary to the provisions of this Ordinance.

3.3 Minimum Staff Requirements - Aside from the Zoning Administrator, the office must have at least a Zoning Officer, Zoning Inspector, Legal Officer, Clerk/Typist and a driver/messenger in its roster of office personnel."

SECTION 8. Article VIII, Section 7 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 7. Review of the Zoning Ordinance. This Zoning Ordinance shall be reviewed every five years by the Local Zoning Review Committee to be headed by a representative from the Office of the Mayor and composed of the Local Zoning Administrator or Building official (in the absence of a Zoning Administrator); Municipal Development Planning Officer; the Chairman of the Zoning Committee of the Sangguniang Bayan; Metro Manila Authority (MMA)-ODGMP; Housing and Land Use Regulatory Board HLURB and the private sector."

SECTION 9. Article VIII, Section 11 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 11. Collection of Processing Fee - The administration and collection of processing fee for locational clearance in Muntinlupa by the Office of the Local Zoning Administrator for its personnel, maintenance and operating expenses shall be as follows:

a) Application/Filing Fee:

1. For locational clearance .........P 30.00
2. For motion for reconsideration.......75.00
3. For petition/request for reclassification ...................450.00
4. For filing complaint, except those involving pauper-litigant which shall be free of charge.....................30.00"
b) Processing Fee:

1. Residential (single detached and duplex type)..............P 0.45/sq.m. of total floor area
2. Commercial/Industrial........P 1.00/sq.m. of total floor area

SECTION 10. Article X, Section 1 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:

"SEC. 1. Penal Provision. Any applicant, proponent, proprietor, owner or representative who undertakes any project or activity in violation of this Zoning Ordinance, and the conditions appearing in the locational clearance, or who commits fraud or misrepresentation in connection with an application for a locational clearance or any proceedings before the office of the Local Zoning Administrator, or who commences or undertakes any project without having first secured a locational clearance, or who refuses admission within any premises subject to inspection to a duly authorized inspector, or who without justifiable reason fails or refuses to appear or to deliver the required books, papers and documents in the course of an investigation being conducted by the Local Zoning Administration Office shall be penalized, after notice and hearing by a fine in an amount not exceeding FIVE THOUSAND PESOS (P5,000).

If the violation is committed by a firm, corporation or partnership, the manager, managing partners, directors or any other person charged with the management shall be held responsible. Any government employee who is found to have aided or assisted any person shall be liable as provided for by this section.

In addition to the foregoing, the office of the Local Zoning Administration is hereby empowered to order the closure or stoppage of any project/activity being undertaken in violation of this Zoning Ordinance."

SECTION 11. Article X, Section 2 of the Metro Manila Ordinance No. 81-01 is hereby amended to read as follows:
"SEC. 2. Repealing Clause. - All ordinances, subdivision regulations or parts thereof which are contrary to or inconsistent with any provision of these regulations are hereby repealed or modified accordingly."

SECTION 12. Income. - Authority is hereby vested in the Local Zoning Administrator to directly utilize income generated from processing fees, fines, charges and other collections in the performance of its functions to defray operating expenses and provide allowances for its personnel.

SECTION 13. Applicability Clause. - All provisions, of Metro Manila Ordinance No. 81-01 not mentioned/amended in this Ordinance shall remain in force and in effect for the Municipality of Muntinlupa.

SECTION 14. Effectivity Clause. - This Ordinance shall take effect upon its approval.
Signed by the members of the Sangguniang Bayan of Muntinlupa, Metro Manila at a special session held this 10th day of December, 1991 at the People's Center Hall.

Atty. IGNACIO R. BUNYE
Mayor-President Officer

Atty. JAIME R. FRANKEI
Vice Mayor-Deputy President Officer

Hon. CARLO G. TENSUAN
Councilor

Hon. EPIFANIO A. ESPELETA
Councilor

Hon. LUCIO B. CONSTANTINO
Councilor

Hon. NEMESIO G. MOZO
Councilor

Hon. ROGER C. SMITH
Councilor

Hon. ALEJANDRO L. MARTINEZ
Councilor

Hon. REY R. BULAY
Councilor

Hon. ROMAN R. AYRES
Councilor

Hon. RICARDO B. JAQUIN
Councilor

Hon. MOLASCO L. DIAZ
Councilor

Hon. VICTENTE Y. CHUA
Councilor

Attested by:

