PALMAS DEL MAR HOMEOWNERS ASSOCIATION ARCHITECTURAL REVIEW BOARD DESIGN AND DEVELOPMENT GUIDELINES, APPLICATION AND REVIEW PROCEDURES



# PALMAS DEL MAR

Humacao, Puerto Rico

Effective Date: December 1, 2022

To protect and preserve the Nature, the elegance, and the architectural uniqueness of our Community!



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Palmas Del Mar Homeowners Association Architectural Review Board 5 Academy Drive, Palmas del Mar, Humacao PR 00791 Tel (787) 656-5661, Email: <a href="mailto:pha\_arb@live.com">pha\_arb@live.com</a>

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## **CHAPTER 1: INTRODUCTION**

Building or improving your home at Palmas del Mar should be a pleasurable experience for you and your family. Your residence at Palmas del Mar represents a major investment, and to maintain market values for you and your neighborhood the quality of design is especially important. Design accepted at Palmas del Mar provide a higher level of architectural interest and detail than communities located in other developments. Therefore, to make the most of your investment, Palmas del Mar requires that you procure the services of a registered Architect or Engineer to design your home and your exterior landscape.

The Design Guidelines have been prepared to help homeowners, architects, engineers, and builders to understand and become active participants in the design process, to ensure long-term community quality and elegance. The intent is to coordinate the architectural diversity while creating and interesting blend of homes that follows the Mediterranean Character of Palmas del Mar and enhance the natural environment around us.

## A. Objectives and Legal Basis

The PALMAS DEL MAR HOMEOWNERS ASSOCIATION ARCHITECTURAL REVIEW BOARD (PHA-ARB) has the jurisdiction to review and approve all original construction, as well as any modifications or alterations to any part of any structure or thing placed, erected, installed, or posted on any visible portion of the Properties in Palmas del Mar, encumbered by the Palmas del Mar Restrictive Covenants. No improvement or work including clearing, excavation, grading, staking and other site work, planting or removal of landscaping shall take place except as authorized by the PHA-ARB. The scope of the review and approval of the PHA-ARB is limited solely to whether the respective plans or work meet the requirements, standards and guidelines relating to aesthetics and to the harmony and compatibility of the proposed improvements with the architectural character of Palmas del Mar.

The PHA-ARB is incorporated as a non-profit corporation with the mission to safeguard the design character, aesthetic quality, harmony, and compatibility of the various developments that conform the PALMAS DEL MAR PLANNED COMMUNITY in Humacao, Puerto Rico.

The Design and Development Guidelines and Application and Review Procedures included herein have been promulgated pursuant to Section VII, "Architectural Standards", of the Deed of Amended and Restated Declaration of Rights, Restrictions, Conditions and Constitution of Restrictive Covenants and Establishment

of Provisions for Palmas del Mar Homeowners Association Incorporated, dated July 20, 2020.

Since 1980, the Regulations and Permits Administration (ARPE) and the Puerto Rico Planning Board (PRPB), and on recent times the Puerto Rico Permits Management Office (OGPE) and the Municipality of Humacao's Permit Office (MHPO), has granted the PHA-ARB an indispensable endorser status for all preliminary approvals, construction permits, and final use permits of projects in the Properties within the Palmas del Mar development.

These Guidelines and Procedures are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvements upon a property within Palmas del Mar, or make any change in natural or existing surface, drainage, or plant life thereof. All properties in Palmas del Mar shall be maintained in optimal conditions, up to the community wide standards, and based on these architectural guidelines.

#### **B.** Definitions

The following words and terms when used in these Guidelines, unless the context shall clearly indicate otherwise, shall have the following meanings:

- 1. "Amenities" shall mean outdoor recreational facilities including, but not limited to swimming pools, playgrounds, artificial lakes, gazebos, communal facilities, sports facilities, etc.
- 2. "PHA-ARB" shall mean the Palmas del Mar Homeowners Association Architectural Review Board.
- 3. "Commercial Lot" shall mean any unimproved parcel of land within the Properties intended for commercial use as designated in the Master Plan.
- 4. "Commercial Unit" shall mean an improved Commercial Lot, for which a use or occupancy permit has been issued, designed, and/or utilized for any authorized commercial or business enterprise serving the residents of Palmas del Mar.
- 5. "**Developer**" shall mean an assignee of the Master Developer given the development rights to any portion of the Properties.
- 6. "Development" shall mean any future development to be constructed on the Properties.
- 7. "**Dwelling**" shall mean the total enclosed area within a Residential Unit covered by a structural roof, excluding garages, boat sheds, terraces, decks, open porches, and the like areas. The term does include, however, terraces and porches if the roof of these that form and integral part of the roofline of the main dwelling.
- 8. **"Earth tones"** shall mean colors selected from the Red, Orange, Yellow, Green, Brown, Warm Gray, or Neutral paint color families, or equivalent. See Chapter 4. D. for allowed light reflectance values (LRV).
- 9. "Main Roads" shall mean roads giving access to various developments, including Palmas Drive, Candelero Drive, Academy Drive, Country Club Drive, among others.

- 10. "Master Developer" shall mean Palmas del Mar Properties, Inc. (PDMPI).
- 11. "Master Plan" shall mean the latest revision to the drawings and documents, approved by the Puerto Rico Planning Board, that represent the conceptual plan of the Master Developer for the development of the Properties, as amended from time to time.
- 12. "Neighborhood" shall mean those parcels, tracts, or lots, of land located in close proximity to each other as established by the PHA Board.
- 13. "Owner" shall mean the person or persons, firms, associations, corporations or other legal entities with title to any lot, or tract, or unit within the Properties, as shown by the records in the Registry of the Property of Puerto Rico, Humacao Section, or dully appointed authorized representative.
- 14. "PAC" shall mean Palmas Athletic Club, Inc. or its successors or assigns.
- 15. "PDMPI" shall mean Palmas del Mar Properties, Inc., the Master Developer or its successors or assigns.
- 16. "PDMU" shall mean Palmas del Mar Utilities Corp.
- 17. "PHA" shall mean the Palmas del Mar Homeowners Association, or Master Association.
- 18. "Properties" or "Palmas del Mar" or "PDM" shall mean the Existing Property described in Article II, Section A of the Deed Number Two, Deed of Amended and Restated Declaration of Rights, Conditions and Constitution of Restrictive Covenants and Establishment of Provisions for Palmas del Mar Homeowners Association Incorporated dated July 20, 2020, with the additions, mergers, or reductions authorized on Article II, Section B of said Deed, as amended.
- 19. "Residential Lot" shall mean any unimproved parcel of land located within the Properties, which is intended for use as a site for a single family detached dwelling or patio dwelling or townhouse dwelling or condominium development, as designated in the Master Plan.
- 20. "Residential Unit" shall mean any improved property, for which a use or occupancy permit has been issued, intended for use as a single-family detached dwelling, patio house, town house or condominium unit, located within the Properties.

## C. Applicability and Penalties

These Design and Development Guidelines and Application and Review Procedures are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvement upon the property within Palmas del Mar, or make any change in the natural or existing surface, drainage or plant life thereof.

The Design and Development Guidelines and Application and Review Procedures may be amended from time to time, and it is the responsibility of each Owner or other interested persons to obtain and review a copy of the most recently revised Design and Development Guidelines and Application and Review Procedures before considering the execution of any new improvements or modifications within the Properties.

Any contractor, subcontractor, agent, employee or other invitee of an Owner who fails to comply with the terms and conditions of the *Guidelines and Procedures* promulgated by the PHA-ARB may be excluded by the PHA Board from the Properties. Also, all properties in Palmas del Mar shall be maintained in optimal conditions up to the community-wide standards and based on these architectural guidelines.

Any violation to the PHA-ARB *Guidelines and Procedures* constitutes a violation of the PHA Restrictive Covenants. Such violations are subject to fines and penalties which, if not paid, may be grounds for legal action, including placing liens on properties. Fines and penalties have been established by the PHA Board and the PHA-ARB for violations to these *Guidelines and Procedures* and the PHA Restrictive Covenants. These may be imposed and collected by either the PHA-ARB or the PHA and any outstanding fine or penalty will be reflected as a special assessment in the PHA homeowners account for the property involved in the violation.

## **D. Governing Documents**

All construction and development within the Properties of Palmas del Mar is regulated by the following documents:

- 1. The PHA-ARB Design and Development Guidelines and Application and Review Procedures, latest revision.
- 2. The Deed of Amended and Restated Declaration of Rights, Restrictions, Conditions, and Constitution of Restrictive Covenants and Establishment of Provisions for Palmas del Mar Homeowners, dated July 20, 2020.
- 3. The Master Plan for Palmas del Mar, latest revision, approved by the Puerto Rico Planning Board.
- 4. The OGPE Resolutions approving the specific developments, where applicable.
- 5. The Master Deeds and Regime Bylaws for Neighborhoods or Condominiums, where applicable.

All construction and development must also comply with the requirements of all applicable Laws and Regulations of the Federal Government of the United States of America, the Government of the Commonwealth of Puerto Rico, and the Government of the Autonomous Municipality of Humacao.

## **CHAPTER 2: PHA-ARB REVIEW PROCESS**

## A. PHA-ARB Design Review Process

The scope of the review and approval of the PHA-ARB is limited solely to whether the respective plans or work meet the requirements, standards and guidelines relating to aesthetics and to the harmony and compatibility of the proposed improvements with the architectural character of Palmas del Mar. Following is a step-by-step sequential chronology of events that apply to most developments in Palmas del Mar:

- 1. Owner / Developer secures copies of Governing Documents
- 2. Owner / Developer schedules initial orientation session with PHA-ARB Coordinator prior to commencing design.
- 3. Owner / Developer selects design team.
- 4. Design Team schedules pre-design orientation with PHA-ARB Coordinator.
- 5. Conceptual Design submittal, including application form and fee.
- 6. Neighborhood / Regime / Condominium conceptual endorsement, if required.
- 7. PHA-ARB conceptual design review.
- 8. Schematic Design submittal.
- 9. Schematic design referral to PDMPI and PDMU for comments, if required, and to PAC if adjacent to the golf courses.
- 10. PHA-ARB schematic design review.
- 11. Submit PHA-ARB schematic design endorsement with all other required documents for preliminary project approval to the Municipality of Humacao Permitting Office.
- 12. Submit to PHA-ARB copies of all preliminary approvals and endorsements obtained from Federal, State, and Municipal concerned agencies having jurisdiction.
- 13. Submit Final Site Engineering plans to PDMU and PDMPI for review, and to PAC if adjacent to the golf courses.
- 14. Submit Final Construction Drawings to PHA-ARB, including endorsements from PDMU and PDMPI, and from PAC (Palmas Athletic Club) if adjacent to the golf courses.
- 15. PHA-ARB Final Construction Drawings review.
- 16. Submit Final Construction Drawings PHA-ARB endorsement with all other required documents for Construction Permit to the Municipality of Humacao Permitting Office.
- 17. Submit to PHA-ARB copies of Construction Permit and all final agency endorsements.
- 18. Schedule a pre-construction meeting with the PHA-ARB Coordinator. The Owner / Developer, the Contractor, and the Designated Inspector should attend this meeting.
- 19. Submit pre-construction documentation, pay construction security deposit, and PHA road repair fees.

- 20. Construct project with adequate supervision and inspection. Post required construction sign, consistent with the model provided by the PHA-ARB. PHA-ARB may visit the project site to visually inspect the project and verify that it is being built according to approved design, and in compliance with Construction Rules and Regulations.
- 21. Submit any proposed modifications to the approved design for PHA-ARB review and approval BEFORE proceeding with the construction of such modifications.
- 22. Submit to PHA-ARB Use Endorsement Application
- 23. Submit PHA-ARB Use Endorsement with all other required documents for Use Permit to the Municipality of Humacao Permitting Office.
- 24. Submit copy of Use Permit to PHA-ARB.

Depending on the type and scope of the proposed development, some of these steps may not be necessary. There may also be some special procedures for certain types of developments, as indicated below. The specific requirements for each project will be discussed during the initial orientation meeting with the PHA-ARB Coordinator.

## **B. Development Types and Special Procedures**

Because some proposed developments are more complex than others, these may require additional review procedures not included in the general list established above. Following are the general categories for developments and the special procedures for them, when required:

- 1. New Custom Single-Family Houses on individual residential lots.
- 2. New Multi-Family Residential Developments: require prior PDMPI endorsement for compliance with Master Plan if the property owner is PDMPI, if not, the PHA-ARB will review the submittal for proposed density, and infrastructure impact studies based on the up-to-date Master Plan approved by the Puerto Rico Planning Board (PRPB).
- **3.** Master Developer Sponsored Projects: require presenting terms and conditions of contracts between project developer and Master Developer.
- **4.** New Commercial, Institutional, and Mixed-Use Developments: require prior PDMPI endorsement for compliance with Master Plan if the property owner is PDMPI, if not, the PHA-ARB will review for proposed location and use based on the up-to-date Master Plan approved by the PRPB.
- 5. Exterior Modifications and Additions to Existing Structures: require prior endorsement of Neighborhood Association for detached houses within

existing developments whose covenants call for such consultation; of Regime for condominium units; of affected adjacent neighbors for patio houses and town houses.

- **6.** Tenant Improvements: require prior written authorization from property Owner and applicable endorsements for Modifications and Additions as stated in number five (5) above.
- 7. Extensive Developments: large scale projects require prior detailed evaluation by PDMU for available water and sanitary sewer infrastructure and PDMPI review for storm sewer, erosion control, traffic impact, and other technical considerations regarding the project's relation to Palmas del Mar infrastructure.
- **8.** Additions or Improvements to Existing Structures: Any changes or modifications or installation of any element to existing structures, landscaping or other improvements like, but not limited to, fences and walls, fountains, lawn ornaments, flags, terraces, pavement, color changes, and satellite antennas or storm shutters installations, among others, must be endorsed by the PHA-ARB **before** proceeding with such additions or improvements.

#### C. General Submittal Process

The following general dispositions and process shall apply to all submissions presented for review before the Architectural Review Board:

## 1. Application Forms and Fees

To request review by the PHA-ARB for any new construction or modifications to existing construction, a written application must be filed in the latest revised edition of the application form and all required fees and deposits must be paid in full. Application forms and fee information may be obtained by contacting the PHA-ARB office. The PHA-ARB will not review any plans for new construction or for modifications to existing structures unless PHA assessments pertaining to that property are paid in full and a current zero balance account certificate issued by PHA is submitted to the PHA-ARB with the application. Applications must be accompanied by supporting information as described under the "Minimum Documentation Requirements Checklist" on the application form. All plans and documents must be submitted *in duplicate* and signed and stamped by the licensed professional assuming responsibility for the design. Plans and

applications shall be presented at the PHA-ARB office located at Palmas del Mar, Humacao.

#### 2. Submittal Procedures

Plans and submittals must be delivered by 5:00 PM, one week before the next scheduled PHA-ARB meeting to be included on that meeting's agenda. Contact PHA-ARB office for schedule of meetings. Only items on the agenda will be reviewed at PHA-ARB meetings. Applications and plan submittals must include all information required, as indicated for conceptual, schematic, or final review stages included on these *Guidelines*. Insufficient or incomplete applications will not be included in the agenda

## 3. Design Professionals

All documents must be dated, signed and stamped by a licensed design professional authorized to practice in Puerto Rico and to assume primary responsibility for the work being submitted.

#### 4. Time for Review

The Architectural Review Board shall review submitted documents during its regular meetings or at such other time it deems appropriate. The PHA-ARB will review and respond in writing to submitted documents within 45 days from the registered receipt date of the document submission.

#### 5. Re-submittal

In the event of any disapproval by the Architectural Review Board of a submission, a resubmission of revised documents should follow the same procedure as an original submittal. The revised project shall be submitted to the PHA-ARB within one (1) year after the date of the PHA-ARB disapproval. If the one (1) year period has elapsed, the project shall be submitted as a new project, at the conceptual plan review stage and pay again the corresponding application fees, unless a time extension is requested in writing at least thirty (30) days before the expiration of the one (1) year period.

#### 6. Audience

The PHA-ARB may grant an audience to discuss a submittal with the participation of interested parties. The PHA-ARB will require the presence of the design professional assuming responsibility for the project. Likewise, the PHA-ARB may require an audience to interview the proponent as part of its review process.

