

1 Community Council boundary. The provisions of the BDNPO zone
2 shall further apply to all currently approved, and future residential
3 developments for individual parcels, tracts and parcel maps, as well
4 as specific plans within the Bermuda Dunes Community Council
5 boundary unless it is otherwise specified in this section.

6 c. DEFINITIONS. As used in this section, the following terms shall have the
7 following meanings:

- 8 (1) Attractive Nuisances. Any condition that is potentially dangerous to
9 children, or likely to shelter vagrants or criminal activities, including
10 but not limited to; any abandoned or substandard structure, building
11 or fence; abandoned, broken, or neglected equipment, appliances
12 and machinery; and hazardous swimming pools, ponds or other
13 excavations including abandoned shafts or basements.
- 14 (2) Commercial Vehicle. Any motor vehicle, truck, or trailer used for
15 the transportation of passengers, goods, wares, or merchandise
16 having a manufacturer's gross vehicle unladen weight rating greater
17 than ten thousand (10,000) pounds.
- 18 (3) Covenants, Conditions and Restrictions (CC &Rs). A document
19 used to describe restrictive limitations placed on real property and
20 its uses, and which usually are made a condition of holding legal
21 title to, or leasehold interest in, the real property in question.
- 22 (4) Decorative Fence. A fence installed for decorative purposes, such
23 as split rail, picket, wrought iron, or low brick or stucco walls,
24 constructed alternately of brick or masonry, and sections of wrought
25 iron, aluminum, or material similar in appearance.
- 26 (5) Fence. A man-made continuous barrier of any material, or
27 combination of materials, erected to prohibit entry to real property.
28

- 1 (6) Hard Surface Materials: A surface constructed of concrete, polymer
2 blocks or other surface materials recognized by the industry as
3 providing pavement or driveway like surface.
- 4 (7) Holiday Display. Any display that is commonly associated with any
5 local, or religious holiday, and erected on a temporary basis,
6 including but not limited to: Christmas lights and other decorations,
7 Halloween decorations, or similar items. Any patriotic display such
8 as a flag or ribbon is not considered a holiday display.
- 9 (8) Overlay Zone. A set of zoning requirements that are superimposed
10 upon an underlying zone. Overlay zones are generally used when a
11 particular area requires special protection or has a special
12 neighborhood concern. Development of land subject to overlay
13 zoning requires compliance with the regulations of both the
14 underlying zone and overlay zone.
- 15 (9) Recreational Equipment. Any equipment used for sports, exercise,
16 leisure, and recreation, including but not limited to: basketball
17 hoops, slides, swings, jungle gyms, volleyball nets, grills, portable
18 barbeques, fire pits, trampolines, skateboard ramps, and outdoor
19 heaters.
- 20 (10) Recreational Vehicles. Vehicles with or without motive power,
21 designed for human habitation or recreation, including but not
22 limited to: boats, snowmobiles, watercraft, racing vehicles, off-road
23 vehicles, utility trailers, motor homes, travel trailers, truck campers
24 or camping trailers.
- 25 (11) Sidewalk. Any right of way designed for the use by pedestrians and
26 not intended for use by motor vehicles of any kind. A sidewalk may
27 be located within or without a street right-of-way, at grade, or grade
28 separated from vehicular traffic.

1 (12) Temporary Exterior Display. Any display that is commonly
2 associated with any significant event for the household, and erected
3 on a temporary basis, including but not limited to birthday, wedding,
4 or any other party decoration.

5 d. NEIGHBORHOOD PRESERVATION STANDARDS. In order to
6 maintain a safe, clean, orderly, sanitary, and aesthetically pleasing neighborhood character,
7 the following standards of physical environment shall apply within the BDNPO zone
8 boundary.

9 (1) Street Environment.

10 (i) All landscaped areas in a public street, sidewalk, or right-of-
11 way that abuts a residential or commercial property shall be
12 maintained by the adjoining property owner, unless it is
13 maintained through another mechanism such as Community
14 Facilities District or Landscape Maintenance District.

15 (ii) All trash, solid waste, garbage, recycling and green waste
16 shall be kept in leak proof cans, bins, boxes or other such
17 containers. All cans, bins, boxes or other such containers
18 shall be covered if any garbage is placed therein.

19 (iii) Trash, solid waste, garbage, recycling and green waste
20 containers shall not be placed in any front yard for more than
21 thirty-six (36) sequential hours in any seven day period,
22 including trash and recycling collection day.