PETE B. SALONGA
Municipal Secretary

HSB/liz
Appendix B

ZONING DISTRICT BOUNDARIES
Municipality of Muntinlupa

R - 1 - LOW DENSITY RESIDENTIAL ZONE

Hillsborough
Alabang Hills I, II & III
Alabang 400
Tierra Nueva Subdivision
San Jose Subdivision
Pacific Malayan Village
Ayala Alabang Village
Posadas Village
Don Juan Bayview Subdivision
Dona Rosario Heights
Susana Heights Subdivision

R - 2 - MEDIUM DENSITY RESIDENTIAL ZONE

Intercity Homes
New Perpetual Subdivision
Mintcor Southrow Townhouses
Rizal Village
Highway Homes Subdivision
U.P. Side Subdivision
Pleasant Village
Freedom Hills Subdivision
Summitville Subdivision
Lakeview Homes
Soldiers Hills Subdivision
Camella Homes
Mutual Homes
South Green Heights Subdivision
Southauperville
Agro Homes
Country Homes
Bruger Subdivision
Capri Condominium
Pleasant Homes Subdivision
Summit Homes
Summit Circle
J.P.A. Subdivision
Sto. Nino Village (across PNR)
Victoria Homes Subdivision
Camella Homes Alabang - 3
Park Homes
Refedor Teachers' Village
Sunrise Subd.
Villa Carolina Subdivision
R - 3 - HIGH DENSITY RESIDENTIAL ZONE

Area bounded on the north by Bautista St., on the east by Laguna de Bay, on the south by Balimbing River, on the west by PNR railroad tracks.

Area bounded on the north by Tagig-Muntinlupa boundary, on the east by Laguna de Bay, on the south by the National Power Corporation, and on the west lot deep away from Sucat-Wawa St.

Area bounded on the north by Paliko River, on the east by Laguna de Bay, on the south by Kabulusan Creek, on the west by PNR railroad tracks.

C - 1 - MINOR COMMERCIAL ZONE

Lot deep on both sides of Provincial Road (Sucat-Wawa St.) from Muntinlupa-Tagig boundary to Sucat Thermal Power Plant.

C - 2 - MAJOR COMMERCIAL ZONE

Lot deep on the west side of National Highway from Zapote-Alabang junction to Bayanan River.

Area bounded on the north by Bayanan River, east by railroad track, south by Bautista St., and on the east lot deep from National Highway.

Lot deep on both sides of National Road from Bautista St. to Balimbing River.

Area bounded on the north by Balimbing River on the east by Laguna de Bay, on the south by Magdaong River, on the west by PNR railroad tracks.

Area bounded on the north by Kabulusan Creek, on the east by Laguna de Bay, on the south by Bayanan Creek, on the west by PNR railroad track.

Area bounded on the north by Tawi-Tawi St., east by Don Manolo Blvd., south by Alabang-Zapote Road, and west by Las Pinas-Muntinlupa boundary.
Lot deep (20 m.) west of National Road from METERCOR right of way to Tunasan River.

Lot deep (20 m.) east of National Road from Magdaong River to Lodora Village.

The area bounded on the northeast by Poblacion - Tunasan boundary, on the east by South Expressway, on the southwest by Susana Avenue, and on the south by San Agustin Street.

C - 3 - METROPOLITAN COMMERCIAL ZONE

Area bounded by Paranaque-Muntinlupa boundary, South Superhighway and Sucat Road.

Area bounded on the north by Mayor J. Posadas Ave. on the east by Capt. Totic Posadas Ave. on the south by Sucat Road and west by South Superhighway.

Area occupied by Elsie Gaches Area.

Area bounded on the north by Cupang-Ayala Alabang boundary, on the east by Alabang Stock Farm, on the south by Commerce Avenue, and on the west by Daang Hari Street.

Area bounded on the north by Alabang River on the east by PNR Railroad tracks on the south by Filipro Inc. property and on the west by South Superhighway.

Alabang junction bounded by Alabang Stock Farm Property.

Area bounded on the north by Balimbing River on the east by PNR railroad track on the south Susana Access Road on the west by South Superhighway.

