

ORDINANCE NO. 4775

AN ORDINANCE AMENDING CHAPTER 23, MOTOR VEHICLES AND TRAFFIC, OF THE COUNTY CODE OF THE COUNTY OF SANTA BARBARA, AND TO ADD A NEW CHAPTER 23F AUTHORIZING THE ENFORCEMENT OF THE CALIFORNIA VEHICLE CODE ON PRIVATE ROADS.

**WHEREAS**, California Vehicle Code Section 21107.7 provides any city or county may, by ordinance or resolution, find and declare that there are private roads not generally open for public use but by reason of their proximity to or connection with public highways, the interest of any resident residing along the roads and the motoring public, will best be served by application of the provisions in the California Vehicle Code to those roads; and

**WHEREAS**, the Hope Ranch Park Homes Association Board of Director has submitted a Resolution of said Board by unanimous vote to request that the County of Santa Barbara Board of Supervisor adopt an Ordinance permitting enforcement of private roads in the Hope Ranch community; and

**WHEREAS**, it appears to be in the best interest of the public that certain private roads in the Hope Ranch community be governed by the California Vehicle Code. The area is conducive to the installation of traffic control devices that will facilitate traffic enforcement, which will provide an environment of safe and orderly traffic flow, and improve the overall well-being of the residents in the community; and

**WHEREAS**, the engineering firm of Penfield and Smith has submitted a Traffic Engineering Report supporting the traffic control devices on the privates roads to be enforced; the Traffic Engineering Report was approved unanimously by the Santa Barbara County Traffic Engineering Committee; and

**WHEREAS**, ten (10) days prior written notice has been given to the residents of the Hope Ranch Community;

**NOW THEREFORE, IT IS HEREBY RESOLVED AND ORDERED**, by the Board of Supervisors of Santa Barbara County, that it hereby finds and declares that Via Presada, Lago Drive, Via Tranquila, and Estrella Drive are privately owned and maintained roadways within the Hope Ranch Community that are not generally held open for the use of the public for purposes of vehicular travel, and would best be served by application of the provisions of the Vehicle Code of the State of California; and

**BE IT FURTHER RESOLVED**, that pursuant to Section 21107.7 of the California Vehicle Code, the provisions of the California Vehicle Code shall apply to said privately owned and maintained roadways; and

**BE IT FURTHER RESOLVED**, that the Board accept the findings of the Traffic Engineering Report submitted by the engineering firm of Penfield and Smith titled Hope Ranch – Speed Survey and Traffic Engineering Support Services; and

**BE IT FURTHER RESOLVED**, that a new chapter to the Santa Barbara County Code, Section 23F, Private Roads, be added as follows:

**Sec. 23F-1. Authority and Title.**

This chapter is enacted pursuant to authority granted by section 21107.7 of the California Vehicle Code, adopted by Ordinance of the Board of Supervisors, to permit the provisions of the California Vehicle Code to be enforced on certain private roads listed in this chapter. This chapter shall be known as the "Private Roads" chapter.

**Sec. 23F-2. Definitions.**

For purposes of this chapter, the following words and phrases shall have the meanings ascribed to them by this section:

- (a) "Director" means the director of public works or his/her designee.
- (b) "Private Road" means any roadway having private ownership, privately maintained, and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other members of the public.
- (c) "Motor vehicle" means a motor vehicle as defined by section 415, or as hereinafter amended, of the California Vehicle Code.
- (d) "Highways" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.
- (e) "Common interest development" means a development as defined by section 1351 of the California Civil Code.

**Sec. 23F-3 Hope Ranch Private Roads**

- (a) "Hope Ranch Private Roads" are all of the private roads located within the area shown as Hope Ranch.
- (b) Hope Ranch is a common interest development and managed by the Hope Ranch Park Homes Association, which maintains the private roads within the boundaries of Hope Ranch. The Hope Ranch Park Homes Association has submitted to the County, a Resolution from their Board of Directors, as required by section 21107.7 of the California Vehicle Code.
- (c) The provisions of the California Vehicle Code shall apply to the following private roads in the Hope Ranch community:
  - a. Via Presada
  - b. Lago Drive
  - c. Via Tranquila
  - d. Estrella Drive
- (d) The private roads listed in sec. 23F-3(c) are not generally held open for use of the public, but that by reason of their proximity to or connection with highways, the interest of (a) any resident residing along the roads, and (b) the motoring public, will best be served by application of the provisions of the Vehicle Code to those roads.
- (e) All regulatory traffic signs on the private roads listed in sec. 23F-3(c), shall conform to the County, State, and Federal standards and specifications, and shall be approved by the Director or his designee prior to enforcement of the private roads.
- (f) The speed limit for the private roads listed in sec. 23F-3(c) shall be designated as follows, and enforceable under the Vehicle Code:

- a. Via Presada 30 miles per hour speed limit
  - b. Lago Drive 25 miles per hour speed limit
  - c. Via Travquila 30 miles per hour speed limit
  - d. Estrella Drive 30 miles per hour speed limit
- (g) The following intersections in the Hope Ranch community shall be designated as all-way stop intersections and enforceable under the Vehicle Code:
- a. Via Tranquila and Via Presada
  - b. Via Alegre and Via Esperanza and Via Vistosa
  - c. Via Bendita and Via Roblada
  - d. Estrella Drive and Cuesta Avenue and Cuervo Avenue
  - e. Estrella Drive and Llano Avenue and Cantera Avenue.
- (h) The Hope Ranch Homes Association shall be responsible for the placement and maintenance of proper signage, pursuant to section 21107.7 of the California Vehicle Code, notifying travelers that the private roads are subject to the provision of the California Vehicle Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 14th day of December, 2010, by the following votes:

AYES: Supervisors Carbajal, Wolf, Farr, Gray and Centeno

NOES: None

ABSENT: None

ABSTAINING: None

ATTEST:

CHANDRA L. WALLER  
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: Robert Cohen  
Deputy Clerk

Janet Wolf  
Janet Wolf  
Chair, Board of Supervisors

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By: [Signature]  
Deputy County Counsel