23 (iv) Trash, solid waste, garbage, recycling and green waste
24 containers shall not be placed in any public right of way for
25 more than twelve (12) sequential hours prior to the collection
26 time, and shall be removed within twelve (12) hours after the
27 collection time.
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- 1 (v) For single-family residential developments, the trash and
2 recycling containers shall be stored in a garage, front yard,
3 side yard, or rear yard, in a manner so that they are not
4 visible from any public street, except during the collection
5 time .
- 6 (vi) For multi-family residential developments, the trash
7 enclosures shall be constructed of block walls (with trash
8 receptacles screened from public view) that are in harmony
9 with the architecture and materials of the main buildings.
10 Multi-family units shall be required to install trash
11 enclosures and establish an appropriate contract with a duly
12 franchised solid waste hauler. The maximum size for the
13 trash enclosures shall be four cubic yards (capacity for 760
14 gallons).
- 15 (vii) Transportable or movable recreational equipment shall be
16 permitted in a front yard or driveway of a property, but shall
17 not be used in, or shall not encroach upon, any street,
18 sidewalk or right-of-way.
- 19 (viii) No recreational equipment shall be permanently installed in
20 a front yard, driveway, sidewalk, street or right-of-way and
21 shall be removed when not in use. Concealment of the
22 recreational equipment with a cover or other camouflage
23 material is not an acceptable alternative to this provision.
- 24 (ix) The provisions of other County ordinances shall be
25 applicable to all street environments that are not identified in
26 this section, including but not limited to, Ordinance 657 for
27 Regulating Collection and Removal of Solid Waste.

28 (2) Parking.

- 1 (i) No vehicle shall be parked upon a public street, sidewalk or
2 right-of-way for more than seventy-two (72) consecutive
3 hours within a radius of five-hundred (500) yards and shall
4 be subject to citation and/or removal by the law enforcement
5 agency as provided for in Sections 22651, et. seq. of the
6 California Vehicle Code.
- 7 (ii) No person shall construct, repair, grease, lubricate, or
8 dismantle any vehicle, or any part thereof, upon a public
9 street, sidewalk or right-of-way, except for temporary
10 emergency purposes.
- 11 (iii) No vehicle, such as a car, truck or motorized bike, shall be
12 parked in any landscaped area, but may be parked in a garage
13 or carport, or upon driveway or other improved parking area.
- 14 (iv) The improved parking area, and driveway, shall be
15 constructed of hard surface materials or other similar
16 materials, excluding asphalt, which are treated and
17 maintained to disallow accumulation of weed, mud, and
18 water. The improved parking area shall not cover more than
19 forty percent (40%) of the required front and/or side yard
20 area. The improved parking area, and driveway that are pre-
21 existing on, or approved prior to, the effective date of this
22 section shall be exempt from this provision.
- 23 (v) No recreational vehicle shall be parked or left standing in
24 any front yard of a property except on a driveway or other
25 improved parking areas. No recreational vehicle, or any part
26 thereof, shall encroach upon a public street, sidewalk, or
27 right-of-way. A recreational vehicle may be parked in a
28 public right-of-way or approved parking area for a period of

1 not more than forty eight (48) hours twice a month for the
2 purposes of loading or unloading of said vehicle.

- 3 (vi) Parking upon a public street, or right-of-way shall be
4 restricted for a designated day during the week in order to
5 clear the curb-side for street sweeping. This parking
6 restriction shall be applicable only after a street sweeping
7 schedule for the BDNPO zone is established and legal
8 notification of such restriction has been properly provided.

9 3. Yard Maintenance.

- 10 (i) Any front yard, and or side yard that is visible from any
11 public street or public area, shall be maintained in an
12 aesthetically pleasing manner with the surrounding
13 neighborhood.
- 14 (ii) All landscaping shall be maintained in a manner that does
15 not cause a potential fire-hazard or cause threat to public
16 health, welfare and safety.
- 17 (iii) An attractive nuisance shall not be harbored in a public
18 street, sidewalk, right-of-way, or a private property.
- 19 (iv) Outside storage shall not be permitted in a front yard, or side
20 yard that is visible from any street, and shall not impede
21 vehicular or pedestrian traffic in a public street, sidewalk, or
22 right-of-way.
- 23 (v) Landscaping within a yard shall not obstruct a public street,
24 intersection, sidewalk, or right-of-way either physically or
25 visually.
- 26 (vi) Dying, decayed, untrimmed or hazardous trees, shrubbery, or
27 other landscaping in any front yard, or side yard that is
28 visible from any public area, shall be addressed and

1 remediated within seven (7) days of issuance of a Code
2 Enforcement Notice of Violation, or as specified in the Code
3 Enforcement Notice of Violation.

