

Architectural Design Guidelines and Deed of Restrictions for the Taal View Heights Farmlot Community in Talisay, Batangas

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Abstract

Many of the leading developers in the Philippines have commenced the development and marketing of farmlot communities in areas surrounding the National Capital Region. Some of the more significant of these are found in nearby outlying provinces as Cavite, and Batangas.

The concept behind such developments is the provision of an alternative non-urban residential lifestyle which focuses on an agricultural base of activities. This is targeted on the so-called "gentleman" or "weekend farmer" whose primary urban residence is in Metropolitan Manila and its suburbs. A secondary market also exists among retirees, both local and expatriate, "Balikbayans" and Overseas Filipino Workers (OFWs).

The physical development concept comprises the development of "farmlots" as opposed to purely "residential lots" with plot areas in excess of seven-hundred fifty (750) square meters, and generally ranging within the one thousand (1,000) square meter range. The gross footprint of any residential structure is generally limited to twenty percent (20%) of the gross plot area. Other than these basic restrictions, the provisions of the National Building Code remain largely applicable.

The Department of Natural Resources (DENR) and the Housing and Land Use Regulatory Board (HLURB) are also responsible for establishing and implementing development guidelines and standards for Farmlot Subdivisions.

As in most open-market residential subdivision developments, developers normally draft and issue a Deed of Restrictions that is appended to and is legally integrated with the Lot Title. As such a lot owner is legally bound to abide by the controls and limitations embodied in the Deed of Restrictions. In addition, most subdivisions also issue a set of Subdivision Guidelines which augment and further define the scale and character of residential construction within the subdivision. Though usually enacted by the developer, the

Subdivision Guidelines are eventually turned over to the Home Owners' Association (HOA) for implementation and enforcement. Theoretically, there are legal avenues that make it possible for the Subdivision Guidelines Home Owners' Association to eventually revise or modify the Subdivision Guidelines. On the other hand, it is more difficult to enact subsequent revisions to the Deed of Restrictions, since these form a legal component of the Lot Title.

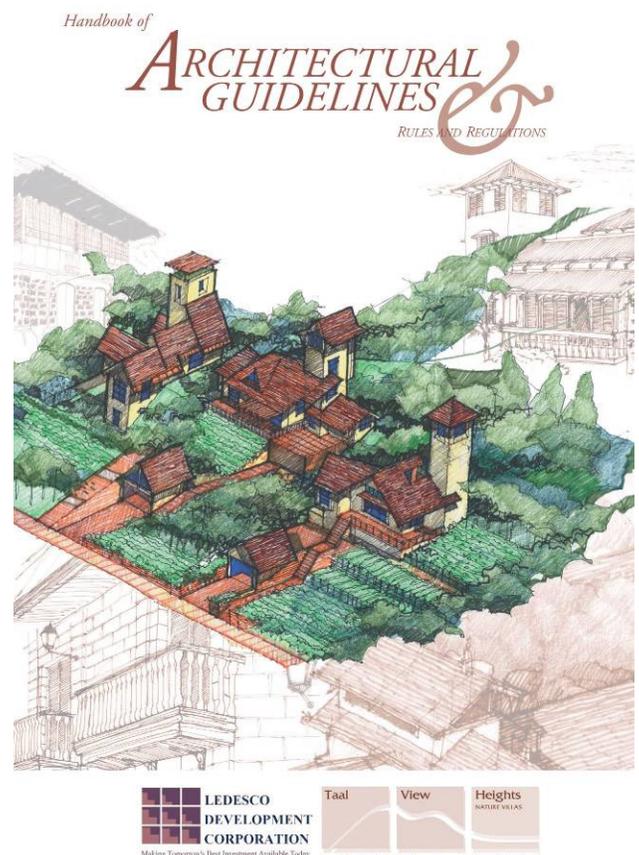


Figure 1: Taal View Heights Handbook Cover

In terms of defining or otherwise attempting to regulate the architectural character of owner-built houses, most developers have chosen to avoid any strict imposition of control via the Deed of Restrictions. This consideration has an impact in terms of both the marketability of the project as well as the subsequent enforceability of the controls. Progressive Developments in other countries have shown that a strict imposition of controls relating to architectural character can and will translate to competitive marketability and resulting appreciation in land values. The experience of architect-planners of the Neo-Classicist and Neo-Urbanist genre has shown how a rational, properly organized and

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ultimately enforceable set of architectural guidelines can result in a markedly consistent community character without overly restricting the creativity and innovation inherent to good architecture. This experience has also brought with it the financial benefit that any real estate market essentially seeks, the appreciation and maintenance of land values. This is so, since it ultimately ensures the preservation of the positive physical, spatial and architectural elements that promote the identity and self-awareness of a community setting.

