



GENERAL URBAN REGULATIONS

November 2022

**General Urban Regulations of the Gran Pacifica Resort Horizontal Property Regime for
Residents and Owners**

Introduction

The Horizontal Property Regime of Gran Pacifica Resort consists of specific areas for residential units (residential areas), general and specific common use areas for each neighborhood (service areas, streets and green areas) and additionally in the future new residential and/or commercial areas may be created at the discretion of the Principal Developer, which will be developed in the Reserve Areas designated by the Principal Developer for future expansions of the Horizontal Property Regime.

Neighborhoods within the Gran Pacifica Resort Horizontal Property Regime are designed for single-family dwellings with communal areas such as parks, green areas, sidewalks, paved streets, and similar common infrastructure. All homes or constructions within this phase must follow the Bylaws and their respective regulations and architectural guidelines.

Every owner within the Gran Pacifica Resort Horizontal Property Regime has the obligation to pay to the Regime Administrator, the Master Developer, or the entity they designate in their absence, an annual property maintenance fee (POF) established for each of the neighborhoods within the resort. This maintenance fee is due in the first three months of each year. The POF includes Security for homes within Gran Pacifica Resort, street lighting, street maintenance, private beach access and common infrastructure within the resort, landscaping and sidewalk maintenance, sewer and storm drain cleaning.

All owners and residents within the Gran Pacifica Resort shall comply with the Gran Pacifica Resort Horizontal Property Regime Bylaws, these General Urban Rules and the specific regulations designed for each neighborhood or area within the Gran Pacifica Resort Complex.

GENERAL

- Minimum Building Size within a Lot

1.1. For each neighborhood within the Gran Pacifica Resort Horizontal Property Regime a minimum building size will be established within a lot, for more information please refer to the architectural guidelines for each neighborhood.

- Maximum Building Size within a Lot

- 2.1. Building coverage may not exceed eighty percent (80%) of the lot area unless otherwise approved by the Architectural Review Committee.
- 2.2. Building coverage is defined as impervious surface area and includes all below-roof ground area, decks, walkways, driveways, and swimming pools.
- 2.3. Enclosed living space is defined as the entire area under roof, including garages, terraces, and covered balconies.

- Maximum Building Height

- 3.1. For each neighborhood within the Gran Pacifica Resort Horizontal Property Regime a maximum building height within a lot will be established, for more information please consult the architectural guidelines for each neighborhood.
- 3.2. Some lots have limitations on buildable space on the second floor to ensure that view corridors are maintained. Consult the architectural guidelines for each neighborhood.

- Green area within the lot

- 4.1. At least ten percent (10%) of the lot area must have a permeable surface that absorbs water and, in general, includes all landscaping, lawns and slopes.

- Retreats

- 5.1. The setback area is the area where the owners are not allowed to build constructions or any type of infrastructure. For each lot within the Gran Pacifica Resort Horizontal Property Regime there are side, rear, and front setbacks. To know the setback area of a lot, consult the architectural guidelines of each neighborhood or the Architectural Review Committee (ARC).
- 5.2. The Architectural Review Committee (ARC) will approve any special removal request by an owner.
- 5.3. Permitted elements in setbacks: Within the setback areas no constructions and/or infrastructure are allowed, except for drainage structures, retaining walls or open-air floors with the permission of the Manager of the Horizontal Property Regime and previously approved by the Architectural Review Committee (ARC).
- 5.4. Within the side and rear setback areas of each lot, hedges may be planted to create privacy for the lot. The maximum hedge height is 5.5 feet (1.70 m).

- Tree Pruning

- 6.1. All trees planted within a lot must be pruned by the owner to avoid obstructing the dominant view of another property, unless the Horizontal Property Regime Administrator prohibit such pruning.
- 6.2. Trees located in communal areas may only be pruned by personnel authorized by the Condominium Property Regime Administrator.

