

Chapter 5

IMPLEMENTING THE CLUP

A. Introduction

The effectiveness of the proposed land use plan in guiding the physical and socio-economic development of the City of San Fernando depends on its being able to mobilize public and private sector support and compliance. Several factors affect its ability to augur improvements in the quality of lives of the people and the attainment of their shared long term development vision of becoming a

“Habitat for Human Excellence”

These include: i) the establishment and operation of responsive and efficient implementing institutions; ii) effective and acceptable implementation instruments such as the zoning ordinance, public infrastructures, or private investments; and iii) production and making available timely and relevant data and information on the status of CLUP implementation.

Each of these factors shall be discussed in more detail in the following sections.

B. Institutional Strengthening

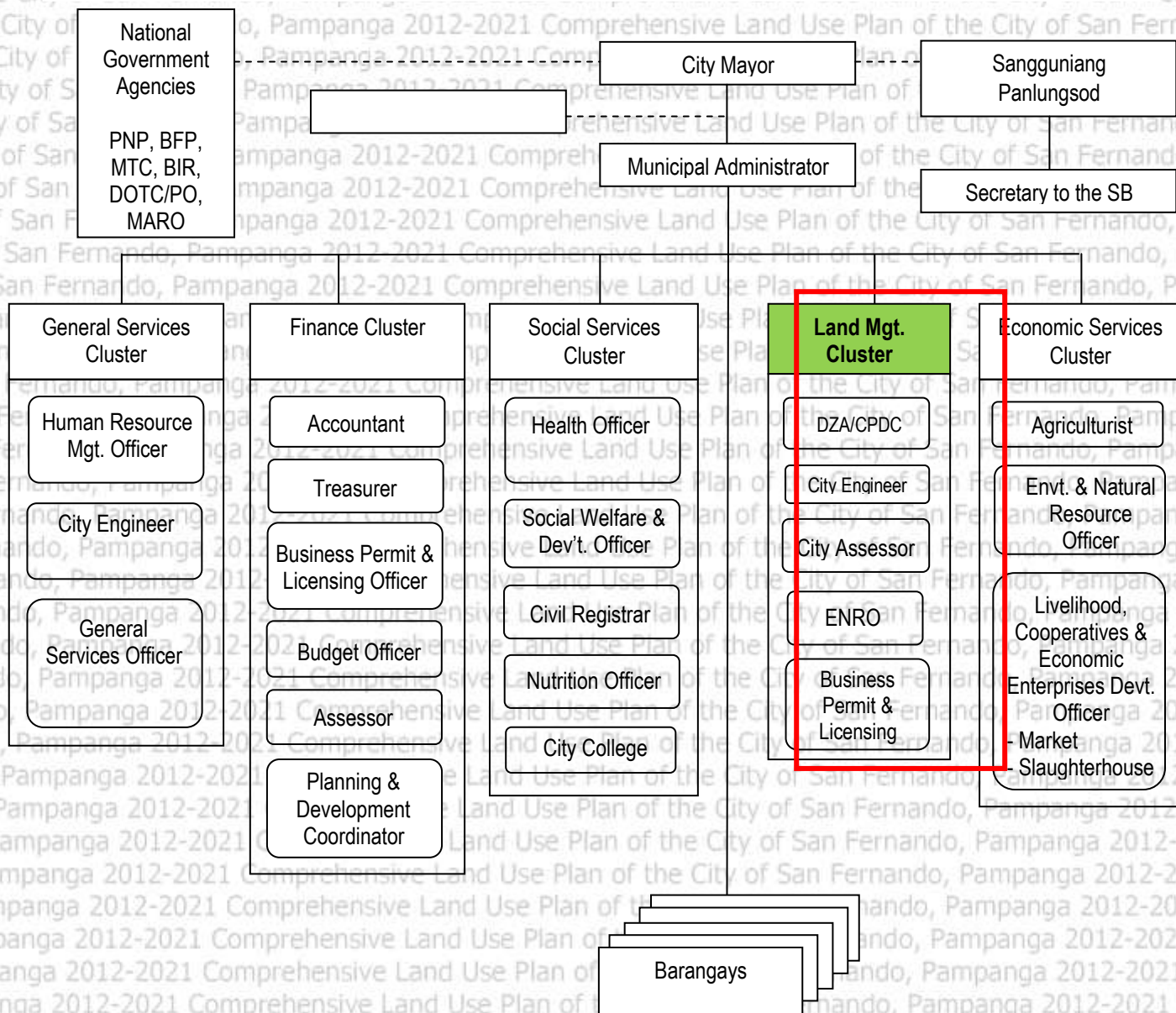
The Local Government Code of 1991 reserves to the municipal government the function and responsibility of regulating land uses within its bounds through its zoning powers. This is a major responsibility that requires the collective efforts from several local government departments and offices to optimize the benefits that may be derived there from. This rationale forms the basis for the proposed creation of a “Land Management Committee” as a distinct and separate cluster under the office of the mayor as shown in Figure 51 below.