This has not largely been felt in the Philippines. Many communities have found difficulty in the enforcement of even the most simple and basic legal restrictions such as set-backs and easements. Though no research has actually quantified the extent of violations across the various market segments, it is probably safe to say that violations occur from the lowest to the highest segments of the residential market.

When it comes to the issue of whether or not to regulate architectural style or character, it is possibly perceived that the market would view such regulation as a curtailment of the freedom to choose the specific style or character of one's home. As such the impact of this on the marketability of a residential project may be considerable.

The recent developments of so-termed "Farmlot Subdivisions" present the opportunity to propose new approaches toward the control and regulation of land use and the physical/spatial character of farmlot communities. The basic consideration is obviously centered on the necessity of ensuring that a community develops with a uniquely "farm-home" character and does not eventually transition into the typical urban residential mode.

The paper shall discuss and present a set of Architectural/Urban Design Guidelines as well as the related Deed of Restrictions for a Farmlot Subdivision currently being developed in Talisay, Batangas. These were embodied in an Owner's Handbook which was prepared by the author under engagement by the Ledesco, the developer of the Taal View Heights Subdivision. In the course of the effort, Ledesco envisioned a farmlot community that was characterized by an essentially Filipino residential architecture. Though it was understood and accepted that Filipino architecture could be manifested within a continuum ranging from traditionalist to contemporary.

The paper discusses how the set of architectural guidelines were structured as suggestive rather than regulatory and thus approached the presentation in a more graphic, qualitative, source-book mode. Furthermore, the paper discusses how the more control and enforcement-oriented Deed of Restrictions attempted to regulate the character of land use, density and scale of development through more quantitative controls, while selectively relaxing other controls on building height to allow optimal access to views and other visual corridors.

The paper concludes with recommendations for further evolution and development of more stringent Controls, Covenants and Restrictions that can possibly be considered by both the private development sector and the government regulatory agencies for future application.

Taal View Heights

The development of the Taal View Heights Farmlot Community was initiated by Ledesco in 2001 in conjunction with the Buena Vista Nature and Sports Club. Both developments are located on the lower slopes of Tagaytay Ridge in Talisay, Batangas approximately 1 kilometer from the Taal lakeshore, are accessible from Tagaytay City via Ligaya Drive, and from Santo Tomas, Batangas via the new STAR highway. The first two phases of Taal View Heights, Vista Verde and Vista Lago comprise over fifty (50) hectares.

The author, as Principal Architect/Planner of DASA-alternative urban futures was engaged by Ledesco in 2003 to prepare the Deed of Restrictions, Subdivision Rules and Regulations and Architectural Guidelines for Taal View Heights. The preparation of the Architectural Guidelines was undertaken with a team of architectural researchers and graphic artists/designers.²

Through the course of the engagement, Ledesco agreed to the recommendation that the Architectural Guidelines and Subdivision Rules and Regulations be incorporated into a Homeowner's Handbook that is intended to encourage the use of Filipino Architecture in the community, ranging from traditional to contemporary.

Upon consensus with Ledesco and their legal counsel, the draft Deed of Restrictions was reduced in length and scope, and drafted so as to refer to the more specific controls, such as those stipulating setbacks and easements embodied in the Subdivision Rules and Regulations.

"Setbacks and Easements: For purposes of ensuring optimal access to daylight, natural ventilation, privacy; to ensure proper separation between structures to prevent the spread of fire, smoke and other hazard; and to facilitate access to utilities and other infrastructure, minimum setbacks and easements are stipulated in the TVHHA/LEDESCO Deed of Restriction and Rules and Regulations Handbook."³

In addition to protect the integrity of the controls stipulated in the rules and regulations and ensure their perpetuation by the Homeowners Association, the following article was also incorporated:

"Restrictions may be added to but not diminished, amended or changed by the Association or by any governing body of the subdivision, provided that the use and the occupancy of lots for residential purposes by a single family only shall not be changed and the easement

² Patricia Labrador, Lianne Mirano and Cielito Tagaza were the architectural researchers who collaborated on the architectural guidelines for the Handbook. Patricia Labrador was responsible for graphic design and layout. All sketches, drawings and graphics are original artworks of Patricia Labrador, Lianne Mirano, Cielito Tagaza, Jose Melchor Silvestre and the author.

