

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 1348

Introduced by the Honorable Aurora Enerio-Cerilles

**AN ACT INSTITUTIONALIZING A NATIONAL LAND USE POLICY,
PROVIDING THE FRAMEWORK AND MECHANISMS FOR IMPLEMENTING
THEREOF**

Explanatory Note

Land as a finite resource has been indiscriminately used in the past. Now in a state of degradation due to incompatible uses, it is necessary for the State to institutionalize a national rationalized land use framework that will ensure the protection of land as a resource for the generations to come.

Thus it is essential for the State to intervene and implement a sound Land Use Policy that will promote Rational Land Use Patterns; Sustainable Development; Equitable Access to Natural Resources; Food Security; and Maintenance of the Integrity of the Environment through the adoption of an Integrated Planning Network; Holistic Multidisciplinary Support System; Emphasis on Co-Management and Empowerment of Local Planning Level and Cost Effective Measures.

In view of the foregoing, the immediate passage of the bill is earnestly sought.


AURORA ENERIO-CERILLES

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Be it enacted by the Senate and the House of Representatives of the Philippines
in the Congress assembled:

**Title I
General Provisions**

**Chapter 1
Title and Declaration of Principles and Policies**

SECTION 1. Short Title – This Act Shall be known as the "National Land Use
Code of 2010".

SECTION 2. Declaration of Policy – It is hereby declared the policy of the State
to pursue policies that will guide and improve the utilization, allocation,
development and management of land resources including water resources, to
ensure their optimum use, under the principles of social equity, economic growth
and efficiency, justice and sustainability consistent with the provisions of the
Constitution.

Toward this end, the State shall adopt a land use and allocation pattern that
promotes and ensures:

- (a) Food security through efficient and sustainable use of land resources;
- (b) Sound population distribution and settlements development;
- (c) Rational and sustainable economic growth and balanced and
dispersed industrial and tourism development in tune with the
principles of sound agricultural development;
- (d) Sustainable use of natural resources;
- (e) Maintenance and preservation of the environment;
- (f) Conservation of soil and water resources;
- (g) Reduction of vulnerability to natural and man-made disasters; and
- (h) Harmony between the rights and the varied interests of every Filipino
within the framework of people empowerment and the greatest good
for the greatest number.

1 Through appropriate measures, the State shall encourage the utilization and
2 allocation of the land that would promote the interest of the majority of our
3 society.

4
5 Guided by the principle that land ownership bears a social function and that all
6 economic agents shall contribute to the common good, all lands shall be
7 developed and conserved appropriately/ adequately, thus ensuring their highest
8 contribution to national productivity and environmental stability.

9
10 The State shall institutionalize land use and physical planning as a mechanism
11 for identifying, determining and evaluating alternative land use patterns. This
12 shall be supported by a national land use classification, delineation and allocation
13 system and a land resource information and management system.

14
15 The State shall share the powers, functions, responsibilities and accountability
16 between the national and local governments.

17
18 The State shall respect the rights of people and their organizations to reasonable
19 and effective participation, at all levels of decision making, on the utilization and
20 allocation of land resources so as to achieve common good and the objectives of
21 national development.

22 23 Chapter 2 24 Coverage and Scope

25
26 **SECTION 3. Coverage** – In accordance with the aforesaid policies, the effective
27 scope of this act will be the entire territorial jurisdiction of the Republic of the
28 Philippines.

29
30 **SECTION 4. Scope** – This Act shall be the guide in the use, allocation and
31 management of lands and other resources included in this Act, as well as
32 activities which bear impact on said resources.

33
34 **SECTION 5. Interpretation of the Act** – Doubts in the implementation and
35 interpretation of provisions in this Act, including its implementing rules and
36 regulations shall be resolved in favor of:

- 37
38 (a) The preservation and conservation of land and water resources;
39
40 (b) Fair access and use of land and other natural resources for
41 sustainable livelihood.
42
43 (c) Greater responsibility and authority of the government to regulate
44 the allocation, utilization, development and management of land
45 and water; and
46
47 (d) The reconciliation of private interests with the public good, under
48 the due process law.
49
50 (e) Respect for existing and/or vested rights, under the equal
51 protection of laws.
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Chapter 3
Definition of Terms

SECTION 6. Definitions. Under this Act, the following terms shall mean:

- a. **Agricultural Lands** - refer to lands devoted or suitable for cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry, fish or, aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations done by persons whether natural or juridical and not classified by law' as mineral land, forest land, or national park, residential land, commercial land or industrial land.
- b. **Agroforestry Areas** - refer to areas allotted for the implementation of a sustainable land management system -characterized by an integrated production of agricultural crops, tree crops and forest plants and/or animals and the application of management practices which are compatible with the cultural patterns of the local community.
- c. **Alienable and Disposable Lands of the Public Domain** - refer to lands of the public domain which have been delineated, classified and certified as such and available for disposition under the Public Land Act as amended.
- d. **Ancestral Domain** - Refers to all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators;
- e. **Coastal Zone** - refers to a strip of land and water area with the seaward boundary running along a line at which the depth of water is 200 meters or when it is three (3) kilometers from the shoreline, whichever is farther, while the landward boundary is one (1) kilometer from the same shoreline or from the topographical or plant or vegetation features associated with the sea, again, whichever is farther.
- f. **CPDO** – City Planning and Development Office