#### 7. Variances

The PHA-ARB may authorize variances from compliance with any of its guidelines and procedures when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations. Such variances may only be granted, however, when unique circumstances dictate, and no variance shall be effective unless in writing nor be contrary to the restrictions set forth in the PHA Covenants. The inability to obtain approval from any governmental agency, the issuance of any permit, or the terms of any financing shall not be considered a hardship warranting a variance. Economic hardship in and of itself shall not be considered sufficient grounds for granting a variance.

When a proposed variance also constitutes a variance to the Regulations of the Municipality or of any other government agency having jurisdiction, the variance shall also be approved by such regulatory agency.

## 8. No Waiver of Future Approvals

The approval of the PHA-ARB of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring its approval and consent, shall not be deemed to constitute a waiver of the right to withhold approval or consent as to any similar proposals, plans and specifications, drawings, or matters whenever subsequently or additionally submitted for approval or consent.

#### 9. Right of Waiver

The PHA-ARB reserves the right to waive or vary any of the procedures or standards set forth herein at its sole discretion, when the procedure or standard creates a substantial hardship or burden on the Owner and the waiver will not have a substantial adverse effect on the Palmas del Mar community.

## D. Project Review Stages

Regardless of size or complexity, all projects proposed for construction in Palmas del Mar must be presented to the PHA-ARB for review at various stages. The PHA-ARB's comments and specific requirements on each stage must be addressed in the development of each subsequent phase of the project. Following are the requirements for each stage:

## 1. Pre-Design

The Owner / Developer and Design Team must meet with the PHA-ARB Coordinator to secure copies of applicable Governing Documents and discuss the specific requirements for the proposed project. Unless well familiarized with Palmas del Mar, no design should start prior to this meeting.

## 2. Conceptual or Schematic Design

For the first submission to the PHA-ARB, the following documents and general project parameters must be presented in writing, as applicable and as determined during the pre-design meeting:

- a) Copy of Property Deed
- b) Project Name
- c) Parcel(s) / Lot(s) identification and location
- d) Owner / Developer, or authorized representative
- e) Letter of authorization by Property Owner, if submitted by the Owner's representative
- f) Design Firm(s) and licensed professional in charge of project
- g) Site Area (sq. mts / cuerdas) and topography, as certified by a licensed professional.
- h) Estimated earth movement: cut and fill
- i) Proposed use(s)
- j) Proposed unit / building type(s)
- k) Proposed number of units / Density
- I) Proposed parking spaces
- m) Proposed amenities
- n) Proposed market / unit price range
- o) Neighborhood/Regimen/Condominium Homeowners Association endorsement.

#### Conceptual or Schematic Design Drawings:

- a) Conceptual Architectural Site Plan, at an adequate scale, depending on project size, showing proposed development with building locations and elevations, existing and proposed topography, points of access to existing roads and golf cart paths, accessory buildings, amenities, service and utility equipment, security controls, mailboxes and garbage stations, and view corridors.
- b) **Conceptual Engineering Site Plan**, indicating utility connection points and routing, drainage, and grading.
- c) **Conceptual Site Sections**: showing buildings and paved areas in relation to existing and proposed grade lines.
- d) **Conceptual Architectural Plans**, at minimum 1/16" = 1'-0" scale, to include: conceptual building floor and roof plans, conceptual building sections and elevations indicating existing and proposed grade lines.

Depending on the scope of the proposed work and its expected impact to the surrounding areas, the PHA-ARB may, at its sole discretion, require that **Neighborhood Hearings** be conducted to present the Conceptual Design of the project(s) to members of the surrounding communities, in order to obtain their inputs and opinions. The PHA-ARB may consider the results of these Hearings in its evaluation of the proposed design.

## 3. Preliminary Design:

Preliminary Design shall present design development corresponding to the previously approved Conceptual or Schematic Design and shall address all comments and requirements of the PHA-ARB during the Conceptual or Schematic Design stage, in order to be included for review in the next PHA-ARB meeting agenda. All drawings must be clearly identified and readily understandable without further explanation. The PHA-ARB may reject to review a submittal if drawings are not done according to acceptable professional standards.

- a) Location Plan, showing relation to neighboring parcels, access roads and golf cart paths, natural features, green areas, public space and amenities, and beach access if project is adjacent to the terrestrialmaritime zone.
- b) **Existing Land Survey and Topographical Plan**, showing property lines, easements, utilities, trees and natural features within and adjacent to the property.
- c) **Proposed Site Plan**, showing limits of clearing, proposed earth cut and fill, proposed drainage, setback lines, easements, existing and proposed utilities, electrical transformers and switching units, emergency generators, site lighting, points of access and access control, boundary fences, retaining walls, privacy fences, paved areas and driveways, car and golf cart parking, proposed building(s), accessory structures, amenities, garbage stations and dumpster enclosures, freestanding equipment and equipment rooms, and mailbox stations.
- d) Phasing Plan, for projects which are planned to be constructed in different phases, showing proposed construction sequence, location of construction fencing to separate phases, and separate construction and user access and parking.
- e) **Preliminary Architectural Plans**, at minimum 1/8" = 1'-0" scale, to include: (1) Building(s) Floor Plans showing access points, interior layout identifying each room, terraces, patios, stairs, and mechanical equipment; (2) Building(s) Roof Plans showing roof tile coverage,

proposed flat roof finishing materials, roof mounted equipment and proposed method to screen these from view; (3) Building(s) Elevations and Sections indicating proposed roof heights and slopes, existing and proposed grade lines, windows, doors, hurricane shutters, architectural details and materials, elevator and stair towers, awnings, signage, and mechanical equipment screening.

- f) **Preliminary Landscaping Plan**, showing property limits, topography, easements, existing trees to remain, proposed trees and natural features, ground cover material, planting areas and hedges, paving materials, site furniture and lighting.
- g) **Preliminary Signage Plans**, showing location, proposed material and general design for all identification, regulatory, directional, address and mailbox signs, in compliance with the Palmas del Mar Signage Standards.

PHA-ARB endorsement of Preliminary Design authorizes the Owner / Developer to submit the project to the Humacao Permits Office for Schematic Design approval. Copies of all letters, resolutions, approvals, endorsements, suspensions, objections, or denials issued by any Municipal, State or Federal agency or by PDMPI or PDMU during Schematic Design review must be submitted to the PHA-ARB for its records.

## 4. Final Design

Final Design shall present the design development corresponding to the previously approved Schematic Design and shall address all comments and requirements of the PHA-ARB during the Schematic Design stage, in order to be included for review in the next PHA-ARB meeting agenda. All drawings must be clearly identified and readily understandable without further explanation. The PHA-ARB may reject to review a submittal if drawings are not done according to acceptable professional standards. Final Design drawings shall be equal to those that will be submitted to the Humacao Permits Office when filing for a Construction Permit. Filing for a Construction Permit shall not take place until the PHA-ARB has reviewed and approved the Final Design drawings.

a) Updated General Data and Project Information: Any modifications to the project documents and information submitted at any earlier stage, as listed in Section D.2 and D.3 above. Copies of governmental agencies, PDMPI (if needed), and PDMU approvals, endorsements and requirements issued during the Schematic Design review.

- b) Certified Survey and Topographical Plan: Survey prepared, signed and stamped by a licensed surveyor or civil engineer who has verified and located lot or parcel boundaries, dimensions, topography, grade elevations, terrain features, existing trees, utilities, easements, and other site improvements.
- c) **Tree Removal Plan**: Plan showing all existing trees and indicating all trees to be removed and all vegetation to be protected during construction, in compliance with Department of Natural and Environmental Resources' Planning Regulation No. 25. If in proximity to wetlands, brooks, or rivers, vegetation removal must also be endorsed by the US Army Corps of Engineers.
- d) **Construction Staging Plan**: Plan showing the construction fence location, entrance gates, construction trailers or sheds, confinement for construction materials and debris storage, signage and any other temporary buildings or facilities.
- e) **Erosion and Sediment Control Plan**: Submit copy or CES Plan to be submitted as part of the Consolidated Permit Application to the Environmental Quality Board for approval, showing silt fences, haystacks, wash stations and any other means of soils erosion and sediment controls.
- f) **Final Site Plan and Site Sections**: Plans and Sections showing all buildings, utility equipment, paved areas, site furniture, and any other improvements, indicating existing and proposed final grading.
- g) **Final Architectural Plans**: Final Building(s) dimensioned Floor and Roof Plans at not less than 1/8" = 1'-0" scale, establishing final elevations and materials; final Exterior Building Elevations and Sections showing existing and proposed final grade, building heights, windows, doors, storm shutters, architectural detailing and materials; Wall Sections and Details for all opening treatments, roofs and parapets, balconies and patios, exterior decks and other paved areas; Schedules specifying final finishes, windows, doors, glass, and any other exterior materials; Drawings for future pre-approved additions and modifications, if any.
- h) **Final Engineering Plans**: <u>FOR REFERENCE ONLY</u>, engineering construction drawings including, but not limited to structural, plumbing, mechanical and electrical drawings. The scope of the review and approval of the PHA-ARB is limited solely to whether the respective plans or work meet the requirements, standards and guidelines relating to aesthetics and to the harmony and compatibility of the proposed improvements with the architectural character of Palmas del Mar.

- i) Final Landscaping Plans: Site Plan and details showing final landscaping design including selected ground cover, plants and trees indicating size and spacing required at time of planting, irrigation systems, rocks and paving materials, water features, and site furnishings.
- j) **Final Signage Plan**: Final location and design for all signs, in compliance with Chapter 6 of these Guidelines.
- k) Samples: Submit chips for Exterior Color Scheme, and samples for roof tile and all exterior materials. Identify sample boards with name of Owner and Project; identify samples with manufacturer's name, color and style.

PHA-ARB endorsement of Final Design authorizes the Owner / Developer to file the project to the Humacao Permits Office for Construction Permit. Construction Drawings filed for Construction Permit must be equal to Final Design approved by PHA-ARB. Copies of all permits and final resolutions, approvals, and endorsements issued by any Municipal, State or Federal agency or by PDMPI or PDMU during Final Design review must be submitted to the PHA-ARB for its records.

Depending on the type and scope of the proposed development, some of these steps may not be necessary. There may also be some special procedures for certain types of developments, as indicated below. The specific requirements for each project will be discussed during the initial orientation meeting with the PHA-ARB Executive Director or person delegated by them.

#### 5. Construction

Before proceeding with Construction, the Designer, the General Contractor, and the Owner's Designated Inspector must conduct a **Pre-Construction**Meeting with the PHA-ARB Executive Director. Copies of the following documents must be presented to the PHA-ARB Executive Director during the Pre-Construction Meeting:

- a) Construction Permit
- b) Applicable final endorsements by Federal, State, and Municipal Agencies.
- c) PDMU final hookup endorsement
- d) Construction Security Deposit and Road Repair Fee Receipts
- e) Project Schedule
- f) Final Construction Staging Plan

A **PHA-ARB Approved Project Sign** must be installed in a visible place on the property prior to the Pre-construction Meeting and maintained until construction completion. The required standard design for this 24" x 36" sign is available at the PHA-ARB office, and a drawing is included below. When required by the Municipality or any other regulatory agency, the sign may also contain other information.

PALMAS DEL MAR HOMEOWNERS ASSOCIATION ARCHITECTURAL REVIEW BOARD				
Project:				
Owner:				
Case Num.: OGPE #				
OPMAH #				
DHA ARR#				

During the Pre-Construction Meeting, the Executive Director and the Project Team shall determine dates and times to schedule PHA-ARB site visits. The PHA-ARB may also conduct unscheduled site visits at any time. The purpose of PHA-ARB site visits is to verify that the Construction is being performed in accordance with all the endorsements issued during the design phases of the project and according to the Construction Rules and Regulations established The PHA-ARB may give notice of on Chapter 7 of these Guidelines. noncompliance indicating the terms to implement corrections. If the Project Team refuses to correct the noncompliance, the PHA-ARB may impose a fine, order work to be stopped, file a complaint with the Municipal Permits Office, or file in court a request for an injunction. Absence of site visits or noncompliance notification does not constitute PHA-ARB endorsement of any work deviations or noncompliance. Full compliance with all requirements is the sole responsibility of the Owner, the Contractor, and the Designated Inspector.

Any **Modifications or Amendments to Approved Final Design** must be submitted to the PHA-ARB and to the Municipal Permits Office for approval <u>PRIOR</u> to incorporating these into the construction. Copy of all governmental agency approved amendments and the final Use Permit must be submitted to the PHA-ARB for the project record.

## 6. Completed Work and Use Approval

Upon final completion of any construction or improvement for which the PHA-ARB granted a final approval, the Owner shall give written notice to the PHA-ARB. The PHA-ARB may schedule a **Final PHA-ARB** site visit within ten (10) days from receipt of such notice. Should any deviation from endorsed Final Design or any noncompliance be found, the PHA-ARB shall require the Owner to proceed according to number 5 above. When final construction is acceptable to the Executive Director, the PHA-ARB will issue a **Use Endorsement** with which the Owner may file for a Use Permit with the Municipality Permits Office and PDMU.

PHA-ARB endorsed landscaping of each lot or parcel must be completed within ninety (90) calendar days following completion of construction. Any additional improvements to the lot, parcel, or unit, or any modifications or changes after completion of the approved construction **MUST** be submitted to the PHA-ARB for endorsement prior to incorporating such additions or modifications.

#### 7. Commercial Use Permit:

Any new Commercial Use Permit Request needs the endorsement of PHA and PHA-ARB to obtain a Commercial Use Permit by the OGPe or by the Municipality of Humacao Permit Office.

The PHA and PHA-ARB should grant a Commercial Use Permit Endorsement for Home-Offices based on the following criteria and conditions:

- Commercial use permit endorsement only for administrative purposes.
- The property should comply with the building endorsed plans and with the requirements of the Palmas de Mar Architectural Review Board.
- Our Restrictive Covenants clearly state that no commercial activity may
  be carried out on residential properties in Palmas del Mar, but due to
  the nature of the request, the following endorsement may be issued for
  a limited commercial use permit with the sole purpose of
  administratively providing a physical address for the applicant's
  company.

- At the reference property, it is not authorized to receive suppliers, customers, employees, or visitors related to the applicant's business.
- At the reference property, it is not authorized to conduct any type of commercial activity, beyond telephone coordination or via electronic means made by the residents.
- This administrative endorsement is only for the purposes described above and does not change the intended use of the property as established and authorized in the Master Plan and in the Restrictive Covenants of Palmas del Mar.
- This endorsement may be revoked at any time if the resident does not comply with the conditions described above or if the homeowner or any tenant violates any of these conditions or the conditions of our Restrictive Covenants.
- These conditions make clear that this commercial endorsement is provided for administrative purposes only, and to provide a physical address for the proposed business. The use of the property is not changed, or any change of use is authorized.
- In the event that a homeowner does not comply with the provisions of this endorsement, the PHA-ARB will begin an administrative process for the imposition of fines of up to \$500 a day until the homeowner complies with these provisions and will send a formal communication to the Permits Office of the Municipality of Humacao withdrawing the previous endorsement and requesting the immediate revocation of the use permit.

## **CHAPTER 3: SITE DEVELOPMENT STANDARDS**

## A. Zoning Parameters and Building Types

Palmas del Mar does not have Zoning Districts defined by the Planning Board of Puerto Rico or the Autonomous Municipality of Humacao. Instead, land use is determined by the Master Plan. The Master Plan establishes the intended use and density for each parcel. Parcels and lots within existing developments have been already approved for specific building types:

- 1. Single family, detached homes
- 2. Single family, patio homes

- 3. Single family, row (town) houses
- 4. Multi-family condominiums
- Mixed residential / commercial
- 6. Condo-hotels
- 7. Commercial
- 8. Institutional
- 9. Recreational / Sports Facilities
- 10. Utility

Based on these factors, and considering the topography, orientation, views, and natural features in each case, the PHA-ARB will determine acceptable occupation and gross areas, setbacks if any, and maximum number of floors and building heights. The PHA-ARB may also use the OGPe Reglamento Conjunto para la Evaluación y Expedición de Permisos Relacionados al Desarrollo y Uso de Terrenos as a general guide in establishing its decisions regarding these parameters.