- Single Residence on two or more contiguous lots

- 7.1. For Residential Use neighborhoods, if an Owner wishes to construct a single Residence on two or more contiguous Lots, this special request may only be approved by the Architectural Review Committee (ARC) in conjunction with the Condominium Property Manager and the Master Developer provided that the plan meets the objectives of these guidelines.
- 7.2. From the perspective of the Greater Pacifica Master Property Owners Association (GPMA), the two lots will continue to be treated as independent with respect to Maintenance fee rate calculations. Each lot will continue to have its individual Maintenance fee rate independent of each other.

- Driving speed limits

8.1. Following the laws of the country with respect to speed limits in the city, the speed limit within the Gran Pacifica Resort Horizontal Property Regime is 50 km/h (approximately 30 mph) notwithstanding the signs in alleys and roads that will prevail.

- External containers and trash cans

9.1. Outdoor areas housing trash receptacles, storage, and maintenance and service equipment shall be screened or concealed from view from all adjacent properties.

- Garbage deposit

10.1. All properties must have adequate garbage storage for garbage waste. Trash receptacles must be covered. Barrels are not permitted as such.

- Electromechanical equipment.

Roof-mounted mechanical equipment is not permitted, except for items such as solar panels, which must be concealed from view at the foot of all streets or sidewalks to the maximum extent possible. Any exterior mechanical equipment used must be mounted on the ground adjacent to the residence, concealed from view and soundproofed.

- Pool equipment

12.1. Pool pumps and filtration equipment shall be completely enclosed in a structure designed and built to minimize noise and blend in with the architecture and landscaping.

- Swimming pool drainage

13.1. Pools should be drained to the storm drain or to the streets. They should never be drained into the sewer system.

- Antennas and satellite receivers

No satellite dishes, television or radio antennas or aerials may be installed on the project or within any Lot on the project unless authorized by the Master Developer and a specific reason is deemed sufficient. If permission is given, these items must be completely hidden from view at eye level. This is simply required to keep the Resort as pristine as possible and not to limit anyone's access to specific requirements.

- Solar panels

15.1. The installation of solar panels must be concealed from the human eye through proper architectural techniques and must be approved by the Architectural Review Committee (ARC) and the Master Developer.

- Gardens

16.1. Each Owner shall ensure that the lawns and hedges within his property are neatly always trimmed and the gardens in good repair.

16.2 Each owner shall be solely responsible for the care of the landscaping within his property and shall provide proper maintenance which includes, but is not limited to:

- Grass clipping
- Pruning of trees and plants within the property
- Irrigation of plants and trees

16.3. Landscaping on each property shall remain within the property lines unless a written agreement is submitted from both adjacent lot owners stating that they both approve of the lot boundary landscaping.

16.4. For each neighborhood within the Gran Pacifica Resort Horizontal Property Regime, a list of plants and trees that may be planted within the lot will be established, for more information consult the architectural guidelines of each neighborhood.

- **Building Maintenance**

17.1. Owners must properly maintain their lot and the construction performed within it.

Maintenance includes, but is not limited to:

- Paint renovation
- Coating
- Moldings
- Doors and windows
- Screens
- Gutters,
- Among others as required.

- **Pets and animal owners**

18.1. All pets must remain on the owner's property if not on a leash. Pets outside the owner's property must be accompanied by a person and on a leash.

- **Security**

19.1 Security for resident and/or visitor vehicles: Owners of vehicles parked within Gran Pacifica Resort must ensure that automobile doors and windows are properly closed and locked. The Property Manager, The Master Developer or representatives are not responsible for any damage or loss of vehicles.

19.2. Security in Residences: Residences must keep windows and doors closed and locked. The Manager of the Condominium Regime, the Master Developer or the representatives are not responsible for any damage or loss inside the residences.

- **Visitors**

20.1. All owners must contact the security office, at the main access spire, on each occasion that a guest entry is desired. Permanent guest lists will not be permitted.