- 1 g. **Ecologically-Fragile Agricultural Lands** - refer to lands within the
2 critical watershed, brackish and freshwater wetlands and pasture
3 lands whose continued development would adversely affect the
4 productivity of lowland agricultural areas and the stability of the
5 upland system.
6
- 7 h. **Environmentally Critical Areas** - declared by law refer to as: (a)
8 areas for natural parks, watershed reserves, wildlife preserves, and
9 sanctuaries; (b) areas set aside as aesthetic potential tourist spots;
10 (c) areas which constitute the habitat for any endangered or
11 threatened species of indigenous Philippine wildlife (flora and
12 fauna); (d) area, of unique historic, archeological, or scientific
13 interests; (e) areas which are traditionally occupied by cultural
14 communities and tribes; (f) areas with critical slopes; (g) areas
15 frequently visited and/or hard hit by natural calamities (geologic
16 hazards, floods, typhoons and volcanic activities); (h) areas
17 classified as prime agricultural lands; (i) recharge areas of aquifers;
18 (j) waterbodies; (k) mangrove areas; and, (l) coral reefs.
19
- 20 i. **Food Security** - refers to the policy objective of meeting the food
21 requirements of the present and future generation of Filipinos in a
22 sustainable manner, either through local production or importation,
23 or both, based on the country's existing and potential resource
24 endowments and related production advantages, and consistent
25 with the overall national development objectives and policies.
26
- 27 j. **Forestlands** - refer to those lands of the public domain which have
28 been subjected to land evaluation and classification and have been
29 legally designated for multiple uses such as production forest,
30 agroforestry, rangeland forestland reservations, inland water
31 bodies, protection forests, resettlements and military reservations.
32
- 33 k. **Forestlands** – refer to lands of the public domain classified as the
34 public forest, permanent forest or forest reserves and forest
35 reservations.
36
- 37 l. **Forest Land Sub classification** - refers to the process of
38 determining the most appropriate and sustainable use of
39 forestlands such as for forest protection, production forest, national
40 parks recreation areas; grazing/pasture, and others taking into
41 consideration ecological, social and economic considerations.
42
- 43 m. **Grazing Lands** - refer to lands of public domain set aside, in view
44 of the suitability of topography and vegetation, for the raising of
45 livestock.
46
- 47 n. **Government-Owned Lands** - refer to alienable and disposable
48 lands which are owned by and/or titled in the name of a national or
49 local government agency or instrumentality.
50
- 51 o. **Hazard and Disaster Prone Areas** - refer to areas prone; to
52 natural hazards, specifically weather/climatic, hydrologic and
53 geologic. These include: (a) weather and water related hazards
54 such as tropical cyclone winds, tropical cyclone rains, storm surge,
55 flood, and drought; (b) climatic change and variability related
56 hazards such as accelerated sea level rise, changes in precipitation
57 patterns, temperature increase, changes in El Nino intensity and

frequency deterioration of water availability and quality, changes in tropical cyclone and monsoonal activity and incidence of pests and diseases; (c) earthquake induced hazards which are characterized by ground shaking, ground rupture, liquefaction and lateral spreading, landslides and tsunami; (d) volcanic hazards which include lava and pyroclastic flow, airfall, lahar, and edifice failure; and, (e) erosion related hazards which could be soil, river and coastal.

- p. **Idle Lands** - refer to the following: (a) Agricultural lands, more than one (1) hectare in area, suitable for cultivation, dairying, inland fishery, and other agricultural uses, one half (1/2) of which remain uncultivated and unimproved, unutilized by the owner of the property or person having legal interest therein. Agricultural lands planted to permanent or perennial crops with at least fifty (50) trees to a hectare and lands actually used for grazing purposes shall not be considered idle lands; (b) Lands, other than agricultural, located in a city or municipality, more than one thousand (1,000) square meters in area one-half (1/2) of which remain unutilized or unimproved by the owner of the property or person having legal interest therein. Regardless of the size of the land area, idle lands shall likewise apply to residential lots in subdivisions duly approved by proper authorities, the ownership of which has been transferred to individual owners.
- q. **Indigenous Cultural Communities** - refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;
- r. **Irrigable Lands** - refer to lands which display marked characteristics justifying the conduct of studies to determine its feasibility/viability for irrigation.
- s. **Irrigated Lands** - refer to lands serviced by natural irrigation or irrigation facilities. These include lands where water is not readily available as existing irrigation facilities need rehabilitation or upgrading or where irrigation water is not available year-round.
- t. **Land Classification** - refers to the process of assessing the biophysical features and characteristics of the lands of the public domain, including their survey and mapping as provided for in the Constitution.

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- u. **Land Reclassification** - refers to the process of allocating the declared alienable or disposable lands of the public domain to specific uses such as agricultural, residential, industrial or commercial.
 - v. **Land Use Conversion** - refers to the process of changing the current use of a piece of land into some other use.
 - w. **Land Use** - refers to the manner of utilization of land, including its allocation, development and management.
 - x. **Land Use Plan** - refers to a document embodying a set of policies accompanied by maps and similar illustrations which represent the community-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities, in accordance with the social and economic objectives of the people. It identifies the location, character and extent of the area's land resources to be used for different purposes and includes the process and the criteria employed in the determination of the land use.
 - y. **Land Use Planning** - refers to the act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent qualities of the land itself and supportive of sustainable economic, demographic, socio-cultural and environmental objectives as an aid to decision making and legislation.
 - z. **Mineral Lands** - refer to lands in which minerals exist in sufficient quantity or quality to justify the investment necessary for their extraction and/or development.
 - aa. **MPDO** – Municipal Planning and Development Office
 - bb. **National Parks** – refer to forestland reservations essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas.
 - cc. **Permanent Forest or Forest Reserves** - refer to lands of the public domain which have been sub classified as such and determined to be needed for forest purposes.
 - dd. **Physical Framework Plan** - refers to an indicative plan promoting the most appropriate and rational use of land and other physical resources. It provides policy guidelines for all decisions relating to land use and environmental management to prevent or mitigate the adverse effects of inappropriate resource utilization on the people's welfare and their environment. It embodies both policies and strategies necessary to carry out goals and objectives.
 - ee. **PPDO** – Provincial Planning and Development Office