## **B. Lot Configuration and Setbacks**

Lot configuration should be determined to accommodate to existing topography, to protect natural features and to maximize the enjoyment of views. Special attention must be given to provide for adequate storm sewer drainage, without erosion of soils, excessive water runoff, discharge of waste into soils or waters, stagnation or standing water, or unnecessary removal of indigenous vegetation. Earth movement shall be kept to a minimum and, if possible, cut and fill shall be balanced. Since the establishment of standard inflexible building setback lines for location of houses both directly behind and directly to the side of other homes with detrimental effects on privacy, view of the sea, preservation of important trees, etcetera, no specific set back lines are established in these guidelines. The developer or his designer should assure that the location of houses will be staggered, where practical and appropriate, so that the maximum amount of view and breeze will be available to each house, that the structures will be located considering the ecological constraints and topography of each individual lot, taking into consideration the elevation of the lot, the location of hillside ridges, trees if any, and similar considerations. The PHA-ARB reserves the right to decide the precise site and location of any house or dwelling or other structure upon all lots and every lot within Residential Areas.

Additional setbacks and buffer zones may be required along development perimeters bordering major roads to avoid a tunnel effect when both sides of the road are developed.

For Golf Fairway Residential Areas, the landscaping of that portion of the lots within fifty (50) feet of the lot line bordering the golf course shall be in general conformity with the overall landscaping pattern for the golf course fairway. All improvements proposed on properties adjacent to the golf courses must have the endorsement of PAC.

For Waterfront Residential Areas, that portion of any waterfront lot located within thirty (30) feet of the edge of the maritime zone (high water mark) shall be preserved substantially in its present natural state except for portions of the dwelling located on such lot and except for moderate clearing for view and breeze.

For Patio Home Sites, follow the requirements of the OGPe Reglamento Conjunto, reserving a six-foot easement along the boundary line of each lot, for the construction, maintenance, and repair of the Patio Wall on the adjoining lot.

For Townhouse Lots, dwelling units to be constructed on contiguous lots may have common party walls. Nevertheless, no dwelling unit or elements of a dwelling unit shall project or extend beyond the boundary lines of any lot.

On Open Space or Green Areas, no dwelling building, tent, trailer or other commercial like structure, either temporary or permanent, shall be erected or caused to be placed on any lands shown and set aside on recorded subdivision plat as Open Space or Green Areas.

As a general guideline (rule of thumb) for single family detached homes, the designer should use the parameters of Intermediate Residential District (RI) as defined on the OGPe Regulation. Isla San Marcos and Isla San Miguel properties have a specific Master Plan approved with special parameters in terms of setbacks and use of lots. Designers should be familiar with those design parameters prior to submitting any drawings or plans to the PHA-ARB.

## C. Access, Streets, Golf Cart Paths, and Sidewalks

All new developments and individual buildings in Palmas del Mar shall be designed within the surrounding context, considering both the natural and built environment. Site treatment shall reinforce the architectural theme of Palmas del Mar to protect and promote the character of the existing Community. The seamless connection of new access facilities, streets, golf cart paths, and sidewalks to existing vehicular and pedestrian circulation is mandatory.

#### 1. Access

Provide access that is clearly identifiable, with adequate signage in compliance with Section I of this Chapter. Vehicular access shall be designed as to not interfere with regular road traffic. Where access control is to be considered, enough queuing length and adequate turn-around facilities must be provided ahead of gates.

#### 2. Streets

All streets shall be paved with concrete, asphalt or other hard surface materials approved by PHA-ARB. Curbs and gutters shall be provided along street edges. The PHA-ARB encourages the use of unit pavers at main intersections and for other detailing. Adequate streetlights must be provided to attain a minimum of one foot-candle at ground level. Light poles and shoe-box fixtures shall be the standard design and finish approved by the PHA-ARB. Solar powered fixtures are encouraged.

#### 3. Golf Cart Paths

All new developments and buildings shall include provisions for golf cart access and parking. These facilities shall connect to the golf cart path system established throughout Palmas del Mar. When paths are provided separate from streets, adequate lighting and paving materials shall be presented for PHA-ARB approval.

#### 4. Sidewalks

Sidewalks shall be a minimum of 4 feet wide, paved with concrete or other hard surface materials approved by PHA-ARB. Pavers, stone, or brick are encouraged by the PHA-ARB for detailing. Sidewalks which are part of an accessible route must comply with ADA. Sidewalk pedestrian lighting shall be provided with poles, bollards, landscaping lighting, or wall sconces.

## D. Parking

All developments and buildings must provide adequate parking facilities for cars and golf carts. All parking areas must be paved with concrete, asphalt or other hard surface materials approved by the PHA-ARB and graded to provide adequate drainage. Grasscrete pavers are an acceptable option encouraged by the PHA-ARB. Loose gravel is not permitted. Landscaping is required along sides of all parking areas and driveways, in accordance with Chapter 5, Landscaping Standards. In large parking lots, parking spaces shall not exceed ten (10) in a row without a landscape

island. Trees must be provided to comply with applicable Department of Natural Resources regulations. Minimum parking requirements are as follows:

- 1. Single Family Detached homes: 2 covered spaces (Carport or Garage) + 1 golf cart space.
- 2. Single Family Townhouse: 2 spaces within the townhouse lot + 1 golf cart space.
- 3. Condominiums and other multifamily projects: 2 spaces per unit + 1 golf cart space per unit + 1 visitor's parking and 1 visitor's golf cart parking space for every 5 units. In all new developments, provide electrical charging facilities.
- 4. Commercial: Per the minimum requirements of the OGPe Reglamento Conjunto + 1 golf cart space for every 1,000 square feet of office, retail, or other commercial rentable area. In all new developments, provide electrical charging facilities.

## E. Loading, Service, and Trash Collection Areas

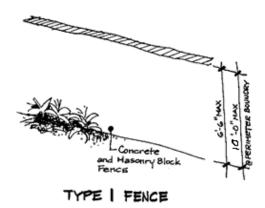
Loading, service, and trash collection areas shall be located so that they are not visible from public roadways or view. These areas shall be completely screened from view using fence, wall, or dense landscaping screening as approved by the PHA-ARB. All loading, service, and trash collection areas shall be paved in concrete, asphalt or other hard washable surface material as approved by the PHA-ARB. All garbage, recycling, and waste material shall be contained at all times and restricted to waste bins at garbage collection areas screened from public view. Individual trash containers for single family dwellings may be placed underground, with identifiable interior containers for recyclable materials. Garbage and Recycling stations in large multifamily, mixed use, commercial, or institutional developments must be accessed from within the complex.

#### F. Perimeter Treatment: Walls and Fences

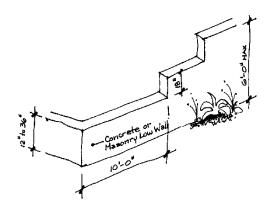
Where perimeter walls or fences are desired or required, and allowed, these elements must comply with the design parameters established in this section. Generally, walls and fences are used to provide security and/or privacy, and to identify property boundaries. Considering the location and visibility of the proposed wall or fence, the PHA-ARB will require that these be designed to be consistent with and reinforce the general architectural character of the area, while complying with the criteria established here.

There are four basic fence types that will be considered acceptable:

1. **Type I**, Solid High Wall: Concrete and masonry solid high wall, plastered and painted on all sides or covered with durable finishing materials approved by the PHA-ARB. Other assembled construction materials designed to form solid walls may be approved by the PHA-ARB on a case-by-case basis, and will be evaluated in terms of color, texture, durability, strength, and overall aesthetic character. Expression of structural columns, beams and bases within the solid wall are encouraged by the PHA-ARB. No single uninterrupted solid horizontal plane may extend longer than 16'-0". Maximum height for solid high walls will be 10'-0" along the Palmas del Mar exterior boundary, and 6'-6" elsewhere. Solid walls may be used along the side and rear lot boundaries, but never on the front yard boundary of the lot or on any other yard facing a street.

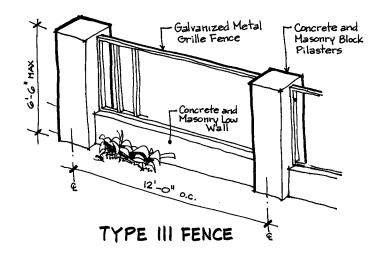


2. **Type II**, Solid Low Wall: Concrete and masonry solid low wall, plastered and painted on all sides or covered with durable finishing materials approved by the PHA-ARB. Other assembled construction materials designed to form solid walls may be approved by the PHA-ARB on a case-by-case basis, and will be evaluated in terms of color, texture, durability, strength, and overall aesthetic character. Height of low walls shall be between 12" and 36". Low walls must return on corners and provide a minimum 10'-0" length at established low height to a stepping transition up onto a high wall.



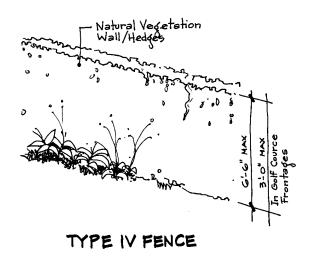
TYPE II FENCE

3. **Type III**, Open Grille over Low Wall: Galvanized metal or aluminum grille over solid low wall, with columns or pilasters spaced at maximum intervals of 12'-0" on centers, and a 6'- 6" maximum height. The PHA-ARB may consider other grill materials of proven durability and strength, considering color, texture, design elements and overall aesthetic quality. Columns or pilasters must be concrete or masonry, plastered and painted on all sides or covered with durable finishing materials approved by the PHA-ARB. The use of column caps and bases and other detailing is encouraged by the PHA-ARB.



4. **Type IV**, Natural Vegetation Hedge: With plant material in compliance with "Landscape Standards" on Chapter 5, hedges may be used as fences on side and rear lot boundaries. Hedges must be kept to a leveled height between 3'-0" and 6'-6". Maximum height on rear lot boundaries facing the golf course shall be 3'-0". Low hedges must return on lot corners and provide a minimum 10'-0" length at established low height to a stepping transition up onto a high

hedge. Cable grid fences for hedge growth are permitted when planting on both sides and as approved by the PHA-ARB.



Although all fences must be approved by the PHA-ARB in a case-by-case basis, the designer must conform to the specific requirements of the individual project covenants, as approved by the PHA-ARB, and with fence type permitted for each location as stated in the table below:

Palmas del Mar Exterior Boundaries	Type I, up to 10'-0" high
Main Roads	Type I or Type III
Development Boundaries	Type I or Type III
Individual Lot Boundaries	Sides and Rear: Types I, III, or IV
Boundaries with Golf Course	Type II or Type IV, 3'-0" high max.
Boundaries with Beach	Type IV, 3'-0" high max. (Sea grapes)

All fence materials must be of high quality and selected to assure durability and strength. The PHA-ARB encourages the use of natural stone or cast stone as finishing material for concrete and masonry construction. Likewise, the PHA-ARB requires that metal elements be fabricated from quality galvanized steel or powder-painted aluminum. Other durable metals like stainless steel or bronze may also be considered.

Some materials are not readily acceptable but may be submitted for PHA-ARB indepth review. These include PVC and Wood. The following materials will **not** be permitted: chain link fences, barbed wire, serpentine wire, razor blades, broken glass, and heavy split rails.

Always provide visual screening of unsightly views from street and adjacent sites, including views of irrigation equipment, pool equipment, condensing units, electric power generators, electrical meters, and power disconnect switches and distribution panels (grade to top of equipment), with site structures or vegetation with the required height to achieve proper screening at time of planting.

#### G. Communal Facilities

Plazas, courtyards, patios, fountains, terraces, and gazebos are encouraged as a means to promote communal interaction. These facilities must be consistent with the architectural character of the project and shall be designed to respond to landscaping and natural features as well as to other communal amenities.

The materials shall be consistent with those used elsewhere in the project and will be evaluated by the PHA-ARB for their durability and aesthetic quality. Site furnishings, including benches, tables, trash cans, planters, etc., shall be selected to maintain a human scale and to be consistent with the architectural character of the project and the tropical setting of Palmas del Mar.

## H. Landscaping

Landscaping is an integral part of the Palmas del Mar character. All cleared areas of the project site not used for buildings or pavements shall be landscaped in accordance with landscaping plans approved by the PHA-ARB. Landscaping shall comply with all requirements of Chapter 5, "Landscaping Standards".

## I. Signs

All proposed signs require the approval of the PHA-ARB. These include development entry signs, street signs, directional signs, house number signs, commercial building signs, storefront signs, traffic signs, etc. All signs shall comply with the "Signage Standards" on Chapter 6. No commercial signs, including "for rent", "for sale", and other similar signs shall be erected or maintained on any residential lot.

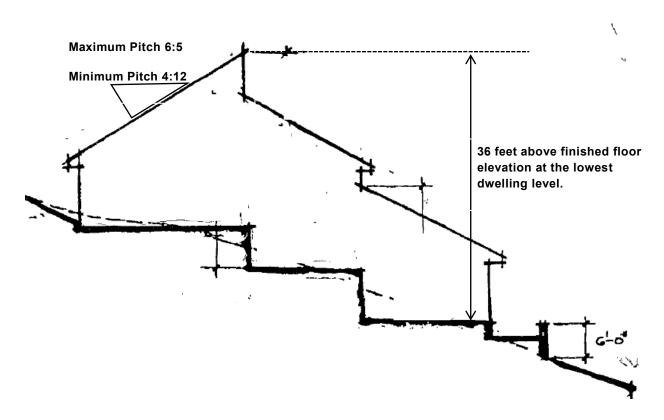
## **CHAPTER 4: ARCHITECTURAL STANDARDS**

## A. Building Exterior

The architectural style at Palmas del Mar derives from historic influences of Spanish, Mediterranean and Caribbean architecture. Its special character is achieved through a balanced and harmonious variety. Although creativity is encouraged, the PHA-ARB may reject, at its sole discretion, any plans that do not provide a design that is harmonious with the Palmas del Mar architectural style. Designers should discuss their intended architectural design concept with the PHA-ARB Executive Director prior to commencing work, in order to avoid possible multiple presentations to and rejections by the PHA-ARB.

## **B.** Building Height

For single family residential developments, the dwellings, which may be divided into pavilions connected by covered or uncovered walkways, shall not exceed at its highest point thirty six (36) feet above finished floor elevation at the lowest level of the dwelling provided, however that no vertical planes of the dwelling shall exceed twenty four (24) feet in height without a setback.



In multistory multifamily developments and in mixed, commercial, institutional, and condo-hotel developments, the height limit allowed is fifty (50) feet above lowest finished floor elevation.

Parking and/or utility rooms under structures, and stair towers and elevator shafts with roof access will not be considered in establishing maximum height. Other variances to the height requirements established here may be evaluated by the PHA-ARB on a case-by-case basis per Chapter 2, Section C, Items 7, 8, and 9.

## **C. Architectural Elements of Style**

Architectural elements shall reinforce the Palmas architectural style. The use of balconies, loggias, arcades, colonnades, pergolas, and cornices is encouraged. The exterior body of the building shall be conceived as sets of volumes, defined by an uninterrupted envelope with pocked-in openings, rather than a series of intersecting planes. Therefore, all walls should turn around corners and all openings should be placed as voids within the individual wall planes, never at the edges. Corner windows may be approved, on a case-by-case basis, only when the reading of volume is not altered, due to window size and solid-void proportion. Also, volumes may be formed by glass walls. Wall planes shall be interrupted with setbacks or other approved articulation so that no single plane within the volume extends more than 24 feet vertically or 36 feet horizontally. Walls shall be extended to meet the ground unless a setback is provided below the lower floor with a recessed base wall. Buildings on stilts are not allowed. Open floor areas underneath the main volume must be enclosed with walls which may have openings consistent with the requirements for doors and windows set forth on section F below. The building envelope should be articulated with setbacks, overhangs or banding to create depth and shadows. The building exterior should create an interesting and elegant play of volumes, with emphasis on harmonious scale and proportions. All facades must be designed with an equal level of architectural treatment. On sloping sites, building design shall step to accommodate the difference in grade. The PHA-ARB will review any proposed improvements to determine if they meet these aesthetic guidelines and are compatible with the Palmas del Mar architectural style.

#### D. Exterior Finishes

Exterior finishes should be selected for proven durability and ease of maintenance and to reinforce the Palmas del Mar architectural style. Painted concrete, cement stucco, exposed concrete, natural stone, and exterior wall tiles are examples of acceptable exterior finishes. Wood, galvanized metal, aluminum, stainless steel, bronze and glazing may be used for fenestration, pergolas, trellises, ornamental grilles, railings, and other architectural detailing, but not as the main exterior wall covering material.

