Republic of the Philippines
Quezon City
16th CITY COUNCIL

78th Regular Session

ORDINANCE NO. SP- 1728, S-2006
(PO2006-186)

AN ORDINANCE ADJUSTING THE ZONING CLASSIFICATION OF A PORTION OF THE UNIVERSITY OF THE PHILIPPINES, MORE SPECIFICALLY IDENTIFIED AS LOT NO. 42-C-10 OTHERWISE KNOWN AS THE UP NORTH SCIENCE AND TECHNOLOGY PARK (S & T PARK) FROM INSTITUTIONAL (INST) TO SPECIAL DEVELOPMENT ZONE, PROVIDING CERTAIN CONDITIONS THEREFOR, AND FOR OTHER PURPOSES.

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Introduced by Councilor ANTONIO E. INTON JR.

WHEREAS, Section 458 (2) of Republic Act No. 7160, otherwise referred to as the Local Government Code of 1991, vests in the Sangguniang Panlungsod the authority to enact integrated zoning ordinances, reclassify the same, adopt a comprehensive land use plan, and prescribed limits to usage of property;

WHEREAS, pursuant to said Section 458 of the Local Government Code, the Sangguniang Panlungsod enacted Ordinance No. SP-918, S-2000, more commonly known as the Quezon City Zoning Ordinance of 2000, which provides for the mechanism of review and update on land zoning classifications as the need arises;

WHEREAS, the University of the Philippines through its President, Ms. Emerlinda R. Roman, has requested the City for approval of its plan to establish a Science and Technology Park on its 98.5 hectare property along Commonwealth Avenue, technically described as Lot No. 12-C-10 under Transfer Certificate of Title Numbered 192689 to be known as the UP North Science and Technology Park;

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WHEREAS, the UP North Science and Technology Park is envisioned to be developed into an environmental conducive to entrepreneurial ventures of the high technology kind such as those engaged in telecommunications, telematics, information technology and biotechnology;

WHEREAS, in order for the Science and Technology Park to thrive and succeed, there is a need for a strong support base composed of business, cultural, residential, educational, recreational and service facilities;

WHEREAS, to allow the establishment of such support facilities to the Science and Technology Park would require an amendment of the present zoning of the project site from Institutional to Special Development Zone;

WHEREAS, the Quezon City Zoning Ordinance allows Special Development Zones which are governed by certain conditions and regulations to preserve and protect their distinct or special character or to control physical development to prevent traffic congestion, deterioration of services, facilities and environment and other problems affecting the general public;

WHEREAS, the UP S & T Park is also expected to further boost the City's reputation and growth as the ICT Capital of the Philippines and contribute to the City's over-all economic development.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

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SECTION 1. In view of the mix of land uses proposed to be established at the UP S & T Park and subject to the conditions herein provided, portion of Lot No. 42-C-10, with an area Three Hundred Seventy-Five Thousand (375, 000) Square Meters (37.5 hectares), located along Commonwealth Avenue, in Barangay UP Campus, Quezon City, is hereby reclassified from its present classification of Institutional (Inst) to Special Development Zone, in accordance with the provisions of Ordinance No. SP-918, S-2000.

As a Special Development Zone, land use therein shall be devoted solely and particularly to the uses/purposes provided in this Ordinance.

SECTION 2. The Special Development Zone established in Section 1 hereof shall be comprised of the following:

Phase 1a (37.5 has.)

a. Business Process Outsourcing (BPO)/ Information Technology (IT) Office Park
b. Support Retail
c. Residential Component
d. Hotel

All development plan/s submitted by the University of the Philippines in relation to its request for city approval for the subject North Science and Technology Park forms an integral part of this Ordinance (Annex A). No variation from said development plan/s shall be effected unless covered by a development plan approved by the UP Board of regents and duly reviewed and approved by the Sangguniang Panlungsod through an appropriate resolution.

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SECTION 3. In the event that the developments specified in Section 2 hereof do not ensue, Lot 42-C-10 shall revert to their former classification of Institutional (Inst). For this purpose, it is presumed that said developments do not ensue if actual construction thereof does not commence within one (1) year following the approval of this Ordinance. Accordingly, the developer shall apply for building and others necessary permits with the corresponding fees with the proper offices of the Quezon City government, with a specified schedule of groundbreaking and completion of each phase of the aforesaid development.

The University of the Philippines may not, solely by itself, undertake the development described herein. In such case, the party with whom the University of the Philippines shall enter into an agreement, whether a joint venture or otherwise, shall not pass on to the University of the Philippines the title to its properties, including its businesses, in order to avoid payment of the necessary taxes, licenses and other fees and charges.

If the agreement with a partner or a contractor does not push through after it shall have commenced and the University of the Philippines desire to continue with the development through a different partner or contractor under different contractual terms and conditions, the parties shall seek a new Ordinance from the Sangguniang Panlungsod, which shall deliberate anew on the proposed developments and, further, the parties shall apply anew for the necessary permits and licenses. It is presumed that the former contract with the old partner or contractor does not push through if the parties stop performing the same for a continuous period of six (6) months after they started performing it.

Persons or entities with whom the University of the Philippines shall enter into contract for the purpose of the development described in Section 2 hereof must be duly licensed to engaged in business in Quezon City.

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SECTION 4. Commercial establishments within the Special Development Zone shall be liable to the payment of the same local taxes, licenses, fees and charges as regular business establishments.

The beneficial use of property in the Special Development Zone determines liability for the purposes of real property taxation. Consequently, commercial and residential lots and condominium units leased to private persons and entities shall be liable to real property taxes upon the taking of possession by the lessee.

