

DESIGN AND IMAGE REGULATIONS COSTA DIAMANTE

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Introduction to Costa Diamante

Costa Diamante is the best single-family housing development, not only in Sandy Beach but in all of Puerto Peñasco. Founded in 1997, Costa Diamante has the distinctive and unique status as the most desirable single-family housing development in Rocky Point; our future depends on a clear and stable base of rules and guidelines so that you can invest and enjoy it as your “Paradise by the Sea”

In 2008, the Costa Diamante owners organized and developed a Home Owners Association with the name of “Administradora del Condominio CD A.C.”

Because of the development of the HOA (Home Owners Association), Costa Diamante has enjoyed continual growth in both the number of homes built and in market value.

*A Single Family Residence is defined as a developed property that serves the primary purpose of providing ONE detached dwelling unit for ONE family or housekeeping unit and is separated from another structure by open space, except for its own garage.

DESIGN PHILOSOPHY

The philosophy for the layout and design at Costa Diamante was originally conceived under the premise of creating a place to live in harmony with nature and the environment.

In order to achieve this goal, its unique natural beauty must be taken under consideration, as well as the adaptation of human activity that will co-exist. The purpose is understanding, respecting and preserving the prevalent ecosystem, local culture, weather, and all the factors that can be affected by the development.

In order to achieve such goals, a general design concept was established considering the following aspects:

All the design elements and homes must be embedded into the natural environment in such way that the user would be able to have a direct connection with nature. These elements have been established with respect to the conditions of the area –with the main objectives of preserving and promoting the ecosystem of the existing environment.

The Costa Diamante community must realize a sense of belonging to this area, its history and its regional and geographical position under consideration, taking into account traditions and culture of life in the desert and ocean.

To do this, it is necessary to use materials, colors and methods of construction that would inspire and relate to the area in a modern interpretation of its past and current environment.

THE DEVELOPMENT

Located directly on the beach in the pristine zone of Sandy Beach, Costa Diamante consists of 112 lots and eight common areas with an exuberant landscape. Each property has ocean views. The development has underground utilities, cobblestone like streets, regular trash pickup, 24 hours security, and full-time maintenance employees who maintain landscapes and roads.

The design of the development is intended to foster a harmonious environment through the healthy coexistence and respect among for the community. Implementation of several measures and concepts such as low population density, the proper mixtures of home styles, and the preservation of privacy are paramount within Costa Diamante.

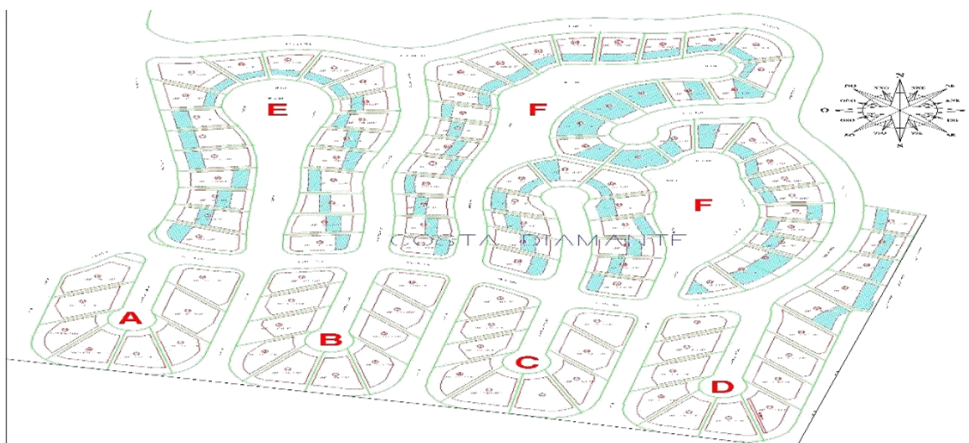
General Regulations of the Development

INTRODUCTION

The General Regulations of the Development are based upon the following fundamental principles:

1. Creating a single family residential community in an environment of exclusiveness and quality.
2. Propose the necessary conditions towards a healthy coexistence and harmony, as well as the prevention of conflicts amongst the residents.
3. Preserving the natural conditions of the Community.
4. Assist your team in making sure that the design and construction of the Residence complies with the design regulations as set forth in this document.

MAP OF THE DEVELOPMENT



- Emblematic Map
- Some particular traits could be subject to changes.

OCCUPATION OF SOIL AND BUILDABILITY

The maximum percentage of buildable area, or building footprint allowed, has been determined by the original developer in strict accordance and follow-up to the local regulations on environmental impact and urban planning, according to the Floor Area Ratio.

FLOOR AREA RATIO (FAR)

The Floor Area Ratio (FAR) is the instrument that controls the maximum area that can occupy a structure/home on a lot. It is determined by the factor that once multiplied by the total area of the lot determines the maximum buildable area of the lot (Gross Floor Area).

The following elements are included in the determined area by the FAR:

- Enclosed habitable buildings (only lower floor).
- Any covered structure set on the ground (only lower floor).
- Exterior rooms (only lower floor)

Land Use Coefficient (LUC)

It is the instrument that controls the maximum area of construction that a lot can have. It is determined by the factor that once multiplied by the total area of the property, determines the maximum area built on a lot.

The following elements are included in an area determined by the LUC:

- Enclosed habitable structures (**total area of all levels**).
- Any covered structure on the ground (total area).
- Exterior rooms (total area).

The following elements are excluded from the areas established by the FAR and LUC:

- Exterior areas without vertical construction (patios, terraces, squares and uncovered parking lots).
- Gardens and areas with natural landscape elements.
- Roads, sidewalks and pedestrian walkways.
- Light structures such as shadings, canopies or pergolas.

Urban Coefficients:

As shown on the Emblematic Map, single-family Beach Housing and Single-Family housing of Common Areas (as defined under Land Use Section), the maximum floor space of the buildings will have a Floor Area Ratio equal to 0.45.

The maximum area built for the Beach Single-Family housing will have a Land Use Coefficient of 0.45 of maximum land built on, on one level.