Exterior colors shall be muted, rather than bright or striking. Main house colors must be earth tones. White shall only be used as a trim color and never for the main body of buildings. The main body of all buildings shall be painted in colors with a Light Reflectance Values (LRV) greater than 30 but less than 70. LRV's higher than 70 may be used for trim only. Trim width shall never exceed 12 inches, unless approved by the PHA-ARB on a case-by-case basis. LRV's lower than 30 shall be considered for accent colors which should not exceed 10% of any face of the main body, only when authorized by the PHA-ARB. Verify manufacturer's recommendations for use of deep or dark colors in exterior walls. Variety is required and having adjacent structures with remarkably similar color schemes should be avoided.

Within a single development, exterior materials and colors should be consistent throughout. Canvas awnings are permitted but must be promptly replaced when deteriorated. Through the wall vents and other necessary mechanical devices, when approved, shall be painted to match the adjacent wall surface.

### E. Roofs and Roof Terraces

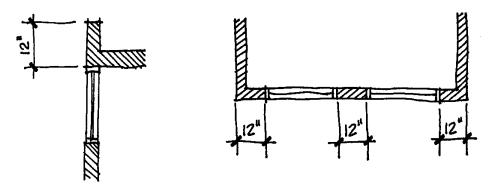
All visible roofs shall receive a PHA-ARB approved exterior finish. All slanted roofs in residential projects must be covered with clay roof tile, in any shade of terracotta color. Glazed ceramic tiles, metal or plastic tiles are not allowed. A minimum of 35% of the roof area in new construction on residential buildings shall be slanted. Flat roofs or terraces cannot exceed 65% of building footprint area. Visible flat roofs and roof terraces must receive exterior grade floor tile: clay, ceramic, stone, architectural concrete, or the like, as approved by the PHA-ARB. Any bare roof that has no approved applied finishing material must be screened from view.

Clay tiled sloped roofs shall have a minimum pitch of 4" in 12". Parapets and gutters shall be designed to allow full view of clay tiled roofs. Continuous ridges shall be broken to avoid roof lines longer than 36 feet. Solar and photovoltaic panels and other alternate energy generation devices may be used, but the designer must provide full detailing to show the integration of these within the other elements of the building to maintain the required architectural style, following the guidelines established in Section K of this Chapter. Whenever possible, all solar panels shall be installed on flat roofs and screened from view. When integrating photovoltaic panels to sloping roofs, these shall never exceed 60% of that roof area. Integration of photovoltaic panel on sloping roofs will only be permitted when these slanted roofs represent at least 50% of the total roof area. Where acceptable aesthetic integration is not possible, these as well as any other mechanical devices must be screened from view.

Commercial and institutional buildings may consider other roofing materials as approved by the PHA-ARB on a case-by-case basis. As with all other exterior materials, durability, and aesthetics in harmony with the Palmas architectural style will rule the PHA-ARB review of each proposal.

#### F. Doors and Windows

All openings should be designed as voids within the individual wall planes forming the volume. Doors and windows may not be closer than 12" to any corner or to another opening, unless a corner window is proposed and approved by the ARB. When using large openings, above 8' in any dimension, the solid portion at the ends and between openings shall increase proportionately in dimension, as indicated in the table below. Doors and windows must be recessed a minimum of 3" or framed by projecting borders (banding) to provide the required depth.



Minimum solid wall dimension around openings

Opening Dimension	Min. Solid Around
<u>≤</u> 8'	1'-0"
10'	1'-3"
12'	1'6"
16'	2'-0"
18'	2'-3"
20'	2'-6"
24'	3'-0"

Shown in table above, opening to solid framing proportional ratio; intermediate dimensions may be prorated to the proportion established in the table.

Doors and windows shall be selected for durability and ease of maintenance. Approved materials include: solid wood, anodized or factory painted aluminum, and clear or tinted glass. Colors shall be submitted for approval of the ARB. Reflective glass is not permitted. "Miami-type" jalousie windows are not allowed. Security jalousies may be approved. Other materials may be proposed subject to PHA-ARB approval. The use of impact / hurricane resistant security door and window assemblies is encouraged. Otherwise, the designer shall propose the use of operable storm shutters instead, which must be permanently installed and integrated into the opening detail, hidden from view when opened, as approved by the PHA-ARB. Security bars will only be permitted if designed as ornamental units harmonious with and aesthetically integrated to the proposed architectural design.

## **G. Accessory Structures**

Any accessory structures, other than ARB-approved carports, shall comply with the requirements of OGPe Reglamento Conjunto, and must be less than 25% of the area of the main building, and shall be placed within the rear 40% of the lot. Accessory structures should be designed to match the materials and architectural expression of the main building, including colors. Any electrical or mechanical equipment housed within or adjacent to any accessory structure must be screened from view.

#### H. Exterior Amenities

Exterior amenities shall be carefully placed taking into consideration the privacy requirements of adjacent properties. Materials and architectural detailing for exterior amenities shall be consistent with the design of the main structures. Any mechanical or electrical equipment required for exterior amenities shall be screened from view.

## I. Electromechanical Equipment and Sustainable Design

The PHA-ARB encourages the use of alternate energy sources and sustainable design throughout Palmas del Mar. In certain cases, special accommodations may be necessary to allow for the installation of sustainable equipment. Nevertheless, designers will be required to integrate as much as possible any visible parts of equipment to the structures without affecting the proposed architectural style. When aesthetic integration is not possible, any visible electromechanical equipment parts shall be screened.

## J. Security Cameras

The mounting of outside security cameras and/or motion sensors is permitted as long as they meet the following criteria:

- Any outside mounted camera, cabling, hardware, etc. should be of a low-profile design that does not distract from the beauty of the community.
- Are of an unobtrusive color (no colors that clash with the paint scheme).
- Any visible cable to the camera is painted to match the main color scheme of the structure.
- The field of view of any installed security camera must encompass only the installer's property and street front.
- No additional lighting may be added or used for the operation of the camera at night (sunset to sunrise) that would illuminate any portion of the neighbor's yard (either adjacent or across the street).

Cameras mounted inside a residence, shooting out through a window or door do not require ARB approval.

#### K. Solar Collectors and Photovoltaic Panels

The location and design details for solar collectors and photovoltaic panels shall be submitted for Architectural Review. A solar collector shall not be installed on any Lot unless it is an integral and harmonious part of the architectural design of a roof structure. Solar collectors shall be located on a roof exposure shielded from view from the street, adjoining Lots and Common Areas or integrated to tiled slanted roofs of the building.

Solar collectors shall be flush mounted and installed parallel to the plane of the roof. Under no circumstances may solar collectors extend above the ridgeline of a roof. Compliance with Design Guidelines Sections 4.E (% roof with exposed tiles), 4.G (mechanical equipment screening) and 4.I (integrated or screened from view) is required.

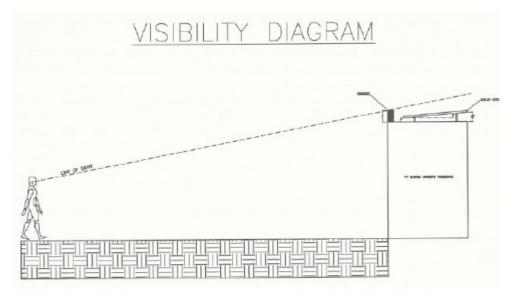
The location, type, and design of solar panels must be approved by the ARB. The ARB can determine the specific location where the solar collectors may be installed on the roof.

Some approaches that have been taken:

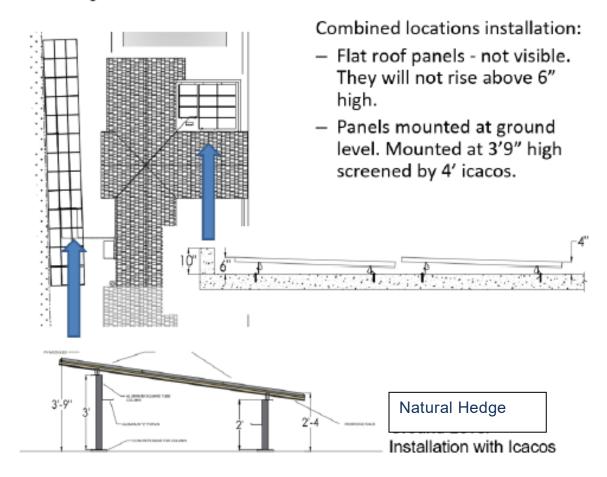
Integrated into the house architecture, solar panels installed on the flat roof areas.



Screening of mounting hardware and solar panels from view.



Installed on ground and screened from view



# Solar Collectors: On Sloping Roofs for Town Houses or Detached Houses subject to ARB approval:

Must follow the Design Guidelines and maintain at least 50% of the roof area with slanted roofs with clay tiles, preferably with the enhanced guides for integrating the solar panels into the clay tiled roofs.

Designers that select the option to look for a **skylight appearance** to integrate the panels into the architecture (panels over clay tiles with cover skirt), need to:

- Preferably, use all the flat sections of the roof to install the solar collectors before using the sloping roofs.
- Locate the panels so that exposed clay tiles frame the solar panels area keeping at least 1 foot of exposed clay tiles on top and on each of the sides of the "skylight" panel area, while keeping at least 2 feet of exposed tiles in the bottom lower part of the "skylight" panel area. In addition, the panels cannot occupy more than 60% of any surface plane of clay tiles.
- Installation of cables must be screened from view.
- Installation over clay tiled roofs may be approved for existing houses but not on new homes, where these must be installed on flat roofs or integrated flush within the tiled roofs.

The PHA-ARB could approve the solar panels installation on sloping roofs for detached houses on a case-by-case basis.

## Recommended Installation flush with and surrounded by roof tiles. (skylight appearance)





Windmill or Turbines may be considered with the previous approval of the PHA-ARB.

### L. Satellite Dishes & Antennas

One (1) or Two (2) satellite dishes are permitted if the installation is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite. Satellite dishes must be one meter (3'-3") or less in diameter or diagonal measurement. All efforts should be made to mount dishes where they are shielded from street view. Owners shall not permit satellite dishes to fall into disrepair or to become safety hazards.

**Other Transmission or Reception Antennas:** Unless otherwise permitted by government authorities within the jurisdiction over transmission or reception equipment, no other antennas, masks, towers, poles, aerials, satellite dishes or similar appurtenances shall be erected, constructed, or maintained on the exterior of any Structure or Lot without the approval of the ARB.

# M. Air Conditioning & Heating Units

No air conditioning, heating, or condenser cooling units shall be visible from the street or visible from Neighboring Properties. The designer must provide full detailing to show the integration of these equipment within the other elements of the building to maintain the required architectural style. Where acceptable aesthetic integration is not possible, these as well as any other mechanical devices must be screened from view.

# N. Power Backup Generators

As required by law, every installation of a power backup generator should have a permit from, and comply with, the Puerto Rico Environmental Quality Board (PREQB), LUMA Energy, and the Puerto Rico Power Authority (PREPA) regulations regarding the installation of power generators at businesses, houses, and other institutions. Also, these need to comply with the regulations of the US Environmental Protection Agency (EPA) such as 40 CFR Parts 60, 61, and 63; with the PR Fire Department regulations, and with the PR Public Service Commission regulations specifically when using Liquid Petroleum Gas (LPG) as fuel for the power generator.

**Incorrect generator use:** can lead to carbon monoxide (CO) poisoning from the engine exhaust, electric shock or electrocution, and fire. Even if you can't smell exhaust fumes, you may still be exposed to CO. If you start to feel sick, dizzy, or weak while using a generator, get fresh air right away. If you experience serious symptoms, get medical attention immediately. Consider installing battery-operated CO alarms. Be sure to read the manufacturer's instructions and take proper precautions. Use portable generators only when necessary, and only to power essential equipment.

Position generators outdoors and well away from any structure: Running a generator inside any enclosed or partially enclosed structure will lead to dangerous and often fatal levels of Carbon Monoxide (CO). Keep generators positioned outside at least 15 feet away from open windows so exhaust does not enter your home/business or a neighboring home/business. All generators shall comply with DRNA regulations for location and noise control.

**Keep the generator dry:** Operate it on a dry surface under an open, canopy-like structure, and make sure your hands are dry before touching the generator. Where possible, use acoustic manufacturer-approved enclosures.

**Disconnect the power coming into your home/business:** Before you operate your generator, disconnect your normal source of power, or install an automatic transfer switch. Otherwise, power from your generator could be sent back onto the utility company lines, creating a hazardous situation for utility workers.

Make sure your generator is properly grounded.

Plug equipment directly into the generator: Use heavy-duty, outdoor-rated extension cords, in good working condition, with a wire gauge that can handle the electric load of any appliances connected to them. In new structures, emergency power connections should he hard-wired through conduits and integrated into the electrical power distribution.

**NEVER try to power the house/business wiring by plugging the generator into a wall outlet, or into the main electrical panel.** Only a licensed electrician should connect a generator to a main electrical panel by installing appropriate equipment in accordance with local electrical codes. Make sure the electrician has installed an approved automatic transfer switch to disconnect your home's wiring from the utility system before you start using the generator.

Maintain an adequate supply of fuel: Know your generator's rate of fuel consumption at various power output levels. Take care in considering how much fuel you can safely store, and for how long. Gasoline and diesel fuel stored for long periods may need added chemicals to keep them safe for use. Check with your supplier for recommendations. Store all fuels in specifically designed containers in a cool, dry, well-ventilated place, away from all potential heat sources. Check aboveground storage tanks, pipes, and valves regularly for cracks and leaks, and replace damaged materials immediately. Tanks may also require a permit or have to meet other regulatory requirements. All tanks must be screened from view.

**Turn the generator off and let it cool before refueling:** Use the type of fuel recommended in the manufacturer's instructions.

**Inspect and maintain your generator regularly:** Arrange a maintenance contract and schedule at least one maintenance service per year, such as at the beginning of

every hurricane season. Keep fresh fuel in the tank and run the generator for a while periodically to help ensure it will be ready when you need it.

# O. Awnings

Awnings must be approved by the PHA-ARB prior to installation. The following guidelines apply:

- Must be made of canvas or other material similar in appearance.
- Color must match exterior paint color scheme or roof tile.

# P. Holiday / Event Decorations

Holiday/event decorations are permitted. Holiday decorations may be visible 30 days prior to the holiday and must be removed no later than 14 days after the holiday occurs. Event decorations should not be visible more than 45 days. Holiday/event decorations do not require prior approval from the Architectural Review Board.

### Q. Pets

Animals cannot be kept or raised for commercial purposes and they are not allowed to make an unreasonable mount of noise or become a nuisance (including odors) to neighbors. When handling a dog on PHA, regimes, or city property it must always be on a leash not longer than 6 feet. Dogs must always be kept on a leash when not inside a residence or not contained withing an enclosed rear yard. All owners must clean up after their pets and dispose of pet waste in designated containers. Farm animals are not permitted at any time.

# R. Storage Sheds

Storage Buildings and Sheds are permitted, provided they are not visible from the street or visible from Neighboring Property and are equal or less than one hundred (100) square feet, 10' x 10' maximum dimensions. No prefabricated metal or plastic sheds are allowed.

If an Owner wishes to construct a storage shed that will be visible from the street or visible from Neighboring Property, plans must be submitted to the PHA-ARB meeting the following criteria:

- No roof mounted equipment is permitted without prior approval from the PHA-ARB.
- Storage structures must be free standing and not attached to the dwelling unit.
- Storage Structures must be a minimum of fifteen (15) feet from any perimeter wall.
- Storage Structures visible from the street or visible from Neighboring Property must be of concrete block, plastic, resin, or wood. Metal is prohibited. All exterior architectural detail, roof materials, color, style, character etc., must be approved by the PHA-ARB. No shingled roofs are allowed.
- Storage Structures may not be placed adjacent to Type III open grille fencing.

The PHA-ARB reserves the right to approve or disapprove a storage structure that
in its sole discretion is deemed too large for or aesthetically incompatible with the
lot or proposed location. It is the Owner's responsibility to obtain all necessary
permits including local City or State approvals and to adhere to all code
requirements. All approved storage sheds must be maintained in good condition
by the Owner.

# S. Outdoor Lighting

The PHA-ARB recognizes that exterior lighting has an important effect in creating the right nighttime environment. The use of outdoor lighting that does not exceed the recommended levels promotes safety, security and enjoyment of the properties while helping to protect the natural environment and conserve energy.