4 (vii) No accessory structure shall be permitted in a front yard.
5 However, an accessory structure may be constructed in a
6 side yard or rear yard, if it is constructed according to the
7 requirements of this ordinance. An accessory structure,
8 which is determined by the Department of Building and
9 Safety or the Code Enforcement Department to be
10 substandard, unstable, dilapidated, constitutes a fire-hazard
11 or is otherwise potentially dangerous to public health,
12 welfare and safety, shall be removed from the property
13 within thirty (30) days of issuance of a Code Enforcement
14 Notice of Violation, or as specified therein.

15 (viii) All alleys located in the BDNPO shall be free and clear of
16 trash, garbage, weeds, litter, and other hazardous materials
17 from obstructing the access of the alley. The responsible
18 party shall be the person owning, occupying or having
19 control of the property bordering/adjoining the alley unless
20 otherwise stated in the CC&Rs of the property.

21 (ix) Nothing in this section is intended to limit the applicability
22 of all other county ordinances regarding landscaping,
23 including but not limited to, Ordinance No. 695.3 for
24 abatement of hazardous vegetation and Ordinance No. 593
25 regulating yard sales.

26 4. Façade Treatment.

27 (i) All ground mounted mechanical equipment, including but
28 not limited to; air conditioning units or heating pumps, shall

1 be visually screened from public view.

- 2 (ii) Plywood, plastic sheeting, tarp, aluminum foil, or similar
3 materials shall not be used to cover windows and other
4 openings unless otherwise approved by the Department of
5 Building and Safety on a temporary basis.

6 5. Fences and Walls.

- 7 (i) All fences and walls shall be properly maintained in order to
8 preserve their structural integrity and to provide an
9 aesthetically pleasing appearance. All fences and walls shall
10 be kept free from graffiti, undergrowth, weeds or other
11 similar conditions at all times. All fences and walls shall be
12 of materials and colors that are compatible with the
13 architectural design of the buildings in the neighborhood.

- 14 (ii) No fence, wall or a portion thereof, shall be constructed or
15 altered to add razor wire, barbed wire, metal spikes, broken
16 glass, readily flammable material, or other similar material.

- 17 (iii) Chain link fences shall not be erected or constructed in any
18 front yard or side yard that is visible from any public area for
19 residentially zoned lots less than ½ acre net in area.

- 20 (iv) No fence or wall, including decorative fence, shall obstruct a
21 public street, intersection, sidewalk, or right-of-way either
22 physically or visually.

- 23 (v) Any approved fence for a temporary use or for a swimming
24 pool shall be exempt from the provisions of this section.

- 25 (iv) All fences and walls, including chain link fences, that are
26 pre-existing on, or approved prior to, the effective date of
27 this section shall be exempt from this provision.
28

1 (v) The provisions of other county ordinances shall be
2 applicable to fences and walls that are not identified in this
3 section.

4 6. Temporary Exterior Display and Holiday Display.

5 (i) Any temporary exterior display or holiday display shall not
6 impede vehicular or pedestrian traffic on any street,
7 sidewalk, or right-of-way either visually or physically.

8 (ii) Any temporary exterior display or holiday display shall be
9 allowed for a period not to exceed sixty (60) consecutive
10 days.

11 (iii) Any and all applicable county, state or other permits as
12 required shall be obtained prior to the installing such
13 temporary exterior display or holiday display.

14 (iv) Any temporary outdoor event e.g. community fair, music
15 festival, or yard sale may be exempted by the Planning
16 Department from the provisions of this Section. However,
17 any such temporary outdoor event shall be subject to all
18 other provisions of this ordinance.

19 e. ENFORCEMENT.

20 (1) All property owners within the BDNPO zone boundary shall be
21 responsible for complying with the provisions of this section. The
22 Code Enforcement Department shall be the lead agency enforcing
23 the provisions of the BDNPO zone according to the protocols
24 established in Ordinance No. 725. The Code Enforcement
25 Department needs to be notified about any violation of a provision
26 of the BDNPO zone, and the violation needs to be corrected within
27 twenty (20) days after receiving a Code Enforcement Notice of
28

1 Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
2 its adoption.

3
4 BOARD OF SUPERVISORS OF THE COUNTY
 OF RIVERSIDE, STATE OF CALIFORNIA

5 By: _____
6 Chairman, Board of Supervisors

7 ATTEST:
8 CLERK OF THE BOARD

9 By: _____
 Deputy
10 (SEAL)

11
12 APPROVED AS TO FORM
13 _____, 2009

14
15 By: _____
16 TIFFANY N. NORTH
17 Deputy County Counsel

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