Example:

Total Area of lot= 690.77m² x 0.45 = 310.84m² of area built on.

The maximum area built for the Single-Family Housing on Common Areas will have a LUC of 0.60, which allows a second floor as a maximum out of the 0.15 from the total built (lower floor 0.45 + upper floor 0.15= 0.60 LUC).

Example: Lot of: 562.04m² (AT)

562.04m²(AT) x 0.45 = 252.91 m² Lower Floor(A1);

562.04m² x 0.15 = 84.30m² Upper Floor(A2)

336.49m² maximum area built on.

Note- one meter =3.37 feet

one square meter = 10.765 feet

Land Use

The Land Use allowed in the FIRST PHASE, will be for the single-family housing lots; they will be able to be within the beach zone or associated to the common areas and to the system of walkways related.

One-floor houses will be allowed in the beach zone and two level houses will be allowed in neighboring lots to common areas.

Single-family Beach Zone

Mz. A Lots 1 to 8

Mz. B Lots 1 to 10

Mz. C Lots 1 to 9

Mz. D Lots 1 to 10

Single-family neighboring to Common Areas

Mz. D Lots 11 to 15

Mz. E Lots 1 to 21

Mz. F Lots 1 to 49

Densities:

Low densities will be:

Beach Single-Family	Up to one level
Single-Family Common Areas	Up to two levels

RESTRICTIONS

The main objective of these restrictions is to maintain uniformity in the overall architectural scale of the different areas and communities that compose the complex, in order to foster the continual success and quality of the development.

The volume of buildings and facilities built should not block the view of landscapes on any existing edification on the neighboring lots, therefore height regulations, FAR(floor ratio area) and LUC(land use coefficient) **will be enforced**, as well as the lot restrictions.

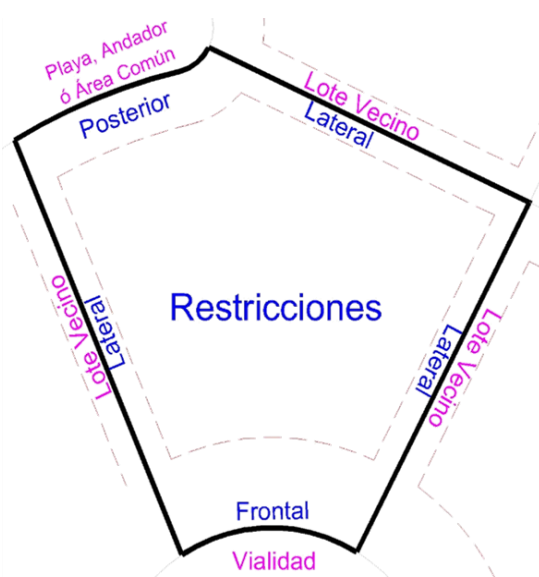
Setbacks:

Setback refers to the dividing strip of each lot, measured from the alignments in which building construction will not be allowed, depending on the type of lot:

Front Side: Adjacent to the access roads.

Rear side: Adjacent to the beach, pedestrian walkways or common areas

Side yards: Adjacent with lots



Front Setbacks Access Zone

These restrictions define the overall assigned area for vehicle and pedestrian access towards the lot, as well as the visual buffer area between the access roads and common areas of the development with the first construction line, as defined by where construction of a structure may start.

The elements that are allowed to be placed in this area are:

- Permitted native flora by the authorized vegetation palette.
- Pedestrian access walkways with pavement materials as approved by the DRC
- Vehicle access roads with pavement materials permitted.
- Covered or uncovered parking lots (with pergolas) - meeting lateral restrictions to adjacent lots as to the number of parking spaces, according to the size of the building as indicated in the Parking Requirements Section.

In case of having lots in front of two streets at a corner, they must meet the Frontal Restrictions from both street fronts.

Only open-air or construction elements such as covered patios or carports will be allowed; overhangs and projections in the front and back restrictions cannot not be more than 1.50m and the lateral restrictions could not be more than 0.60m.

Forty percent (40%) of landscaping area will be in the resulting strip(setback) of the restrictions of each lot as a minimum.

According to the indicated uses, the Restrictions will be the following:

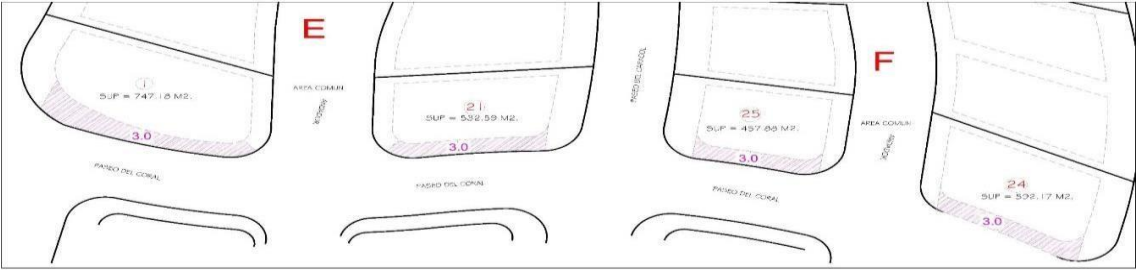
Single-Family Beach Zone	
Front Restriction	5.00 m from the property line
Rear Restriction (to the beach)	6.00 m from the property line
Rear Restriction (to the walkway)	Special Restrictions according to the Landscapes Analyses (see graphic attached - restrictions plan)
Side-yard Restrictions	1.50 m from the property line

Common Area Single-Family	
Front Restriction	5.00 m from the property line
Rear Restriction to the Beach)	3.00 m from the property line
Rear Restrictions (to the walkway)	Special Restrictions according to Landscapes Analyses (see graphic attached - restrictions plan)
Side-yard Restrictions	1.50 m from the property line

Special Cases

In the Common Area Zones:

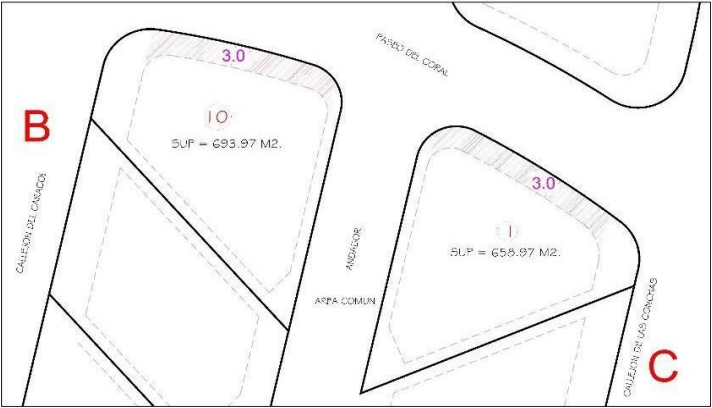
In the corner lots of Block E (1 and 21), Block F (24 and 25).