20.2. Owners without a dwelling house (lot only) must always accompany their guests while the guests are on the property. Guests arriving at the main access spire without the owner, or guests who are not accompanied by the owner on the property will be charged the Resort fee which will be determined by the Property Manager in conjunction with the Master Developer.

- 20.3. Owners with a rooming house who receive guests will not be charged a resort fee (if the owner is in good standing with the Homeowner's Association and Resort obligations) but must notify and authorize access for these guests.

PARKING LOTS

- Parking on Main Streets:

- 21.1. At all times, owners must park their vehicles within the private parking lot on the property.
- 21.2. During the day, guests, and visitors (not owners or long-term tenants) of the owner may park on the main street in front of that owner, if and only if:
- No traffic obstruction.
 - The street has two lanes, and
 - There is ample space on the opposite side of the street where other guests can park (making sure not to block the road when vehicles are parked on both sides).
- 21.3. Parking on the one-way street is not permitted day or night. In the case of lots that have access to an alley or that front on a one-lane street, guests may park within the owner's private parking lot or on a nearby two-lane street, if and only if it does not affect other owners or traffic, and only during the day.
- 21.4. Owner's parking, as well as overnight guest parking, is only permitted in parking decks or driveways constructed within the boundaries of Owner's property. Overnight is defined as 6:00pm until 6:00am. During this time there should be no vehicles on the streets within the complex.
- 21.5. Vehicles parked on the street outside of the permitted exceptions (including motorcycles or other vehicles such as ATVs, Side-by-Sides, etc.) are subject to receive a parking ticket issued to the owner of the vehicle (if it is the property owner's vehicle) or the owner of the property for which the guest or tenant is visiting.
- 21.6. Parking ticket rates are determined at the discretion of the Property Manager. If an owner has three unpaid tickets, the next offense will result in the potential towing of the offending vehicle from the property at the owner's expense.

- Parking within the Project:

- 22.1. Buses, campers, motor homes, trailers, and any vehicle other than a conventional automobile must be stored in a garage and be partially concealed from view or stored off-site in a designated parking area.

- On-site parking for approved businesses

- 23.1. Businesses that have obtained a license from the Master Developer to operate a business within the boundaries of the complex may be permitted to park business-related vehicles on site provided that adequate parking is available on the property on which they operate the business.

- 23.2. If additional parking is required, the company must request a permitted parking location from the Lead Developer.
- 23.3. All businesses must operate only on a property that has a driveway and must park their vehicles in the driveway of the property or in a garage or carport. At no time shall a business park business-related vehicles or employees on the street.
- 23.4. If the business has customers who will park for more than ten (10) minutes at a time, the business must also provide on-site parking for customers.
- 23.5. It is at the sole discretion of the Master Developer whether to determine if the parking situation affects the safety or residential aesthetics of the resort and may revoke the business license to operate if the business does not comply with the rules.

- Parking for authorized guests of rental housing

24.1. Following the rule of the maximum number of rental guests allowed in a house, parking for rental guests must be provided on site and up to a maximum of one (1) vehicle per room in the house.

RENTALS WITHIN THE RESORT

The following regulations are applicable to all owners within the Gran Pacifica Resort Horizontal Property Regime who rent their property, house, or condominium to third parties.

Any owner within the Gran Pacifica Resort Horizontal Property Regime who wishes to rent his home to third parties, either temporarily or permanently, must notify the Administrator of the Horizontal Property Regime and/or the Principal Developer.

Owners may rent their house or condominium either directly or through a rental company. In case of hiring a company, it must have the authorization of the Administrator of the Horizontal Property Regime and/or the Principal Developer. This is not for the purpose of limiting the owner's right to rent his property, but with the objective of guaranteeing access and security for guests and other owners within the Resort.

- Rental Tenant Income.

25.1. For everyone's safety, upon entry, each vehicle must fill out a brief entry card to verify their identity and address location on the property where they will be staying (or as a day visitor).

- Day Pass

26.1. External visitors who wish to enter the Resort while the day will be charged an entrance fee (Day Pass) which will be determined by the Manager of the Horizontal Property Regime in conjunction with the Principal Developer.

