THEMADAM PRESIDENT:

The Committee on City Land Use, Urban Planning, and Development to which was referred the following ordinance and resolutions:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>1. SPPR NO. 2013-9310 - RESOLUTION CONCOURRING THE APPLICATIONS FOR ISSUANCE OF SURVEY AUTHORITY OF THE HEREIN LISTED INDIVIDUALS PURSUANT TO SECTION 1, RULE III OF THE RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT 9649, OTHERWISE KNOWN AS AN ACT FURTHER AMENDING REPUBLIC ACT 5412 OR THE CITY CHARTER OF GENERAL SANTOS.</td>
<td>LAID ON THE TABLE, WITH A NOTE THAT MR. LEYSON'S AREA WILL BE SCHEDULED FOR OCULAR INSPECTION WHILE MR. RICAPLAZA WILL BE REQUIRED TO EXECUTE AN AFFIDAVIT OF UNDERTAKING FOR THE BURIAL SITE THEREIN.</td>
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<tr>
<td>a. MR. RICARDO T. RICAPLAZA b. MR. RODOLFO P. LEYSON</td>
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<td>2. SPPR NO. 2013-0952 - AN ORDINANCE RECLASSIFYING THE AREA OF TWO (2) ADJACENT PARCELS OF LAND COVERED BY TRANSFER CERTIFICATE TITLE NO. T-29157 CONTAINING AN AREA OF 100,247 SQUARE METERS AND TRANSFER CERTIFICATE TITLE NO. T-293291 CONTAINING AN AREA OF 116,351 SQUARE METERS, ALL SITUATED IN BARANGAY KATANGAWAN, GENERAL SANTOS CITY, FROM AGRICULTURAL TO AGRO-INDUSTRIAL.</td>
<td>LAID ON THE TABLE, FOR THE REVIEW OF DEVELOPMENT CONTROL COMMITTEE &amp; TO BE HELD IN ABSENCE PENDING THE UPDATING OF THE CLUP.</td>
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<td>3. SPPR NO. 2013-9254 - RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN APPLICATION OF PEARL SHELL HOMEOWNERS ASSOCIATION, INC. FOR THE DEVELOPMENT OF PEARL SHELL SUBDIVISION TO BE SITUATED IN BARANGAY MARHUAY, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 39,625 SQUARE METERS.</td>
<td>APPROVED ON THE COMMITTEE LEVEL, WITH THE CHAIR'S EXHORTATION TO RESOLVE INTERNAL CONFLICT AMONG THE PARTIES CONCERNED WITH RESPECT TO THE ASSOCIATION'S LEADERSHIP ISSUES</td>
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<td>4. SPPR NO. 2013-9251 - RESOLUTION AFFIRMING THE VALIDITY OF RESOLUTION NO. 99, SERIES OF 2013, PASSED BY THE SANGUNIANG BARANGAY OF KATANGAWAN, INTERPOSING NO OBJECTION TO THE PROPOSED PRELIMINARY SUBDIVISION DEVELOPMENT PLAN FOR THE DEVELOPMENT OF A SUBDIVISION PROJECT OF CIRERA HOMEOWNERS ASSOCIATION, INCORPORATED, LOCATED AT PUROK 12, BARANGAY KATANGAWAN, GENERAL SANTOS CITY.</td>
<td>LAID ON THE TABLE, PENDING THE SUBMISSION OF RELEVANT DOCUMENTS THAT WILL BE EVALUATED BY THE CPDO PRIOR TO ITS INDOREMENT TO THE SP</td>
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<tr>
<td>5. SPPR NO. 2013-9533 - RESOLUTION CONCOURRING THE FREE PATENT APPLICATION OF MS. SHEENA L. SOTITO OVER LOT NO. 14, BLK. 50, GPS-12-001414, CONTAINING AN AREA OF 120 SQUARE METERS, SITUATED IN PUROK UPPER LONDON C, BARANGAY BAWING, THIS CITY.</td>
<td>APPROVED ON THE COMMITTEE LEVEL, AND TO BE CALENDARIZED FOR APPROVAL IN THE SP'S REGULAR SESSION ON FEB. 25, 2014</td>
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<td>6. SPPR NO. 2013-9258 - RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN APPLICATION OF SRS BRIGHT MORNING STAR HOMEOWNERS ASSOCIATION, INC. FOR THE DEVELOPMENT OF A SUBDIVISION PROJECT TO BE SITUATED IN BARANGAY CALUMPANG, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 15,334 SQUARE METERS.</td>
<td>APPROVED ON THE COMMITTEE LEVEL, AND TO BE CALENDARIZED FOR APPROVAL IN THE SP'S REGULAR SESSION ON FEB. 25, 2014</td>
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<td>7. SPPR NO. 2013-9527 - RESOLUTION CONCOURRING THE FORESHORE/MISCHELLENTARY LEASE APPLICATION OF WAHIDA S. AMELIA, AL HAD, OVER A PARCEL OF LAND CONTAINING AN AREA OF 5,200 SQUARE METERS, MORE OR LESS, SITUATED IN BARANGAY CALUMPANG, GENERAL SANTOS CITY, PURSUANT TO SECTION 1, RULE III OF THE RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT 9649, OTHERWISE KNOWN AS AN ACT FURTHER AMENDING RA 5412 OR THE CITY CHARTER OF GENERAL SANTOS.</td>
<td>REFERRED BACK TO LEGISLATIVE DIVISION FOR CORRECTION ON THE APPLICANT'S NAME</td>
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<tr>
<td>10. SPPR NO. 2014-9620 - RESOLUTION RESPECTFULLY REQUESTING THE CITY MAYOR TO CREATE A TASK FORCE THAT WILL FAST TRACK THE UPDATING OF THE CITY LAND USE PLAN.</td>
<td>APPROVED ON THE COMMITTEE LEVEL</td>
</tr>
<tr>
<td>11. SPPR NO. 2014-9682 - RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAN APPLICATION OF E. C. TANHAOL AND COMPANY, REPRESENTED BY MR. ISIDRO S. LAPERA FOR THE DEVELOPMENT OF TANHAOL COMPANY HOME SUBDIVISION SITUATED IN BARANGAY SAN ISIDRO, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 235,146 SQUARE METERS.</td>
<td>LAID ON THE TABLE, FOR FURTHER EVALUATION BY THE CPDO</td>
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has considered the same and has the honor to report them back to the August Body with the foregoing recommendations.

