

RESOLUTION NO. 2024-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VIZCAYA IN KENDALL COMMUNITY DEVELOPMENT DISTRICT ENACTING PARKING RULES AND REGULATIONS AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Vizcaya in Kendall Community Development District (the “District”) was established pursuant to Chapter 190, Florida Statutes, and Miami-Dade County Ordinance No. 05-95; and

WHEREAS, the District is the owner of and is responsible for the operation and maintenance of certain public rights-of-way, parking areas, and facilities within the boundaries of the District; and

WHEREAS, the District Board of Supervisors desires to protect the integrity, operation, safety, and aesthetics associated with the District, owned rights-of-way, and lands located within the boundaries of the District, and has determined that it is necessary to establish and adopt rules and regulations governing parking on said District owned properties; and

WHEREAS, the District advertised a public hearing for February 21, 2024, in order to hear and receive comments on the proposed Vizcaya in Kendall Community Development District Parking Rules and Regulations (the “Parking Rules”) pursuant to the requirements of Chapter 120, Florida Statutes; and

WHEREAS, after a duly advertised public hearing, the District Board of Supervisors finds it to be in the best interests of the District, and the residents and property owners of the District to adopt the Parking Rules.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VIZCAYA IN KENDALL COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The above recitals are true and correct and are incorporated in and adopted as part of this Resolution.

Section 2. The Parking Rules, which are attached hereto and made a part hereof as Exhibit A, are hereby enacted.

Section 3. The District Manager is hereby directed to distribute this Resolution as required by Chapters 120 and 190, Florida Statutes. The District Manager is further directed to publish these Parking Rules on the District’s website, and to generally make copies of such Parking Rules available for inspection or copying by members of the general public pursuant to Florida’s Public Records Law.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 21st DAY OF FEBRUARY, 2024.

ATTEST:

**VIZCAYA IN KENDALL
COMMUNITY DEVELOPMENT
DISTRICT**

Ben Quesada
[Ben Quesada \(Mar 11, 2024 09:46 EDT\)](#)
Secretary/Assistant Secretary

Leonardo Montes
[Leonardo Montes \(Mar 11, 2024 10:22 EDT\)](#)
Chairman/Vice-Chairman

EXHIBIT A
PARKING RULES

VIZCAYA IN KENDALL COMMUNITY DEVELOPMENT DISTRICT

PARKING RULES AND REGULATIONS

1. The rules and regulations herein shall be referred to as the “Vizcaya in Kendall Community Development District Parking Rules and Regulations” or the “Parking Rules.”
2. No vehicles of any nature shall be parked on any portion of the Vizcaya in Kendall Community Development District (the “District”)-owned property except on the surfaced parking areas specifically designated for parking. Vehicles may not be double-parked in marked parking spaces such that any tire of a vehicle parked in one parking space extends into another parking space.
3. Parking is prohibited upon or within all non-paved District property, including, but not limited to, green areas or other landscaped areas owned by the District and grass swales and landscaped areas within or adjacent to any District rights-of-way. This prohibition shall remain in effect twenty-four (24) hours per day, seven (7) days per week.
4. Except as otherwise provided herein or by resolution of the District’s Board of Supervisors, on-street parking is prohibited twenty-four (24) hours per day, seven (7) days per week on all District streets, roadways, thoroughfares, and rights-of-way.
5. No vehicles shall be parked within or adjacent to District-owned property in a manner which damages, blocks, obstructs, or otherwise interferes with the proper functioning of District-owned or maintained drainage facilities and structures, fire hydrants, or other public utilities.
6. No vehicles shall be parked within or adjacent to District-owned property, including alleys or alleyways, in a manner that extends out into the roads or rights-of-way such that it does not leave at least nine (9) feet of clearance for traffic; in a manner that impedes or prevents law enforcement, emergency, public utilities, moving, or commercial delivery vehicles from accessing such roads or rights-of-way; or in a manner that blocks a sidewalk or obstructs access to a driveway.