The use of the maritime zone and beach areas at Palmas del Mar is regulated by US Fish & Wildlife Service (UFWS) and the Puerto Rico Department of Natural & Environmental Resources (PR-DNER) under the Endangered Species Act of 1973, as amended, Title 50 of the Code of Federal Regulations, Parts 13 and 17, the DNR Regulation 4860, the PR Law 218 of 2008, known as the Law of the Program for the Control and Prevention of Light Pollution, the USFWS Incidental Take Permit TE85455B-0 originally issued to Palmas del Mar on October 1, 2003, as amended on October 13, 2016, the Palmas del Mar Habitat Conservation Plan, September 28, 1999, as amended August 9, 2014, and the Humacao Municipality Public Ordinance No. 31, October 24, 2010.

Exterior lighting for remodeling or new construction projects shall comply with these laws and regulations for the protection of the endangered species Hawksbill and Leatherback sea turtles that nest in the coastal areas of Palmas del Mar which provide for civil and criminal penalties for failure to comply with conditions.

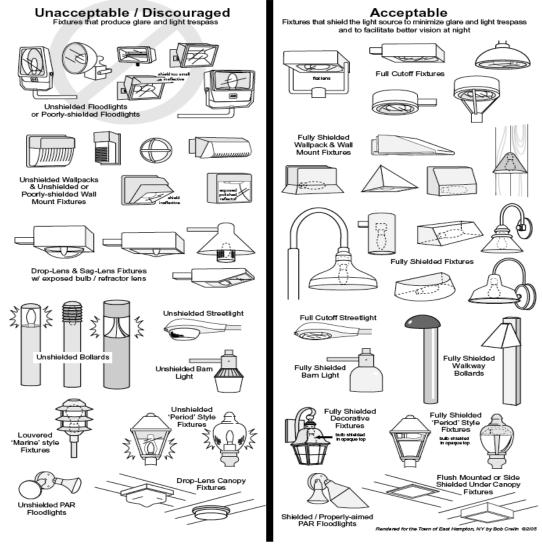
The USFWS Incidental Take Permit issued to Palmas del Mar implements the Palmas del Mar Habitat Conservation Plan (HCP) for the endangered species protection requirements contained in the laws and regulations. The HCP lays out in detail how activities will be conducted along our coastal areas from a residential, development, maintenance, security, and recreational perspective. Beach security patrols enforce compliance with HCP.

When not specified by law, fully shielded luminaires should be used for regular exterior illumination. Fully shielded luminaires are constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the

luminaire, is projected below the horizontal plane through the luminaire's lowest lightemitting parts. Following is a non-comprehensive graphic glossary of unacceptable and acceptable Luminaires for outdoor lighting.

# **Better Lights for Better Nights**

Help eliminate light pollution. Select the best fixture for your application using this guide. Use the lowest wattage bulb appropriate for the task and turn off the light when it's not being used.



presented by the

Dark Sky Society www.darkskysociety.org

Illustrations by Bob Crelin, used with permission. You may freely copy and distribute this document.

When not specified by law, the following Lighting and Power levels should be used:

Allowable Foot Candle (FC) Lighting Levels for Exterior Areas (Based on Illumination Engineering Society of North America Recommended levels and the Broward Community Complete Streets Guidelines (Pedestrian Crossings, 2012) All field measurements to be performed with light-meter with an accuracy of not less than 0.01 FC.

Allowable		
Avg. Maintained	1. Maintained Illumination @ Pavement	
Min. FC	Max. Average FC	
0.3	0.8	
0.3	0.8	
0.1	0.5	
0.5	2.0	
rior		
0.1	0.5	
0	1.0	
1	5	
	Avg. Maintained	

To accomplish the illumination levels allowed, we recommend the following lighting power limits for Building Exteriors as adopted from the ANSI/ASHRAE/IESNA (American National Standards Institute/American Society of Heating Refrigeration and Air Conditioning Engineers/Illumination Engineering Society of North America) 90.1 Standard as amended by the Leadership in Energy and Environmental Design (LEED) rating system developed by the US Green Building Council. (SF= Square Foot, LF= Lineal Foot).

Uncovered Parking Areas	Allowable Power Densities
Parking Lots and Drives:	0.12 watts/SF
Building Grounds	
Walkways < 10' wide	0.8 watts/LF
Walkways ≥ 10' wide	0.16 watts/SF
Plaza Areas & Special Feature Areas	0.16 watts/SF
Stairways	0.8 watts/SF
Building Entrances and Exits	
Main Entries	24 watts/linear foot of door width
Other Doors	16 watts/linear foot of door width
Canopies and Overhangs	
Attached and Free-Standing Canopies	1.0 watts/SF
Overhangs	1.0 watts/SF
Other Doors	16 watts/linear foot of door width
Outdoor Sales	
Open Areas	0.4 watts/SF
Building Facades	
Open Areas	0.1 watts/SF per wall or surface
	2.5 watts/LF per wall or surface

Chapter 8, section C (Beachfront Design Guidelines), contains additional lighting design regulation that must be followed for beachfront properties projects to ensure

compliance with the PHA Habitat Conservation Plan and federal and state regulations.

All outdoor lighting should be warm white with a color tempeture between 2,000-3,000 kelvin.

2000-3000К		3100-4500K	4600-6500K	
Color Temperature (KELVIN)	2000К - 3000К	3100K - 4500K	4600K - 6500K	
Light Appearance	Warm White	Cool White	Daylight	
Ambience	Cozy, calm, inviting, intimate	Bright, vibrant	Crisp, invigorating	

# **CHAPTER 5: LANDSCAPING STANDARDS**

### A. Introduction

The Owner or the Developer shall be responsible for landscaping within parcel boundaries and for sidewalk planting area up to sidewalk curb with street according to LANDSCAPE STANDARDS described herein. All existing vegetation removal and new landscaping must comply with Department of Natural and Environmental Resources Regulation No. 25.

# **B. Planting on Private Development Parcels**

1. Existing trees of calipers above 4" shall be encouraged to remain where use and grading requirements allow. No artificial grass, plants or vegetation are permitted on the exterior of a Lot or Structure.

- 2. All trees within residential and commercial parcels shall be nursery grown, container grown or ball and burlapped. All trees shall have a 3" to 4" caliper with I2' to 14' minimum height at time of planting. These trees shall grow to a minimum 5" to 6" caliper with an 18' to 20' height and shall be limb up (clear trunk) a minimum of 8'-0" above ground. Tall trees on lower lots shall be located as to not interfere with views of higher lots.
- 3. There shall be at least one tree of the species listed planted every 4.0 meters (13'-2") along project boundaries.
- 4. In parking areas, there shall be at least one tree of the species listed planted for every 3 consecutive parking spaces (every 6 when back-to-back.) The use of berms and additional trees along the perimeters of parking is encouraged to screen the parking area from public view.
- 5. All areas not occupied by buildings, sidewalk or parking areas shall be landscaped. The use of native species of trees, shrubs, vines, groundcovers and perennials is required. Design shall provide foundation planting along buildings, with higher plants and trees used to soften corners and to break long walls.
- 6. Shrubs of like species except those used as specimens shall be planted ingroups rather than as individuals. Shrubs shall be planted a minimum of 3'-0" on center unless otherwise indicated.
- 7. Planting of clusters of fruit trees in groups of four or more (regularly spaced) is encouraged to create small orchards.
- 8. Areas for small herb and vegetable gardens are encouraged.
- 9. Hedges shall be a minimum height of 24" with a spacing of 18" on center. Permitted plants for use in Type IV hedge fences are: Ficus; Green Buttonwood; Icacos; Scabolla; and Café de la India.
- 10. Vines of listed species shall be planted along boundary fences at a minimum of 6'-0" o.c. intervals to insure continuous coverage. One vine species shall be selected per boundary line.
- 11. Slopes greater than 3:1 shall be densely planted with masses of shrubs, vines or groundcovers (such as Zoysia and Zoysia Manila), in combinations of 9 or more of each, and intermittent trees to achieve a lush effect.

- 12. The ground surface in rights-of-way and drainage easements is to be planted with grass species capable of tolerating the shade created by canopy trees. Grass may be seeded and mulched or planted by plugs or sodded.
- 13. As a minimum requirement, each development parcel is to be provided with one canopy or flowering tree for every apartment. In addition, a minimum of 20% of the yard area is to be planted in groundcovers or grasses. For single detached units shall be provided with one (1) tree for every 150 square meters of lot area.
- 14. Planting areas are to be designed so that rainwater from the roofs, either along the edge or via a gutter downspout, does not erode the planting. To this end drainage devices are to be installed in any area where concentrated water run-off strikes the ground. Splash blocks of concrete, dry well, or connections to storm sewers are all acceptable means of preventing erosion on lots.
- 15. Slopes and surroundings around retention ponds shall be landscaped with appropriate plant materials. Basins of retention ponds shall be mowed and kept clean from garbage and regularly maintained.

# C. Planting on Public Streets, Streets within Private Developments, Parks, and Public Spaces

- 1. All trees in public streets shall be nursery grown, container grown or ball and burlapped. All trees shall have a 3" to 4" caliper with I2' to 14' minimum height at time of planting. These trees shall grow to a minimum 5" to 6" caliper with an 18' to 20' height and shall be limb up (clear trunk) a minimum of 8'-0" above ground.
- 2. All palms in public streets shall be nursery grown, container or ball and burlapped. All palms shall have a minimum height of 20'.
- 3. There shall be at least one tree of the species listed planted every 6.0 meters along both sidewalks of public streets, streets within private developments and public spaces.
- 4. In parking areas, there shall be at least one tree of the species listed planted for every 3 consecutive parking spaces (every 6 when back-to-back.) The use of berms, bushes, and additional trees along the perimeters of parking is encouraged to screen the parking area from public view.
- 5. Trees and palms planted in rows or series shall be selected to insure uniformity of height, caliper and appearance between them.

6. Continuous hedges of one species shall be planted in front of parking spaces along each parcel frontage. Hedges shall be a minimum height of 42" planted at a spacing of 30" on center.

### D. Tree and Plant Maintenance

- 1. Trees shall be planted utilizing guy wires as shown in details to insure proper growth. All palm trees shall be braced according to specifications.
- Plants shall be watered, mulched, weeded, pruned, sprayed, fertilized, cultivated, and otherwise protected and maintained in a healthy condition. Irrigation of landscaped areas is required, and these systems shall be maintained in working order.
- 3. Prior to establishment, settled plants shall be reset to proper grade position, planting saucer restore, and dead material removed. Guys shall be tightened and repaired to restore tree to intended position.
- 4. Sod areas shall be mowed and edged regularly where they meet structures or pavement at bed areas.
- 5. Debris, including fallen branches, leaves, fronds, seedpods, and any foreign materials will be removed from the site on a weekly basis.
- 6. Hedges shall be pruned and maintained regularly to insure a uniform and continuous height of a minimum of 24" and a maximum of 48" above ground.
- 7. Pesticides shall be applied only in accordance to label instructions. No pesticides shall be allowed to contact water surface.
- 8. All planting along public streets, streets within private developments and public spaces shall have irrigation systems.