³Article "e" of the Taal View Heights Deed of Restrictions, DASA/Ledesco.

granted in favor of TVHHA/LEDESCO in Article IV Building Plans, e. shall always be respected.”⁴

The issue of regulating architectural style or character, is still unresolved in the local industry. On the one side, developers perceive that strict regulation of architectural style would be viewed as a curtailment of the homeowner’s freedom of stylistic choice. Such curtailment would thus result on the marketability of a residential project even such progressive developers as Ayala Land.⁵

The recent development of so-termed “Farmlot Subdivisions” presents the opportunity to propose new approaches toward the control and regulation of land use and the physical/spatial character of farmlot communities. The basic consideration is obviously centered on the necessity of ensuring that a community develops with a uniquely “farm-home” character and does not eventually transition into the typical urban residential mode.

The resulting architectural guidelines for Taal View Heights were structured to be *suggestive* rather than *regulatory*. Early in the process, the decision was made to render the Handbook in a predominantly graphic, qualitative, indicative mode. A review of existing literature showed substantial sourcebooks available focusing on Filipino and indigenous architecture.⁶ The architectural guidelines portion was thus essentially introductory in nature, encouraging more than instructional. It was developed as the proverbial “carrot” to complement the “stick” formed by the Deed of Restrictions and Rules and Regulations.

The Architectural Guidelines

The architectural guidelines start with a brief introduction entitled “The House of the Filipino” discussing general spatial characteristics and the use of indigenous materials. The “bahay na bato” is cited not as a defining archetype but simply as a well-known and documented example. The architectural guidelines section is intentionally non-technical and concise, selectively yet substantively illustrated by original artwork.

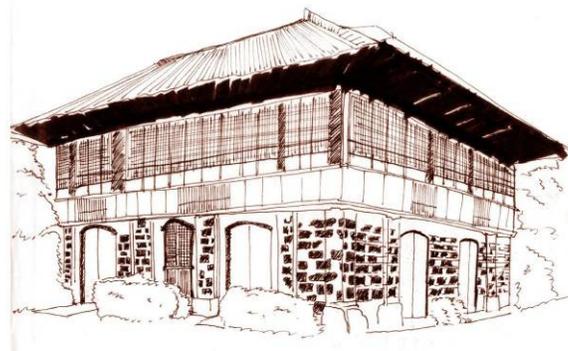


Figure 2: The Bahay na Bato

The discussion on indigenous materials refrains from attempting to catalog the diverse inventory available to the homeowner, relying on the suggestive-ness of brevity.

The tropical design features of Filipino architecture are discussed in terms of natural ventilation, elements to protect from wind-driven rain and the use of traditional shading devices to mitigate the incessant sunlight and intense tropical heat, again without overtly focusing on the more technical and analytical methodologies behind passive cooling approaches.

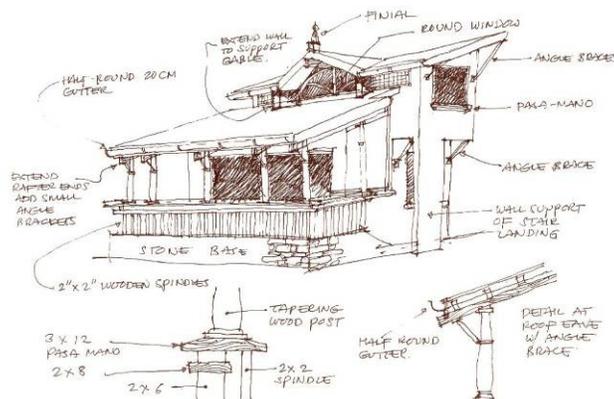


Figure 3: Tropical Design Features of Filipino Architecture

Exterior architectural treatments are discussed in Section 4 entitled “The Building Envelope”.

Rather than attempting a definitive approach to the issue of style, the discussion and illustrations focus more on elements and details, e.g., roofs, walls and floors and the treatment of structural elements.

Tandem to the discussion on the building envelope is the succeeding Section 5 on “Exterior and Interior Spaces” which touches on the significance of balconies, *azoteas*, porches and the articulating elements that render them as functional and transitional socio-petal spaces. The importance of such transitional spaces in Filipino architecture is emphasized and encouraged in the rules and regulations that specifically provide for a relaxing of the Floor Area Ratio for open balconies and porches.

The culminating section of the architectural guidelines portion of the Handbook deals with Architectural Details

⁴Article “i” of the Taal View Heights Deed of Restrictions, DASA/Ledesco.

