

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Yugal K. Lall, City Engineer/Public Works Director 

DATE: June 3, 2008 (CC Meeting of 06/18/08)

SUBJECT: Consider a Resolution Declaring the Private Roads within Tract 5187 (RPD 1999-02) William Lyon Homes Subject to the Provisions of the California Vehicle Code

BACKGROUND

This is a 250-unit single-family Residential Planned Development (RPD 1999-02) William Lyon Homes located west of Walnut Canyon Road and approximately one-half mile north of Casey Road as shown on Attachment 1.

DISCUSSION

A. Residential Planned Development (RPD) 1999-02

Certain conditions of approval for RPD 1999-02 require the developer of this project to request that the City enforce the California Vehicle Code (CVC) on these privately owned and maintained roads and parking facilities.

B. Petition

In accordance with Exhibit B, Condition No. 51 of the Conditions of Approval of RPD 1999-02 per Resolution No. 2002-1938, the City is in receipt of a letter, as shown on Attachment 2, requesting the aforementioned Vehicle Code Enforcement.

C. Code Section

Section 21107.7 (herein "Code Section") of the CVC provides for the enforcement of certain portions of the CVC, Sections 22350, 23103, 23109, and Division 16.5 (Section 38000 et. Seq.), on privately owned and maintained roads not generally held open for public use and shall be subject to these provisions of the CVC when and if certain conditions and requirements are met.

D. Public Hearing / Hearing Notice

Pursuant to the requirements of the Code Section, this matter is being considered at a public hearing. A notice of this hearing has been provided to the property owner, in accordance with the requirements of the Code Section.

E. Resolution

The attached Resolution, as shown on Attachment 3, states that the privately owned and maintained roads at the subject location shall be subject to the requirements of the above cited Sections of the CVC.

F. Signs

The Code Section requires signs to be posted at the entrance to the privately owned and maintained roads at the subject location, in order for the subject enforcement to occur. The attached Resolution directs the property owner to place and maintain the required signs. The Resolution also describes the type of sign required.

FISCAL IMPACT

None.

STAFF RECOMMENDATIONS

1. Open the public hearing, receive testimony and close the public hearing.
2. Adopt Resolution No. 2008 - _____ .

ATTACHMENTS

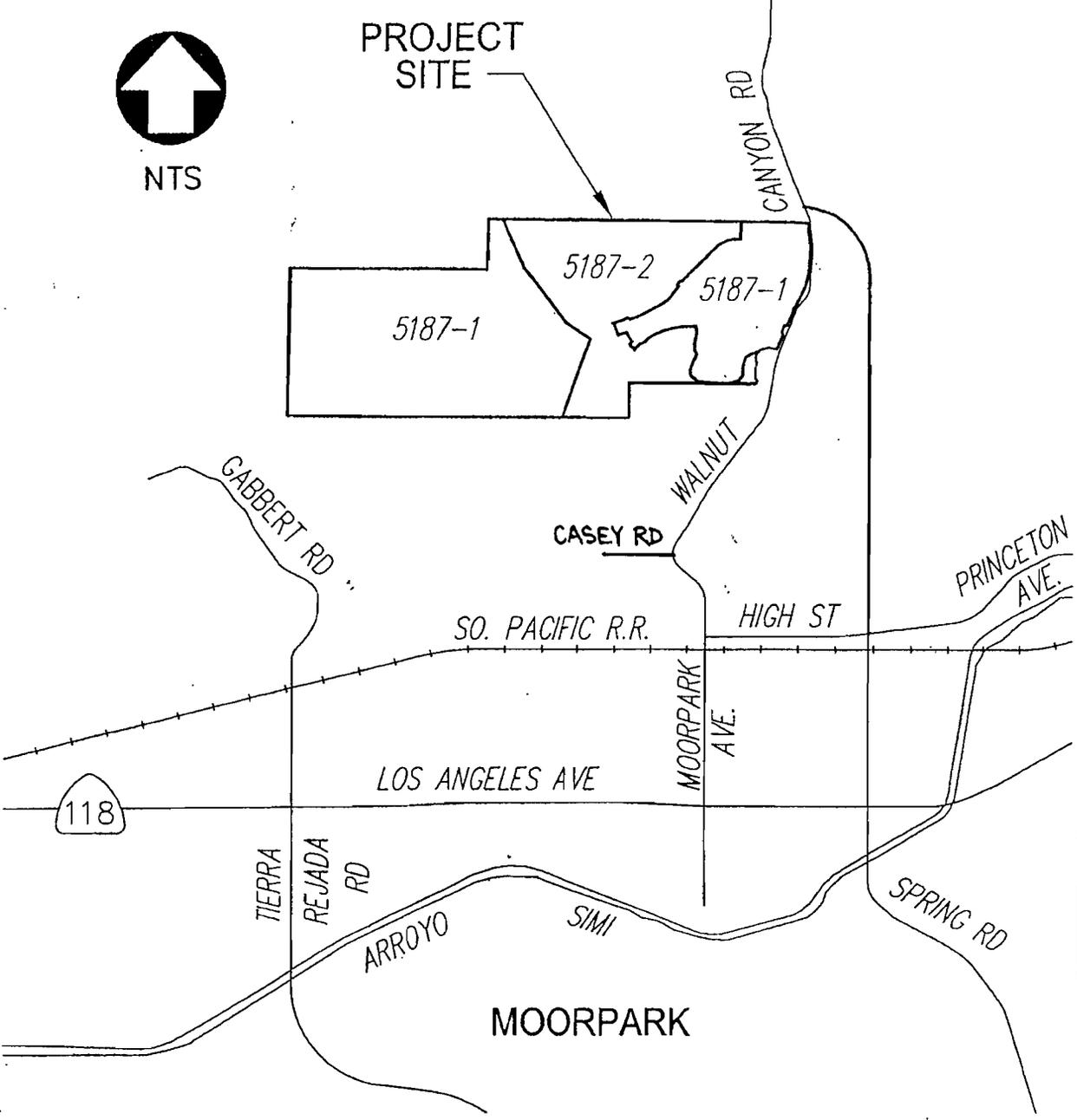
- 1 - Vicinity Map
- 2 - Letter
- 3 - Resolution