7. No parking in District-owned, designated parking spaces is permitted outside of hours when the District's Clubhouse (the Kendall Square Club) is open or when all or a portion of the District's Clubhouse is being rented or being used for an authorized special event.
8. No vehicles used in business for the purpose of transporting or delivering goods, equipment, and the like, shall be parked within or upon District-owned property, except during the period of delivery.
9. No vehicle that cannot operate on its own power shall remain within the District-owned property for more than twenty-four (24) hours.
10. No vehicle repairs or maintenance, except emergency repairs, shall be permitted over or on any portion of the District roads, rights-of-way, or other District-owned property.
11. No vehicles shall be stored on blocks or lifted on jacks within the District-owned property.
12. No vehicles with flat, rotted, or missing tires or vehicles that are otherwise inoperable for any reason (for example, a totaled vehicle or a vehicle without a windshield) shall remain within the District-owned property for more than twenty-four (24) hours.
13. No commercial vehicle, limousine, boat, trailer—including, but not limited to, boat trailers, house trailers, and trailers of every other type, kind or description—or camper, may be kept within District-owned property. For purposes of this rule, the term “commercial vehicle” does not include marked law enforcement vehicles or recreational or personal sports utility vehicles (SUVs) or clean non-work vehicles such as pick-up trucks, vans, or cars if they are used by the owner daily for normal transportation. Notwithstanding any other provision in these Parking Rules to the contrary, the foregoing provisions shall not apply to construction vehicles being used in connection with construction, improvements, installations, or repairs by the District at or in the Kendall Square Club or any other property owned by the District.
14. No vehicles displaying commercial advertising shall be parked within District-owned property.
15. No vehicles bearing a “for sale” sign shall be parked within District-owned property.
16. No vehicles with expired registrations or license plates (at least 30 days expired) or with vehicle covers may be parked within District-owned property.

17. Designated handicap parking spaces are to be used when handicap decal, state-issued placard, or disability plates with attached emblems are displayed on the front and/or rear of the vehicle.
18. Marked law enforcement or other emergency vehicles are exempt from these Parking Rules during the period of time such vehicles are being used in conjunction with law enforcement officers or emergency responders performing official duties at that location, and as otherwise provided by applicable law.
- 19. Any vehicle parked in violation of these Parking Rules may be towed at the vehicle owner's expense by a towing contractor approved by the District, subject to the provisions of applicable ordinances of Miami-Dade County and the Florida Statutes.**
20. Appropriate signage shall be installed at the location of towing areas in accordance with the requirements of applicable ordinances of Miami-Dade County and the Florida Statutes. "No Parking" signs and other parking signs related to the enforcement of the Parking Rules shall not be removed. **Damaging or removing the parking signs is a violation of the Parking Rules and may constitute a crime or crimes, including, but not limited to, the crime of Criminal Mischief under section 806.13, Florida Statutes, punishable as provided therein, and/or the crime of Theft under section 812.014, Florida Statutes, punishable as provided therein.**
21. All other traffic and parking rules and regulations of Miami-Dade County or the State of Florida, including, but not limited to the requirements of chapter 316, Florida Statutes, are to be enforced by the Miami-Dade Police Department or other approved law enforcement agency having jurisdiction thereof.
- 22. If District-owned property (including, but not limited to, sod or landscaping) is damaged or in need of repairs as a result of the violation of these Parking Rules, the District will provide an invoice to the property owner who is in violation for the reasonable cost of repair or replacement. In the event the invoice remains unpaid, the charges for the repair or replacement of District-owned property shall be added to the Operations and Maintenance assessment attributable to the violator's property within the District on the next ensuing tax bill.**
23. The enforcement of these Parking Rules may be temporarily suspended or relaxed in whole or in part for specified periods of time (for example, on certain holidays or in the event of

an emergency or natural disaster), as determined by the District's Board of Supervisors in its sole discretion.

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Final Audit Report

2024-03-11

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