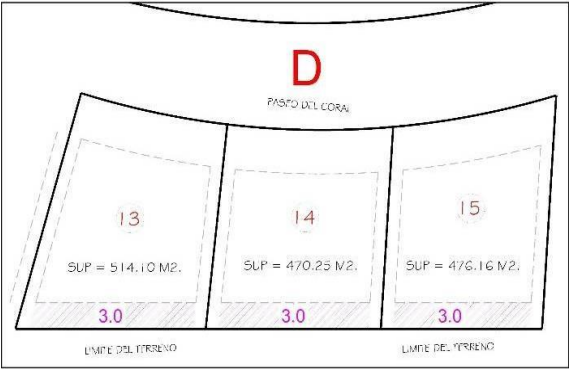
The side yard Restriction adjacent to the local roadways will be a minimum 3.00m from property line

Beach Zone:

In the Corner Lots of B Block Lot 10 and C Block Lot 1, the adjacent lateral restriction with the local roadway will be a minimum of 3.00m from property line



The adjacent rear yard restriction with the limit of the lots 13, 14 and 15 in the D Block will be equal to 3.00m from the property line.



When a maximum of two lots are incorporated into one, the restrictions will be applied with the resulting lot having to be registered to the Real Estate Public Registry as one property only, and neither lot can be subdivided.

Side Yard Restrictions – Native Vegetation Zone

Keeping privacy and exclusiveness amongst neighboring lots is essential. Therefore, the side-yard restrictions have been established to keep the native vegetation as a buffer area among the buildings or private areas. Owners are responsible for maintaining these areas free from inert vegetation and rubbish at all times. This also includes construction debris during the entire process of home construction.

During times of construction, a garbage dumpster or trailer must be on site for all accumulated trash to be put into on a daily basis. Trash and construction debris is not allowed to be left in public view.

The allowed elements in this zone are:

- *Native vegetation allowed by the Authorized Vegetation Palette*
- *Pedestrian walkways made out of permitted pavement materials*
- *Control access railings to the front of the property with a maximum height of 1.20m, only at the access point, according to the front yard restriction.*

Rear Yard Restriction

The rear yard restriction of the lot defines the minimum area required for protection to the back part of the property, which will be for landscape areas and recreation.

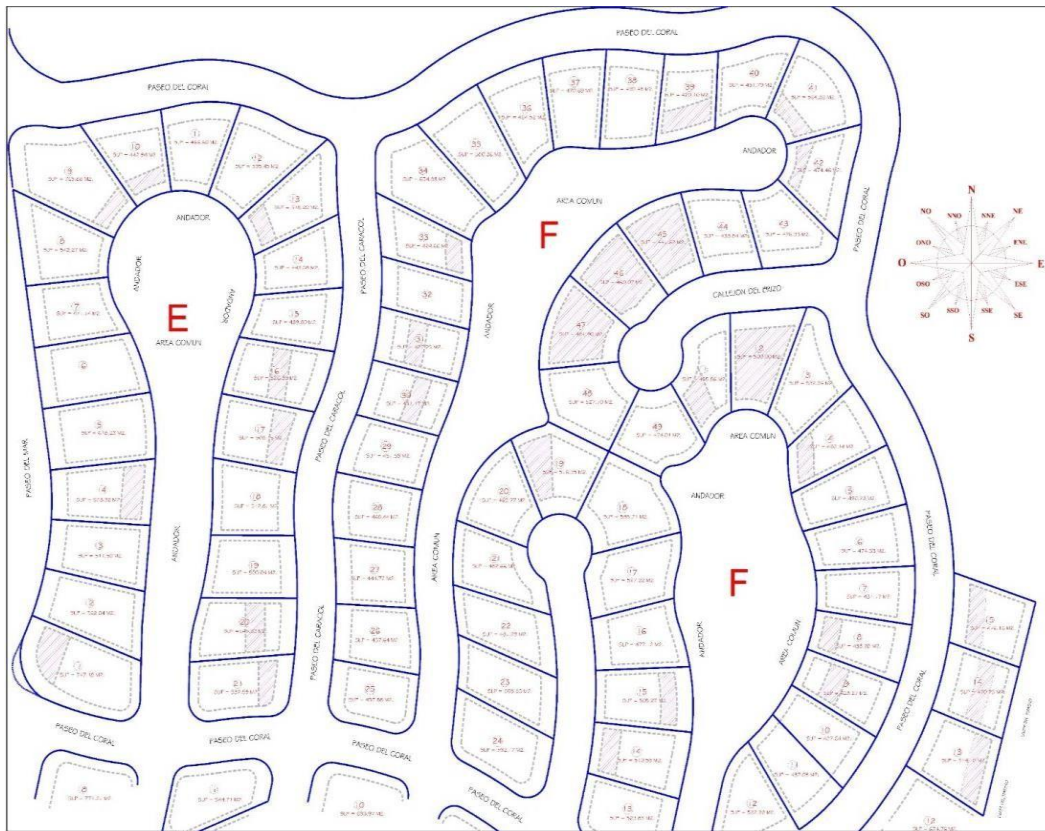
The allowed elements in this zone are:

- *Native vegetation as permitted by the Authorized Vegetation Palette contained within this document.*

Location of Second Floor Building Envelope

For the purpose of establishing and keeping the landscape and views of each parcel from being impacted, Costa Diamante establishes a building envelope in which a second floor/level can be built. This is only for adjacent lots to common areas.