- 1 ff. **Production Land Use** - refers to the direct and indirect utilization
2 of land to generate outputs resulting from the following activities:
3 agricultural, fish farming or aquaculture, timber or agro-forestry,
4 grazing and pasture, mining, industry and tourism.
5
- 6 gg. **Production Forest** - refers to forestland managed primarily for the
7 production of timber and other tree products. These lands include
8 natural and artificially regenerated forests.
9
- 10 hh. **Protected Areas** - refer to identified portions of land and water set
11 aside by reason of their unique physical and biological significance,
12 managed to enhance biological diversity and protected against
13 human exploitation.
14
- 15 ii. **Protection Land Use** - refers to the utilization of land primarily for
16 the rehabilitation, conservation and protection purposes and the
17 promotion of the country's ecological and life support system.
18
- 19 jj. **Protection Forest** - refers to forestland and public forest
20 maintained primarily for their beneficial influence on soil and water
21 in particular and the environment in general.
22
- 23 kk. **Public Domain** - refers to lands which belong to the State which
24 may either be agricultural, forests or timber mineral or national park
25 as provided for in the Constitution.
26
- 27 ll. **Public Lands** - refer to lands which have not been subject to
28 private property rights or subject to sale or other modes of
29 acquisition of concession, under the general laws and are devoted
30 to public use.
31
- 32 mm. **Public Forest** - refers to the mass of land of the public domain
33 which has not been the subject of the present system of
34 classification for the determination of which lands may be needed
35 for forest purposes.
36
- 37 nn. **Rural Areas** - refer to areas not otherwise defined as urban.
38
- 39 oo. **Settlements** - refer to communities or built-up environment where
40 people prefer to live in.
41
- 42 pp. **Settlements Development** - refers to any improvement on existing
43 settlements, or any proposed development of certain areas for
44 settlement purposes. It also involves the spatial distribution of
45 population, identification of the roles and functions of key urban
46 centers and determination of the relationships among settlement
47 areas, and the provision of basic services and facilities of identified
48 major settlement areas or growth centers.
49
- 50 qq. **Socialized Housing** - refers to housing programs and projects
51 covering houses and lots or home lots only undertaken by the
52 Government or the private sector for the underprivileged and
53 homeless citizens which shall include, sites and services
54 development, long term financing, liberalized terms on interest
55 payments and such other benefits in accordance with the
56 provisions of the Urban Development and Housing Act or RA 7279.
57

- 1 rr. **Sustainable Development** - refers to the development objective of
2 meeting the needs and aspirations of the present generation of
3 Filipinos without compromising the capabilities and opportunities of
4 future generations to fulfill theirs, consistent with the principles of
5 social equity, efficiency and environmental integrity.
6
- 7 ss. **Tourism Development Areas** - refer to specific sites for tourism
8 development located in areas identified as priorities in the national
9 and regional tourism master plans as well as those designated
10 through legislative and executive issuances as tourist spots and
11 tourist zones which can be developed into tourism estates or
12 integrated resort; leisure, and recreation complexes, and other
13 tourism related facilities.
14
- 15 tt. **Tourism Estates** - refer to large tracts of land with defined
16 boundaries which are suitable for development of integrated resort
17 complexes with prescribed carrying capacities of tourist facilities
18 and activities.
19
- 20 uu. **Urban Areas** - refer to all cities regardless of their population
21 density and to municipalities with a population density of at least
22 five hundred (500) persons per square kilometer.
23
- 24 vv. **Underprivileged and Disadvantaged Group** - refers to small
25 farmers, fisherfolks and small-scale miners and the vulnerable and
26 marginalized groups such as the youth, woman, disabled, and
27 urban poor.
28
- 29 ww. **Water Resources** - refer to water under the ground, water above
30 the ground, water in the atmosphere and waters of the sea within
31 the territorial jurisdiction of the Philippines.
32
- 33 xx. **Watershed** - refers to a catchment area or drainage basin from
34 which the waters of a stream or stream systems are drawn. Critical
35 watershed is a water catchment of a river system which need
36 immediate rehabilitation and protection on account of fast
37 denudation leading to accelerated siltation and destructive floods
38 primarily because of its support to existing, proposed or on-going
39 hydro-electric plants, irrigation systems, local waterworks systems
40 and domestic water facilities.
41
- 42 yy. **Zoning** - refers to the regulatory tool for delineating the specific
43 uses of lands within the territorial jurisdiction of a city/municipality
44 and specifying the conditions for their regulation, subject to the
45 limitation imposed by law, or competent authority in accordance
46 with the approved land use plan.
47
- 48 zz. **Zoning Ordinance** - refers to a local legislation approving the
49 development control/zoning plan and providing for the regulations
50 and other conditions, on the uses of land including the limitation on
51 the infrastructures that may be placed thereon within the territorial
52 jurisdiction of a city or municipality.
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Title II
Land Use Planning Framework

Chapter 4
Planning Framework

SECTION 7. National Planning Framework – For comprehensive and coherent planning, a combined top-down and bottom-up approach shall be applied for the national planning framework which shall serve as the backbone of planning in the country. The framework is comprised of the following plans:

- a. **National Physical Planning Framework (NPPF)** – A comprehensive 30-year plan that defines the objectives, policies, and strategies on the indicative uses of land and other physical resources of the country from a national and regional standpoint that will be anchored on the principles of sustainable development for the attainment of food security, environmental stability and ecological integrity, rational urban development, spatial integration of consumption and production areas, equitable access to physical and natural resources, private-public sector partnership, people empowerment, recognition of the rights of indigenous people, and market orientation for allocation of land and physical resources. It shall be comprised of the following Volumes:

Volume 1: National Framework
Volume 2: Framework for Region I
Volume 3: Framework for Region II
Volume 4: Framework for Region III
Volume 5: Framework for Region IV-A
Volume 6: Framework for Region IV-B
Volume 7: Framework for Region V
Volume 8: Framework for Region VI
Volume 9: Framework for Region VII
Volume 10: Framework for Region VIII
Volume 11: Framework for Region IX
Volume 12: Framework for Region X
Volume 13: Framework for Region XI
Volume 14: Framework for Region XII
Volume 15: Framework for Region XIII
Volume 16: Framework for CAR
Volume 17: Framework for ARMM
Volume 18: Framework for NCR

- b. **Provincial Physical Framework Plan (PPFP)** – A plan that defines in detail the indicative uses of land and other physical resources in the province which serve as basis for other sectoral plans related with land, natural resources, and infrastructure facilities; reconciliation and rationalization of land use proposals among adjoining localities and with the higher level framework plan; guiding development agencies and private developers, particularly those that undertake large-scale projects, on the proper location of such projects; and providing a basis for adjudicating conflicts arising from the implementation of land use plans and development projects that straddle the boundaries of two or more municipalities.