- Limitations of guests per Unit depending on the capacity of the property

27.1. It is requested that the following limit formula be applied for owners who allow rental tenants. The maximum number of tenants shall not exceed the number of bedrooms in the home multiplied by two (2), plus two (2) additional guests if a sleeper sofa is available in the home. For example: A three-bedroom house with a living area that has a sofa bed does not exceed the number of guests in the house multiplied by two (2).

must have more than eight (8) occupants at any given time. That is, three (3) bedrooms for two (2) occupants in each room, plus two (2) more occupants for the sofa bed.

- Rental Tariff.

- 28.1. Tenants renting properties on a nightly basis will be charged a daily rental fee which will be determined by the Manager of the Condominium Regime in conjunction with the Master Developer based on the number of bedrooms in the unit being rented.
- 28.2. Tenants staying more than seven (7) days will not be charged a rental fee after the eighth (8th) day.
- 28.3. For current owners who own a lot without a house and who are current with their Horizontal Property Regime maintenance fees, the fee will not apply when renting a house or condominium from another owner. For this to apply, the property owner must be current with all owner fees.
- 28.4. Tenants who long-term rent the Landlord's property (i.e., tenants who rent for thirty or more consecutive days) acquire the Landlords' rights to accommodate guests during their lease. However, any person subletting the property must pay the appropriate rental fee.
- 28.5. The form and methods of payment of the rental fee shall be determined by the Manager of the Condominium Regime in conjunction with the Master Developer.

CONSTRUCTION

29. Construction regulations

29.1. Owners and builders must comply with the following Building Regulations adopted by the Horizontal Property Regime and the Architectural Review Committee (ARC). These Building Regulations may be augmented, modified, and amended from time to time by the Architectural Review Committee (ARC) and the Master Developer.

Job construction hours should be:

7:00 a.m. to 5:00 p.m. (Monday through Friday)

8:00 a.m. to 5:00 p.m. (Saturday)

No construction work shall be performed on Sundays (unless approved by the principal developer in exceptional cases).

After 4:00 p.m. trucks with materials are not allowed to enter. ** Maximum weight: 8 tons per axle

- 29.2 Noise abatement measures will be used wherever possible to minimize disturbance to adjacent homeowners.
- 29.3 Dust abatement procedures will be used whenever possible to minimize disturbance to adjacent homeowners.

30. Construction Design.

- 30.1. The exterior and interior designs of any building within a lot shall use tones and textures that harmonize with the surroundings of the neighborhood where it is located and other Resort buildings.
- 30.2. For the specific construction of a building within a neighborhood, each owner must consult the specific Architectural Guidelines designed for each neighborhood within the Gran Pacifica Resort Horizontal Property Regime, which are prepared by the Architectural Review Committee (ARC) in conjunction with the Master Developer.

31. Excavations and other alterations:

31.1 No excavation, construction, alteration, signage, grading, landscaping, addition, modification, decoration, painting, reconstruction of the visible exterior or any improvement, including a residence, patio cover, gazebo, deck, terrace, swimming pool, enclosure, walkway, driveway, fence or wall, shall be permitted on any property until the proposed plans and specifications have been approved in writing by the Architectural Review Committee (ARC) and agreed to in writing by the Manager of the Horizontal Property Regime and in default the Master Developer.

32. Permits

32.1 Any owner who obtains municipal permits without prior submission to and approval by the Architectural Review Committee (ARC) shall still be subject to review by the ARC and shall comply with any decisions issued by the ARC.

33. No liability

- 33.1 Neither Gran Pacifica Resort, its officers, and authorized representatives, nor the Architectural Review Committee (ARC), nor the members of this committee, nor their duly authorized representatives, shall be liable to Owner or any other third party for any loss, damage or injury arising out of or in connection with the performance of the functions of the Architectural Review Committee (ARC).
- 33.2 The Owner of each property shall be solely responsible in the event of an incident arising within the boundaries of their property, including swimming pools, poolside areas, terraces, among other areas within the boundaries of their property. The owners are the only ones directly responsible if a resident, visitor and/or guest, whether their own or a third party, suffers an accident within their property and must take the appropriate security measures to prevent an incident and protect the areas to prevent a person from suffering an accident and/or injuries of any seriousness, or cause the loss of life of this person.