The above will be in addition to the different restrictions described in this document.



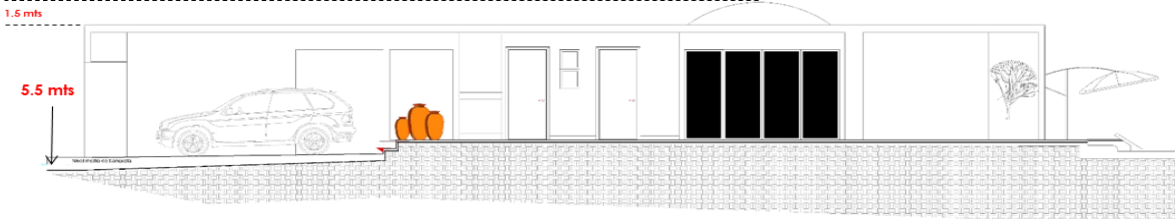
The cross hatched areas in the blueprint have restrictions of size and location on second floor

Before designing a house, the owner of the lot must contact the Engineer in order to determine where the buildable envelope for the second level/floor of the home is located.

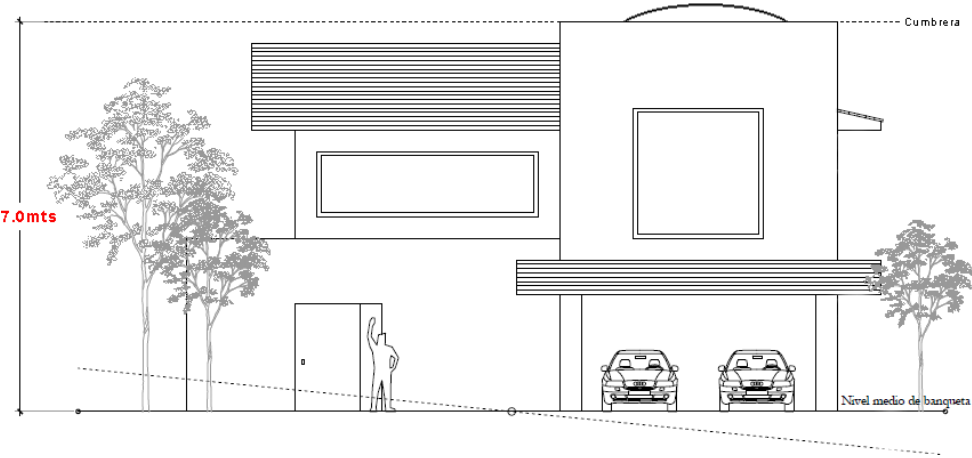
Maximum Allowed Height

The maximum allowed height will be measured from the average curb level adjacent to the built-on lot involved.

According to the land use and zoning regulations, the single-family house within the beach area will have only one level, with the buildings with sloped roofs having a maximum height of 5.50m. The adornment elements such as domes, fireplaces, etc, can extend out 1.50m from the lintel level.



In the Common Area housing zone, the buildings are allowed to have two levels with the ridge in sloped roofs having a maximum height of 7.00m. The adornment elements such as domes, fireplaces, etc., may extend out 1.50m from the ridge level (top of parapet).



In either zone, the areas with flat roofs will be a maximum of 4.0m from the top of the roof. The parapets will extend out 0.60m from the top of the roof.

Parking Requirements:

Parking spaces per house will depend on the construction square meters of the buildings according to the following ranges:

House Dimensions:	Minimum Parking Spaces
Up to 200 m ² house/2,153 Sq. Ft.	1 parking space per house
201 to 300 m ² house/3,229 Sq.Ft.	2 parking spaces per house
Houses larger than 301 m ²	3 parking spaces per house

- The covered parking areas should follow the front yard restrictions of each lot.
- The uncovered parking lot area allowed in this zone, under the established conditions in the restrictions section.
- Due to the fact that the roads in Costa Diamante were not designed wide enough for on street parking (two cars must be able to pass each other going different directions at the same time) and that due to access requirements of fire trucks, and ambulances, emergency vehicles, garbage trucks, etc., parking for residents or visitors on roadways or common areas of the development is not allowed under any circumstance. This is especially relevant to cul de sacs located in the single family beach zone area.
- Each owner should consider the required parking spaces for visitors and residents according to the regulations as set forth above.
- The current guidelines should be applied in the same way for any motorized vehicle, whether electric or gas driven.
- Trailers will be allowed in the community as long as they are parked within the driveway or garage of each owner property, it is strictly forbidden to park the trailers on streets and common areas, a fine will be applied to anyone who ignores this restriction or trailer will be towed at owner’s expense.
- Flatbeds, motor homes, camping tents are prohibited with in Costa Diamante

3. Rear Yard Restriction – Amenities Zone, Beach.

The back restriction of the lot defines the minimum area of protection assigned to the beachfronts and/or amenities which will be the main landscape and recreation areas. These areas are particularly sensitive in regards to the ecological balance of native flora and fauna, therefore the impact on such should be minimized. To allow the view and pedestrian access, the allowed elements placed in this zone are:

- *Native vegetation as allowed by the authorized vegetation palette.*

- *Pedestrian walkways uncovered or with light shade structures such as pergolas, parasols or canopies.*
- *Allowed amenities such as swimming pools.*
- *Any other use must be reviewed and approved by the Engineer of the development before any construction takes place.*

Perimeter Walls, Railings and Access Gates

Perimeter Walls

For the purpose of keeping privacy between properties, the decision of using perimeter walls will be allowed only in boundaries between lots and fronts toward streets and avenues, following the frontal restrictions corresponding to each lot with a maximum height of 1.20m measuring from ground natural level. In addition to that, it is allowed to place vegetation, railings, 60cm high lattices on the perimeter wall, in lateral boundaries between lots, as elements used to keep privacy of landscapes among neighbors.