In case of contracts to sell of such commercial and residential lots and condominium units leased to private persons or entities, liability to real property taxes shall likewise accrues upon the taking of possession by the buyer, albeit the liability of property to levies of the Quezon City government for delinquent real property taxes shall attach only upon transfer of title.

SECTION 5. The appropriate land uses to be allowed in the UP North S & T Park Special Development Zone:

S & T SITES

a. Manufacturing of high technology products using advances processes
b. Test Laboratories
c. Research and Development Facilities
d. Product/Design Development Studies
e. Data Processing/Computer Center
f. Software Development
g. Industrial

SUPPORT OR ANCILLARY USES

a. Hotel and Conference Center
b. Shopping Center
c. Supermarkets
d. Canteen/Restaurants
e. Drug Stores

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f. Personal Care Services
g. Gym and Swimming Pool
h. Day Care Center/Schools
i. In-House Clinic/Health Facilities
j. Theaters/Cinemas
k. Financial Institutions
l. Specialty Stores
m. Recreational and Leisure Facilities (i.e. exercise par course, picnic areas, surface jogging and bike trails, tennis court)
n. Cultural and Entertainment Center
o. Appliance and Equipment Parts and Repair
p. Maintenance Office Store
q. Security Facilities
r. Storage/Warehouse
s. 24-hour helipad

RESIDENTIAL
a. Condotels
b. Medium Rise Walks-ups

GREENS
a. Arboretum
b. Parks and Plazas
c. Picnic Areas

MOVEMENT SYSTEMS
a. Vehicular
b. Pedestrian
c. Bicycle

SECTION 6. The Special Development Zone shall have the following minimum parking requirements:

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LAND USE BUSINESS/ COMMERCIAL	Minimum Required Parking
a. Office	1 parking slot per 75 sq.m. of GFA
b. Shopping facilities	1 parking slot per 90 sq.m. of GFA
c. Retail Facilities	1 parking slot per 50 sq.m. of GFA
d. Restaurant/ Food Courts	1 parking slot per 10 sq.m. of GFA
INSTITUTIONAL	
e. School	1 parking slot/ 300 sq.m. of GFA
f. Theater	1 parking slot per 5 seats
g. Health Facilities	1 parking slot per 50 sq.m. of GFA
RESIDENTIAL	
h. Condominiums – up to 90 sq.m. per unit	1 parking slot per unit
i. Condominiums – from 90 to 150 sq. m. per unit	2 parking slots per unit

SECTION 7. All structures in the UP North S & T Park shall be governed by the following Floor-Area Ratios (FAR) in accordance with the Parcelization Plan (North Site) submitted by UP in its Final report and made an integral part hereof:

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Parcel No.	Land Use	Lot Area	Total GFA (sq. m.)	Building Height (Floors)	FAR
1.	Support Services	14,643.75	15,375.94	3.00	1.05
2.	Support Services	11,497.55	12,072.43	3.00	1.05
3.	Residential	27,696.62	41,544.93	6.00	1.50
4.	Greens	14,473.92			
5.	Support Services	5,934.39	10,385.18	5.00	1.75
6.	Support Services	16,374.76	17,193.50	3.00	1.05
7.	Support Services	3,898.32	5,457.65	4.00	1.40
8.	Greens	4,311.38			
9.	Support Services	16,707.45	23,390.43	4.00	1.40
10.	Greens	7,210.15			
11.	S & T Park	6,262.50	5,636.25	3.00	0.90
12.	Support Services	12,848.64	22,485.12	5.00	1.75
13.	Greens	8,850.74			
14.	S & T Park	31,360.97	18,816.58	3.00	0.60
15.	S & T Park	57,135.77	34,281.46	3.00	0.60
16.	Greens	13,890.70			
17.	Greens	2,402.04			
18.	S & T. Park	7,648.92	9,178.70	4.00	1.20
19.	S & T Park	24,989.47	29,987.36	4.00	1.20
20.	Greens	5,366.90			
21.	S & T Park	13,085.35	15,702.42	4.00	1.20
22.	S & T Park	13,799.00	16,534.80	4.00	1.20
23.	Greens	10,061.47			
24.	S & T Park	19,944.92	23,933.90	4.00	1.20
25.	S & T Park	14,469.42	17,363.30	4.00	1.20
26.	Greens	3,812.07			
27.	S & T Park	18,316.54	21,979.85	4.00	1.20
28.	Support Services	24,567.47	18,425.60	3.00	0.75
29.	Greens	44,563.75	13,360.13	3.00	0.30
30.	S & T Park	11,406.41	10,265.77	3.00	0.90
31.	S & T Park	11,316.90	10,185.21	3.00	0.90
32.	S & T Park	14,143.88	8,486.33	3.00	0.60
33.	S & T Park	11,259.98	10,133.98	3.00	0.90
34.	S & T Park	19,976.74	17,979.07	3.00	0.90
35.	Residential	19,974.61	29,961.92	6.00	1.50
36.	Residential	16,895.47	25,343.21	6.00	1.50
37.	Residential	18,521.30	27,781.95	6.00	1.50
38.	Residential	19,033.66	11,420.20	3.00	0.60
39.	Residential	15,701.98	9,421.19	3.00	0.60
40.	Greens	175,594.19			
	TOTAL	789,930.05	534,095.35		0.68

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SECTION 8. If any part of this ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining parts hereof which are unaffected by the declaration shall continue in full force and effect.

SECTION 9. This Ordinance shall become effective fifteen (15) days following the completion of its publication in a newspaper of general circulation within Quezon City

ENACTED: December 18, 2006.

HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:

EUGENIO V. JURILLA
City Secretary

APPROVED: December 21, 2006

FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on December 18, 2006, was finally PASSED on Third/Final Reading, under Suspended Rules by the City Council on the same date.

EUGENIO V. JURILLA
City Secretary

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