⁵The upscale market Ayala Hillside Homes in Quezon City developed and marketed (ca 2002-2003) almost simultaneously to Taal View Heights, issued a substantive and comparatively voluminous set of subdivision rules and regulations in contrast to that of the adjacent but earlier Ayala Heights subdivision (ca 1984). However, the Ayala Hillside rules and regulations still avoided any strict stipulation and regulation of architectural style.

⁶“Tropical Interiors: Contemporary Style in the Philippines” (2002), “Tropical Living: Contemporary Dream Houses in the Philippines” (2000) both by Elizabeth V. Reyes; “Lugar: Essays on Philippine Heritage and Architecture” by Augusto F. Villalon; and “Philippine Ancestral Houses” by Fernando N. Zialcita and Martin Tinio Jr. (1997)

and covers such elements as ceilings, doors, windows; staircases, balusters, balconies, brackets and moldings; and grillworks, screens, fences and planters.

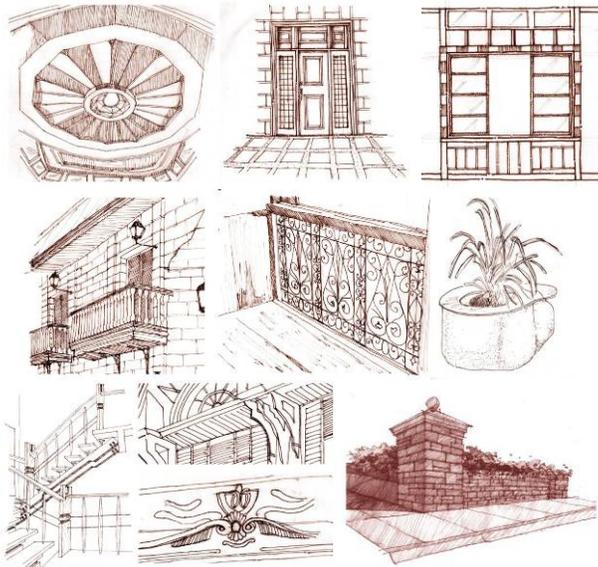


Figure 4: Architectural Details

The details are illustrative of both traditional and contemporary translations, providing a suggestive eclecticism rather than a purist approach to the design vocabulary.

The Rules and Regulations

The second half of the Owner's Handbook comprises the Rules and Regulations which are directly referred to in the Deed of Restrictions appended to the Lot Title. The Rules and Regulations work in tandem with the more control- and enforcement-oriented Deed of Restrictions to regulate the character of land use, density and scale of development through more quantitative controls, while selectively relaxing other controls on building height to allow optimal access to views and other visual corridors.

“Rural vs. Urban”

The development of farmlot subdivisions is essentially premised on a market that is characterized by the terms “weekend” or “gentleman farmers”. This is generally characterized by a relatively upscale and urban demographic. Buyers of farmlots will normally already have a primary residence within an urban area. It is not altogether inaccurate to identify this as the Metropolitan Manila area, since the predominant market for farmlots is still Metro Manila residents. The acquisition of a farmlot is perceived within the context of having a second home or weekend home, albeit with the added dimension of having enough land to engage in limited agricultural activities. The added context of “getting away” from the hectic and stressful urban lifestyle if only on weekends or extended holidays forms the basic appeal behind these developments.

The advantage and benefit of such farmlot developments lie essentially in their providing an alternative environment, essentially non-urban in character, yet not necessarily rural. The “agricultural” character implied by a farmlot community has not necessarily provided the idyllic, pastoral environment that a traditional farm would offer. Still, it is obvious that a farmlot community should not evolve into a form that is essentially urban in character.

This necessitates controls that are focused not only on reducing the amount of land taken up by structures, whether residential in use or otherwise, but also the control of densities, building mass, volume and possibly character. In close relation to these, is the generation or rather preservation of the dominance of “open” space and “green” space or areas allocated to vegetation.

While the architectural guidelines section is suggestive, the Rules and Regulations are prescriptive. While the qualitative nature of the architectural guidelines does not lend itself to easy enforcement, the quantitative nature of the Rules and Regulations is intent on providing for enforceability.

For the Taal View Heights farmlot community, regulatory controls were incorporated in the Deed of Restrictions and Subdivisions Regulations that utilized setback requirements, maximum allowable height controls, Floor Area Ratios to regulate densities, building mass and volume and ensure that the environmental character of the community was one that maintained more extensive green, cultivated areas, while enabling homeowners sufficient flexibility in the utilization of their property to provide for the correlated residential land uses that are intrinsic to farmlot neighborhoods.

