

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

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

DATE: September 4, 2007 (CC Meeting of 09/19/07)

SUBJECT: Consider a Resolution Declaring the Private Roads within Tract 5045-1 through 7, (RPD-2002-03,-04,-05 and 2004-01), Subject to the Provisions of the California Vehicle Code (CVC)

DISCUSSION

A. Residential Planned Development (RPD) 2002-03,-04,-05 and 2004-01

Tract 5045 (RPD 2002-03,-04,-05 and 2004-01) is located on the east side of the Spring Road extension between Walnut Canyon Road and Charles Street. The Conditions of Approval for RPD 2002-03,-04,-05 and 2004-01 require the developer of this project to request that the City enforce the CVC on these privately owned and maintained roads and parking facilities.

B. Petition

In accordance with the requirements of the Conditions of Approval of RPD 2002-03,-04,-05 and 2004-01 the City is in receipt of a letter, (Attachment 1) 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 (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. The Resolution also describes the type of sign required.

STAFF RECOMMENDATIONS

1. Open the public hearing, receive testimony and close the public hearing.
2. Adopt Resolution No. 2007- _____.

ATTACHMENTS

1. Letter
2. Resolution

RECEIVED

MAY 15 2007

Public Works Department



May 11, 2007

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

RE: Request for vehicle code enforcement for Moorpark Highlands Community Tracts
5045-1 through 5045-8

Dear Mr. Lall,

Per the project's approved conditions, Pardee Homes 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 661-222-3200. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter H. Kim".

Peter H. Kim, PE
Pardee Homes
Land Development Manager

Cc: Mr. Joe Vacca

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RESOLUTION NO. 2007 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE STREETS AND PARKING FACILITIES IN TRACT 5045-1 THROUGH 7 / RPD 2002-03,-04,-05 AND 2004-01 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 RPD 2002-03,-04,-05 and 2004-01 [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 RPD 2002-03,-04,-05 and 2004-01, 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 19th day of September, 2007.

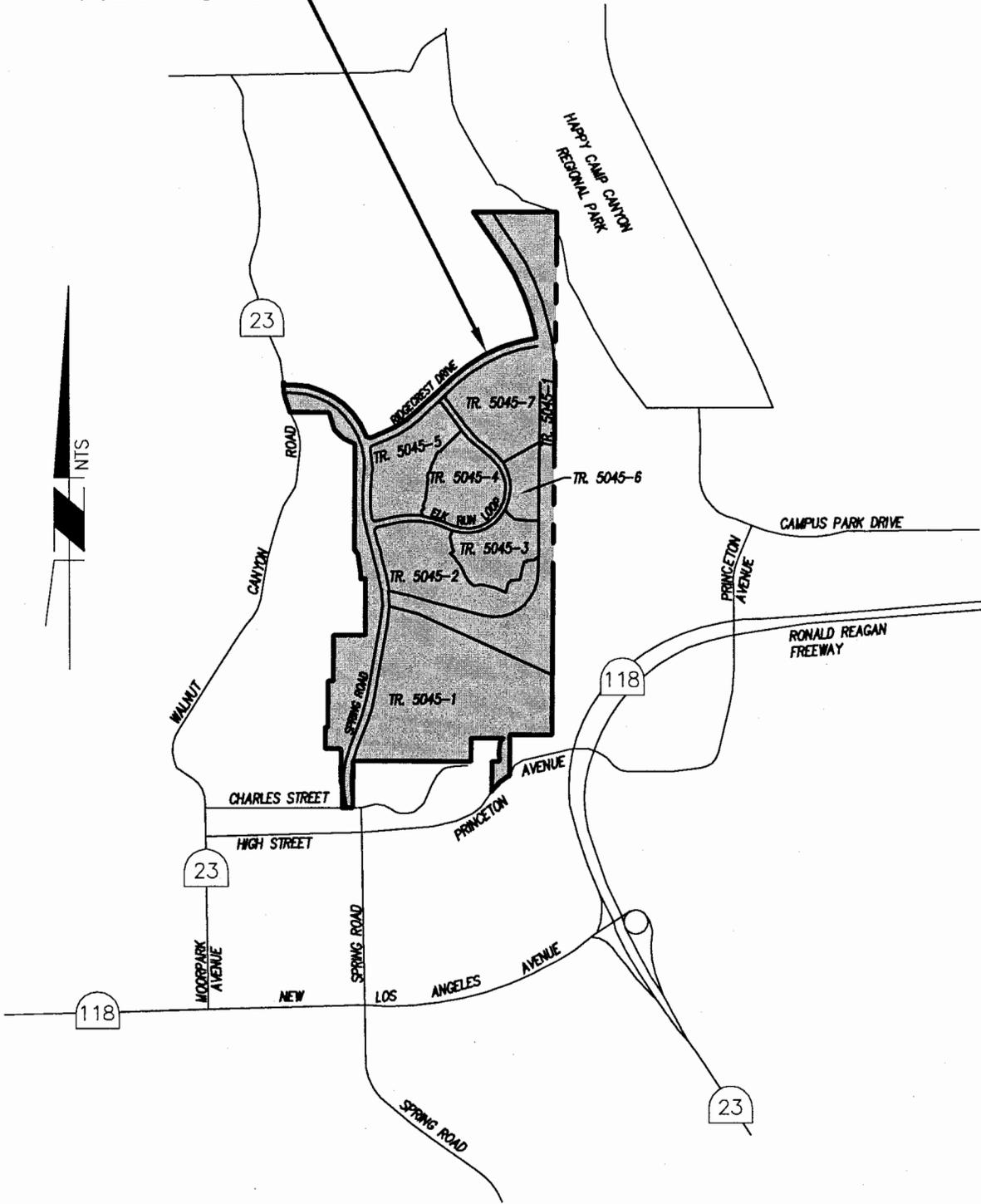
Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit 'A': Vicinity Map

PROJECT SITE



TR.5045 VICINITY MAP

NTS

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