



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-28 S. 2023

AN ORDINANCE RECLASSIFYING A PARCEL OF LAND WITH AN AREA OF ONE HUNDRED EIGHT THOUSAND AND NINE HUNDRED (108,900.00) SQUARE METERS MORE OR LESS FROM AGRICULTURAL ZONE (AGZ): PRODUCTION AGRICULTURAL SUB-ZONE (PDA-SZ) TO GENERAL RESIDENTIAL ZONE (GR-Z) AND REZONING A PARCEL OF LAND WITH AN AREA OF FIFTY-TWO THOUSAND EIGHT HUNDRED SEVENTY-ONE (52,871.00) SQUARE METERS MORE OR LESS FROM INDUSTRIAL 1 MIXED USE ZONE (I1MX-Z) TO GENERAL RESIDENTIAL ZONE (GR-Z) FOR THE PROPOSED RESIDENTIAL SUBDIVISION IN TINGA ITAAS, BATANGAS CITY

SPONSOR : SP MEMBER ARMANDO C. LAZARTE
Chairman, Committee on Environment and Urban
Development Land Use and Zoning

WHEREAS, R.A. 7160 or Local Government Code of 1991(LGC), provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdictions, subject to the limitations and other conditions prescribed under Section 20 of the LGC;

WHEREAS, Pueblo de Oro Development Corporation, represented by Engr. Mario Javil Mallari applies for the land use reclassification through an ordinance of a parcel of land with an area of one hundred eight thousand and nine hundred (108,900.00) square meters more or less from Agricultural Zone (AGZ); Production Agricultural Sub-Zone (PDA-SZ) to General Residential Zone (GR-Z) and rezoning a parcel of land with an area of fifty-two thousand eight hundred seventy-one (52,871.00) square meters more or less from Industrial 1 Mixed Use Zone (I1MX-Z) to General Residential Zone (GR-Z) which will be the site for the proposed residential subdivision located in Tinga Itaas, Batangas City;

WHEREAS, the said land have long ceased to be agricultural and shall considerable greater economic value for residential purposes;

WHEREAS, the project will provide affordable housing for low-income earners, give employment and income generation opportunities, increase real estate valuation not only for its own property but also its surrounding areas, help the government to increase its revenues and will contribute in the development and growth of Barangay Tinga Itaas, Batangas City;

NOW THEREFORE, be it enacted, by the Sangguniang Panlungsod of Batangas City in session assembled:

SECTION 1. TITLE. - This Ordinance shall be known as "AN ORDINANCE RECLASSIFYING A PARCEL OF LAND WITH AN AREA OF ONE HUNDRED EIGHT THOUSAND AND NINE HUNDRED (108,900.00) SQUARE METERS MORE OR LESS FROM AGRICULTURAL ZONE (AGZ): PRODUCTION AGRICULTURAL SUB-ZONE (PDA-SZ) TO GENERAL RESIDENTIAL ZONE (GR-Z) AND REZONING A PARCEL OF LAND WITH AN AREA OF FIFTY-TWO THOUSAND EIGHT HUNDRED SEVENTY-ONE (52,871.00) SQUARE METERS MORE OR LESS FROM INDUSTRIAL 1 MIXED USE ZONE (I1MX-Z) TO GENERAL RESIDENTIAL ZONE (GR-Z) FOR THE PROPOSED RESIDENTIAL SUBDIVISION IN TINGA ITAAS, BATANGAS CITY".

HON. NELSON J. CHAVEZ
HON. ARMANDO C. LAZARTE
HON. OLIVER Z. MACATANGAY
HON. NESTOR E. DIMACUHA
HON. ANDREA ROSE A. MACARAIG
HON. CARLOS EMMANUEL A. BUTED
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE A. CRUZ

HON. MARJORIE A. MANALO
HON. ANGELITO DONDON A. DIMACUHA
HON. MICHAEL C. VILLENA
HON. LORENZO A. GAMBOA, JR.
HON. ISIDRA M. ATIENZA
HON. ZESTER CARLO M. HERNANDEZ
HON. JOSE TOMASH



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SECTION 2. PROVISION. – All pertinent stipulation of Ordinance No. 2 Series of 1995 entitled: “An Act Establishing a Comprehensive Zoning Regulation and Land Use for Batangas City and Providing for the Administration, Enforcement and Mechanisms for its Implementation and for Other Purposes” and all other rules and regulations which may be inconsistent with the provisions of this ordinance are hereby amended accordingly.