The Rules and Regulations are NOT in themselves revolutionary. They simply carry the normative content of the current regulatory framework embodied in the National Building Code, the new Architectural Code and the existing HLURB guidelines to the next level. This is done with the objective of perpetuating the environmental character, physical structure and community ambience of Taal View Heights as a farmlot community.

“Setback and Easements”

The initial articles of the Rules and Regulations define more stringent controls on setbacks and easements for both building lines and rooflines. The National Building Code and Architectural Code of the Philippines also further establish setback requirements for front, side and backyards, requiring the maximum setbacks for class A residential subdivisions at five (5.00) meters, two (2.00) meters and two (2.00) meters respectively. The HLURB guidelines for farmlots are silent in this regard. Since the minimum lot area of 750 sq.m. is most akin to lot areas found in class A residential subdivisions, it is these setback requirements that will be most apt for comparison.

A summary of these controls as compared and contrasted to conventional regulations is provided in Table 1.

Required Setbacks	National Building Code (PD1096)	Sample Private Class A Subdivision Regulations ⁷	<i>Taal View Heights Deed of Restrictions</i>
Front	5.0 meters	5.0 meters	<i>8.0 meters</i>
Sides	2.0 meters	3.0 meters	<i>3.5 meters</i>
Rears	2.0 meters	3.0 meters	<i>4.0 meters</i>

Table 1: Comparison of Setback Regulations

“Cutting/Filling/Slope Protection”

Such considerations as excavation, cutting and backfilling of sloping property in the site preparation work for residential farmlots are also regulated to ensure that as much as possible the natural topography and contours are preserved. The Rules and Regulations also stipulate the necessity of implementing proper slope stabilization and erosion control to protect natural waterways and prevent geotechnical hazards. Controls also stipulate a maximum height of two (2.00) meters for retaining walls to encourage terracing.

“Driveways”

To further ensure that street frontages maximize plantings and greenery, driveways and gates are not allowed to exceed forty percent (40%) of the lot frontage.

Exceptions are provided for cul-de-sacs and irregular lots. Furthermore, to ensure the integrity of corners and intersections, and to encourage efficient and safe traffic movement, driveways are not allowed closer than eight meters from the point at which a corner curve commences. In general, vehicular entries and driveways are recommended to be as far as possible from corners and intersections.

“Floor Area Ratios/Plot Ratios”

Floor Area Ratios (FAR) that limit the total gross floor areas of buildings in relation to lot or plot areas are a normative and effective density control that have been incorporated in numerous private and commercial regulations. These are most evident in development controls for business districts or mixed-use developments. Floor Area Ratios have not extensively been applied to residential developments.

One of the few significant controls that is incorporated within the existing regulatory framework that differentiates farmlots from conventional residential

⁷ Reference is made to the Rules and Regulations of such upscale residential subdivisions as Ayala Heights and Ayala Hillside. In the 20 or so years since each development was undertaken, the basic setback and easement regulations have not varied. Neither have additional controls on density been incorporated in the later regulations. Other developments generally follow similar controls. A large number of residential subdivisions adopt the setbacks and easements stipulated in the National Building Code verbatim.

subdivisions is the limit established for the building “footprint”, currently set at (25%) of the lot area. Calculating this across the overall yield limit of 70% saleable area, this ensures that the amount of land occupied by vertical structures within a farmlot community, other than the common community facilities is limited to seventeen and one-half percent (17.5%) of the total land area.

In contrast, urban residential subdivisions with lot sizes ranging upward of the 750 sq.m. minimum established for farmlot subdivisions are largely restricted only in terms of the typical setbacks and easements stipulated in PD1096. Class A residential subdivisions sometimes increase these setbacks to those shown in Table 1 above. Compared to the maximum 17.5% discussed above, urban residential subdivisions can go to as high as 55-58%.⁸ Though this assumes an optimal 70% saleable land yield ratio and disregards irregular and corner lots, it is comparable in light of the assumptions that resulted to the optimal 17.5% footprint ratio for farmlots. When the larger setbacks applied to sample Class A subdivisions depicted in Table 1 are applied, the resulting allowable footprints drop, but still remain within the 38-40% range.⁹

Since the minimum lot area for farmlots is set at seven hundred and fifty (750) square meters, the 25% limit translates to a maximum allowable footprint of 187.50 square meters for residential structures.