The committee shall be under the direct supervision of the municipal mayor. Its functions include: i) formulating land use related policy recommendations; ii) informing socio-economic development decisions on potential implications on land uses; iii) monitoring the implementation of the CLUP and Zoning Ordinance, and, iv) mobilizing support to and ownership of the CLUP.

The committee shall be chaired by the Deputized Zoning Administrator (usually the City Planning and Development Coordinator, (CPDC) with the following members – Assessor, Engineer, ENRO, Business License Officer, ABC President and the Chairman of the SP Committee on Land Use. The secretariat support to the committee shall be provided by the Office of the CPDC.

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Figure 51 Proposed Organizational Structure of the City Government of San Fernando, Pampanga



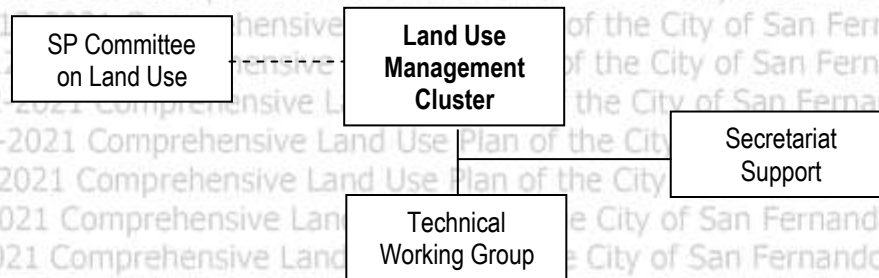
The new cluster shall be responsible for regularly updating the Comprehensive Land Use Plan and recommend the corresponding amendments to the Zoning Ordinance. In addition it shall oversee the CLUP's overall implementation, monitor compliance to the Zoning Ordinance, determine the benefits derived from these activities, establish coordinating mechanisms to facilitate the implementation and compliance, mobilize support to the CLUP, and, develop a sense of ownership among the residents and other stakeholders of the CLUP and its provisions.

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A Technical Working Group composed of senior technical staff from each of the member offices shall be organized to provide technical support services to the committee (Figure 52). The working group members shall be trained on Geographic Positioning System (GPS) operations and on Geographic Information Systems (GIS) to be able to provide the committee with land use related information and analyses for their informed decision and policy recommendations. Each of the offices shall be provided with information technology hardware capable of handling the high volume of information and processing requirements of land use analyses.

The secretariat support functions of the CPDO shall be lodged with the zoning administration division to be headed by a senior technical staff who shall serve as chairperson of the technical working group. The technical staff of the CPDO shall also be trained on GPS and GIS operations and be provided with hardware and software. The division shall be responsible for establishing and maintaining a land use management related database to be shared with the other member offices.

Figure 52 Structure and Linkages of the Land Use Management Cluster



C. CLUP Implementation Instruments

Several implementation instruments are available to the City Government of San Fernando to realize the future land use mix espoused in this CLUP 2012-2021. The most potent is its land use regulatory functions through its zoning powers. In addition, the City can direct land use development through strategic infrastructures investments or through incentives and disincentives to compliant or non-compliant private investments.