Respectfully submitted:

ARTURO C. CLOMA
City Councilor/Presiding Officer

Committee on City Land Use, Urban Planning and Development dated Feb. 19, 2014 1
MINUTES OF THE HEARING OF THE COMMITTEE ON CITY LAND USE, URBAN PLANNING AND DEVELOPMENT OF THE 17TH SANGGUNIANG PANLUNGSOD.

February 19, 2014
3:35 P.M. – 4:35 P.M.
Sangguniang Panlungsod, Session Hall
2/F Legislative Building, City Hall Drive, City of General Santos

COUNCILORS PRESENT: Councilor Arturo C. Cloma (Chairperson/Presiding Officer); Councilor Brix T. Tan (Member); and Councilor Ramon R. Melliza (Member)

GUESTS/RESOURCE PERSONS: Please refer to the attached attendance sheet.

The hearing was called to order by its chairperson, Hon. Arturo C. Cloma to discuss the following agenda:

1. SPPR NO. 2013-9310 - RESOLUTION CONCURRING THE APPLICATIONS FOR ISSUANCE OF SURVEY AUTHORITY OF THE HEREin LISTED INDIVIDUALS PURSUANT TO SECTION 1, RULE III OF THE RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT 9649, OTHERWISE KNOWN AS AN ACT FURTHER AMENDING REPUBLIC ACT 5412 OR THE CITY CHARTER OF GENERAL SANTOS.

   a. MR. RICARDO T. RICAPLAZA    b. MR. RODOLFO R. LEYSON

   The chair ruled the aforementioned applications laid on the table since the committee has to conduct an ocular inspection on the subject area of Mr. Rodolfo R. Leyson while Mr. Ricaplaza was advised by the committee to execute an Affidavit of Undertaking regarding the burial site or tombs to be preserved in the said area until such time that the same be exhumed or transferred by the surviving relatives.

   Further, the problem on the road right-of-way that was brought out by Engr. Andrade should be resolved first inasmuch as the land area being currently used as an access road was not yet donated to the city by Fernandez, Tubo and Acharon clans who actually own such parcels of land.

   LAID ON THE TABLE

2. SPPO NO. 2013-0952 - AN ORDINANCE RECLASSIFYING THE AREA OF TWO (2) ADJACENT PARCELS OF LAND COVERED BY TRANSFER CERTIFICATE TITLE NO. T-29157 CONTAINING AN AREA OF 100,247 SQUARE METERS AND TRANSFER CERTIFICATE TITLE NO. T-29291 CONTAINING AN AREA OF 116,351 SQUARE METERS, ALL SITUATED IN BARANGAY KATANGAWAN, GENERAL SANTOS CITY, FROM AGRICULTURAL TO AGRO-INDUSTRIAL.