34. Architecture Review Committee Reviews

34.1 The Architectural Review Committee reviews and approves:

1. Proposed construction plans and improvements based primarily on aesthetic and land use planning considerations.

34.2 The Architectural Review Committee does not review:

2. Construction plans for structural integrity, design adequacy, seismic safety, building code compliance, life safety requirements, drainage adequacy, or compliance with applicable building laws, codes, and regulations.

34.3 Accordingly, the lot owner releases the Architectural Review Committee (ARC) and its members from any liability in connection with the use of the construction documentation approved by the Architectural Review Committee.

35. Covered structures

35.1 Covered rear and side yard structures, such as decks and gazebos or other open structures that do not obstruct views may be built up to, but not over, the rear or side setback boundary unless prior permission is granted by the Architectural Review Committee (ARC).

36. Lot Drainage

36.1. Lots should drain storm water over the lot surface into streets or alleys. Lot grading must be done prior to building construction to allow for efficient movement of stormwater. A maximum grade of two inches in height from the beginning of the slope will be allowed to ensure stormwater runoff, but this must be submitted to the Architectural Review Committee (ARC). Each building within the Gran Pacifica Resort Horizontal Property Regime must have a stormwater design.

37. Other planning considerations

37.1. Other site planning considerations should include natural drainage, drainage structures and subway utility locations, easements and view corridors to/from adjacent properties and surrounding areas. In addition, the owner should be required to construct a terrace for each of the infrastructure, as the lots are terraced, not terraced, to the natural grade.

38. Leveling and Drainage

38.1 Finished elevation grading and excavations for construction with minimal disruption of existing slopes and drainage patterns shall be permitted unless otherwise approved by the Architectural Review Committee (ARC). No grading that may lead to soil and slope erosion shall be permitted.

38.2 In some cases, the Architectural Review Committee (ARC) and the Lead Developer may allow the rerouting of a portion of a drainage course within the building footprint on a case-by-case basis to protect the building from potential water intrusion.

38.3 Surface drainage over and across any lot shall be addressed by implementing sound construction and grading practices. Any improvement that creates an obstruction to surface flows that results in backing up, ponding, erosion, or increased flow to a neighboring lot or communal area is prohibited.

38.4 No excavation or grading shall be permitted except for building foundations, footings, utilities, pools and/or spas when approved by the Architectural Review Committee (ARC). All pool and spa drainage must be connected to the subway drainage system.

39. Retaining Walls

39.1 Retaining walls are permitted where necessary as approved by the Architectural Review Committee (ARC) and the Master Developer. Retaining walls may not exceed a height above natural grade of 91 cm (3 feet) unless otherwise approved by the Master Developer. The intent of the height limit regulations is not to interfere with the privacy of homeowners, but to ensure that the residential style of the resort is based on

the community. Where necessary, natural hedges and other natural privacy barriers may be used as described below.

39.2 Retaining walls may be constructed of concrete or concrete masonry units; however, all exposed surfaces and edges must be stucco, brick, or stone veneer so that they blend unobtrusively with their natural surroundings and appear to spring from the ground in an authentic manner. Keystone wall systems are not permitted. The maximum height of stacked rock walls is 3 feet (91 cm) above finished grade unless otherwise approved by the Architectural Review Committee (ARC) and the Lead Developer.

40. Privacy walls and fences

40.1 Fences and privacy walls are not permitted. The owner may create hedges with specific plantings approved by the Architectural Review Committee (ARC). Hedges may be planted within side or rear setbacks to create privacy for the lot. The maximum hedge height is 5.5 feet (1.70 m).