The use of handrails of the balustrade type or elements made of concrete or stone are not allowed for such elements. The design must be oriented and previously authorized by the Engineer. Any perimeter wall shall not exceed 1.2 meters in height.

Railings and Access gates

The design of the Railings and Access Gates must be approved by the Engineer of the development. Gates and railings made out of iron are not recommended due to exposure for corrosion. It is strictly prohibited to place perimeter walls or railings higher than 1.20m towards the beach fronts.

Architectural Character

INTRODUCTION

The objective of this section is to provide guidance for the design and construction of building projects within Costa Diamante.

The purpose of the Design and Architectural Guidelines is to inspire the designer to incorporate elements that would increase the quality of the buildings in the development, and at the same time allow the necessary flexibility to express creativity, and variation of styles.

As these guidelines are applied to a building, the owner and the designer will be able to incorporate various architectural elements that will help attain the basic principles of the design philosophy at Costa Diamante.

Architectural Image

The integration to the natural surrounding in shapes, colors and aesthetic resources must be expressed through a blend of elegant and simple modernity with materials, details and organic styles that would reflect tradition and craftsmanship of the local culture, in order to establish a proper and distinguished identity within Costa Diamante

ELEMENTS OF BASIC STRUCTURE

It is suggested that the overall structure of the design of the buildings should be based on the following fundamental concepts:

1. Simple and informal massing of structures preferably horizontals and low heights (according to the number of levels allowed by typology, based on the adjacency with common areas or the beach.)
2. Ample spaces for shade in walls and exterior facades made by overhangs and eaves, as well as other resources such as pergolas, trellises and mullions.
3. Lighting, preferably natural in most or in all of the interior spaces.
4. Walls and simple vertical levels, clear and continuous lines, simple geometry.
5. Continuity of the interior and exterior space. Interior spaces in ample openings towards the outside, and exterior spaces with transition elements towards the interior such as terraces, balconies and porches.
6. Overall massing of modern lines blended and opposed with vernacular details of local craftsmanship.
7. Sights towards water fronts and vast natural landscapes of the area.
8. Harnessing of superior landscapes and the traits of the desert sky, Costa Diamante, by means of patios, terraces, and balconies.
9. Encourage the use of construction colors and a design appearance blended and mixed in with the desert nature of the place.
10. Encourage the use of predominantly natural materials on facades and exterior and interior spaces.

HEIGHTS

Specific height restrictions have been established for the various types of buildings with the following goals:

- Minimize the visual impact in every building in order to ensure its subordination and integration with the surrounding landscape.
- Make sure the view site line from all of the lots is preserved as much as possible.
- Promote a healthy coexistence and equal conditions for all the residents.

Heights must be measured in a vertical line from the median curb height to the highest point of the construction, regardless of which one is it.

For measuring effects of total heights in buildings, the finished ground level in the lower floor must be measured from a maximum limit of 30cm from medium level of the curb in front of the lot.

Restrictions

Rooftops in buildings can be used as terraces with the possibility of having canopies, pergolas or open trellises (without slabs and without impermeable materials such as glass or polycarbonates) with a maximum of 2.6m height additional to the total height permitted, and covering to a maximum 70% of the total area of the rooftop on the upper level.

Walls or slabs are not allowed on rooftops, except the minimum required for the exits of stairs from the lower floor, a half floor on that level, and the supports for the elements designed for shade. Designs must be presented and approved by the Engineer before construction starts.

In the case of projects with sloped roofs, the maximum height permitted for such roofs will be 15% additional to the total height permitted.

Restrictions for roofs, overhangs of slabs and eaves are:

1. Overhangs and Projections cannot be more than 1.5mts in the front yard and back yard restrictions. Moreover, in side yard restrictions cannot be greater than .60 mts.
2. Shorter than 2.30m slabs, eaves, or overhangs are not allowed, as measured from finished ground level to the lowest point.
3. Awnings, such as beams or concrete chains on the upper or lower part of the eave, exceptional cases could be assessed and approved by their design by the Engineer of the development.
4. The use of sloped roofs is allowed when all other restrictions are met.
5. The allowed roof coverings consists of half-round tile or flat tile made of clay or organic materials, in light orange, sand, beige or light brown colors. Red, yellow, green, purple, white or black colors are not allowed. Ceramic or glossy tiles are not allowed.
6. The maximum allowed slope angle for roofs is 22.62 (ratio 5:12), measured from the horizontal line in all cases. A 18.43 (ratio 4:12) slope is recommended.
7. Domes on roofs are permitted, however the area of such domes should not take up an area larger than 50% of the rooftop area, and the allowed exterior coating must be made of plaster and paint with the permitted colors. **Exterior ceramic coatings on domes are not allowed.** The domes cannot be partially or totally covered with metals.
8. In the case of using domes on the upper level of the buildings, such domes can reach as a maximum height of 15% more than the total height allowed.

ACCESSORY STRUCTURES

The use of accessory structures to provide shade and to protect buildings from the sun, is permitted. Specifications with regard to these and other accessory decorative elements in exterior areas of the buildings must be submitted to and approved by the DRC prior to any construction.

Palapas and Palm Leaf Roofs

The palapas or roofs that are made out of palm leaves are permitted. Their use must be approved by the Engineer.

Pergolas

The use of pergolas or similar elements to provide partial shade in exterior areas is permitted. They must be made of wood, white aluminum or pvc with wood coatings and colors. The use of iron, aluminum with different colors or pergolas made of concrete is not allowed.

Railings

Railings in balconies, terraces, rooftops and exterior stairs must have a minimum height of 90cm starting from the finished floor level. They can be made out of wood in natural tones and/or tempered glass completely clear with minimum thickness of 9mm. The use of railings made of iron is not recommended due to corrosion exposure.

Fire places

The use of fire places is allowed.