# **E.** Diagrams

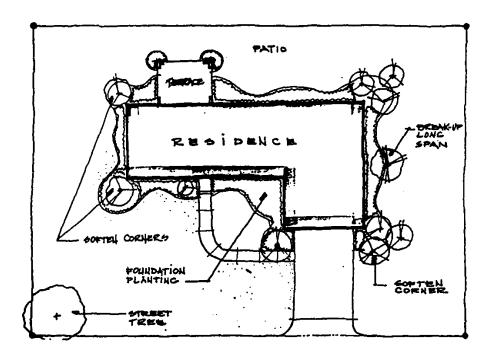


Figure 5.1 – Typical Minimum Landscaping Requirements, Plan Layout

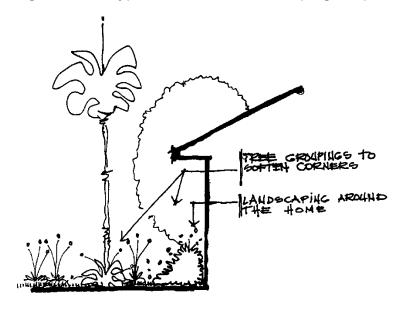


Figure 5.2 – Typical Minimum Landscaping Requirements, Section

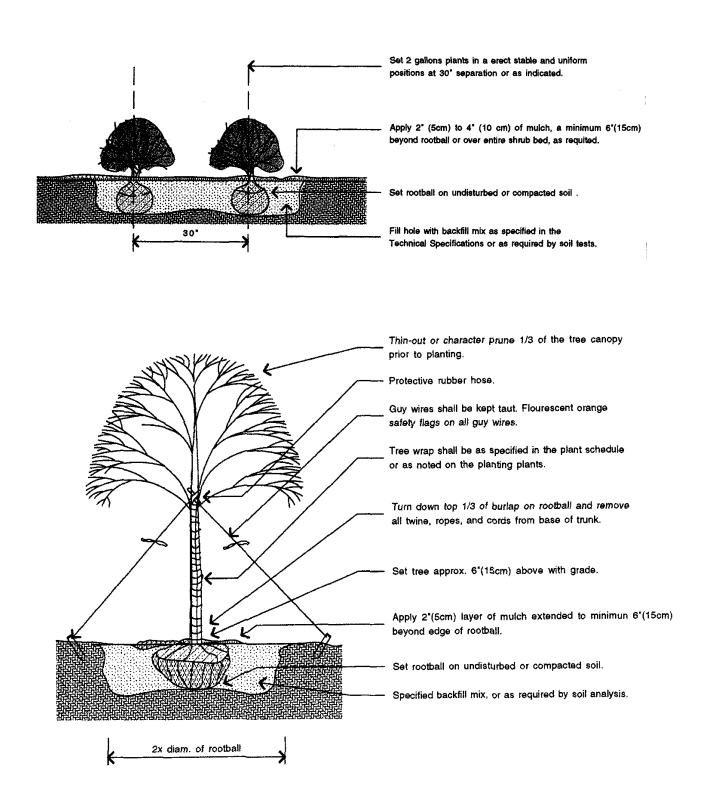


Figure 5.3 – Shrub and Tree Planting Details

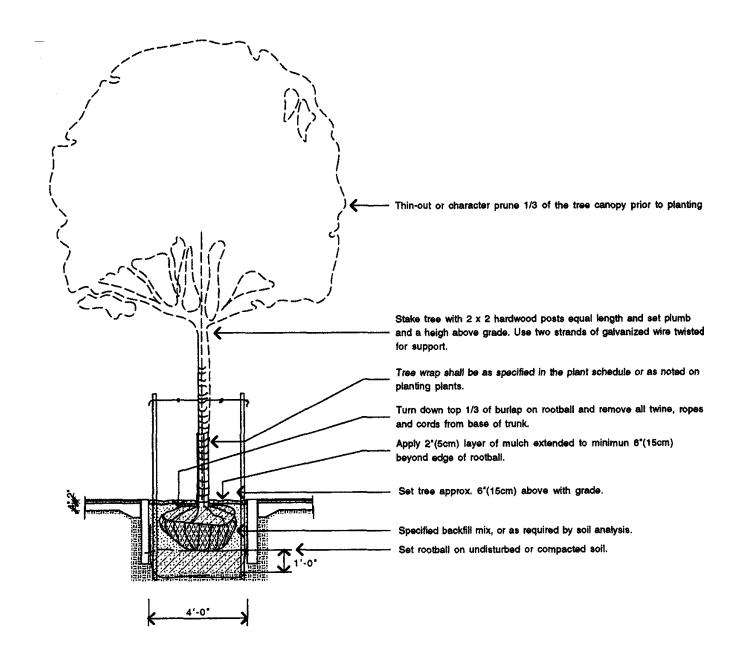


Figure 5.4 – Planting Details – Trees on Pavement Areas

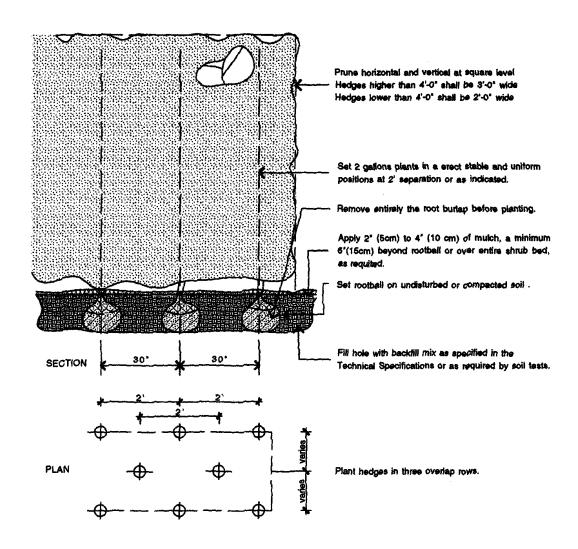


Figure 5.5 – Hedge Planting Detail

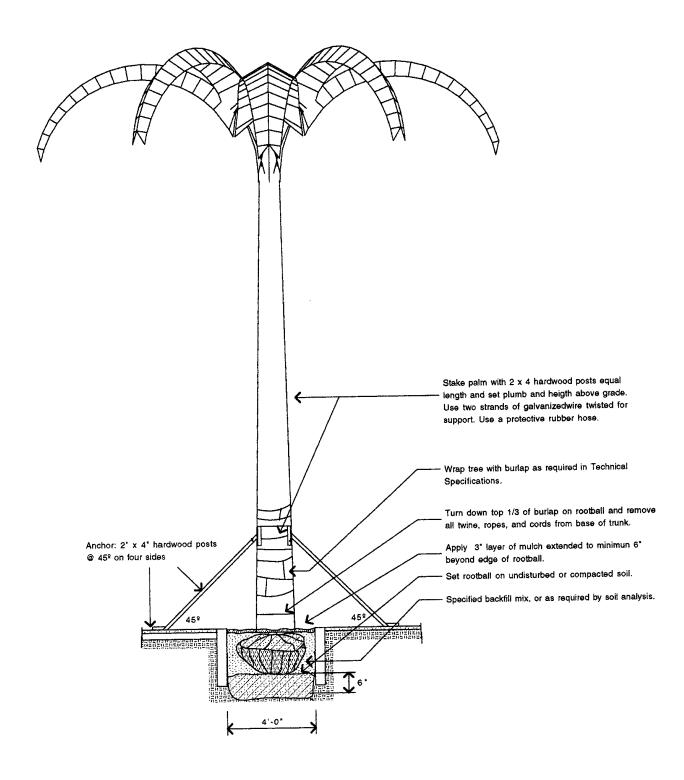


Figure 5.6 – Palms on Pavement Areas

KEY	BOTANICAL NAME	COMMON NAME
	BOJANICAL NAME	COMMON NAME
SHRUBS		
ALC	Allamanda cathartica	Canaria
AP	Alpinia purpurata	Red Ginger
BBK	Bougainvillea	"Barbara Karst"
BHJ	Bougainvillea	"Helen Johnson"
8G	Bougainvillea glabra	Trinitaria
BS	Bougainvillea spectabilis	
CG	Carissa grandiflora	
CU	Coccoloba uvifera	
CP	Codiaeum petra	Croton
CV	Codiaeum variegatum	Variegated Leaf Croton
CTM	Coronaría	"Tabernae Montana"
EP	Euphorbia pulcherrima	Common Poinsettia/Pascua
FB	Ficus benjamina	Bush-form Fig Tree
HB	Heliconia bihai	Carib Heliconía
HPA	Heliconia psitacorum	Heliconia Andromeda
HPC	Heliconia psitacorum	Heliconia Calioscope
HPCH	Heliconia psitacorum	Heliconia Choconeana
HPG	Heliconia psitacorum	Heliconia Golden Torch
HPS	Heliconia psitacorum	Heliconia Sassy
HPP	Heliconia psitacorum Hibiscus rosa-sinensis	Parrots Heliconia Chinese Hibiscus/Pavona
HR IM	Ixora coccinea "Maui"	Ixora Maui
IN	xora	Ixora Nora Grant
IMA	Ixora macrothryrsa	Cruz de Malta
JP	Jasminum pubescens	Furry Jasmine
NO.	Nerium oleander	Common Oleander
NOD	Nerium oleander	Dwarf Oleander
Pl	Pentas lanceolatas	Star Cluster
PV	Petrea volubilis	Petrea
PS	Philodendron selloum	Philodendron
PA	Plumeria acuminata	Frangipani
PG	Polyscias guilfoyley	VariegatedWild Coffee
RI	Raphiolepsis indica	Indian Hawthorn
SF	Stephanotis floribunda	Madagascar Jasmine/Estefanote
GROUND C	COVERS	
AN	Allamanda nerifolia	Dwarf Allamanda
ASP	Asparagus sprengeri	
AC	Asystasia coromandaria	
HC	Hymenocallis caribea	Spider Lily
KSP	Kalanchoe SP	
LM	Liriope muscari	
MI	Moraca iriodes	
NB	Nephroleps bisserata	
NE OSB	Nephroleps exaltata	
OSP RS	Oxalis SP	
RE	Roheo spathacea Russelia equisetiformis	
SP	Setcreasea propurata	
SP	Spatholottis plicata	
WT	Wedelia trilobata	
RJ	Rain Jo	

Figure 5.7 – Recommended Plant Types for Palmas del Mar

GRASSES ZM CE CG BG	Zoysia manila Centipede Grass Carpet Grass Bermuda Grass	
TREES BV BB CLB CSV DR ED FBR GO HT JA LS LL MLS PI FS SMO TH TC	Bauhinia variegata Bucida buheras Callistemon lanceolatus Calophyllum brasiliense Casuarina equisetifolia Cordia sebestena Delonix regia Eucaliptus deglupta Ficus benjamina Grevillia robusta Gauiacum officinale Hibiscus tiliaceus Jacaranda acutifolia Lagerstroemia speciosa Ligustrum lucidum Maleuca laucalendrum Montezuma speciossisima Peltophorum inerme Pterocarpus indicus Swietenia macrophylla Swietenia mahogani Tabebuia hererophylla Terminalia catappa L.	Buddhist Bauhinia Ucar Bottle-Brush Tree Maria Casuarina/PinoAustraliano Vomitel Colorado Flamboyan Eucalipto Fig Tree Silky Oak Guayacan Tree-Form Hibiscus Jacaranda Reina de las Flores Wax-Leaf Privet Maleuca Maga Flamboyan Amarillo Terocarpo Caoba Hondureña Caoba Dominicana Roble Blanco / White Cedar Afmendro / Indían Afmond
PALMS		
AC AW BC CHL DA EG LAT	Areca catechu Acoelorrhaphe wrightii Butia capitata Chrysolidocarpus lutesc Dictyosperma album Euterpe globosa Latania verschaffeltii	Betel Palm Paurotis Palm Butia Palm Yellow Palm Princess Palm Palma de Sierra Yellow Latania Palm
PC PR PRE PE RB SC	Phoenix canariensis Phoenix roebellenii Phoenix reclinata Ptychosperma elegans Roystonea borinquena Sabal causiarum	Canary-Island Date Palm Roebelen Date Palma Senegal/Datil Solitaire Palm Royal Palm Puerto Rican Hat Palm

Figure 5.8 – Recommended Plant Types for Palmas del Mar, continued

# **CHAPTER 6: SIGNAGE STANDARDS**

### A. Introduction

The Palmas del Mar Resort entry feature and Main Gatehouse set the tone for the balance of the signage regulated by the PHA-ARB. The information provided in this manual establishes basic criteria for sign types, sizes, materials, colors and finishes, and typography. While most signage needs will be met by creative application of the signs illustrated, the program is intended to be flexible and versatile in that additional configurations may be added that conform to the established standards. It is extremely important to present a cohesive and consistent image through the infrastructure signage - not only for way findings purposes, but also to present Palmas at its highest state of development as a fully planned community.

### Sight Distances at Intersections

No fence, wall, hedge, or plantings shall be placed, permitted, or maintained inside the sight triangle for corner lots or lots that abut pedestrian trails. No trees shall be permitted unless the foliage line is maintained at a 6' or higher to prevent obstruction of sight triangles. Sight triangles are defined by measuring 20' down the two property lines that are adjacent to the two sidewalks on a corner lot or sidewalk and property line shared with public areas. The third side of the triangle is found by connecting the two 20' markers described above. In the case that the rear of a corner lot abuts the side of another lot, the sight triangle will apply to the rear of the corner lot.

#### **Roadside Obstacles**

No concrete cylinders, pyramids, half-rounds or similar items or devices may be placed along roadways or within rights-of-way in front of a Lot.

### **B. General Notes**

The alternatives listed are intended to encourage the submission of bids by qualified vendors, utilizing high quality state-of-the-art, and low maintenance materials suitable for the seafront resort environment. The owners may elect to evaluate additional alternatives at their discretion, subject to PHA-ARB approval.

These guidelines are intended to convey general information about sign types, dimensions and overall appearance. It is not intended to replace working drawings, including details and specifications, schedules, and location plans for fabrication purposes, which must be presented to the PHA-ARB for approval.

### C. Materials

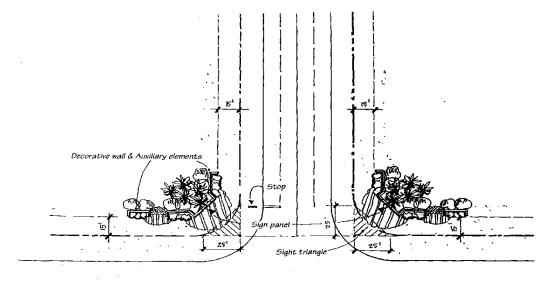
#### 1. Post alternatives

- a. Extruded PVC, nominal sizes as noted (4X4, 6X6) with internal molded reinforcement or galvanized metal insert, as required. Finish to be semi-gloss or satin, synthetic type formulated for permanent bond to vinyl material. Submit samples. See color schedule.
- b. Aluminum square tube, wall thickness engineered for post height and loads. Finish to be semi-gloss or satin acrylic polyurethane or approved equal. Submit samples. See color schedule.
- c. Pressure treated wood (only for short posts, when approved by the PHA-ARB), finish to be special stain or paint formulated for pressure-treated wood. Submit specifications.
- d. Applied Decorative Skirts: fabricate from same material as selected panel alternative, with interlocking mitered corners, finish same as post. Metal protector skin to 8" above grade may be added as mowing guards.

### 2. Panel Alternatives (1-1/2" thick)

- a. Expanded polystyrene with proprietary mineral coating, integral applied finish to match color schedule.
- b. Rigid, high-density urethane foam with manufacturer's recommended base and finish coating.
- c. PVC material rated for exterior sign applications. Submit sample of material and finish for PHA-ARB approval.
- d. Aluminum Plate, minimum 0.125 inches with 3M engineering grade reflective sheet meeting USDOT standards, in colors specified for application, inserted into cast or routed recess into panel alternatives 2a through 2c.

# D. Diagrams



COMMUNITY ENTRY SIGNAGE - 45° FLANKING TREATMENT

Figure 6.1a – Community Entry Treatment and Signs

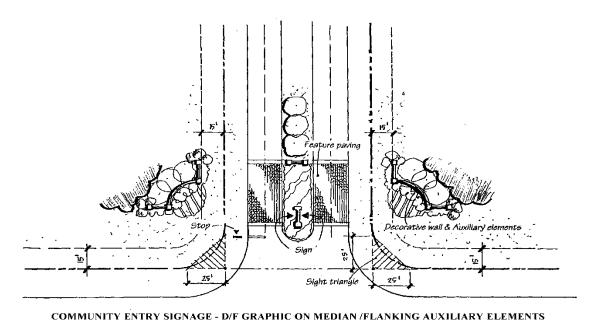
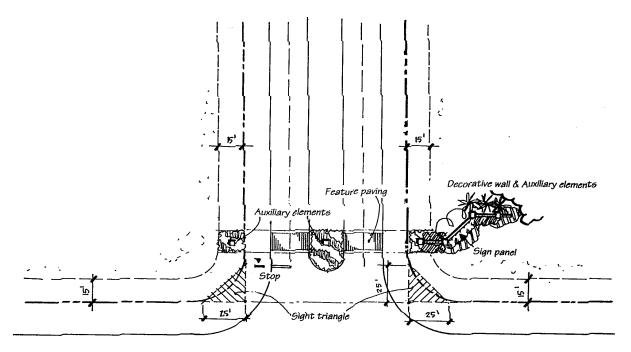
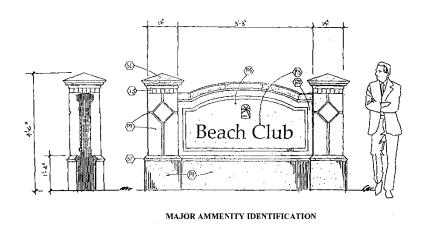


Figure 6.1b – Community Entry Treatment and Signs

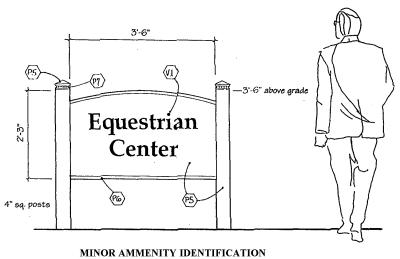


COMMUNITY ENTRY SIGNAGE - 45° VARIATION OFFSET - ONE PRIMARY TRAFFIC FLOW

Figure 6.1c – Community Entry Treatment and Signs



58





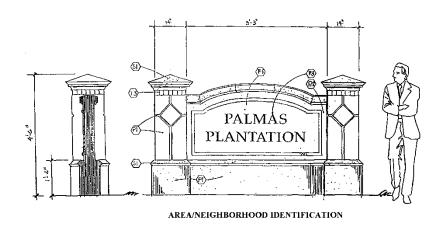
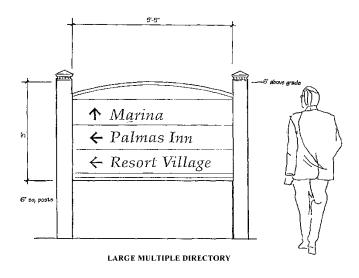
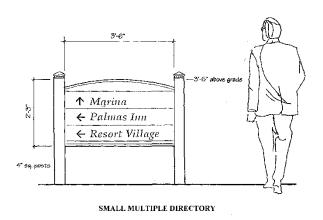


Figure 6.2 – Identification Signs





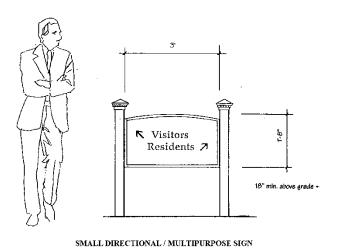


Figure 6.3 – Directional Signs

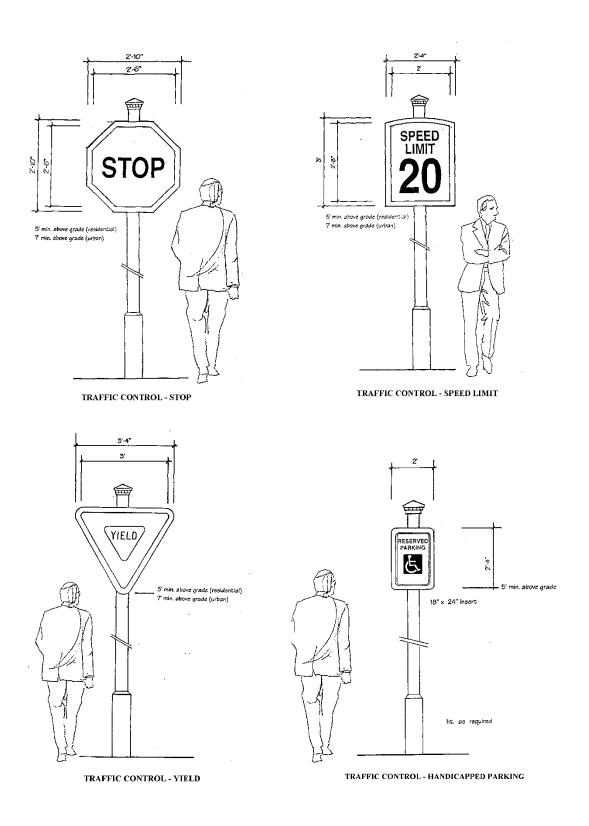


Figure 6.4 – Traffic Control Signs

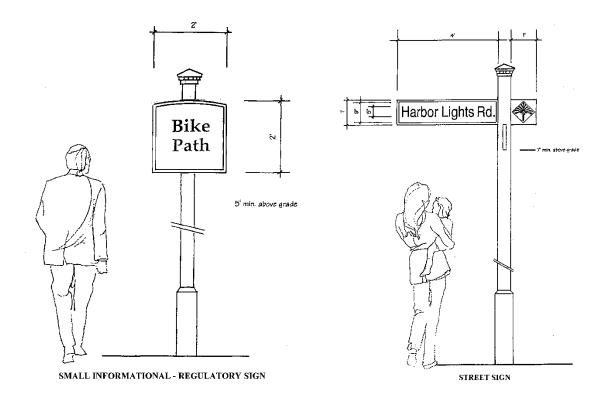


Figure 6.5 – Regulatory Signs

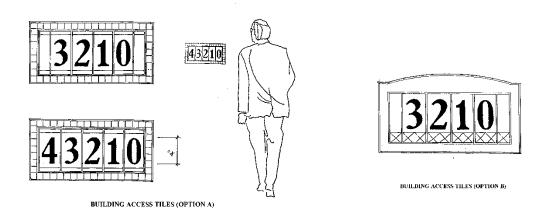
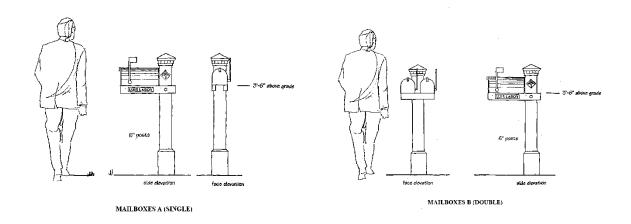
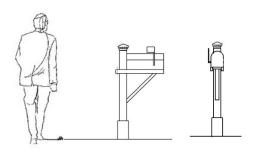


