

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Dave Klotzle, City Engineer/Public Works Director   
Prepared By: Al Gali, Assistant Engineer 

**DATE:** October 7, 2013 (CC Meeting of 10/16/13)

**SUBJECT:** Consider Resolution Declaring the Private Roads within Tract 5860  
Subject to the Provisions of the California Vehicle Code

**DISCUSSION**

A. Tract 5860

Tract 5860 is located on the south side of Ridgecrest Drive, east of Elk Run Loop. The Conditions of Approval for Tract 5860 require the developer of this project, Pardee, to request that the City enforce the California Vehicle Code (CVC) on the privately owned and maintained roads within Tract 5860.

B. Petition

In accordance with the Conditions of Approval of Tract 5860, Pardee has submitted a letter, (Attachment 1) requesting the aforementioned CVC enforcement.

C. Code Section

Section 21107.7. (herein "Code Section") of the CVC provides for the enforcement of the CVC 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 (Attachment 2) states that the privately owned and maintained roads at the subject location shall be subject to the requirements of the previously 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.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

1. Open the public hearing, receive testimony and close the public hearing.
2. Adopt Resolution No. 2013 - \_\_\_\_\_.

**ATTACHMENTS**

1. Letter
2. Resolution

September 23, 2013

Honorable City Council  
City of Moorpark  
799 Moorpark Avenue  
Moorpark, California 93021

Re: Tentative Tract Map 5860 (Resolution No. 2009-2799 Page 13, Item 70)

Subject: Approval to Enforce California Vehicle Codes (CVC)

Dear City Council,

Pardee Homes would like to request that the City of Moorpark adopt a resolution to enforce California Vehicle Codes (CVC) on the subject property located within Tract 5860.

Respectfully,



Ralph Pistone  
PARDEE HOMES  
Vice President, Construction Operations

RESOLUTION NO. 2013 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE STREETS IN TRACT 5860 SUBJECT TO CERTAIN PROVISIONS OF THE CALIFORNIA VEHICLE CODE (CVC)

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 Vesting Tentative Tract Map 5860 (RPD 2009-02) (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; and

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 Vesting Tentative Tract Map 5860 (RPD 2009-02), as generally shown on Exhibit 'A' attached hereto and made a part hereof, shall be subject to the provisions of the CVC.

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 16th day of October, 2013.

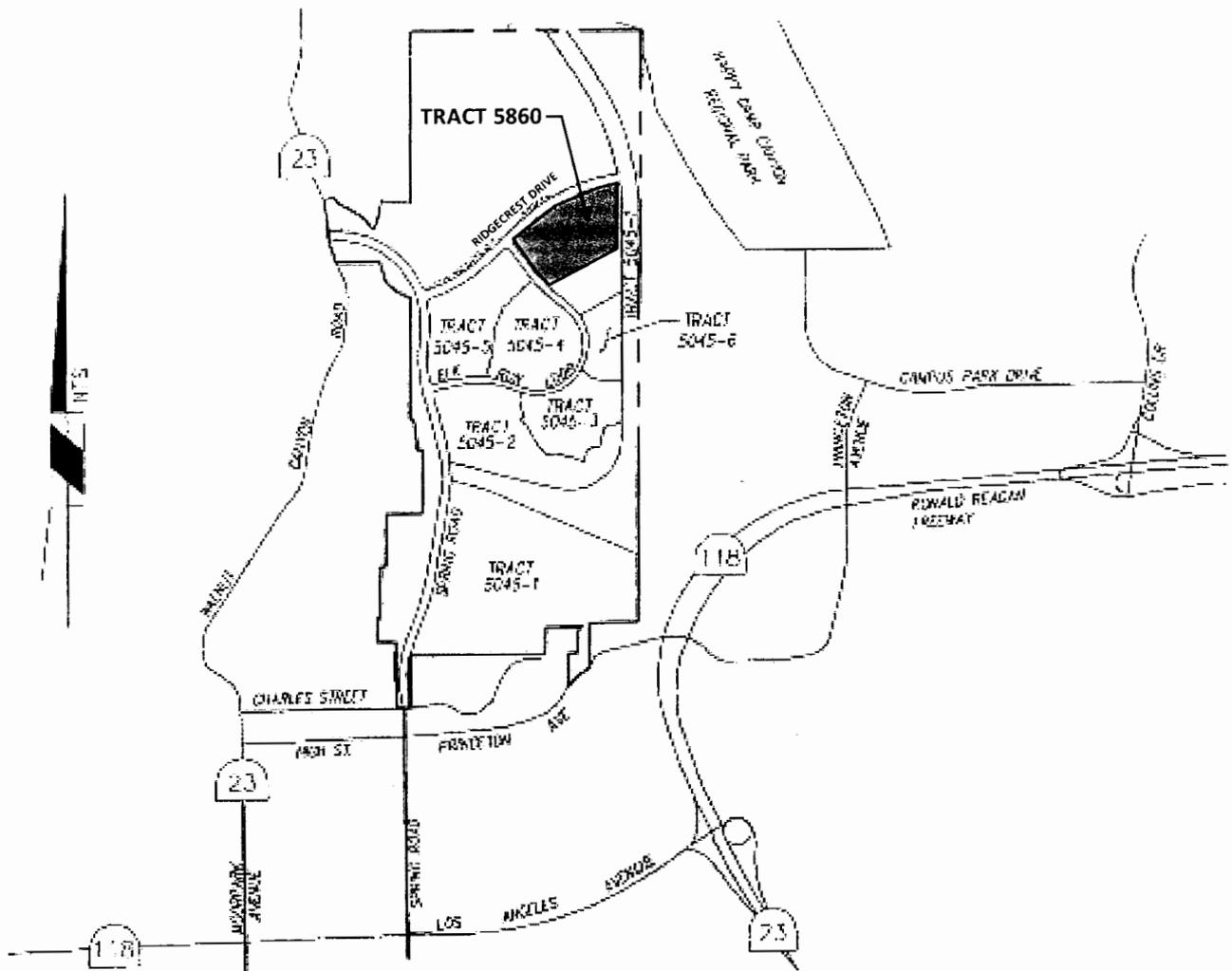
\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Exhibit 'A': Location Map

Exhibit A



LOCATION MAP  
TRACT 5860