EXTERIOR COLOR PALETTE

Costa Diamante recommends the use of construction colors and designs that mix and blend with the desert nature of the area. It is suggested that the color used on natural materials such as stone or wood would be inherent to their natural status. Stains can be used to protect wood from weather, as well as to provide fine texture or change of color tone. Glossy and black coatings not allowed.

The reference palette indicates the allowed colors for the wall paint and has been selected from the Sherwin-Williams Color Palette. Any brand or type of paint different to this could be permitted, with approval by the Engineer.



7006 Extra White



6112 Biscuit



6352 Soft Apricot



6350 Intricate Ivory



7566 Westhighland White



6364 Eggwhite



6644 Champagne



6339 Persimmon



6995 Super White



6351 Sweet Orange



6366 Ambitious Amber



6654 Surprise Amber



7100 Arcade White



6140 Moderate White



6338 Warming Peach



6896 Solé



7105 Paper White



6365 Cachet Cream



6371 Vanillin



6107 Nomadic Desert

INSTALLATIONS AND EQUIPMENT

All equipment and installations of electrical, hydraulic, sanitary and gas systems, and any others relative to the structure must be hidden from the public areas of the development (in particular, walkways, green areas, and the beach). Necessary precautions and planning should be undertaken during the design process.

Mechanical (Water) Rooms

The location of the mechanical room and utility zones for installations must be planned out in each lot according to the placement of the buildings and connection points to the main water network, and must be determined during the design process with the approval of the Engineer.

Water Pumps and Cisterns

Every building in Costa Diamante must have a cistern that would guarantee water storage for three days (5000 lts) to ensure sufficient supply in the event of shortages. The location of such cisterns will depend on the orientation of the home on the lot, preferably in an area close to the connection to the main network within the development.

The pump equipment must be installed in a way that it will not be visible from the public areas of the development. Noise pollution must also be minimized through the selection of the corresponding systems in order to prevent noise impact to the community.

Sewage and Water Networks

Discharging in public areas, neighboring lots and the ocean is strictly prohibited.

Sanitary discharge systems will be connected to the general sanitary drainage system. Septic tanks are prohibited.

Every private home construction should have a sink trap and garage drains, before connecting to the general sanitary drainage system, according to the Official Mexican Standard (NOM-CCA-032- ECOL/1993).

Wastewater discharges to any water bodies, before being treated, is prohibited. Automatic irrigation is recommended during the time of lower evaporation, with the goal of optimizing the use of water.

Mechanical Equipment

Condensation Units for the air conditioning systems must be integrated in the design of the building, whether on rooftops or adjacent to lateral walls, and must be hidden from the public areas or neighboring lots by low walls, parapets or any other resource such as vegetation panels or lattices.

Air conditioning units require sound panels 30 cm above the equipment, and at least 1m to the sides. Materials and construction must be compatible with the style and character of the adjacent building, and must be oriented and approved by the Engineer. Such equipment must stay hidden from the public areas in the development or adjacent lots.

General Placement of other equipment and installations

Similarly as per above, the location of all other equipment components must be placed and hidden from the public view. Included here are the following elements:

1. Designated areas for trash and recycling containers.
2. Air conditioning units and compressors.
3. Antennas and satellite dishes.
4. Propane tanks.
5. Water storage tanks.
6. Any other infrastructure and similar equipment.
7. Solar panels are allowed with Engineer approval of placement of panels.

In case that any equipment or installation described herein needs to be placed in a visible area due to unalterable limitations of the lot , or the disposition of the building as a whole, the equipment must be hidden in a discrete way by architectural resources or landscape treatments such as decorative walls, vegetation panels, rails, parapets, etc.

With regard to trash containers, they must be covered to avoid bad odors and must be placed in easily accessible service zones, preferably behind walls for the Beach Zone Area. All such placements must be approved by the Engineer.

MAINTENANCE

The condition of paint on both house and exterior walls within lots in Costa Diamante should be properly maintained in order to preserve the overall appearance of the development and value for the rest of the community.

Every owner is responsible of maintaining this principle within their lot, and not to harm any infrastructure corresponding to public areas of the development, especially common areas, beach or roads.

Littering or contaminating public areas is strictly prohibited in Costa Diamante.

Landscaped areas with vegetation in lots must be properly maintained by the owner. This applies to lots with homes build on them, as well as to those lots that have yet to have been built upon.

Materials and Architectural Elements

INTRODUCTION

Careful selection of materials used in the construction of buildings is very important at Costa Diamante - with the goal of preserving the overall appearance of the development and maintaining consistency with its principles and design philosophy.

The use of materials and construction styles should be related to the region, and preferably from sustainable sources, as well as the construction practices that foster respect for the ecosystem that prevail in this region.

Similarly, it is intended that proper attention is taken to the selection of materials and architectural elements to provide integration to the natural environment in shapes, colors and aesthetic resources. Buildings should provide continuity with the landscape and characteristics of the desert and ocean.

Paved Areas

Paved areas are merely covering on exterior spaces. Ideally, pavements should contribute to the general character of the home without overtaking the visual experience. Color selection must be based on sand tones, similar to the natural colors of the area. The design and materials used for such walkways **MUST** be submitted to and approved by the Engineer before any construction begins.

The use of pavement based on asphalt is not allowed.

Pavement on exterior spaces must be limited to the minimum necessary, yet sufficient for the proper pedestrian and vehicle easement towards the interior of the properties, as well as terraces and exterior areas, in order to preserve as much as possible the naturally permeable areas of this area.

Options for various materials and final coatings on walkways, both on private and common land, are open to the design proposals of the owners, and must be first approved by the Engineer.

Loose pavement areas

An acceptable way to cover an area is through loose granular material such as gravel, which is placed to define the transition between paved areas and vegetation areas. These loose areas are porous and do not require drainage infrastructure. They are ideal when used on roads from the access roads of the development to the main entrances in lots of significant size.

Monolithic pavement areas

Various applications can be made for the amenities areas for vehicle and pedestrian circulation. Monolithic areas are installed by pouring concrete and must be treated and/or mixed with color pigments or colored aggregates in sand or dirt tones such as sand gravel or marble grain. Other decorative aggregates can be included in the design such as sea shells or rock salt to add visual interest to the area.