Zoning Ordinance. Sections 458 a.2 (7-9) and 447 a.2 (7-9) of RA 7160 or the Local Government Code of 1991 authorizes the Sangguniang Panlungsod to adopt a zoning Ordinance subject to the provisions of existing laws and in conformity with Executive Order No. 72. The zoning ordinance provides for the administration and enforcement of the Comprehensive Land Use Plan. Its purpose, therefore, is consistent with that of the CLUP which is to ensure the availability of land for settlements (residential land use), food production (agricultural production land use), industrial expansion (manufacturing

or industrial land use), and ecological balance (protection land use). In more specific terms, the City of San Fernando zoning ordinance aims to:

- Direct higher value-adding economic activities, such as manufacturing and industrial activities, towards areas where the negative impact on settlements and food production areas will be minimal;
- Provide for settlement development or expansion to accommodate the increasing population towards areas where there will be minimum pressure on the ecological balance and on highly productive agricultural lands, and away from areas exposed to natural hazards thereby minimizing physical vulnerabilities of families;
- Improve intra-city and inter-barangay physical mobility of goods and the people;
- Provide a policy environment that is predictive and a solid basis for objective implementation to attract new investments;
- Protect the character and stability of residential, commercial, industrial, institutional, forestry, agricultural, open space and other functional areas within the locality and promote the orderly and beneficial development of the same; and
- Promote and protect the health, safety, peace, comfort, convenience and general welfare of the inhabitants in the locality.

The draft zoning ordinance accompanying the CLUP 2012-2021 is presented as a separate volume of this report.

Implementing the CLUP through Public Investments. The major projects identified in Chapter 4 are expected to contribute to the attainment of CSFP's proposed land use mix and development vision. These projects may be implemented through a combination of government (national government, provincial government or city government) and private funds. These projects may be considered strategic and encourage the private sector to comply with the zoning regulations that shall implement the CLUP.

The same projects should form the core of the proposals in a long term investment program that should be formulated once the CLUP is approved. The investment program should be guided by the principles of sharing and continuity.

Considering the revenue generation capacity of the City, it should be able to mobilize multiple fund sources to realize the projects. In the same manner, the projects

cannot be implemented in a single year especially those that are to be funded from local revenues thereby making it necessary to program them through multi-year programs.

The investment program may be divided into three temporal slices: Phase 1 – immediate term or the first three years; Phase 2 – medium term or the succeeding three years; and Phase 3 – the remaining four years of the plan implementation period). The first two temporal slices are conveniently timed with the holding of office of elected local officials to assist in the formulation of the medium-term plans.

CLUP Implementation through Other Instruments. The zoning ordinance and the investment program may be complemented or supplemented by other implementation instruments available to the City. These include an array of policy instruments that fall within the regulatory powers of the local government. Examples of such policy instruments are local investment incentives code and environment code. To date, the City is enforcing these codes and with the approval of the CLUP and the Zoning Ordinance, there may be a need to review them in order that inconsistencies can be addressed or clarified. Other policies that may be adopted and implemented include: i) an expressed bias towards higher value land uses; ii) moratorium on agricultural land reclassification for horizontal residential development; iii) reclamation of roads rights of way; (d) reclamation of easements of creeks and rivers; iv) maximizing participation of barangays in rivers or creek water quality maintenance; v) promotion of low-cost high density residential development; and, vi) intensified public-private partnership in the implementation of projects.

D. Monitoring CLUP Implementation

The responsibility of monitoring the implementation of the CLUP and zoning ordinance shall fall with the Land Management Cluster proposed to be organized under this CLUP. A set of land use related data and information shall be collected through a reporting system to be established for the purpose.

The barangays and the respective member offices shall be the main source of data and information to be submitted to the Cluster on a quarterly basis. The secretariat shall consolidate these individual barangay and agency reports to form the municipal land management status report.