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3 c. **Comprehensive Land Use Plan (CLUP)** – A plan that determines the
4 specific uses of land and other physical resources within the territorial
5 jurisdiction of the municipality that interprets and adapts national, regional,
6 and provincial policies to physical and environmental conditions of the
7 locality, adopts a desired urban form as the organizing concept in the
8 location of various land using activities, and serves as the basis for the
9 municipality's / city's development and investment plans, programs, and
10 for the enactment of a comprehensive zoning ordinance and other
11 regulatory measures.
12

13 **SECTION 8. Interrelationship of Plans** – The plans described in Section 7
14 hereof shall have the following relationships:
15

- 16 a. The NPPF shall serve as the top level plan that shall serve as a guide for
17 lower level plans.
18 b. The PPFP shall define the objectives, strategies and indicative uses of
19 land and other physical resources within the context of the province,
20 consistent with the national objectives and strategies and shall serve as
21 basis for the preparation of the land use plans of its component cities and
22 municipalities.
23 c. The CLUP shall translate the objectives, strategies, and indicative uses of
24 land and other physical resources proposed in the PPFP into specific uses
25 and shall serve as the basis for the preparation of the zoning plan and
26 ordinance to include embodiment of local aspirations concerning desirable
27 physical development and growth of the locality.
28

29 **SECTION 9. Plan Preparation** – The following plan preparation scheme shall be
30 observed:
31

- 32 a. The NPPF shall be prepared and updated by the NLUC
33 b. The PPFP shall be prepared and updated by the PPDO thru the Provincial
34 Development Council
35 c. The CLUP shall be prepared and updated by the MPDO for municipalities
36 or CPDO for component cities thru the Local Development Council
37

38 **Chapter 5**
39 **Land Use Classification**
40

41 **SECTION 10. Classification of Land Uses** – For consistency in planning at all
42 levels, the land use classification to be used for all plans described in Section 7
43 are:
44

- 45 a. Protection Land Use;
46 b. Production Land Use;
47 c. Settlements Development; and
48 d. Infrastructure Development
49

50 **SECTION 11. Protection Land Use** – Classification of land use that
51 encompasses sensitive/critical terrestrial, freshwater, and marine ecosystems
52 and resources that are in need of protection, preservation, rehabilitation,
53 conservation, and appropriate management for the preservation of their integrity,
54 regeneration of degraded resources, and protection from environmental hazards
55 of the human population.
56
57

SECTION 12. Coverage of Protection Land Use – Areas to be covered by protection land use shall comprise of:

- a. All areas under the National Integrated Protected Areas Systems (NIPAS) covered by RA No. 7586, otherwise known as National Integrated Protected Areas Systems Act.
- b. Areas outside NIPAS, which include:
 1. Protection Forests, which consist of:
 - i. All existing within forestland containing old growth closed canopy forests or virgin forests of whatever types of species;
 - ii. All areas within forestlands whether or not containing second growth forests of whatever types of species found with slopes greater than or equal to fifty percent (50%) and elevations equal to or greater than one thousand meters above sea level (1,000 masl) and above;
 - iii. All highland pine and mossy forests;
 - iv. All naturally grown mangrove forests;
 - v. All easement areas as defined by PD 1067, otherwise known as the Water Code of the Philippines;
 - vi. All other areas that would be deemed appropriate for protection, as defined by the DENR, subject to the approval of the Land Use Council (LUC) described in Section 19 hereof.
 2. Rehabilitated and/or reforested degraded mining areas;
 3. Critical Ecosystems for protection such as:
 - i. Coral Reefs
 - ii. Marshes and wetlands
 - iii. Lakes and Rivers
 4. Environmentally constrained areas that include areas subject to, or likely subject to:
 - i. Recurrent flooding;
 - ii. Liquefaction;
 - iii. Tsunamis;
 - iv. Mass movement;
 - v. Direct impact of seismic activity; and
 - vi. Other areas that pose a high degree of hazard to human occupation and activity, as determined by the MGB, PhiVolcs, and other government agencies concerned, subject to the approval of the LUC described in Section 19 hereof.
 5. Critical watershed areas described in Section 48 hereof.
 6. All agricultural lands that are ecologically fragile and whose conversion will result into serious environmental problems

SECTION 13. Production Land Use – Classification of land use that encompasses land and water resources for crop production, fisheries, livestock and poultry production, timber production, agro-forestry, mining, industry, and tourism that are to be utilized, managed, and developed in an efficient, equitable, and sustainable manner.

SECTION 14. Coverage and Sub-classification of Production Land Use – Areas to be covered by production land use shall comprise of:

- a. Agricultural Lands, which consist of:

1. All irrigated and irrigable areas, including those lands whose soils are suitable for agricultural development;
 2. All alluvial plain lands that are suitable for agricultural production and/or can be devoted to food production;
 3. All sustainable lands that are traditional sources of staple food;
 4. All crop lands required to attain a certain scale of production to sustain the economic viability of existing agro-based industries in the municipality, city or province; and
 5. All lands in areas not highly prone to natural hazards that are suitable for the production of tree crops and other cash crops.
- b. Coastal, Inland water and Marine Zones, such as:
1. Fishponds
 2. Offshore fishing areas
- c. Production Forests, such as:
1. All areas within forestland categorized as forest reserves or established timberland whether or not containing residual or second growth natural forests or plantation forests of whatever types of species;
 2. All areas within forestlands considered as rangelands for grazing purposes;
 3. All areas within forestlands managed under the community based forest management and similar types of forest management.
 4. All areas for Upland agro-forestry.
- d. Rangelands for grazing
- e. Mineral Lands
- f. Industrial Development Areas
1. Economic Zones
- g. Tourism Development Areas, including potential small islands for similar purposes.
- h. Energy Production Areas

SECTION 15. Settlements Development – Classification of land use that refers to lands used, or to be allocated, for an orderly and efficient spatial design of human settlements that shall be responsive to the needs of present and future population requirements and promote sustainable use of the environment..

