

MALACAÑANG

Manila

EXECUTIVE ORDER NO. 72

PROVIDING FOR THE PREPARATION AND IMPLEMENTATION OF THE COMPREHENSIVE LAND USE PLANS OF LOCAL GOVERNMENT UNITS PURSUANT TO THE LOCAL GOVERNMENT CODE OF 1991 AND OTHER PERTINENT LAWS.

WHEREAS, RA 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that local government units (LGUs) shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning ordinances which shall be the primary and dominant bases for the future use of land resources;

WHEREAS, the LGC further provides that the requirements for food production, human settlements, and industrial expansion shall be taken into consideration in the preparation of comprehensive land use plans;

WHEREAS, PD 933 and EO 648, S. of 1981, as amended by EO 90, S. of 1986, empower the Housing and Land Use Regulatory Board (HLRB) to review, evaluate, and approve or disapprove land use plans of cities and municipalities;

WHEREAS, the aforesaid laws likewise authorize the HLRB to prescribe the standards and guidelines governing the preparation of land use plans, to monitor the implementation of such plans, and to adjudicate and settle the disputes among LGUs over their land use plans and zoning programs;

WHEREAS, RA 7279, otherwise known as the Urban and Housing Development Act of 1992, in effect, reaffirms the above powers and functions of the HLRB;

WHEREAS, there is a need to delineate the powers and responsibilities of the LGUs and the HLRB in the preparation and implementation of comprehensive land use plans under a decentralized framework of local governance;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, upon the recommendation of the Oversight Committee created under Sec. 533 of the LGC, do hereby order and direct:

SECTION 1. Plan formulation or updating. - (a) Cities and municipalities shall continue to formulate or update their respective comprehensive land use plans, in conformity with the land use planning and zoning standards and guidelines prescribed by the HLRB pursuant to national policies.

As a policy recommending body of the LGU, the city or municipal development council (CDC/MDC) shall initiate the formulation or updating of its land use plan, in consultation with the concerned sectors in the community. For this purpose, the CDC/MDC may seek the assistance of any local official or field officer of NGAs operating in the LGU.

The city or municipal planning and development coordinator (CPDC/MPDC) and/or the city or municipal agriculturist, if there is any, shall provide the technical support services and such other assistance as may be required by the CDC/MDC to effectively carry out this function.

The comprehensive land use plan prepared by the CDC/MDC shall be submitted to the sangguniang panlungsod or sangguniang bayan, as the case may be, for enactment into a zoning ordinance. Such ordinance shall be enacted and approved in accordance with Articles 107 and 108 of the Implementing Rules and Regulations (IRR) of the LGC.

(b) The comprehensive land use plans of component cities and municipalities shall be formulated, adopted, or modified in accordance with the approved provincial comprehensive land use plans.

(c) Cities and municipalities of Metropolitan Manila shall continue to formulate or update their respective comprehensive land use plans, in accordance with the land use planning and zoning standards and guidelines prescribed by the HLRB pursuant to EO 392, S. of 1990, and other pertinent national policies.

(d) Provinces shall formulate and update their respective comprehensive land use plans in accordance with the national standards and guidelines.

As a policy recommending body of the province, the provincial development council (PDC) shall initiate the formulation or updating of its land use plan, in

consultation with the concerned sectors in its component units. For this purpose, it may seek the assistance of any provincial official or field officer of NGAs operating in the province.

The provincial planning and development coordinator (PPDC) and/or the provincial agriculturist (PA) shall provide the technical support services and such other assistance as may be required by the PDC to effectively carry out this function.

The comprehensive land use plan prepared by the PDC shall be submitted to the sangguniang panlalawigan for enactment into an ordinance. Such ordinance shall be enacted and approved in accordance with Articles 107 and 108 of the IRR of the LGC.

SEC. 2. Plan review and approval. - (a) Pursuant to Section 468 (a-2-vii) of the LGC, the powers of the HLRB to review and approve the comprehensive land use plans of component cities and municipalities are hereby devolved to the province. Such powers shall be exercised by the sangguniang panlalawigan, subject to national standards and guidelines.

(b) There shall be established in every province a Provincial Land Use Committee (PLUC) to assist the sangguniang panlalawigan in reviewing the comprehensive land use plans of component cities and municipalities. The PLUC shall review such plans to -

(1) Ensure that land use plans of component cities and municipalities are consistent with the provincial comprehensive land use plan and national policies, standards, and guidelines;

(2) Recommend solutions to settle disputes among component units over alternative uses of land resources;

(3) Promote the community-based program for sustainable development; and

(4) Ensure that such plans are supportive of the objectives set forth in the Urban and Housing Development Act of 1992.