   The chair ruled item no. 2 laid on the table for this would still pass through the Development Control Committee prior to the endorsement of the City Planning and Development Office to the Sangguniang Panlungsod. The city imposed that the said business establishment as being non-compliant with the City’s zoning ordinance and it is for the same reason that is should be subjected for reclassification.

   Engr. Bernadeth Francisco of the City Planning and Development Office (CPDO) clarified that this application will still undergo a corresponding process whereby a barangay consultation...
will be made to this effect. The proponents were advised to wait for the reclassification of the land as the CPDO is still in the process of updating the City Land Use Plan (CLUP).

LAID ON THE TABLE

3. **SPPR NO. 2013-9254 – RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN APPLICATION OF PEARLY SHELL HOMEOWNERS ASSOCIATION, INC. FOR THE DEVELOPMENT OF PEARLY SHELL SUBDIVISION TO BE SITUATED IN BARANGAY MABUHAY, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 29,625 SQUARE METERS.**

When inquired, Engr. Francisco informed that their office favorably recommended the approval of the Preliminary Subdivision Development Plan (PSDP) of the said homeowners association and indorsed it to the City Mayor’s Office (CMO) last October 30, 2013 for an appropriate action of the city council. The project was classified as residential but treated as variance since it is actually a socialized housing project.

As regards the complaint posed by a certain Ms. Alma Algabre who claimed as the President of said association, Engr. Francisco clarified that complaints should be dealt by HLURB which has the proper jurisdiction in adjudicating the same. However, Engr. Francisco expounded that on the basis of the required documents being submitted for approval of the subdivision scheme, the same was duly registered with the HLURB.

Ensuing further deliberations, the chair concluded that the complaint is not on conflicting claim over a property but on the position of an association president where the respective Sanggunian has no power over the same if ever it would be contested. He suggested that both parties should talk at their end as regards this matter. Moreover, the chair conveyed to the body of what was clarified by no less than the HLURB’s National Chairman, Atty. Bernardo during the summit that either 9 lots or more, areas that were subdivided for residential purposes needs an approval of HLURB. The city will not be obligated to develop the area if the subdivision is not duly approved by the Sanggunian. Nevertheless, the chair then ruled item no. 3 approved on committee level to be calendared on the next regular session for second reading.

APPROVED ON THE COMMITTEE LEVEL

4. **SPPR NO. 2013-9521 – RESOLUTION AFFIRMING THE VALIDITY OF RESOLUTION NO. 09, SERIES OF 2013, PASSED BY THE SANGGUNIANG BARANGAY OF KATANGAWAN, INTERPOSING NO OBJECTION TO THE PROPOSED PRELIMINARY SUBDIVISION DEVELOPMENT PLAN FOR THE DEVELOPMENT OF A SUBDIVISION PROJECT OF CIRERA HOMEOWNERS ASSOCIATION, INCORPORATED, LOCATED AT PUROK 12, BARANGAY KATANGAWAN, GENERAL SANTOS CITY.**

Engr. Francisco apprised that the said plan was evaluated by their office but the same application was returned pending submission of the needed documents, hence, the chair then ruled item 4 laid on the table pending the certification of the City Planning and Development Office (CPDO) as to the compliance of the required documents for this purpose.

LAID ON THE TABLE

5. **SPPR NO. 2013-9533- RESOLUTION CONCURRING THE FREE PATENT APPLICATION OF MS. SHEENA L. SOTITO OVER LOT NO. 14, BLK. 50, GSS-12-000414, CONTAINING AN AREA OF 120 SQUARE METERS, SITUATED IN PUROK UPPER LONDON C, BARANGAY BAWING, THIS CITY.**

Noting that the applicant has complied with all the requirements, the chair ruled item 5 approved on committee level to be calendared on the next regular session for second reading.

APPROVED ON THE COMMITTEE LEVEL
6. SPPR NO. 2013-9258 - RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN APPLICATION OF SRS BRIGHT MORNING STAR HOMEOWNERS ASSOCIATION, INC. FOR THE DEVELOPMENT OF A SUBDIVISION PROJECT TO BE SITUATED IN BARANGAY CALUMPANG, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 15,334 SQUARE METERS.