SECTION 16. Sub-classification of Settlements – The sub-classification of settlements shall be composed of its major land uses which include:

- a. Residential, including present residential areas and areas for expansion
- b. Commercial, including business district and specific sites for business establishments
- c. Industrial
- d. Institutional, including government offices, health and education, church, cemetery and military reservations
- e. Tourism
- f. Utilities, including sites of public and private utilities such as power plants and substation, water reservoirs, and others
- g. Waste Disposal
- h. Recreational, including parks, urban forests, open or green space
- i. Roads, rail, water and air transportation networks and facilities
- j. Settlements expansion areas

SECTION 17. Infrastructure Development – Classification of land use referring to lands that shall be allocated for priority infrastructure development projects that are brought about by the needs of the population and supportive of national and local development objectives.

SECTION 18. Infrastructure Projects – priority infrastructure projects shall include, but not limited to, the following:

- a. Power plants, stations, sub-stations and associated facilities;
- b. Irrigation, flood control, sewerage and drainage facilities;
- c. Water supply systems;
- d. Seaports, fishports, and waterways;
- e. Farm-to-market roads;
- f. Roads and bridges;
- g. Waste disposal facilities;
- h. Educational, health, and recreational/sports facilities;
- i. Telecommunication facilities;
- j. Hazard mitigation facilities; and
- k. Others

Title III Chapter 6

Implementing Framework and Mechanisms

SECTION 19. Creation of the Land Use Council (LUC) – After six (6) months upon the effectivity of this Act, the Land Use Council is hereby created to exercise the powers and functions of both the National Land Use Committee and the role of the Housing and Land Use Regulatory Board with regards to land use planning at the local level.

SECTION 20. Composition of the Land Use Council – the Council shall be composed of the following:

- a. Deputy Secretary General of the NEDA as the Chairman of the Council;
- b. Undersecretaries of the following, as members:
 1. Department of Agriculture;
 2. Department of Agrarian Reform;
 3. Department of Environment and Natural Resources;
 4. Department of Public Works and Highways;
 5. Department of Transportation and Communication;
 6. Department of Science and Technology;
 7. Department of Interior and Local Governments;
 8. Department of Trade and Industry;
 9. Department of Justice; and
 10. Secretary-General of the Housing and Urban Development Coordinating Council;

SECTION 21. Powers and Functions of the Council – the LUC shall have the following powers and functions:

- a. Formulate and update the National Physical Planning Framework;
- b. Formulate, update and prescribe standards and guidelines for the preparation of ecological profile, PPFP, CLUP, and zoning ordinance;
- c. Guide the production of thematic maps by the IAMSS described in Section 36 hereof;

- d. Integrate and harmonize all laws and policies relevant to land use and assist legislation in amending and/or updating this Act;
- e. Undertake the gathering of data and conduct of studies that would be used to update planning guidelines to ensure that state of the art practices will be applied; and
- f. Advise the President of the Philippines and the NEDA Board on all matters concerning land use and physical planning.
- g. Create a database for the purpose of updating planning standards and guidelines and reference for other agencies.

SECTION 22. Secretariat of the LUC – the NEDA shall serve as secretariat to the LUC.

SECTION 23. Creation of the Regional Land Use Councils (RLUC) – One (1) year after the effectivity of this Act, the LUC shall cause the creation of Regional Land Use Councils which shall replicate its structure and composition and have the following functions:

- a. Provide technical assistance through the Technical Boards created in Section 25 hereof to city and municipal governments in making land use plans and land capability decision maps, if called for;
- b. Ratify land use plans of provinces, independent component cities, and highly urbanized cities, prior to the approval for adoption of the said by their respective *sanggunians*, to ensure that these would be in line with the higher level plan;
- c. Advise the LUC of land use concerns at the local level which could have adverse effects on the national level; and
- d. Partake in the gathering of data and conduct of studies that would be used to update planning guidelines by the LUC.

SECTION 24. Technical Working Committee – The LUC shall cause the creation of a technical working committee that shall formulate and update, whenever necessary, all planning guidelines and standards for the IAMSS mapping described in Section 36, NPPF, PPFP, CLUP and Zoning Ordinances after six (6) months from its establishment.

Guidelines and standards shall incorporate the National Planning Framework and Classifications of Land Uses set forth in this Act.

The technical working committee shall also prepare guidelines for the preparation of ecological profiles for the provincial, municipality, and city levels. These guidelines shall be the bases for the requirements of the local planning units as described in Section 34 hereof.

SECTION 25. Technical Boards – The RLUC, thru its member agencies, shall assign Technical Boards that shall provide technical assistance for planning at the local level. These shall have the following functions:

- a. **Provincial Technical Board (PTB)** – For every province, a group assigned by the RLUC comprised of representatives from each of its member agencies shall provide technical assistance for the creation, review and adoption of PPFPs when called for.
- b. **Municipal/City Technical Board (M/CTB)** – For every municipality/city, a group assigned by the RLUC comprised of representatives from each of its member agencies shall provide technical assistance for the creation, review and adoption of CLUPs when called for.