In addition to the limitation on the maximum buildable area, a Floor Area Ratio/Plot Ratio of Five-Tenths or Fifty Percent (50%) is imposed. Except that for balconies, terraces, porches and similar structures that remain unenclosed on three (3) or four (4) sides, an additive twenty-five percent (25%) to the FAR is allowable. The basic objective behind the FAR/PR control is to ensure that the built-up area of the farmlot community never approaches the level normally found in urban residential subdivisions.

National Building Code (PD1096)	Sample Private Class A Subdivision	<i>Taal View Heights</i>
none	none	<i>.50</i>

Table 2: Floor Area Ratio Comparison

An initial estimate of the resulting floor area ratios that result in unrestricted Class A subdivisions shows ranges of 1.95 to 2.06 for relatively flat topographies and subdivisions applying PD1096 controls on setbacks, but no controls on FAR. For subdivisions applying the sample Class A subdivision setbacks, but no controls on FAR, the

⁸ These figures are calculated from the allowable footprints resulting from two typical lot configurations and sizes, a 20m x 37.5m (750sq.m.) lot and a 20m x 50m (1,000sq.m.) lot applying the normal PD1096 setbacks shown in Table 1.

⁹ These figures are calculated from the allowable footprints resulting from two typical lot configurations and sizes, a 20m x 37.5m (750sq.m.) lot and a 20m x 50m (1,000sq.m.) lot applying the sample Class A subdivision setbacks also shown in Table 1.

resulting floor are ratios range from 1.1 to 1.76, still over twice the allowable FAR of .50 for farmlot subdivisions.

Ironically, subdivisions on sloping topographies that do not restrict FAR will result in even higher FARs if height restrictions of 9.00 meters are applied only in reference to the highest site elevation benchmark as discussed in the following section.

“Height Restrictions”

Limits on heights of residential structures are not currently incorporated in the codes, and generally relegates the promulgation of these controls to zoning ordinances, deeds of restrictions and/or subdivision regulations drafted by private developers or homeowners associations. For class A subdivisions, the most common limit is nominally set at nine (9.00) meters above the highest elevation within a lot, or along an adjacent boundary or sidewalk. For relatively flat lots, this normally translates to a 2-storey house with possible attic or loft spaces within a peaked roof, or a 3-storey house with a flat deck roof.

The height restrictions at Taal View Heights maintains the basic nine (9.00) meter control except that rather than specifying the highest on-site elevation as the reference benchmark, the actual lot profile forms the reference. This effects a nine (9.00) meter envelope rather than a maximum limit. In addition to other controls, this encourages a terraced, staggered building form rather than the vertical block building form that results from the conventional control. In addition an extended height limit of twelve (12.00) meters is allowed for view-decks or towers NOT exceeding thirty-six (36.00) square meters in area as a concession to the optimizations of access to potential views and vistas. The rules further disallow the incorporation of bedrooms, toilets, kitchen or dining spaces within the 36 sq.m. tower. A comparison of the conventional height restrictions vis-à-vis Taal View Heights is shown in the following table:

Table 3: Comparison of Height Restriction

National Building Code (PD1096)	Sample Private Class A Subdivision	Reference Elevation	Taal View Heights	Reference Elevation
none	9.0 meters	Highest point on site or adjacent sidewalk	9.0 meters	Site profile
none	none	none	12.0 meters	Site profile, but limited to 36 sq.m. viewdeck

“Special Visual Corridors”

The proximity of Taal View Heights to the Taal lakeshore, the volcano island, Tagaytay ridge and other spectacular natural vistas and the resulting common asset that this

embodies for the community as a whole prompted the drafting of a special provision in the Rules and Regulations dealing with the establishment and maintenance of “special visual corridors”. Though the physical planning and layout of the subdivision is far from completed, preventing the detailed designation of such special visual corridors from the onset, the configuration and preservation of said corridors is protected by the following clause:

“In order to preserve certain sites of scenic value and interest, and to ensure the preservation of the TVH development concept and philosophy, TVHHA/Ledesco shall specify certain restrictions on the development of certain sites. TVHHA/Ledesco shall designate certain “visual corridors” where unhampered/unobstructed views shall be maintained and monitored. (Such sites shall be designated in the subdivisions master plan).”¹⁰

Lessons Learned

The final Owner’s Handbook of Architectural Guidelines and Rules and Regulations was completed in mid-2004 and issuance to Owners and Lot buyers was commenced soon after. This being the case, the sale of the first phase of Taal View Heights was largely completed prior to the issuance. As such almost all the lot owners in the first phase of development (the actual figure is not available from the developer, as sales of remaining lots have been protracted) were only issued the official Handbook after their acquisition. It should be noted that awareness of the soon-to-be imposed controls was not completely absent, as the draft controls were presented to an audience of buyers and potential buyers during a launching of the project in September of 2003.

