

COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT
RULES RELATING TO PARKING AND PARKING ENFORCEMENT, POLICY No. ____

On May 7, 2026, at a duly noticed public meeting, the Board of Supervisors of the Colbert Landings Community Development District (“District”) adopted the following policies to govern parking and parking enforcement on certain District property (“Policy”). This Policy repeals and supersedes all prior District rules or policies governing the same subject matter.

SECTION 1. INTRODUCTION AND APPLICATION. The District finds that Vehicles and Vessels (hereinafter defined) Parked (hereinafter defined) on certain grounds of the District cause hazards and danger to the health, safety, and welfare of District residents, paid users, and the public and damages District property. This Policy is intended to provide a means by which the District may tow such improperly Parked Vehicles and Vessels, subject to certain exceptions.

SECTION 2. DEFINITIONS.

- A. *Abandoned.* Any Vehicle or Vessel that, for a period of two (2) weeks, has not been operational or has otherwise not been moved shall be deemed abandoned.
- B. *Overnight.* Between the hours of 11:00 p.m. and 5:00 a.m. daily.
- C. *Park.* To leave a Vehicle or Vessel unattended by its owner or user.
- D. *Tow-Away Zone.* District property in which parking is prohibited and in which the District is authorized to initiate a towing and/or removal action, as identified at **Exhibit A**. All District roads are considered Tow-Away Zones during Overnight hours.
- E. *Vehicle.* Any mobile item which normally uses wheels and is capable of being used as a means of transportation for persons or property.
- F. *Vessel.* Every description of watercraft, barge, or airboat used or capable of being used as a means of transportation on water.

SECTION 3. PARKING ALLOWED ON LIMITED BASIS; PROHIBITION; EXCEPTIONS.

- A. *Tow-Away Zones.* The areas indicated on the map attached hereto as **Exhibit A**, including all roadways within the District, are hereby designated as Tow-Away Zones during Overnight hours for all Vehicles. Further, Vehicles may not Park at any time on any District property that is not designated for Parking; such prohibited Parking areas include, but are not limited to, grassy or landscaped common areas, grassy or landscaped areas near the ponds, and grassy or landscaped areas bordering the roadways. Parking any Vehicle on District-owned grassy and/or landscaped areas is expressly prohibited at all times, unless an express exception is granted by the District in writing in advance. Any Vehicle parked on District Property, including District roads, if any, must do so in compliance with all laws, ordinances, and codes, and shall not block access to driveways and property entrances.

- B. *Abandoned Vehicles and Vessels.* Abandoned Vehicles and Vessels are not permitted to be Parked on District property at any time and are subject to towing at the owner's expense.
- C. *Manner of Parking.* Vehicles and Vessels may not be Parked such that they utilize more than one (1) marked parking space, block access to District property, prevent the safe and orderly flow of traffic, obstruct the ability of emergency vehicles to access roadways or property, cause damage to the District's property, restrict the normal operation of the District's business, or otherwise poses a danger to the District, its residents and guests, the general public, or the property of same.
- D. *Exceptions.*
 - a. Special Circumstances. District staff may issue a Parking permit to authorize an exception to this Policy for special events or as necessitated by special circumstances, in which case the Parking permit shall be for a limited time and shall be posted in the windshield of the Vehicle or Vessel.
 - b. Vendors and Food Trucks. Food Trucks invited to special District events and District vendors performing District business are exempt from this Policy; provided, however, that such Food Trucks and vendors may not Park in a manner which threatens the health, safety, and welfare of District residents and guests, or causes property damage, and are subject to special instructions issued by the District for their Parking.
 - c. Delivery Vehicles and Governmental Vehicles. Delivery Vehicles, including, but not limited to, Vehicles associated with U.S.P.S., U.P.S., Fed Ex, moving companies, and District vendors are exempt from this Policy while actively engaged in the operation of such businesses. Vehicles owned and operated by any governmental unit may also Park on District property while carrying out official duties.

SECTION 4. ENFORCEMENT.

- A. *Towing.* Vehicles or Vessels Parked in violation of this Policy may be towed in the District's sole discretion and in accordance with the requirements and procedures set forth at Section 5 herein.
- B. *Amenity Suspension.* The District may, in its discretion, suspend the amenity privileges of the owner or operator of any Vehicle or Vessel Parked in violation of this Policy, in accordance with the District's adopted *Suspension and Termination of Access Rule*.

SECTION 5. TOWING/REMOVAL PROCEDURES.

- A. **SIGNAGE AND LANGUAGE REQUIREMENTS.** Signage providing notice shall be approved by the District's Board of Supervisors and shall be posted on District property in conspicuous locations and in a manner consistent with the requirements of section 715.07, *Florida Statutes*.
- B. **TOWING/REMOVAL AUTHORITY.** To the extent that the District has entered into an agreement with an authorized towing service in accordance with Section 5.C., such towing service may patrol the District for Policy violations (i.e., "roam" towing) and remove any

Vehicle or Vessel parked in a way that violates this Policy. Any such removal, including towing fees, release fees, storage fees, etc., shall be at the owner's expense. The Vehicle or Vessel shall be towed/removed by the firm in accordance with Florida law, specifically the provisions set forth in section 715.07, *Florida Statutes*.

- C. **AGREEMENT WITH AUTHORIZED TOWING SERVICE.** The District's Board of Supervisors is hereby authorized to enter into and maintain an agreement with a firm authorized by Florida law to tow/remove unauthorized vehicles and in accordance with Florida law and with the policies set forth herein.

SECTION 6. PARKING AT YOUR OWN RISK. Any permitted Parking pursuant to this Policy is at the driver's own risk. The District assumes no liability for any theft, vandalism, and/or damage that might occur to personal property and/or Vehicles or Vessels. Parking is subject to all applicable Flagler County laws, ordinances, and regulations, and law enforcement may take action to enforce all such laws, ordinances, and regulations.

SECTION 7. AMENDMENTS. Designated Amenity Parking areas may be added to or removed from this Policy without a formal hearing by motion of the District's Board of Supervisors, subject to installation of proper signage, adoption of a new map, and compliance with all other requirements of Florida law. Requirements of this Policy may be suspended by the District's Board of Supervisors or by the District Manager for good cause.

Exhibit A: Parking Map

Specific Authority: §§ 190.011(5), 190.012(2)(d), and 190.041, *Fla. Stat.*
Effective date: May 7, 2026

EXHIBIT A

All areas highlighted in yellow are considered Tow-Away Zones during Overnight hours.