Modular pavement areas

These consist of individual pieces placed in design patterns. (*Clay tiles, concrete pieces, natural stones pieces, flagstone, etc.*).

RAILINGS AND EXTERIOR WALLS

All railings and walls must be made with the same finish on both sides and must be considered as an extension of the adjacent building. They should keep the same style and typology. As a result, materials, colors and finishes used must be compatible with the rest of the property.

The selection of materials must be based on their aesthetics, as well as durability. All materials and designs must be approved by the Engineer.

Lot Numbering

Lot numbering or address signs can be placed discreetly anywhere on the main facade of the building at a maximum height of 2m, or at the front of the lot on a separate element at a maximum height of 80cm from ground level of finished floor visible within a garden or landscape area. The specification for its design, shape and size must be authorized by the Engineer.

Information, advertising signs, and real estate “for sale” signs, etc. are Not allowed in public areas or on the interior of lots on visible zones to public areas of the development.

SWIMMING POOLS AND WATER CONTAINERS

Swimming pools and water containers such as spas, Jacuzzis, etc. are allowed in Costa Diamante and must be placed preferably on the back side of the lot.

It is recommended the inclusion of vegetation or low walls in surrounding areas in order to keep privacy. Such elements should be designed and constructed as part of the exterior area of the lot in order to be integrated into the landscape and the overall style of the building.

The equipment and related mechanical elements of these elements must be hidden from public areas and preferably placed in underground areas or under the pool area. Location of swimming pools and water containers within the lots must be in accordance with the restrictions assigned for the front, side, and back areas.

The drain system of any pool must be connected to the sanitary system of the property. Discharging on adjacent lots, open areas or the ocean is not allowed.

LIGHTING

Costa Diamante is a community in direct contact with nature in which the particular characteristic of desert and coastal sky should be valued and harnessed as a distinctive amenity. Additionally, the preservation of the dark night sky benefits the natural conditions of the habitat of various animal species, plants and insects, and as such, it is important to use low light intensity levels on the all exteriors light fixtures on the buildings.

Lighting in beachfront lots

Buildings must adapt to their natural surroundings. This philosophy must be applied, especially at night time. Therefore it is important to control all exterior light coming from the homes. Buildings built on beach front lots must keep low light levels in order to not affect any animal species around the area. Flood lights directed towards the beach, from beach front homes is strictly prohibited.

Exterior lighting

Exterior lighting, either fixed or integrated as part of the building, must provide minimum lighting for security of entrances, patios, sidewalks and exterior circulation spaces. Subtle light for vehicle access is allowed. Lighting in gardens and landscaped areas must come from hidden light sources.

Any type of raised lighting, fixed lighting, neon lights, or florescence lighting on roofs is not allowed.

Visual impact by artificial light must be minimized. The installation of spotlights or floodlights aimed in any direction is not allowed in order to preserve the essence of the night sky in Costa Diamante.

In general terms, indirect lighting is recommended, and the exterior lights must be hidden from public areas as much as possible in such way that the only thing visible would be the illuminated object.

The lighting design, as well as the location of its support components, must be authorized by the Engineer during the corresponding approval process prior to construction. Such designs must be included on building blueprints showing the location of each element and their technical specification. A "cut sheet" showing the type of fixture, type of bulb, and specifications must be provided to the Engineer prior to any installation.

Type of Lighting

All exterior lighting needs to be provided via light sources of a yellow or soft white nature. No bright (white) lights are permitted.

All exterior wall mounted light fixtures shall be of a "sconce" type which will have the light projecting up or down the wall, thus eliminating any direct illumination or light pollution towards neighbors, or lots.

EXTERIOR ACCESSORIES

Fountains, sculptures, and exterior decorative accessories

The DRC will have the authority to either approve or reject any of the elements visible from public areas.

Accessories and pet cages

Accessories or pet cages, dog crates, birdcages, etc must be hidden from public areas of the development and from neighboring lots. Exotic or endangered animals are not allowed in Costa Diamante.

Landscape Design

INTRODUCTION

Landscapes designed within the development must regard the native Sonoran Desert, as well as the environment of the Sea of Cortez, and the unique beauties that comprise this unique place. The range of native flora should dominate, bolstered by plant materials tolerant to both salt and grass areas.

The design of gardens and/or landscapes, as well as the assortment of plants within the development, will be subject to the approval of the Engineer. This includes garden project blueprints or landscape areas and/or renovation plans and/or replacement of withered plants previously approved by Costa Diamante.

LANDSCAPE CHARACTER AND PLANT SPECIES

The design intent of gardens or landscaped areas should be to strengthen the appearance of Costa Diamante by creating a garden desert setting that protects and enhances the quality of the desert setting that already exists, while simultaneously preserving the ocean views.

Plant Species

Homes at Costa Diamante must incorporate the use local plant species in their gardens according to charts A and B described in this section.

For the introduction of allowed exotic species – as indicated in chart B - the owner is directly responsible the proper care to keep plants from crossing over into other parts of the project. If the owner ignores following these actions or is unable to properly maintain these exotic species, the administration will take the necessary action against the owner of such exotic plants.

Moreover, owners are strictly prohibited for using the exotic plant species prohibited by the Secretary of Environment and Natural Resources, as well as highly invasive species mentioned in Charts C and D respectively included in this section.

The introduction of any of these forbidden plant species will allow the administration of Costa Diamante to take all of the necessary actions for its immediate eradication, without prejudice to the sanctions incurred by the corresponding Authority of the Administer.

The allowed plant species under these guidelines listed in the Official Mexican Standard “NOM-059-SEMARNAT-2010, Environment Protection-Native Species in Mexico of wild flora and fauna-Risk Categories and specifications of inclusion, exclusion or trade- List of Endangered Species,” will only be utilized if the owner is able to certify legal allowance of such plants. A copy of such a certification document must be submitted to and approved by the Engineer, which maintains the exclusive and sole responsibility of the Costa Diamante HOA. Moreover, the owner will be responsible for all costs and expenses generated in case of an infringement of such rules.