SECTION 3. APPROVAL. – The application of Pueblo De Oro Development Corporation represented by Engr. Mario Javil Mallari for the land use reclassification through an ordinance of a parcel of land with an area of one hundred eight thousand and nine hundred (108,900.00) square meters more or less from Agricultural Zone (AGZ); Production Agricultural Sub-Zone (PDA-SZ) to General Residential Zone (GR-Z) and rezoning a parcel of land with an area of fifty-two thousand eight hundred seventy-one (52,871.00) square meters more or less from Industrial 1 Mixed Use Zone (I1MX-Z) to General Residential Zone (GR-Z) which will be the site for the proposed residential subdivision is hereby approved.

SECTION 4. REPEALING CLAUSE. – All provisions of city ordinances, executive orders or resolution inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE. – If for any reason or reasons any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6. EFFECTIVITY. – This ordinance shall take effect ten (10) days after approval by the City Mayor and complete publication in a newspaper of general circulation in the province and cities of Batangas.

HON. NELSON I. CHAVEZ

HON. ARMANDO G. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARANG

HON. MARCOS EMMANUELA A. BUTED

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ENACTED by the Sangguniang Panlungsod of Batangas City this 7th day of November, 2023.

HON. NELSON J. CHAVEZ

HON. ARMANDO CAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

HON. HAMILTON G. BLANCO

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HON. SIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:
BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: NOV 09 2023

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON NOVEMBER 7, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

Hon. Alyssa Renee A. Cruz	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	”
Hon. Andrea Loise F. Macaraig,	”
Hon. Nestor E. Dimacuha,	”
Hon. Oliver Z. Macatangay,	”
Hon. Armando C. Lazarte,	”
Hon. Nelson J. Chavez,	”
Hon. Jose Jonash Luis F. Tolentino,	”
Hon. Zester Carlo M. Hernandez,	”
Hon. Isidra “Ched” M. Atienza,	”
Hon. Lorenzo A. Gamboa, Jr.,	”
Hon. Michael C. Villena,	”
Hon. Angelito Dondon A. Dimacuha,	Liga ng mga Barangay President
Hon. Marjorie A. Manalo,	Sangguniang Kabataan President

“On motion of SP Member Armando Lazarte duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 22-436 S. 2023

**ADOPTING THE REPORT OF THE COMMITTEE ON ENVIRONMENT AND URBAN
DEVELOPMENT, LAND USE AND ZONING AND APPROVING ON SECOND AND
FINAL READING THE ORDINANCE ENTITLED: “AN ORDINANCE
RECLASSIFYING A PARCEL OF LAND WITH AN AREA OF ONE HUNDRED
EIGHT THOUSAND AND NINE HUNDRED (108,900.00) SQUARE METERS MORE
OR LESS FROM AGRICULTURAL ZONE (AGZ): PRODUCTION AGRICULTURAL
SUB-ZONE (PDA-SZ) TO GENERAL RESIDENTIAL ZONE (GR-Z) AND REZONING
A PARCEL OF LAND WITH AN AREA OF FIFTY-TWO THOUSAND EIGHT
HUNDRED SEVENTY-ONE (52,871.00) SQUARE METERS MORE OR LESS FROM
INDUSTRIAL 1 MIXED USE ZONE (I1MX-Z) TO GENERAL RESIDENTIAL ZONE
(GR-Z) FOR THE PROPOSED RESIDENTIAL SUBDIVISION IN TINGA ITAAS,
BATANGAS CITY”**