Figure 6.6 – Building Number Signs





Mailboxes C - Alternate Design

Figure 6.7 - Individual Mailboxes

# PALATINO BOLD

ABCDEFGHIJKLM **NOPORSTUVWXYZ** NOPORSTUVWXYZ abcdefghijklm nopqrstuvwxyz 1234567890,.&

# PALATINO ITALIC

*ABCDEFGHIJKLM* abcdefghijklm nopgrstuvwxyz 1234567890,.&

Figure 6.8 - Sign Fonts

#### PALMAS DEL MAR SIGNAGE COLOR FINISH SCHEDULE (A-3 INFRASTRUCTURE ITEMS)

Key	Description	Mfgr.	Color/finish	Remarks
P-1	Synthetic Stucco	B. Moore	(Yellow ochre base)	Match to designer sample
P-2	Stucco	B. Moore	(Terra Cotta) #056	Matte, acrylic
P-3	Alum. Sign Letters		Match PMS Blue #072C	Satin/Poly Urethane
P-4	Metal grille work		Black matte	Powder finish
P-5	Sign elements	B. Moore	Lt. Gold #185	Semi-gloss acrylic
P-6	Sign elements	B. Moore	Lt. Gold #185	Textured finish
P-7	Post cap detail	B. Moore	Turquoise #740	(Simulated tile)
P-8	Sign elements	B. Moore	Gold #187	Semi-gloss acrylic
S-1	Cast Stone elements		(off white, gold tones)	Match to designer sample
T-3	Border Tile		Cobalt blue	Match to designer sample
V-1	Vinyl Lettering	3M or eq.	Sapphire Blue	Exterior rated

Figure 6.9 – Sign Color and Finish Schedule

# **CHAPTER 7: CONSTRUCTION RULES AND REGULATIONS**

### A. Introduction

This section deals with general dispositions and regulations during the construction of projects within Palmas del Mar.

The following documents and drawings must be submitted to the PHA-ARB for approval during the pre-construction meeting and/ or prior to beginning construction:

- 1. Copy of PHA-ARB final endorsement
- 2. Copy of PDMU Infrastructure hook-up endorsement
- 3. Copy of Construction Permit
- 4. Copy of receipt for Construction and Road Repairs Security Deposit
- 5. Copy of all applicable regulating agency endorsements
- Copy of erosion and sedimentation control plan (Plan CES) and Consolidated Permit Application
- 7. Construction Site Plan showing: location of all temporary facilities, employee parking, construction field offices, construction access routes, construction phases, temporary construction signage, construction fence and gates.

# **B.** Rules and Regulations

### 1. General

Builders, owners, and other subcontractors shall be bound by these regulations and The Palmas Del Mar Construction Manual, as required. Any violation by a Builder or subcontractor shall be deemed to be a violation by the Owner of the Lot or Parcel. Per PHA Restrictive Covenants, project owners are responsible for the expenses of maintenance, repair or replacement of damages rendered necessary by his act, neglect or carelessness or by the negligence of his employees or contractors. The PHA-ARB reserves the right to stop any construction that is in violation of these Construction Rules.

No construction shall start before 7:00am or continue beyond 5:00pm in residential / tourist areas without prior written authorization by PHA-ARB's Executive Director.

Contractor is responsible for any damage to green areas, trees, street furniture, private property, landscaping or plant material. Damages not repaired may result in a deduction to the construction deposit. Owners or Developers must

ensure that each contractor has sufficient public liability insurance to satisfy damages to private, common or third party property within Palmas del Mar.

#### 2. Permits

Contractor must have copies of Earthwork Permits, Construction Permits, Approved CES Plan and Consolidated Permit Application, Department of Natural Resources Tree Removal and Planting Permit, Regulating Agency Endorsements, and PHA-ARB final endorsement for Construction present at Project Site Offices at all times during construction. The PHA-ARB Approved Project Sign required on Chapter 2, Section D.5, of these Guidelines must be displayed at the project in a position which is visible from the street at all times during construction.

## 3. Safety

Contractor is responsible for complying with all Commonwealth and Federal regulations concerning safety and health protection.

A construction fence, not less than 6 feet in height, made of chain link covered by green fabric, as approved by the PHA-ARB, is required along the project perimeter. The chain link fence must be designed and maintained to withstand expected wind loads and repaired quickly to its original state when damaged. Any deviation from the specified green fabric covered chain link fence must be presented to the PHA-ARB for approval. Horizontal corrugated zinc panels may be used if painted green and well-kept during construction. Construction fences must be removed as soon as project progress allows. Permanent fencing shall be erected as soon as possible to replace construction fences.

Orange safety construction fencing is required on all sides of open excavations, and silt fencing must be provided to prevent erosion as required. All safety signage must be written both in Spanish and English.

#### 4. Construction Personnel

All personnel shall be registered with security/access control Departments and shall wear identification tags at all times. Construction personnel are not allowed to have their meals outside of their construction area.

Employees and contractors that fail to comply with the PHA-ARB construction rules and/or violate any community rules, controls, procedures, or laws are subject to immediate removal and to be banned from working in Palmas del Mar.

## 5. Materials Storage

Storage trailers or plywood sheds, which should be painted Hunter Green, must be removed as soon as the project progress allows or 12 months after its initial installation.

#### 6. Debris and Trash Removal.

Storage of garbage in the construction area is not permitted. Construction site must be free of garbage at all times. Burning garbage is not allowed. Disposal of trashed materials on site is not permitted. Garbage bins must be provided and emptied on a regular basis.

Owners and Builders shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from the construction site at least once a week to an approved dumping site located outside of the project. Lightweight material, packaging, and other items shall be covered and/or weighted down to prevent wind from blowing such materials off the construction site.

During the construction period, the construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots and Parcels. Any clean-up costs incurred by the PHA in enforcing these requirements will be billed to the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces and driveways or any other areas within Palmas del Mar. Excess excavation material must be promptly hauled away from Palmas del Mar.

### 7. Sanitary Facilities

Each Owner and Builder shall be responsible for providing adequate sanitary facilities for construction workers. Portable toilets or similar temporary toilet facilities shall be located on the project site, in areas approved by the PHA-ARB.

#### 8. Environmental Control and Protection

An effective erosion and sediment control plan (Plan CES) must be in place at all times to prevent sediment run-off from the construction site. Storm drainage must be maintained free from debris or any other material to insure the free flow of storm water. Contractor shall not in any way obstruct the free drainage of storm water. Mixing cement on public roads or green areas is not permitted.

### 9. Conservation of Landscaping Materials

Owners and Builders are advised of the fact that many of the Lots and Parcels contain valuable native plants and other natural landscaping materials that should be protected during construction, including topsoil, rock outcroppings and boulders, and plant materials. Protected features of the landscape for which removal is prohibited should be marked and protected by flagging, fencing or barriers. The PHA-ARB may independently flag major terrain features or plants that are to be fenced off for protection. Any trees or branches removed during construction must be promptly cleaned up and removed immediately from the construction site. Trees marked, as existing to remain must be protected with tree protection fence at drip line.

#### 10. Off-Site Materials

Any rocks, sand, plant material, topsoil, or similar existing natural items shall not be removed from any property within Palmas del Mar, including construction sites.

## 11. Restoration or Repair of Damaged Property

Damage or scarring to adjacent Lots, Parcels and/or improvements constructed thereon will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or by the Owner of the Lot or Parcel. Upon completion of construction, each Owner and Builder shall clean his construction site and repair all property which was damaged including, but not limited to, restoring grades, plants, shrubs and trees as approved or required by the PHA-ARB, and repairing streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

#### 12 Construction Access

The only approved construction access during the time improvements are being built will be over the approved driveways for the Lot or Parcel, unless the PHA-ARB approves an alternative access point. Transit over golf courses or any Common Green Areas is prohibited.

Construction vehicle access shall be limited to pre-approved access routes. Access to the construction site through adjacent lots or green areas is not permitted unless specified in writing by the affected owners or by PHA. PHA will require a \$1,000.00 cash bond to allow the use of green areas to access any construction site.

No heavy construction equipment with cleats is allowed on public roads. Only vehicles with tires are allowed.

### 13. Vehicles and Parking Areas

Construction vehicle and personnel parking shall be located within project site or pre-approved designated areas. Construction crews shall not park on or otherwise use other Lots or Parcels. Private and construction vehicles and machinery shall be parked only in approved areas designated by the PHA-ARB. All vehicles shall be parked so as not to interfere with the flow of traffic, and within the designated areas so as not to damage the natural landscape.

# 14. Equipment Cleaning

Changing oil on any vehicle or equipment or allowing concrete suppliers and contractors to clean their equipment on the site itself at other than a location specifically designated for that purpose by the PHA-ARB is prohibited.

#### 15. Dust and Noise Control

The Builder shall be responsible for controlling dust and noise pollution emanating from the construction site, including the use of loud radios by construction crews.

# CHAPTER 8: SPECIAL REGULATIONS FOR BEACHFRONT PROJECTS

### A. Introduction

This section deals with construction projects within the Beachfront Zone of Palmas del Mar and applies equally to developers of projects and owners of units. The scope of the measures to be considered will include: beach access, separation from the maritime zone, exterior lighting, landscaping, amenities, parking areas, driveways and other common spaces. Projects near the maritime zone must comply with the special regulatory requirements of the following:

- Planning Board Regulation Number 17.
- Planning Board Resolutions on Case No. 70-012 URB, dated November 22, 1972.
- Palmas del Mar Sea Turtle Nesting Habitat Conservation Plan.
- OGPe Reglamento Conjunto para la Evaluación y Expedición de Permisos Relacionados al Desarrollo y Uso de Terrenos, latest edition.
- Department of Natural Resources and Environment Regulation 4860, as amended.

# **B. Beachfront Construction Regulations**

All Developers, Owners and Contractors working on projects on the Beachfront Zone of Palmas del Mar must also comply with the following construction regulations:

- 1. Construction activities shall not encroach on sea turtle nesting areas. Construction areas shall be protected to avoid possible encroachment by sea turtles or hatchlings.
- 2. Construction access will be only landward, off from the beach system, except when erosion control is required to be implemented from beach side. No construction equipment will be stored or driven on the beach.
- 3. Security lighting for construction equipment and storage shall be shielded so as not to be directly visible from the beach.

- 4. All construction areas in the Beachfront Zone must be fenced at all times. All construction activities shall be conducted during daylight hours. No construction or sand removal shall occur in potential turtle nesting areas.
- 5. No natural beachfront vegetation shall be removed without the approval of the US Fish and Wildlife Service and the PR Natural Resources Department. Copies of all approvals must be filed with the PHA-ARB.

# C. Beachfront Design Guidelines

The following measures are design guidelines that should be implemented in an effort to protect the Sea Turtle Habitat during the construction and use of beachfront property:

- 1. Exterior Lighting Fixtures shall be low pressure sodium luminaries with 100 watts maximum output, or equivalent compact fluorescent or LED luminaries with similar color rendering. Light sources shall be shielded from view.
- 2. Keep Permanent Light Sources from directly, indirectly, or cumulatively illuminating the beach such that distinct shadows could be cast on the beach on a moonless night.
- 3. Use the lowest wattage possible to accomplish the lighting task of providing safety and security.
- 4. Use directional luminaries directed down and away from the beach. Use shields on luminaries to reduce up light to prevent light from reaching the beach
- 5. Use low, louvered bollard fixtures rather than pole mounted luminaries, where possible.
- 6. Position luminaries to take advantage of potential light shields such as walls, buildings, vegetation, etc.
- 7. Use motion detector switches for safety and security lights.
- 8. Plant landscape vegetation as a lighting buffer where applicable and maintain existing vegetation.
- 9. Design and locate parking areas and roadways to minimize vehicle headlights from directly or indirectly illuminating the beach.

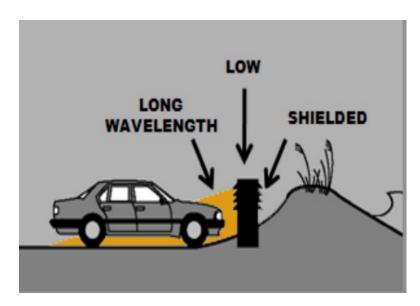
- 10. Always restrict vehicles from the beach, other than security and/or emergency vehicles. Train personnel using security and emergency vehicles to identify and avoid nests.
- 11. Design and locate interior fixtures that will reduce lights spillage from within ocean-facing rooms.
- 12. Use interior curtains and/or shutters to reduce light trespass from interior spaces to the outdoors.
- 13. Use full cutoff luminaires, low reflectance surfaces and low angle spotlights where appropriate.

The guiding principles for the best management practices are *Keep it Low, Keep it Long, and Keep it Shielded*. These principles form the basis of all Sea Turtle Friendly Lighting, and if light does illuminate the beach they ensure that it minimizes disruption to nesting turtles and hatching behavior.

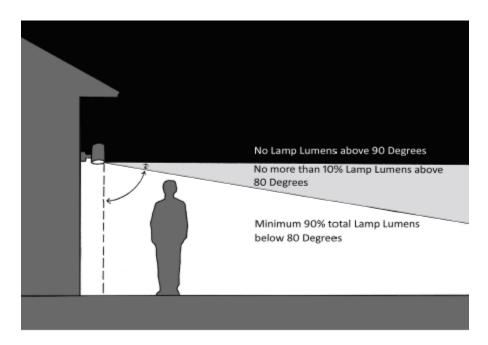
**Keep it Low** – Mount the fixture as low as possible to minimize light trespass and use the lowest amount of light (lumens) needed for the task.

**Keep it Long-** Use long wavelength light sources (Amber and Red) in the appropriate lighting wavelength, 580 nm and above.

**Keep it Shielded** – Fully shield the light so bulbs and/or glowing lenses are not visible from the beach.



**Figure 1** shows a bollard fixture at a beach dune that illustrates the three STFL general principles.



**Figure 2** shows an appropriate "full-cut-off" fixture on the exterior of a home. A part of the *Keep it Shielded* requirement is that no lamp lumens go above a 90-degree angle with no more than 10% of the lamp lumens exceeding 80-degrees angle.

The wavelength a light emits influences its color and its impact on turtles. Human perceptions of light and means of measuring it are not necessarily relevant to the way turtles perceive the color and brightness of light. The term 'brightness' is often used to describe the combination of wavelength and intensity that affects turtle behavior. Turtles are most sensitive (attracted) to short wavelengths of light, probably because they live in a marine environment that filters out long wavelengths. Moonlight has a short wavelength (violet/blue spectrum). Green and loggerhead turtles are least attracted to longer wavelength light in the yellow-orange to red end of the spectrum (630 to 700 nm), as shown on Figure 3.