SECTION 26. Provincial Land Use Committee (PLUC) – The Provincial Development Council shall, upon the effectivity of this Act, create a standing committee among its ranks that shall be known as the Provincial Land Use Committee which shall have the following powers and functions:

- a. Advise the Sangguniang Panlalawigan on all matters pertaining to land use and physical planning;
- b. Review and endorse to the Sangguniang Panlalawigan the PPFP for adoption;
- c. Endorse the PPFP to the RLUC for review and approval;
- d. Review the CLUPs of component cities and municipalities to ensure consistency with the PPFP; and
- e. Decide and resolve policy conflicts on land use planning, classification, and allocation and any unresolved land use conflicts that may arise between cities and municipalities

SECTION 27. Municipal/City Land Use Committee (M/CLUC) – The Municipal/City Development Council shall, upon the effectivity of this Act, create a standing committee among its ranks that will be known as the Municipal/City Land Use Committee. It shall have the following powers and functions:

- a. Advise the Sangguniang Bayan/Panglungsod on all matters pertaining to land use and physical planning;
- b. Review and endorse to the Sangguniang Bayan/Panglungsod the CLUP for adoption;
- c. Endorse the CLUP to the PLUC for review and approval;
- d. Assists the Sangguniang Bayan/Panglungsod in reviewing the CLUPs of component cities and municipalities prior to enacting it as a zoning ordinance
- e. Decide and resolve policy conflicts regarding the violation of zoning ordinances including oppositions to applications for locational clearances, permits or certificates.

SECTION 28. Approval and Adoption of PPFPs – The Sangguniang Panlalawigan shall have the power and authority to approve and adopt their own PPFP; provided that the PPFP has been reviewed and endorsed by both the PLUC and PTB to the RLUC; provided further that the PPFP has been reviewed and approved by the RLUC.

SECTION 29. Approval and Adoption of CLUPs and ZOs – The Sangguniang Bayan or Sangguniang Panglungsod shall have the power and authority to approve and adopt their own CLUPs and Zoning Ordinances; provided that the CLUP and ZO has been reviewed and endorsed by both the M/CLUC and M/CTB to the PLUC; provided further that the CLUP has been reviewed and approved by the PLUC.

SECTION 30. Coverage of Zoning Ordinance – The Zoning Ordinance shall encompass the entire territorial jurisdiction of the municipality. Aside from urban areas, the ZO shall include protected areas, timberlands, ancestral domains, coastal and offshore areas and other such categories as seen fit by the LUC thru its guidelines and standards for making zoning ordinances as mentioned in Section 29.

SECTION 31. Planning Cycle – the LUC as described in Section 21 to 24 shall define the required planning cycle for all levels, including provisions on penalties for non-compliance of the planning unit concerned.

SECTION 32. Failure to Formulate, Approve and Implement CLUPS – The DILG shall apply due process in investigating, reviewing and recommending appropriate action regarding the failure of the local chief executive and other officials and employees that are directly responsible for the formulation, approval and implementation of CLUPS for the following cases:

- a. Failure to implement and enforce the CLUP due to negligence of duty;
- b. Failure to provide appropriate budgetary allocation to effect its implementation;
- c. Failure to formulate an ecological profile, described in Section, prior to the formulation of the CLUP; and
- d. Failure to complete the preparation of the CLUP despite the availability of funds, resources, and support by the Sanggunian Concerned.

Any public official or employee regardless of whether elected or appointed or holding office or employment in a casual, temporary, hold-over, or regular capacity, found to be responsible for any of the foregoing acts after due notice and hearing by the appropriate body or agency shall be punished with forfeiture of salaries and allowances and suspension from:

- a. Six (6) to nine (9) months in case of non-implementation of CLUP; or
- b. Three (3) to six (6) months in case of non-completion of the CLUP

SECTION 33. Framework for Development – Land Use Plans shall be the basis for the creation of projects, policies etc. of the respective Local Government Units.

Title IV Support Systems

Chapter 7 Ecological Profiles

SECTION 34. Ecological Profile (EP) – The EP is a set of data descriptive of the geo-physical, biological, and socio-economic environment and their interrelationships in a geographical planning unit. It is intended to provide baseline information on the state of the environment within a specified planning unit. Ecological Profiles shall serve as valuable tools:

- a. In making better decisions and trade-offs for more rational or sustainable development;
- b. In taking stock of or of assessing the status of the environment of an area as of a given time;
- c. In providing factual bases for physical framework and land use planning;
- d. In providing information on the environment for consideration in project planning and development as well as for monitoring and evaluation of a project's impact on the environment;
- e. In preparing and evaluating the Initial Environmental Examination (IEE) or the Environmental Impact Assessment (EIA); and
- f. In providing information for the purposes of management and conservation of the environment.

SECTION 35. Preparation of Ecological Profiles – the PPDOs, MPDOs, and CPDOs shall prepare ecological profiles for their respective provinces, municipalities, and cities one (1) year before the deadline of submission for

1 approval of their physical framework and land use plans as stipulated in the
2 guidelines described in Section 23.

3 4 **Chapter 8** 5 **Comprehensive Mapping System for Planning** 6

7 **SECTION 36. Inter-Agency Mapping Support System (IAMSS)** – After six (6)
8 months upon the establishment of the LUC, an Inter-Agency Mapping Support
9 System shall be created, with NAMRIA as the lead agency. The supporting
10 agencies include BSWM, LMB, FMB, PAWB, NWRB, MGB, PHIVOLCS, DOE,
11 NEDA, DPWH, DA, DAR, BFAR, PAGASA, NDCC, and NCIP. The system shall
12 be responsible for creating a database for the production of base and decision
13 maps for all planning levels of standard scales, symbols, and other indicators, as
14 stipulated in its own Planning Guidelines and Standards provided for by the LUC
15 Technical Working Committee.

16
17 **SECTION 37. Compiling of Datasets** – All pertinent and updated data from
18 supporting agencies of the system shall be submitted to NAMRIA for compilation
19 and integration in its geographic information system whenever needed.
20

21 **SECTION 38. Maps for Planning** – One (1) year after the LUC Technical
22 Working Committee has prepared the Guidelines and Standards for planning at
23 all levels, the NAMRIA shall submit to the LUC all maps required for national
24 level planning and planning in all municipalities, cities, and provinces. The LUC
25 after reviewing the maps shall forward the maps to its respective PLUCs,
26 MCLUCs and CLUCs.