ATTACHMENT 1



NTS

PROJECT SITE



VICINITY MAP

MERIDIAN HILLS

TRACT NO. 5187-1 (LOTS 1-131)
TRACT NO. 5187-2 (LOTS 1-117)

Graphic Name: Vicinity Map (1000-01) V200703187 Moddy Map V-22-00-0103 Vicinity Map.dwg
Last Updated: Aug 21, 2007 - 10:23am by MGR/AM



ATTACHMENT 2
RECEIVED

MAY 15 2008

Public Works Department

May 15, 2008

Mr. Yugal Lall
City Engineer/Public Works Director
City of Moorpark
799 Moorpark Road
Moorpark, CA 93021

RE: Request for vehicle code enforcement for Meridian Hills
Community Tracts 5187 and 5405

Dear Mr. Lall,

Per the project's Conditions of Approval, Resmark Equity Partners is to request the City Council to approve a resolution to enforce vehicle codes on the subject property as permitted by Vehicle Code Section 21107.7.

Please consider this letter as our formal request. If you have any questions, please call me anytime at 805-914-9350. Thank you for your assistance.

Sincerely

Michael Badner
Resmark Equity Partners
Vice President – Project Management

cc: Mr. Joe Vacca
Mark Moore

RESOLUTION NO. 2008 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE STREETS AND PARKING FACILITIES SUBJECT TO CERTAIN PROVISIONS OF THE CALIFORNIA VEHICLE CODE [CVC] [TRACT 5187 / RPD 1999-02]

WHEREAS, Section 21107.7 of the California Vehicle Code (CVC) provides for the enforcement of the CVC on privately owned and maintained roads that are not generally open for the use of the public for purposes of vehicular travel; upon compliance with certain conditions and requirements as set forth in said CVC Section; and

WHEREAS, consistent with the Conditions of Approval for RPD 1999-02 [herein the "Property"] require the owner of that Property to request that the City enforce the CVC within and upon the privately owned and maintained roads within the Property; and

WHEREAS, the City has received a written request for such enforcement from the owner of the property,

WHEREAS, said written request satisfies those provisions of the CVC requiring the owner of the Property to submit a petition requesting the aforesaid enforcement of the CVC; and

WHEREAS, a public hearing on this matter was convened pursuant to the requirements of the CVC and notice of said public hearing was provided to the property owner as required by the CVC.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the privately owned and maintained roads not generally open to the public, located upon the property subject to RPD 1999-02, as generally shown on Exhibit 'A' attached hereto and made a part hereof, shall be subject to the provisions of CVC Sections 22350, 23103, 23109 and Division 16.5 (Section 38000 et. Seq.).

SECTION 2. That the said enforcement of the CVC on said privately owned and maintained roads shall take effect upon placement and maintenance of appropriate signs erected in accordance with the requirements of CVC Section 21107.7.

SECTION 3. That the placement and maintenance of such signs shall be the responsibility of the property owner and/or the Homeowners' Associations' controlling the privately owned and maintained roads, as required by the CVC.

SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 18TH day of June, 2008.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

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