Homes in compliance with the government dispositions must utilize as much as possible, fertilizers, compost, pesticides, fungicides and herbicides of organic origin or biodegradables.

All protected plant species, plants, trees or cacti will not be transplanted by non-authorized personnel and without the authorization of the Engineer.

LIST OF ALLOWED AND FORBIDDEN PLANTS

List of exotic native flora approved by the Secretary of Environment and Natural Resources (SEMARNAT).

Costa Diamante recommends the use of desert native species due to low water demand, maintenance and affinity with the environment.

Chart A. Permitted Native Species.

#	COMMON NAME	SCIENTIFIC NAME
1	Canutillo	Ephedra trifurca
2	Jano	Koebertinia spinosa
3	Tacote	Viquiera deltoidea
4	Gondrina	Euphorbia leucophylla
5	Melón de coyote	Cucurbita palmata
6	Siempre viva	Dudleya purulenta
7	Pitahaya	Lemaireocereus thurberi
8	Buena mujer	Aster spinosus
9	Beldo	Celosia floribunda
10	Pasto	Cenchrus palmeri
11	Pasto	Muhlenbergia sp

12	Lechuga de alambre	Stephanomeria paucifolia
13	Trompeta del desierto	Eriogonum inflatum
14	Chamizo	Atriplex canescens
15	Jumate	Asclepias subulata
16	Chacate	Krameria grayi
17	Toloache	Datura sp
18	Chuparosa	Acalypha californica
19	Biznaga (se requiere certificado)	Ferrocactus acanthodes
20	Viejito	Mammillaria dorica
21	Cordón (se requiere certificado)	Pachycereus pringlei
22	Sinita (se requiere certificado)	Lophocereus shottii
23	Cholla	Opuntia colla
24	Cholla de dedos	Opuntia ramossisima
25	Hierba del queso	Hymenoclea salsola
26	Arbusto dulce	Bebbia juncea
27	Hierba del burro	Ambrosia dumosa
28	Jojoba	Simmondsia chinensis
29	Incienso	Focelia farinoca
30	Lavanda	Hyptis emoryl

31	Gobernadora	Larrea tridentata
32	Ocotillo	Fouquieria splendens
33	Palo verde	Cercidium microphyllum
34	Mezquite	Prosopis glandulosa
35	Torote	Bursera hindsiana
36	Palo humo	Psorothamnus spinosus
37	Palo fierro	Olneya tesota
38	Uña de gato	Acacia greggil

Note: Every kind of seedless citrus is permitted.

Exotic plants approved by Costa Diamante HOA and by the competent authorities that can be used in the design and construction of gardens and landscapes according to the design and construction guidelines or decisions made by the Engineer.

Chart B. Exotic Species Approved.

NOMBRE COMUN	NOMBRE CIENTÍFICO
PALMTREES	Washingtonia robusta
	Phoenix dactylifera
	Phoenix canariensis
TREES	California Pepper
	Brazilian Pepper
	Tamarisco (no invasivo)
	Olivo
	Prosopis spp
	Cercidium spp.

	Acacia spp.
BUSHES	Adelfa enana
	Lycium spp.
	Salicornia spp
	Atriplex spp
	Romero
	Bombáceos [Acacia spp Ceiba, Álamo, Virbuno]Bombáceos [Acacia spp
	Ceiba, Álamo, Virbuno]
	Asparagus spp
	Carissa enana
	Prosopis enana
	Wedelia trilobata
	Drosanthemum
	Malephora

GRASS	Spartinia spp.
	Disticilis
	Paspalum spp
PLANT COVERINGS	Sesuvium rojo
	Sesuvium verde
	Batis spp.
	Salicornia spp.

	Mesambrentamus spp.
	Heliotropo
	Enredadera de campanillas
	Romero officianalis
ORNAMENTAL PLANTS	Limonium spp
	Sea Aster
	Plántago marítimo
	Juncus spp.
	Gilardia
	Girasol
	Beach Dais

Chart C. Exotic Species Strictly Prohibited.

COMMON NAME	SCIENTIFIC NAME
Eucalipto	Eucalyptus polyanthemos
Casuarina	Casuarina equisetifolia
Thuja	Thuja occidentalis
Higuera Llorona	Ficus benjamini
Ligustrum sp.	Ligustrum japonicum
Spathodea sp.	Spathodea campanulata
Tamarix sp.	Tamarix sp.

NOTE: Possession, trading, trafficking, selling or purchasing rare species or endangered species under special protection is strictly prohibited by Mexican Laws.

Chart D. Invasive species strictly prohibited within the project.

SCIENTIFIC NAME
Eichhornia crassipes
Acacia mearnsii
Clidemia hirta
Fallopia japonica
Hiptage benghalensis
Ligustrum robustum
Mimosa pigra

The design and maintenance of the landscape must be kept in good, well-cared for condition by the owner:

1. Proper seasonal irrigation and proper use of fertilizers.
2. Frequent and timely trimming and cleaning.
3. Proper control of pests and weeds.
4. Regular cleaning and raking of areas without vegetation.
5. All lots must be kept clean of weeds, debris, etc.

Approval and Inspection Process

REFERENCE NOTE

Inspection and Approval of the projects for Costa Diamante is subject to the evaluation of the Engineer hired by Costa Diamante to oversee home constructions; the only regulatory body created and authorized for such purposes.

Such evaluations and approvals will be conducted based on the particular rules relating to this process established in the current HOA “Rules and Regulations”.

Such dispositions will be provided by the engineer, by request of the owner once the Owner indicates the intention to initiate the inspection and approval process corresponding to the project.

It is the owner's responsibility to verify and monitor the fulfilling of the project following the Design Guidelines previously requested for the inspection and approval by the Engineer.

NOTICE OF INTERNAL DISCLOSURE:

This is a document for the exclusive and internal use by the residents and owners of the Costa Diamante Community.

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