The actual application of the Handbook of Architectural Guidelines and Rules and Regulations, and the imposition of its controls has resulted in some lessons learned from the exercise. These are outlined as follows:

1. The developer has not experienced or otherwise been informed of any outright disagreement or reaction against the Deed of Restrictions or the contents of the Owner’s Handbook. Nevertheless, the construction of the first few residential structures (there are to date less than ten) have manifested violations predominantly relating to setbacks. These largely appear to be unintentional. The few violators have claimed unfamiliarity with the restrictions, inspite of these being quite straightforward. The developer has been hesitant about imposing penalties due to the perception that this may dampen sales. Nevertheless, the developer has issued formal notices of violation as a prelude to possible penalization procedures.
2. The municipality also appears to be unprepared to exercise its jurisdiction in imposing building permit

¹⁰ Article M “Special Restriction on Designated Visual Corridors”, page 49 of the Rules and Regulations

requirements. It is not clear whether this is due to enforce the requirements of the National Building Code (PD1096). Hence the author was informed that some of the existing houses and structures were actually constructed without the benefit of a proper building permit.

3. Though unsubstantiated, it does appear that in spite of the general acceptance that the Owner's Handbook has received, there may still remain an underlying perception by Lot Owners that the additional restrictions is a curtailment of their right to construct within the limits of the National Building Code. This is one area where further investigation and research into end-user perceptions and attitudes may be in order.
4. The issue of whether or not it is possible to legislate "good taste" is recurrent in this context. A discussion on what constitutes "good taste" falls out of context in this paper, however one experience worth citing exists: A lot owner constructed a property fence which incorporated poorly-simulated, faux wooden posts supporting chain-link panels. These were not altogether in violation of the Rules and Regulations, but were considered by the developer and the author as not altogether in accordance with the general character that was implied in the architectural guidelines. The lot owner was politely informed of this and acceded to the request to modify the fence.
5. The primary factor that currently affects proper implementation of the controls is that the review, enforcement and penalization mechanism is not entirely in place. The developer has not been able to fully establish the administrative organization necessary to provide proper review of design submittals for conformance to the Deed of Restrictions/Rules and Regulations. The consequent approval process for construction is not entirely in place and neither is the inspection mechanism for ongoing construction.

Recommendations

"Updated regulatory framework for Farmlot Subdivisions"

As farmlot developments increase in number, there is likewise a growing necessity to provide more comprehensive and rationalized regulatory frameworks to temper and control their development. The very exemption that such developments currently enjoy from the DAR conversion makes it all the more necessary to ensure that the agrarian side of such developments is

properly protected by a more intensive set of mandated standardized controls.¹¹

Though leaders in the private sector development industry do realize the importance of ultimate importance of ensuring the proper preservation of natural environmental assets, nevertheless the development of a set of minimum standards should be arrived at by the regulatory agencies of government.

The strengthening of controls on densities is of primary importance, since the current controls do not effectively curb overbuilding and the ultimate eradication of open green space, agriculturally productive land and pristine natural environments.