RESOLVED, to adopt the report of the Committee on Environment and Urban Development, Land Use and Zoning and approving on Second and Final Reading the ordinance entitled: “An Ordinance Reclassifying a Parcel of Land with an Area of One Hundred Eight Thousand and Nine Hundred (108,900.00) square meters more or less from Agricultural Zone (AGZ): Production Agricultural Sub-Zone (PDA-SZ) to General Residential Zone (GR-Z) and Rezoning a Parcel of Land with an area of Fifty-Two Thousand Eight Hundred Seventy-One (52,871.00) Square Meters more or less from Industrial 1 Mixed Use Zone (I1MX-Z) to General Residential Zone (GR-Z) for the proposed Residential Subdivision in Tinga Itaas, Batangas City

UNANIMOUSLY APPROVED. ”

Continuation of Resolution No. 22-436 S. 2023

ADOPTING THE REPORT OF THE COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING AND APPROVING ON SECOND AND FINAL READING THE ORDINANCE ENTITLED: "AN ORDINANCE RECLASSIFYING A PARCEL OF LAND WITH AN AREA OF ONE HUNDRED EIGHT THOUSAND AND NINE HUNDRED (108,900.00) SQUARE METERS MORE OR LESS FROM AGRICULTURAL ZONE (AGZ): PRODUCTION AGRICULTURAL SUB-ZONE (PDA-SZ) TO GENERAL RESIDENTIAL ZONE (GR-Z) AND REZONING A PARCEL OF LAND WITH AN AREA OF FIFTY-TWO THOUSAND EIGHT HUNDRED SEVENTY-ONE (52,871.00) SQUARE METERS MORE OR LESS FROM INDUSTRIAL 1 MIXED USE ZONE (I1MX-Z) TO GENERAL RESIDENTIAL ZONE (GR-Z) FOR THE PROPOSED RESIDENTIAL SUBDIVISION IN TINGA ITAAS, BATANGAS CITY"

I hereby certify that the foregoing Resolution No. 22-436 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 7, 2023.


LUNINGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

ODT/LLA/ystingchuy...



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

COMMITTEE REPORT

TO : The Honorable Presiding Officer and Members of the Sangguniang Panlungsod

FROM : Committee on Environment and Urban Development, Land Use and Zoning

SUBJECT : AN ORDINANCE RECLASSIFYING A PARCEL OF LAND WITH AN AREA OF ONE HUNDRED EIGHT THOUSAND AND NINE HUNDRED (108,900.00) SQUARE METERS MORE OR LESS FROM AGRICULTURAL ZONE (AGZ): PRODUCTION AGRICULTURAL SUB-ZONE (PDA-SZ) TO GENERAL RESIDENTIAL ZONE (GR-Z) AND REZONING A PARCEL OF LAND WITH AN AREA OF FIFTY-TWO THOUSAND EIGHT HUNDRED SEVENTY-ONE (52,871.00) SQUARE METERS MORE OR LESS FROM INDUSTRIAL 1 MIXED USE ZONE (I1MX-Z) TO GENERAL RESIDENTIAL ZONE (GR-Z) FOR THE PROPOSED RESIDENTIAL SUBDIVISION IN TINGA, ITAAS, BATANGAS CITY

BACKGROUND

The aforementioned subject was referred to the Committee on Environment and Urban Development, Land Use and Zoning on October 24, 2023 during the Regular Session of the Sangguniang Panlungsod of Batangas. The Committee Hearing was held on November 6, 2023 at 9:30 in the morning.