41. Subway grading and excavation

41.1 Grading and subsurface excavation is only permitted with the prior approval of the Master Developer. Slope excavations are not permitted without prior approval of the Master Developer.

42. Construction precautionary limits

42.1. A temporary construction caution tape must be placed during construction of a building or specific off-site construction work on the lot. If the builder needs to place a temporary construction fence, he must explain to the Master Developer the dimension and material of the temporary fence to obtain the required authorization to install it. Barbed wire will not be allowed.

43. Portable toilet on site

43.1. A portable toilet with regular on-site service is required for use by construction personnel. Another alternative that is permitted is to construct a temporary toilet connected to the sewersystem. The master developer must approve options.

44. Water for construction.

44.1. A water meter and service must be obtained from the Master Developer. Private wells are not allowed within the neighborhoods.

45. Construction Electricity

45.1. An electric meter and service must be obtained from the power distributor or the Master Developer.

46. On-site storage

46.1. On-site storage of construction materials, vehicles and equipment is encouraged. Storage of such items on neighboring lots is not permitted without the approval of the lot owner and the Master Developer.

47. On-street storage

47.1. On-street storage is only permitted with the prior written approval of the Master Developer.

48. Construction safety.

- 48.1. A construction office on the site and a 24-hour security guard are permitted with prior approval of the master developer. No sleeping, cooking or other similar facilities will be permitted except for a 24-hour security guard.

49. Construction site

- 49.1. Owner must keep the construction site clean and must ensure that trash and construction debris is stored in covered containers whenever possible and removed on a regular basis. In the event the Owner is unable to maintain the site as explained herein, after written notice to do so, the Master Developer may clean up the site and remove the trash at the Owner's expense. Owner or its contractor shall pay for any damage to Project property, such as, but not limited to, damaged curbs, streets, sidewalks, parks or common grounds, streetlights, landscaping and the like.

50. Access to construction.

- 50.1. The Owner shall have reasonable access to the construction and use of adjacent roads to unload and deliver construction materials, provided that it is responsible for traffic control and pedestrian safety during these activities.

51. Supervision of construction workers.

- 51.1. The builder and owner will always supervise construction workers to ensure proper behavior and conduct while working at the Resort.

52. Dogs during construction

- 52.1. Dogs are not allowed on site during construction unless on a leash and for safety purposes only.

53. Erosion

- 53.1. Erosion and cross lot drainage shall be always controlled by the owner during construction. All drainage shall be to the street. Sand and silt fences are approved for this purpose.

54. Construction permits

- 54.1. The owner is solely responsible for obtaining all required building permits and must display them on the site as required by law. In addition, if the owner wants any additions to the house in the future, they must obtain all required building permits.

55. Access to the construction site

- 55.1. Owner shall, at all reasonable times and upon reasonable notice, grant access to the construction site to representatives and members of the Architectural Review Committee and the Lead Developer.

56. Notification

- 56.1. The owner must notify and obtain written consent from the Master Developer prior to encroaching on any existing curb, gutter, or infrastructure.

57. Repair of infrastructure

- 57.1. The contractor is solely responsible for repairing damage to existing sidewalk, gutter or other infrastructure caused by the owner and the owner's construction personnel. The

lead developer will notify the owner and use the refundable bond to make the repairs.

FINALS

58. Execution

- 58.1. The Manager of the Condominium Regime and/or the Master Developer shall enforce these Guidelines and shall have the right to pursue any legal remedy necessary to prevent a violation of these Guidelines. In the event the Manager prevails in a legal proceeding to enforce these Guidelines, the Manager shall be entitled to recover its costs and attorneys' fees in addition to any other legal remedies awarded by the court.

59. Implementation of national legislation

- 59.1. All laws of the country in which the resort is located apply on the resort property just as they do off the resort property. This applies to all laws of the country, including traffic violations, such as the number of people in a car, seat belts and helmets. Any resident or the Master Developer may request local authorities to address any activity deemed illegal within the resort property.