For purposes of policy coordination and uniformity in operational directions, the PLUC shall be attached to the PDC.

Any local planning and development coordinator and other officials of component units and field officers of NGAs operating in the province or region may be called upon by the PLUC to assist in the review of said plans. The technical secretariat of the PDC shall provide the necessary support services to the PLUC.

(c) The PLUC shall be composed of the provincial planning and development coordinator as chairman, the provincial agriculturist, a representative of non-governmental organizations (NGOs) that are represented in the PDC, and representatives from the following NGAs, as members:

- (1) Housing and Land Use Regulatory Board;
- (2) Department of Environment and Natural Resources;
- (3) Department of Agrarian Reform;
- (4) Department of Trade and Industry;
- (5) Department of Public Works and Highways;
- (6) Department of Tourism; and
- (7) Department of the Interior and Local Government

The PLUC shall call upon the concerned CPDC or MPDC whenever their respective land use plans are deliberated by the Committee.

The PLUC, through the chairman, shall submit its findings and recommendations to the sangguniang panlalawigan, which shall be considered by the said sanggunian in making its decision.

(d) The Regional Land Use Committee (RLUC) shall review the comprehensive land use plans of provinces, highly-urbanized cities, and independent component cities. It shall review such plans to ensure their consistency with the Regional Physical Framework Plan (RPFP) and national policies set forth by the NLUC.

(e) Pursuant to LOI 729, S. of 1978, EO 649 S. of 1981, and RA 7279, the comprehensive land use plans of provinces, highly-urbanized cities and independent component cities shall be reviewed and ratified by the HLRB to ensure compliance with national standards and guidelines.

(f) Pursuant to EO 392 S. of 1990, the comprehensive land use plans of cities and municipalities of Metropolitan Manila shall be reviewed by HLRB to ensure compliance with national standards and guidelines.

(g) Said review shall be completed within three (3) months upon receipt thereof; otherwise, the same shall be deemed consistent with law and, therefore, valid.

SEC. 3. Plan implementation. - (a) The authority of the HLRB to issue locational clearances for locally significant projects is hereby devolved to cities and municipalities with comprehensive land use plans reviewed and approved in accordance with this Order. Such cities and municipalities shall likewise be responsible for the institution of other actions in the enforcement of the provisions thereof. For this purpose, they may call on the HLRB and such other NGAs for any legal and technical assistance.

Based on established national standards and priorities, the HLRB shall continue to issue locational clearances for projects considered to be of vital and national or regional economic or environmental significance. Unless otherwise declared by the NEPA Board, all projects shall be presumed locally-significant.

(b) All fees and other charges previously collected by the HLRB for the issuance of locational clearances shall now accrue entirely to the city or municipality concerned.

(c) Within sixty (60) days from the effectivity of this Order, the HLRB shall design and install an information system to monitor -

(1) changes in the actual use of land resources; and

(2) the implementation of comprehensive land use plans by LGUs with a view to ensuring compliance with national policies, standards, and guidelines.

SEC. 4. Provision of technical assistance. - (a) The HLRB is hereby directed to install new and appropriate mechanisms for the extension of technical and other forms of assistance to cities and municipalities to ensure that their land use plans conform to prescribed standards and guidelines and are consistent with national policies and other issuances of the National Land Use Committee (NLUC).

(b) The HLRB and the National Economic Development Authority (NEDA) are directed to extend technical and other forms of assistance to provinces to ensure that their land use plans are consistent with pertinent national policies, standards, and guidelines.

In addition, other NGAs concerned with land use are hereby directed to extend such technical assistance as may be requested by LGUs. Such assistance shall be extended at no extra cost to LGUs.

SEC. 5. Transitory provision. - Provisions of Sec. 3 (a), to the contrary notwithstanding, cities and municipalities with land use plans approved not earlier than 01 January 1989, shall issue locational clearances; Provided, that said LGU shall update their respective land use plans within five (5) years from the approval of such plans.

SEC 6. Effectivity. - This Order shall take effect immediately.

DONE in the City of Manila this 25th day of March in the year of Our Lord, nineteen hundred and ninety-three.

By the President:



EDELMIRO A. AMANTE, SR.
Executive Secretary