

## **ARTICLE 14D**

## **URBAN RESERVE OVERLAY DISTRICT (UR)**

### **14D.01 PURPOSE**

The purpose of the Urban Reserve Overlay District is to protect the integrity, viability and potential for expansion of existing agricultural uses; to allow the orderly transition of land from agricultural to urban uses in compliance with the General Plan; and to allow property to develop at urban densities and uses while providing temporary buffering for existing agricultural uses in the District.

### **14D.02 ESTABLISHMENT OF a “UR” DISTRICT**

The Urban Reserve Overlay District can be established on any property which has an existing agricultural use. The District shall be designated on the official zoning map with the symbol “UR” in conjunction with the underlying zone classification consistent with the General Plan.

### **14D.03 CRITERIA FOR ESTABLISHMENT OR INCLUSION**

TEN (10) acres is the minimum size required.

Any property owner with an existing agricultural use may request or apply for an Urban Reserve classification. The City may include any existing agricultural use in the District. The property may be placed in the Urban Reserve District in any of the following ways:

- a. Upon annexation to the City of an agricultural use
- b. City may place an agricultural use in the District after proper notice and hearing provided property has not previously been classified “UR”.
- c. The property may be classified UR upon filling of a zone change request by the property owner and subsequent approvals through the hearing process by the Planning Commission and City Council.

### **14D.04 CRITERIA FOR DIS-ESTABLISHMENT**

Agricultural uses will automatically be disestablished from the Urban Reserve District if:

- a. Prior to the annexation pre-zoning public hearing the property owner requests that he not be included in the Urban Reserve District. No fee for this request.
- b. Between August 1<sup>st</sup> and September 30<sup>th</sup> of any year, the property owner of any property in the City may request, on the appropriate City form, to be removed from the District. A \$50.00 fee is charged for this request.
- c. The Community Development Department shall compile a list of the properties that have requested disestablishment in any one year and forward said list to the Planning Commission and City Council for their information only. October 1<sup>st</sup> shall be the effective date of the disestablishment for all requests in accordance with 14D.04 (B) above.

### **14D.05 CRITERIA FOR RE-ESTABLISHMENT**

Any property voluntarily removed from the UR classification can be re-established upon the request and subsequent approval of a change of zone request through the hearing process by the Planning Commission and City Council..

### **14D.06 PERMITTED LAND USES**

Any use permitted by Ordinance No. 340, Article 4, Light Agriculture Zone, may be established, continued or expanded in the Urban Reserve Overlay District. The regulations of the "A" Zone shall apply to all property within the Urban Reserve Overlay District.

**14D.07            BUFFERING OF ADJACENT LAND USES**

- A.     Any property, adjacent to property within the Urban Reserve Overlay District, which proposes urban intensity residential development consistent with the General Plan, must provide temporary buffering to protect the integrity and viability of the existing agricultural use in the UR District. The temporary buffering shall be determined on a case by case basis. Examples of temporary buffering include, but are not limited to: open space, one acre lots or development phasing.
- B.     It is the policy of the City of San Jacinto that no agricultural activity, operation or facility conducted or maintained in a manner consistent with proper and accepted customs or standards shall become a nuisance due to changed conditions on adjacent properties. Therefore, any adjacent property proposed for urban intensity residential development must provide buffering to minimize the impact on the integrity and viability of the existing agricultural activity, operation or facility in the District.
- C.     Residential development proposals approved within a one mile radius of an Urban Reserve District shall include language on the final map notifying potential buyers of the existence of agricultural properties and agricultural uses in a UR District within the vicinity of the development.