27
28 Pertinent maps, among others, to be produced by the IAMSS shall include:

- 29 a. Topographic Maps
- 30 b. Geologic Maps
- 31 c. Hydrologic Maps
- 32 d. Climate Maps
- 33 e. Soils Maps
- 34 f. Slope Maps
- 35 g. Mineral Resources Maps
- 36 h. Existing Land Use Maps
- 37 i. Land Suitability Maps for:
 - 38 1. settlements
 - 39 2. agriculture
 - 40 3. industrial areas
 - 41 4. others
- 42 j. Agricultural Maps
 - 43 1. Network of Protected Areas for Agricultural and Agro-industrial
 - 44 Development
 - 45 2. Commodity Specific Development Guide Maps
 - 46 3. Land Limitation Maps
 - 47 4. Land Suitability Maps
 - 48 5. Cropping System Zones Maps
 - 49 6. Hydro-ecological Conditions Map
 - 50 7. Irrigation Systems Maps
- 51 k. Land Classification Maps
- 52 l. Geo-Hazards Maps
 - 53 1. Flood Prone Areas
 - 54 2. Hazard Zonation Maps for Volcanoes
 - 55 3. Map of Fault Systems
 - 56 4. Tsunami Prone Areas
 - 57 5. Erosion Prone Areas

- m. Tourism Maps
- n. Transportation Maps
- o. Traffic Flow
- p. Areas Served by:
 - 1. Power
 - 2. Telecommunications
 - 3. Water
- q. Facilities:
 - 1. Health
 - 2. Education
 - 3. Power
- r. Domestic Water Supply
- s. Industrial Areas
- t. Population Distribution
- u. Ancestral Domains
- v. NIPAS Areas
- w. Areas Suitable for Urban Expansion
- x. Watershed Areas
- y. Forest Lands
 - 1. Protection
 - 2. Production

SECTION 39. Updating of Maps – All maps shall be updated seasonably as new important information and data becomes available or as determined by urgent need but not more than every 10 years.

SECTION 40. Updating of Land Use References – After creation and/or updating of any plan, the PLUC, MLUC and CLUC concerned shall submit copies of their land use map/s to the RLUC where it will serve as reference/s for future planning. The RLUC in turn shall endorse copies of said data to the LUC and IAMSS for updating its database.

Chapter 9 Ground Delineation

SECTION 41. Priorities for Ground Delineation – For effective planning to take place at the local level, land uses must be identifiable both on the map and on the ground. Thru this, the Zoning Ordinance of each and every municipality may easily be enforced. A Joint Committee comprised of the LGU thru its M/CLUC in coordination with national government agency concerned with the assistance of the M/CTB, shall identify and delineate on the ground the land uses within their jurisdiction. The following shall be given priority:

- a. Forest Lands
 - 1. Protection
 - 2. Production
- b. NIPAS Areas
 - 1. Strict Protection Zone
 - 2. Sustainable Use Zone
 - 3. Restoration Zone
 - 4. Habitat Management Zone
 - 5. Multiple Use Zone
 - 6. Buffer Zone
 - 7. Cultural Zone
 - 8. Recreational Zone
 - 9. Special Use Zone
- c. Watershed Areas

1. Critical
2. Multiple Use
- d. Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAAD)
- e. Settlement Expansion Areas
- f. Extents of Environmentally Constrained Areas
- g. Easement Areas
- h. Critical coastal areas
 1. Mangroves
 2. Seagrasses
- i. Ancestral Domains

SECTION 42. Offshore Delineation – Critical Marine resources should also be delineated both on the map and on the water. Perimeters of critical offshore areas, such as coral reefs, shall be marked in accordance with the coastal resource management plans concerned.

Title V Special Areas of Concern

Chapter 10 Land Classification

SECTION 43. Review of Land Classification – The LUC thru the Lands Management Bureau (LMB) shall review and assess the current land classification system and definitions to ensure that it reflects the reality of land use and occupation/ownership in the country. The LMB shall then submit an assessment report to the LUC after ninety (90) days upon the establishment of the latter.

SECTION 44. Adoption of Assessment Report – The LUC shall adopt the assessment report made by the LMB to be utilized in the formulation of its planning guidelines.

Chapter 11 NIPAS Areas

SECTION 45. Integrated Management Strategy – For more effective planning, management, and protection of PAs at the provincial and municipal/city levels, the Protected Area Management Plan shall be incorporated in the PPFP and CLUPs, wherein PA zoning shall be reflected.

SECTION 46. Policy Adoption – Policies adopted for PA areas in the municipality/city shall be adopted and integrated in the province's and local government unit's land use policy framework.

Chapter 12 Watershed Areas

SECTION 47. Watershed Identification – The DENR together with the NWRB shall create a technical committee that will identify and map all watershed areas in the country after three (3) months upon the effectivity of this Act. The map shall also be submitted to the LUC and the IAMSS for integration in its database.

SECTION 48. Classification of Watersheds – The technical committee shall classify all the identified watersheds as either:

1 a. **Critical Watersheds** - refers to a drainage area of a river system
2 supporting existing and proposed hydro-electric power, irrigation works
3 and domestic water supply needing immediate rehabilitation for it to
4 serve its purpose as it is being subjected to a fast denudation causing
5 accelerated erosion and destructive floods; or
6

7 b. **Multiple Use Watersheds** – refers to watershed areas that could be
8 subject to different uses; provided that the area concerned is to be used,
9 managed and developed sustainably and within the provisions of the
10 Environmental Impact Assessment System.
11

12 **SECTION 49. Land Use Planning Integration** – Critical watersheds are to be
13 considered as part protection land uses, while multiple use watersheds maybe
14 subjected to different land uses. Watersheds should be well defined in the land
15 use maps and the land uses within its bounds should be within its carrying
16 capacity. The carrying capacity of the watershed shall be determined by the
17 Environmental Management Bureau (EMB) after its identification.
18

19 **SECTION 50. Consideration in Zoning** – Special consideration shall be made
20 in enacting the zoning ordinance of (or that will contain portions of) watershed
21 areas. Policies within the area should be geared towards sustainability and
22 preservation of the effective recharge rate of the watershed for it to successfully
23 serve its purpose.
24