I - 1 - LIGHT INDUSTRIAL ZONE

Block deep on the western side of South Super highway from Paliko River to Alabang River.

I - 2 MEDIUM INDUSTRIAL ZONE

Area bounded on the north by Mayor J. Posadas Ave., east by PNR railroad track, south by Sucat Road and west by Capt. Totic Posadas Ave.
Area bounded on the north by Sucat Road, east by Laguna de Bay, south by Paliko River and on the west by Paranaque-Muntinlupa boundary.

Area bounded on the north by Paliko River, east by PNR railroad track, south by Alabang River and west by South Superhighway.

Area occupied by Filipro Inc.

Area bounded on the north by Susana Access Road, east by National Highway, south by Park Homes Subdivision and west by South Super highway.

Area bounded on the north by Lodora Village, east by PNR railroad tracks, southwest by National Highway.

Area bounded on the north by R.M. Teosejo Subd., bisecting Buendia St. going up to Magdaong River, east by Laguna de Bay, south by Laguna-Muntinlupa boundary and west by National Road.

Area bounded on the west by San Guillermo St., on the north by Lot 28, on the south by Lot 30 and on the east by Laguna de Bay.

INSTITUTIONAL ZONE

- Area occupied by the municipal hall and other government offices
- Area occupied by Ayala-Alabang Riding School
- Area occupied by our Lady of Miraculous Medal Church
- Area occupied by Southridge School
- Area occupied by Benedictine Abbey School
- Area occupied by Haiti Embassy, Cupang
- Area occupied by Lo Han Temple, Cupang
- Area occupied by Virgin Mary Immaculate School and SOS Orphanage, Ayala-Alabang
- Area occupied by Dela Salle-Zobel, Ayala-Alabang
- Area occupied by Woodrow School, Ayala-Alabang
- Area occupied by Lot 15, Block 1, Phase III-B2, Ayala-Alabang
- Area occupied by Lot 25, Block 1, Phase V, Ayala-Alabang
- Area bounded by Malvar, Ibaan & Cuenca Sts., Ayala-Alabang

PARKS AND RECREATION

- The area occupied by Alabang Golf & Country Club

- The area located in Posadas Village in Sucat bounded by the Our Lady of Miraculous Medals on the North, Peridot St. on the South, Emerald St. on the east & Diamond St. on the west;

- The area located in Pacific Village, Cupang bounded by Habeneria St. on the north, Vanda St. on the south, Aeridia St. on the east and A. Roxas Chua Circle on the west;

- Area located in Alabang 400, Cupang bounded by a horseshoe shaped inner road next to Belmont Drive;

- Area located in Alabang Hills, Phase I bounded by Tagaytay St., Tagbilaran St. and Tangub St.;

- Area located in Ayala-Alabang within the boundary of Siquijor, Luzon Drive, Basilan & Palawan Streets

- Mini-Golf course inside NBP

- Fun City located within Alabang Stock Farm

OPEN SPACE

- Areas within Ayala-Alabang occupied by the following:
Tanggapan ng Sangguniang Bayan

- Blocks 4, 5, 6, & 16 of phase II-A
- Block 11 of Phase XI
- Lots 20, 21, 22 & 23 Block I of Phase V
- Corner Lot between Blocks 4 & 5, Phase VII
- Lot bounded by Tamarind Ext., Mabolo, Lot 11/Block 6, Pill Drive (Phase VII)
- Block 1, Phase X-B
  - Area within Camella Homes I, Putatan bounded by Camella Drive on the Northwest, Jasmine on the East and Iris on the south;
  - Area occupied by Joseph Manello Park in Tunasan
  - Area around Susana Heights Interchange

UTILITIES
- Area occupied by NAPOCOR Power Plant in Sucat
- Area proposed as Bus/Jeepney Terminal at ASF
- Area bounded by South Expressway, Magdaong River and Susana Heights Access Road.

APD
- Areas identified as APD's by HLBB (formerly HSRC) per proclamation 1893.

CEMETERY
- The area occupied by Everest Hills Memorial Park
- Area proposed as Municipal Cemetery occupied by Lot 1278, Muntinlupa Estate near South Expressway, Barangay Putatan.