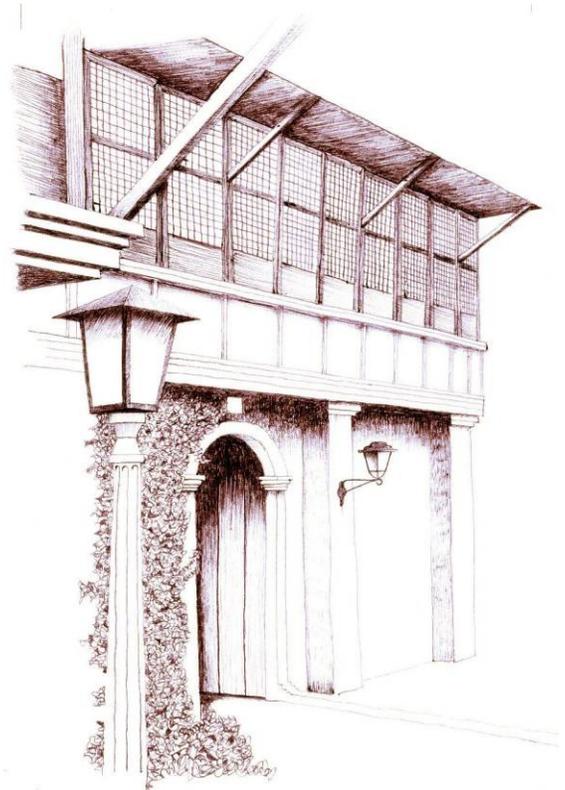


Figure 5: The Building Envelope

"Recommended Related Research" Urban Densities vis-à-vis current regulations

The issues and considerations on density controls and their current effect on the built form and densities of existing residential subdivisions remain to be more characteristically defined. More quantitative data is required on the actual level of resulting building area vis-à-vis the total land area of subdivisions for established

¹¹ Recent reviews of current standards by select government agencies have been undertaken, and the updating of current codes is presumably underway. The HLURB has in fact undertaken a review of PD 957, though the final effect of these on the rules and regulations for Farmlot Subdivisions is still forthcoming.

urban residential subdivisions, such as those cited in this paper. The result of existing normative controls on setbacks and building heights have resulted in a wide range of densities with results that were perhaps not originally envisioned by developers.

Paradoxically, when the existing controls on building heights are applied to subdivision sites with sloping, undulating topography, resulting density levels appear substantially higher than for relatively flat sites. Exact information on these actual density levels is not currently available. The urban nature of most of these residential subdivisions, does provide some rationalization for the increased densities. Such increases however when applied to sites of similar terrain in the rural, farmlot context become highly questionable.

It is thus critical to the subsequent formulation of updated regulations that a more accurate and quantitative profiling of the existing built-up densities in upscale urban residential communities be obtained.

The acceptability of regulated architectural character in residential subdivisions

It appears to be a widely held perception in real estate development circles that the stipulation of specific architectural styles for upscale open-market residential subdivisions, including their regulation and enforcement may have a negative effect on their competitiveness and marketability. Thus, as in the case of most Subdivision Rules and Regulations drafted and issued by private developers, architectural styles are generally not strictly specified.

There has not been any definitive research that has investigated and quantitatively determined that this perception is actually valid, or at least as prevalent as it is perceived to be.

The *theming* of residential subdivisions along foreign architectural styles such as Spanish-Mediterranean and the whole gamut of regionalistic variations including lately *Asian Modern* or *Asian Contemporary* has been a prevalent practice. As stated earlier however, developers of these subdivisions will still shy away from prescribing these styles as mandatory for owner-built homes

The use of Filipino Architecture as the prevalent theme has been few and far between, with perhaps only two to three developments within the last decade attempting to utilize a traditional Filipino architecture as the primary architectural theme for a residential community.¹²

It is herein recommended that a possible course of future investigation be undertaken towards an ascertainment of

the actual preferences or biases of upscale residential homeowners or lot buyers toward subdivision controls stipulating and mandating specific architectural themes and incorporating these in enforceable regulatory frameworks rather than suggestive guidelines.

In terms of physical planning parameters, the primary controls established by the current HLURB guidelines are covered in Section 8 "Land Allocation and Plot Planning". To summarize:

Minimum area for Farmlot Subdivisions:	1 hectare
Minimum Lot Area:	750 sq. m.
Minimum Lot Frontage:	15 meters
Maximum Block Length:	400 meters

Other than the above physical controls, the HLURB guidelines are largely silent with regard to density controls, height restrictions, setbacks and easements, and the like. As such, by default the National Building Code (PD 1096) and its referral code, the Architectural Code of the Philippines (Nov.2000) are the relevant regulatory codes. Should the municipalities in which Farmlot developments are located choose to draft and promulgate stricter or otherwise more pervasive controls, utilizing a local zoning ordinance as a regulatory vehicle, then said local zoning ordinance would form the secondary regulatory framework. Still, this is an exception rather than the norm. Thus, most municipalities or cities with hinterland, rural or urban fringes being developed as farmlot subdivisions do not have local ordinances specifically functioning to control such developments, and generally rely on the HLURB guidelines, The National Building Code and the new Architectural Code, if at all.

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- The Condominium and Subdivision Code of the Philippines (PD 957)*.

¹² Aside from Ledesco's approach for Taal View Heights, an up-market developer engaged the services of neo-urbanists Andres Duany and Elizabeth Plater-Zyberk to masterplan a residential community in Laguna along a Filipino theme prior to the Asian Crisis of 1997. A similar approach is being proposed for the forthcoming redevelopment of an extensive resort and tourism estate development in Quezon.