

**[ LRA CIRCULAR NO. 26, August 23, 1990 ]**

**REVIVING NALTDRA CIRCULAR NO. 89 DATED NOVEMBER 12, 1986 ON VERIFICATION AND APPROVAL OF SUBDIVISION SURVEY PLANS; AND REVOKING LRA CIRCULAR NO. 15 DATED MARCH 16, 1990**

Effective immediately, NALTDRA Circular No. 89 dated December 12, 1986 requiring among others, that an access road for interior lots of subdivision survey plan should not be less than three (3) meters wide depending upon the number of buildings or units which it serves, is hereby revived.

In turn, LRA Circular No. 15 dated March 16, 1990 is revoked.

Quoted hereunder is the letter dated August 8, 1990 of Commissioner and Chief Executive Officer Ernesto C. Mendiola, Housing and Land Use Regulatory Board, in answer to the letter-query dated May 4, 1990 of the LRA, whether or not in approving subdivision survey plans the 2-meter minimum right of way (Footpath) that is allowed under BP-220, without violating its intent and notwithstanding that the subject lot is not within a socialized housing project as contemplated for under BP-220, may be adopted, to wit:

"Perforce, the provision allowing a two-meter minimum right of way (Footpath) would only apply to economic and socializing housing projects or to owners of lots within said projects, as approved by the Housing and Land Use Regulatory Board. Speaking otherwise, if the project is not an economic or socialized housing as approved by HLURB, or the lot, subject of application is not located within the said project, the design standard of BP-220, like the two-meter footpath cannot be invoked or cited by an applicant. This does not mean, however, that the two-meter minimum right of way (footpath) is exclusive only to BP-220. There could be other laws, like P.D. 1096 and other related laws which may also allow such mitigated standard or deviation under exceptional circumstances but of which this office is not competent to comment on. In such eventuality, however, it is those laws that should be cited and not B.P. 220."

Subject, therefore, to the above discussion, our answer to your query is in the negative. It is worthwhile to state in this regard, that projects or application falling within the coverage of BP 220 are within the jurisdiction of HLURB. (Underscoring supplied)

Strict compliance is hereby enjoined.

Adopted: 23 Aug. 1990

(SGD.) TEODORO G. BONIFACIO  
*Administrator*