

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

DATE: September 5, 2014 (CC Meeting of 09/17/14)

SUBJECT: Consider Resolution Declaring the Private Roads within Tract 5463
Subject to the Provisions of the California Vehicle Code

DISCUSSION

A. Tract 5463

Tract 5463 is located on the north side of Championship Drive, east of Grimes Canyon Road. The Conditions of Approval for Tract 5463 require the developer of this project, Toll Brothers, to request that the City enforce the California Vehicle Code (CVC) on the privately owned and maintained roads within Tract 5463.

B. Petition

In accordance with the requirements of Residential Planned Development 2003-04 Condition No. 5, Toll Brothers 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. 2014 - _____.

ATTACHMENTS

1. Letter
2. Resolution

Toll Brothers

America's Luxury Home Builder™

Attachment 1

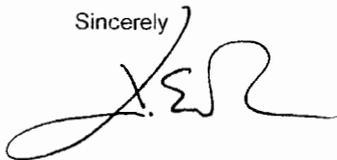
April 21, 2013

Honorable City Council
City of Moorpark
799 Moorpark Ave.
Moorpark, CA 93021
Re.: Tentative Tract Map 5463 (RPD Condition # 5)

Dear City Council,

Toll Brothers would like request the City of Moorpark to adopt a resolution to enforce the applicable provisions of the California Vehicle Code and Moorpark Municipal Code for Tact # 5463 (Masters at Moorpark Country Club).

Sincerely



Kevin E. Rosinski
Toll Brothers, Inc.
Vice President

New York Stock Exchange • Symbol TOL
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Telephone: (714) 347-1300 • FAX: (714) 835-9685

RESOLUTION NO. 2014 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE STREETS IN TRACT 5463 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 5463 (RPD 2003-04) [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 5463 (RPD 2003-04), as generally shown on Exhibit 'A' attached hereto and made a part hereof, shall be subject to the provisions of 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 17th day of September, 2014.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit 'A': Location Map

Exhibit A