The chair sought clarifications as regards the water treatment facility of the said subdivision which was accordingly located on the higher portion. However, upon scrutiny of the subdivision plan it was clarified that the same was in order and having complied with all the requirements set forth by LGU thereafter, the chair ruled the same approved on the committee level and to be calendared on the next regular session for second reading.

APPROVED ON THE COMMITTEE LEVEL

7. SPPR NO. 2014-9621 – RESOLUTION CONCURRING THE FORESHORE/MISCHELLENOUS LEASE APPLICATION OF WAHIDA S. AMELIA, AL HADJ, OVER A PARCEL OF LAND CONTAINING AN AREA OF 5,200 SQUARE METERS, MORE OR LESS, SITUATED IN BARANGAY CALUMPANG, GENERAL SANTOS CITY, PURSUANT TO SECTION 1, RULE III OF THE RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT 9649, OTHERWISE KNOWN AS AN ACT FURTHER AMENDING RA 5412 OR THE CITY ChARTER OF GENERAL SANTOS.

Noting the typographical error on the resolution title which supposedly the Labangal/Bayanihan Fisherman's Association Inc. is the applicant and not Wahida S. Amelia, Al Hadj, the City's current CENRO Officer in Charge (OIC). Thereafter, the chair ruled that the documents be forwarded back to the Legislative Division for the rectification of technical errors.

REFERRED BACK TO LEGISLATIVE DIVISION FOR CORRECTION

8. SPPR NO. 2014-9668 – RESOLUTION AFFIRMING THE VALIDITY OF RESOLUTION NO. 04, SERIES OF 2014, PASSED BY THE SANGGUNIANG BARANGAY OF BALUAN, INTERPOSING NO OBJECTION TO THE PROPOSED APPLICATION FOR THE APPROVAL OF PRELIMINARY SUBDIVISION DEVELOPMENT PLAN OF BALUAN PHASE 1, PHASE 2 AND PHASE 3 HOMEOWNERS ASSOCIATION (HOA), INCORPORATED AT PUROK MASAGANA BALUAN, THIS CITY.

With the information provided by Engr. Joel Matanguihan that the proponent has not yet filed their application with the City Planning and Development Office (CPDO), the chair ruled item 8 laid on the table and referred the same to the CPDO for further examination of the documents prior to its appropriate action or consideration by the SP committee. Engr. Andrade also suggested that the road right-of-way should be taken into consideration wherein the necessary easement or setback of 3.5 meters must be implemented on the property adjoining the road for its drainage and other facilities being required by the local government. The representative of SAMPIL Urban Poor Alliance Inc must be invited on the next hearing as requested by the chair.

LAID ON THE TABLE


It being the first time to deal with the said application, the chair ruled item no. 9 laid on the table as the committee would conduct an ocular inspection on Friday at 2:00 o'clock in the afternoon with the presence of DENR representative for this purpose.

LAID ON THE TABLE
10. **SPPR NO. 2014-9620 – RESOLUTION RESPECTFULLY REQUESTING THE CITY MAYOR TO CREATE A TASK FORCE THAT WILL FAST TRACK THE UPDATING OF THE CITY LAND USE PLAN.**

As the measure only intends to expedite the updating of the City Land Use Plan (CLUP), the same could be treated as a sentiment of the legislative body. Hence, finding that the said request is in order, the chair approved it out rightly.

**APPROVED ON THE COMMITTEE LEVEL**

11. **SPPR NO. 2014-9682 – RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAN APPLICATION OF E. C. TANGHAL AND COMPANY, REPRESENTED BY MR. ISIDRO S. LAPEÑA FOR THE DEVELOPMENT OF TANGHAL COMPANY HOME SUBDIVISION SITUATED IN BARANGAY SAN ISIDRO, GENERAL SANTOS CITY, HAVING AN AGGREGATE AREA OF 235,146 SQUARE METERS.**

Engr. Francisco requested that the application be indorsed to the Office of the City Planning and Development for further evaluation. With the foregoing reasons, the chair then ruled item 11 laid on the table and the same be indorsed to the City Planning Office for its study and recommendation.

**LAID ON THE TABLE**

There being no more matters to be taken up, the hearing was declared adjourned at 4:35 P.M.

**HEARING – ADJOURNED**

Prepared by:

**JOYCE A. CORUÑA**  
*Stenographic Reporter IV*

Edited by:  
Noted by:

**SERAPION L. BUENO, JR.**  
*Board Secretary II*  
**LOLITA P. PEDRO**  
*Division Chief, Journal & Minutes*  

**ATTTESTED:**

**ATTY. ARTURO C. CLOMA**  
*Chairperson & Presiding Officer*