In attendance were the following:

Hon. Alyssa Renee A. Cruz	VM/SP
Hon. Armando C. Lazarte	Committee Chairman
Hon. Nestor E. Dimacuha	SP/Committee Member
Hon. Nelson J. Chavez	SP/Committee Member
Hon. Lorenzo A. Gamboa, Jr.	SP/Committee Member
Hon. Isidra M. Atienza	SP/Committee Member
Hon. Karlos Emmanuel A. Buted	SP/Committee Member
Hon. Oliver Z. Macatangay	SP/Committee Member
Hon. Angelito A. Dimacuha	SP/Committee Member
Hon. Marjorie A. Manalo	SP/Committee Member
Hon. Hamilton G. Blanco	SP/Member
Hon. Andrea Loise F. Macaraig	SP Member
Hon. Jose Jonash Luis F. Tolentino	SP Member
Hon. Zester Carlo M. Hernandez	SP Member
Hon. Michael C. Villena	SP Member

Representatives from other relevant offices were:

Engr. Roselyn Berberabe	CPDO/Zoning Officer IV
Mr. Ted Solis	City Assessor/Division Chief
Engr. Edgar Festijo	Asst. CPDO
Engr. Pol Calpito	CEO/Head BPD



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Proponents present were:

Mr. Leonardo Dayao Jr.	General Manager/PDO
Engr. Mario Javil Mallari	Senior Manager/PDO
Atty. Ryan Asilo	Real Estate Broker
John Carlo T. Capua	Civil Works Engineer
Lloyd Ian S. Manalo	Operations Tech. Assistant
Jeffrei Timoteo	Civil Works Engineer
Pang. Julia Lizada	Brgy. Captain/Tinga Itaas
Cristino Bagsic	Brgy. Councilor
Josefina C. Perez	Brgy. Councilor
Crisanta De Chavez	Resident
Rosby Rasso Losala	Resident
Maxima Magadia	Resident
Lucy De Guzman	Resident
Nancy Rosales	Resident
Celso De Guzman	Resident
Crizel Lacerda	Resident
Analiza Rosales	Resident
Maria Corazon Rivera	Resident
Ester M. Rosales	Resident
Manuel Rivera	Resident

DISCUSSIONS AND OBSERVATIONS

The following observations resulted after extensive discussions and deliberations of all present during the Committee hearing, to wit:

1. Purpose of the project were the following:
 - a. It will provide affordable housing for low-income earners;
 - b. Will give employment and income generation opportunities
 - c. Will increase real estate valuation not only for its own property but also its surrounding areas;
 - d. It will help the government to increase its revenues and will contribute in the development and growth of Barangy Tinga Itaas, Batangas City.
2. A public hearing should be conducted including the registered organizational sectors particularly the farmers.
3. Must secure a Certification from DA & DAR.
4. Resolution from the Barangays were vague and should reflect the concerns of the host Barangays, such as the impact in the Barangay with corresponding mitigation and Corporate Social Responsibility (CSR) for such obligations and responsibilities to be legally binding and for transparency purposes. A revised Barangay Resolution shall be passed and a Memorandum of Agreement (MOA) shall be signed by and between the proponent and the Barangays concerned, copies of which shall be submitted to the Sangguniang Panlungsod of Batangas as provided for by R.A. 7160, Sec. 33.
5. All conditions in the Evaluation Report of the City Planning and Development Office (CPDO) shall be complied with including but not limited to and failure to comply shall be sufficient grounds for revocation of the permit.



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RECOMMENDATIONS

In accordance with the proceedings and based on the observations and discussions during the Committee Hearing the Committee on Environment and Urban Development, Land Use and Zoning propose the following recommendations:

1. The approval of the Ordinance hereto attached for Second and Final Reading and;
2. The adoption of this Committee Report.

Respectfully submitted, November 7, 2023.

**Committee on Environment,
Urban Development,
Land Use and Zoning**



HON. ARMANDO C. LAZARTE
Chairman



HON. NESTOR E. DIMACUHA
Member



HON. KARLOS EMMANJUEL A. BUTED
Member



HON. NELSON J. CHAVEZ
Member



HON. OLIVER Z. MACATANGAY
Member



HON. LORENZO A. GAMBOA JR.
Member



HON. ANGELITO A. DIMACUHA
Member



HON. ISIDRA M. ATIENZA
Member



HON. MARJORIE A. MANALO
Member