25 **Chapter 13** 26 **Coastal and Offshore Areas** 27

28 **SECTION 51. Integrated Management Strategy** – For more effective planning,
29 management, and protection of coastal and offshore areas municipal/city level,
30 the Coastal Resource Management Plan (CRMP) shall be incorporated in the
31 Comprehensive Land Use Plan. Management zones defined in the CRMP should
32 be reflected in the CLUP and subsequent ZO.
33

34 **SECTION 52. Policy Adoption** – Policies adopted for effective coastal resource
35 management shall also be adopted and integrated in the LGU's land use policy
36 framework.
37

38 **Chapter 14** 39 **Ancestral Domains** 40

41 **SECTION 53. Plan Integration** – For more effective planning and management
42 of ancestral domains, the Ancestral Domain Management Plan (ADMP) or
43 Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) shall
44 be incorporated in the Comprehensive Land Use Plan and/or other plans that the
45 LGU is mandated to produce. Extents of the ancestral domain shall be reflected
46 in the land use plan, where it will be zoned as such in the ZO; and shall be co-
47 managed by the LGU and IP community.
48

49 **SECTION 54. Policy Adoption** – Policies adopted for AD areas shall be
50 integrated in the LGU's land use policy framework. However, in the event that the
51 ADMP/ADSDPP is still in its formulation stage or remains to be formulated, the
52 Municipality/City must be represented in the formulating body to take into
53 consideration the land uses enforced. The land use in the ADMP/ADSDPP
54 should be compatible with the land use of the area within the jurisdiction of the
55 LGU.
56

SECTION 55. Limitations – In cases that areas of Ancestral Domain Lands fall within Protection Land Uses and NPAAAD or other such prime, productive and irrigable agricultural lands, the productive nature of the land shall be preserved. Hence, the area shall be protected and corresponding zoning ordinance shall be made and enforced.

Chapter 15 Mineral Lands

SECTION 56. Co-Management Strategy – For more effective planning, management, and protection of the population from the adverse effects of mining operations, mining areas shall be co-managed by the LGU and the National Government Agencies concerned.

SECTION 57. Policy Adoption – Land use policy/ies for mineral lands shall be geared towards rational and sustainable use of mineral resources which shall promote economic growth to the local economy.

Chapter 16 Land Use Conversion

SECTION 58. Pre-requisite of Land Use Conversion – To ensure food security for the Filipino, there shall be no land use conversion that is irreversible in nature such as conversion of agricultural to non-agricultural uses, until such time that all areas that are priority for ground delineation has been delineated on the ground.

SECTION 59. Limits of Agricultural to Non-Agricultural Land Use Conversion – Agricultural to non-agricultural land use conversion can only be done within settlement expansion areas.

SECTION 60. Land Use Conversion – Once the proper use of land has been set and approved for every level of the Plans, the conversion of a part or the whole thereof shall not be allowed except by an act of Congress.

Chapter 17 Green Spaces

Section 61. Urban Forest and Green Spaces – All cities and municipalities shall identify, designate and allocate lands owned by the city or municipality as urban forest and green space, based on the guidelines and standards to be issued by the DENR and approved by the LUC.

Chapter 18 Waste Disposal

SECTION 62. Designation of Waste Disposal Site – Each city or municipality shall identify, designate and allocate land within their territorial jurisdiction to serve as waste disposal site in accordance with the provisions inscribed in RA 9003 of the Solid Waste Management Act. Waste disposal sites shall be identified in land use plans and shall be zoned as such in the ZO.

Chapter 19 Cultural Heritage

SECTION 63. Preservation and Identification of Cultural Heritage – Local government units and local communities in coordination with concerned national

1 agencies shall undertake the identification of areas and structures to be
2 preserved as part of the national and local cultural heritage. The LGU in
3 cooperation with the NCCA and the National Historical Institute shall identify sites
4 for preservation.

5 6 **Title VI** 7 **Transitory and Final Provisions**

8 9 **Chapter 20** 10 **Mandatory Review**

11
12 **SECTION 64. Mandatory Review Every Ten Years** – Congress shall undertake
13 a mandatory review of this Act at least once every ten (10) years from the
14 effectivity of this Act, or as often as it may deem necessary to ensure that land
15 use policies, and guidelines remain responsive to changing circumstances. For
16 this purpose, Congress may call on to the LUC to undertake the necessary
17 researches and consultations.

18 19 **Chapter 21** 20 **Transitory Provisions**

21
22 **SECTION 65. Convening of the Council** – Within five (5) days upon the
23 effectivity of this Act the Committee shall convene.

24
25 **SECTION 66. Immediate Tasks of the Council** – Within one hundred twenty
26 (120) days from the effectivity of this Act the Committee shall undertake the
27 preparation of the revised implementing rules and regulations of the LUC.

28
29 **SECTION 67. Reconstitution of the HLURB** – The HLURB's function regarding
30 land use planning and zoning guidelines review and ratification in the
31 city/municipal and provincial levels shall be given to the LUC as stated in Section
32 19 hereof. All other functions of the HLURB shall be retained.

33
34 **SECTION 68. Review, Formulation and Issuance of Rules and Regulations** –
35 Within the one hundred twenty (120) day the Committee shall review existing
36 rules and regulations on land use, and based therefrom, revise such rules and
37 regulations, or cause concerned agencies to revise them for the efficient and
38 effective implementation of the provisions of this Act. All concerned national
39 government agencies and bodies shall inform the Committee of the status of the
40 implementation of such rules and regulations.

41
42 Unless provided in this Act, the Committee shall be primarily responsible for the
43 promulgation and issuance of all implementing rules and regulations, including
44 planning guidelines and standards which shall take into consideration the unique
45 physical and cultural character and needs of the different regions/localities.
46 These rules and regulations shall become effective fifteen (15) days after their
47 publication in the Official Gazette and announcement of their adoption in at least
48 one (1) newspaper of general circulation.

49
50 All existing rules and regulations shall be in force and effect unless
51 revoked by the Committee, or competent authority.