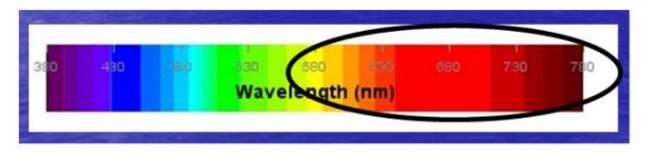
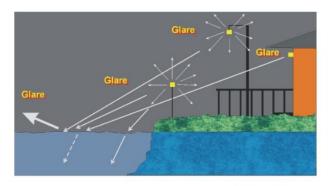
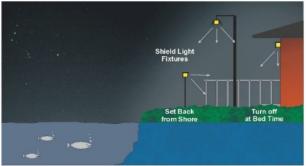
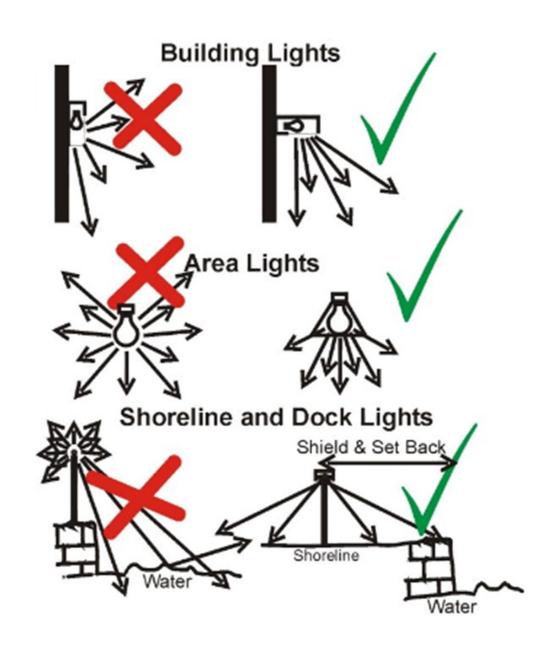


Figure 3. Wavelength turtle less attracted.

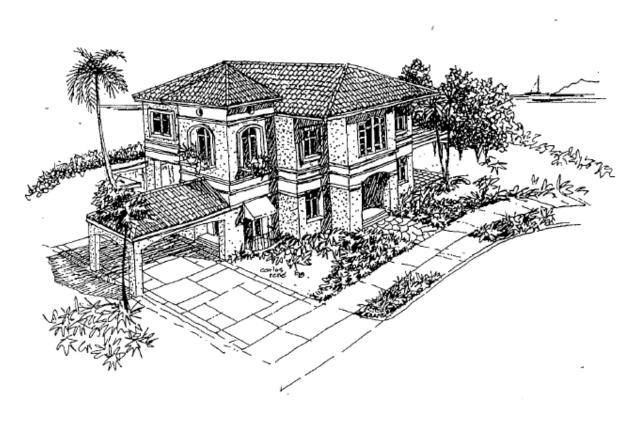




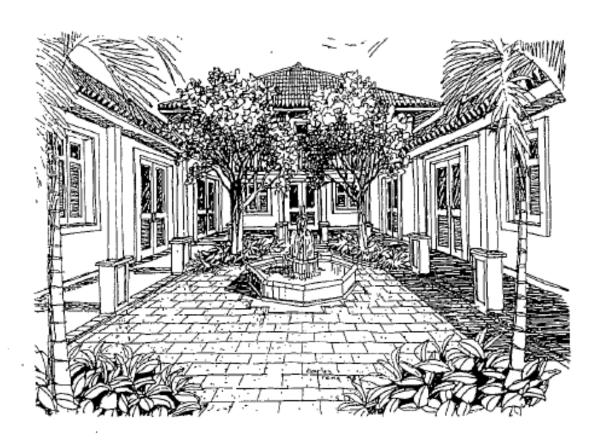
The Bad and the Good Shoreline Lighting



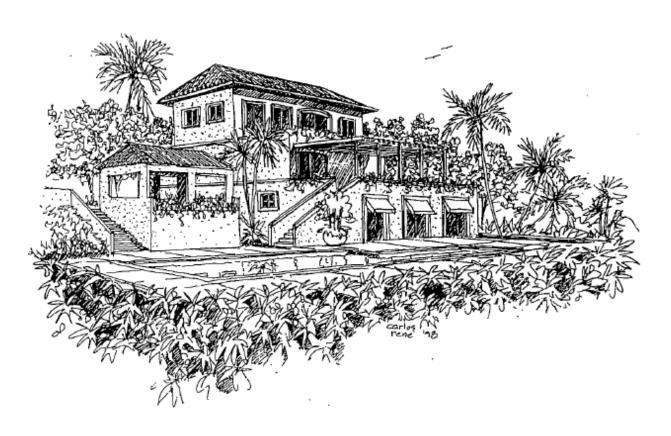
## **APPENDIX A: Palmas del Mar Architectural Style Illustrated Guide**



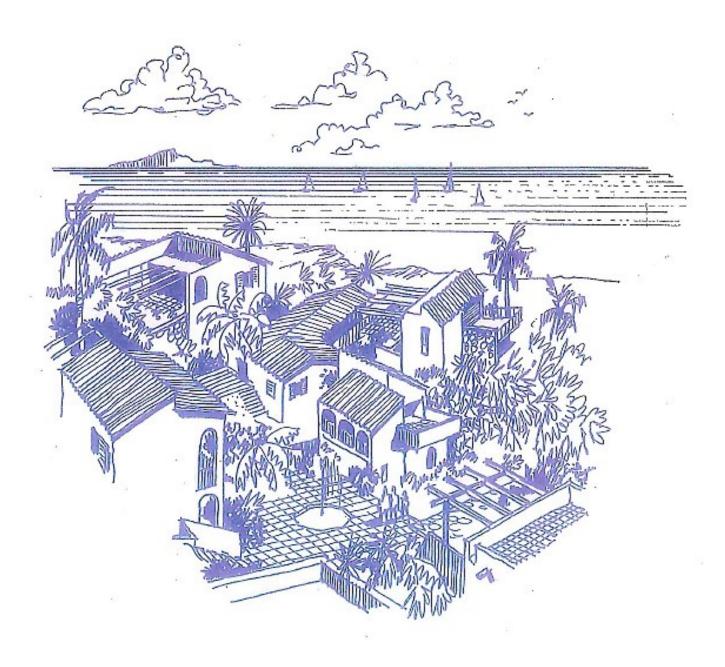




PATIOS AND TERRACES ADD ELEGANCE TO THE DESIGN

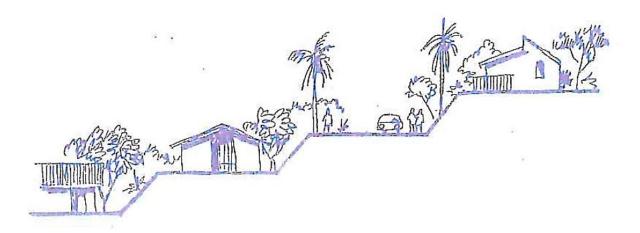


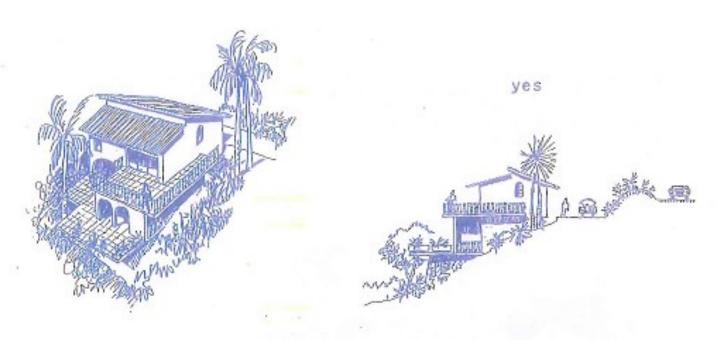






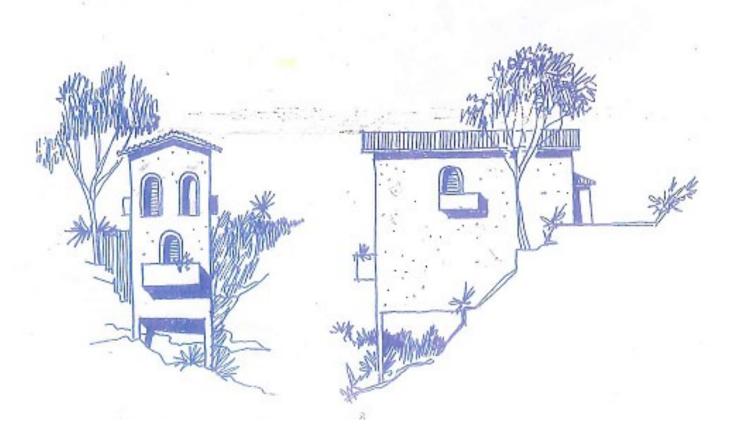
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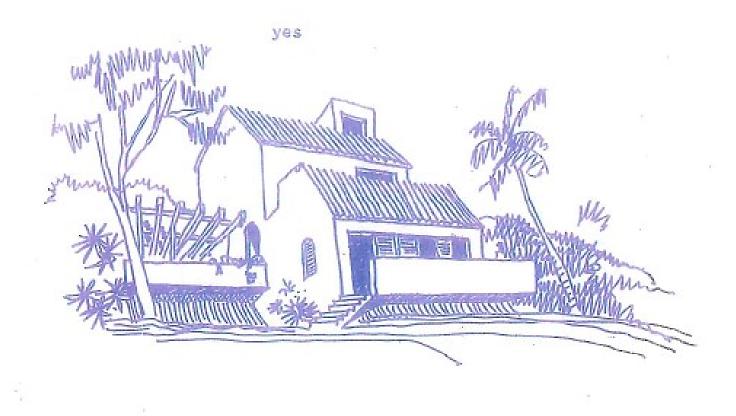


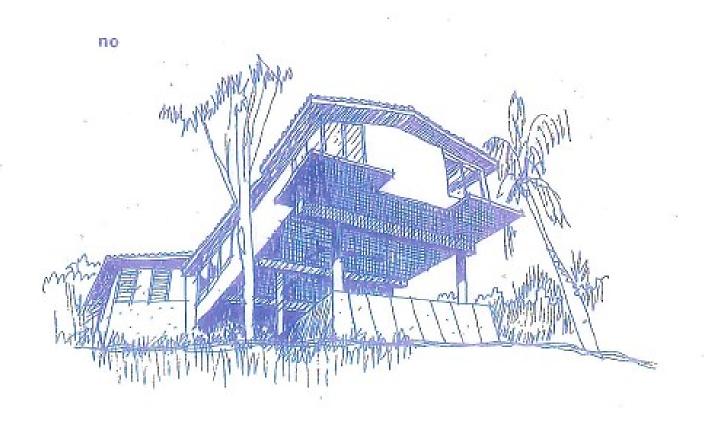


Avoid the extreme vertical lines resulting from placing the house endways on the lot, necessarily extending deep into the slope.

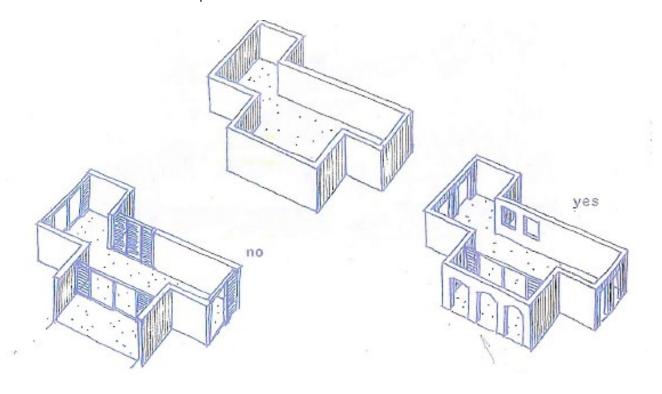
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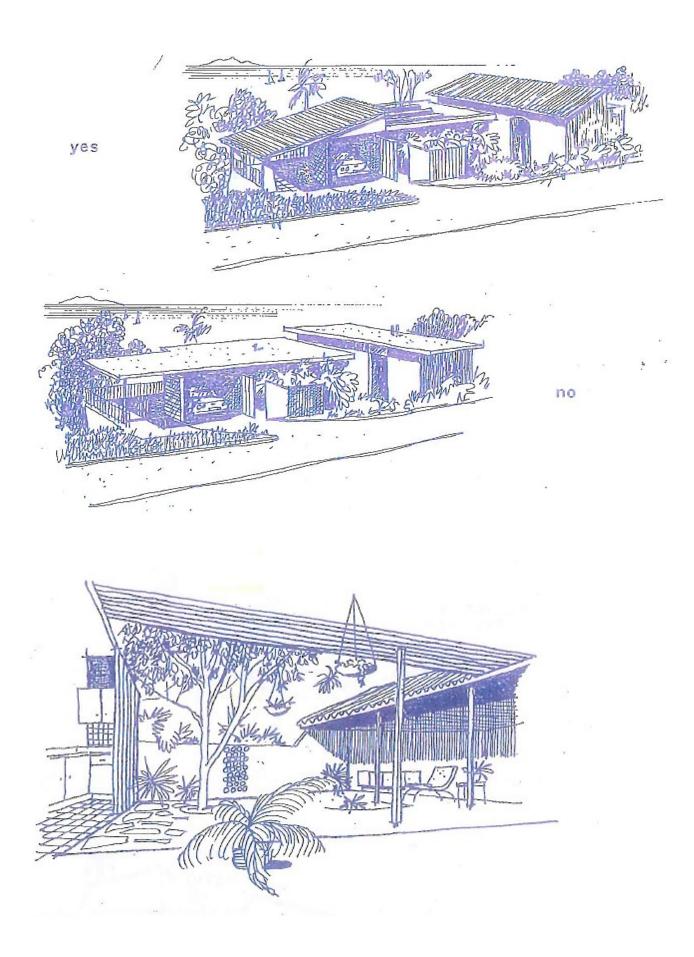


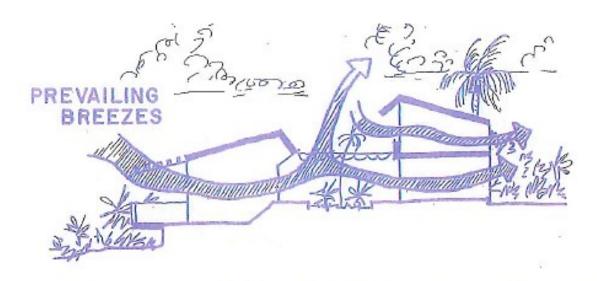


The architectural style of Palmas del Mar should be described as an architecture of walls that forms an envelope of the exterior volumes of structures.

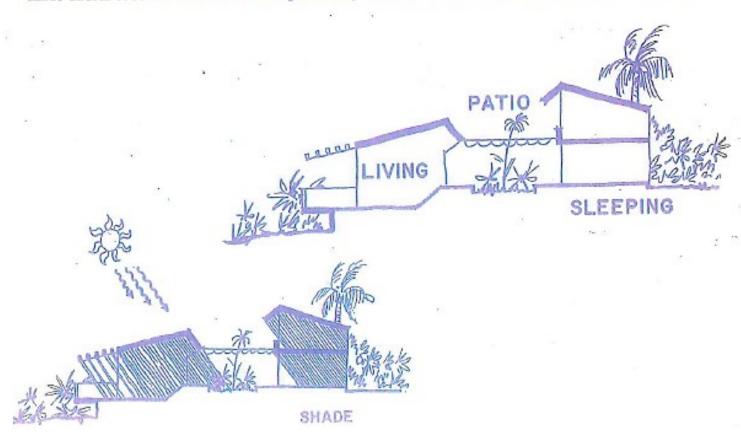


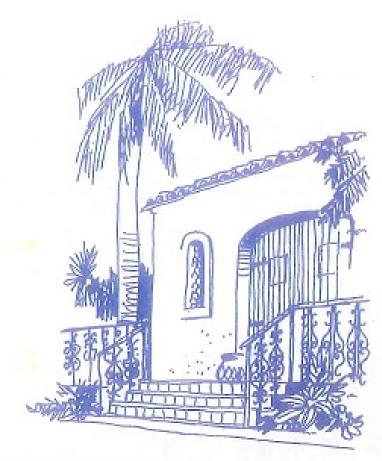




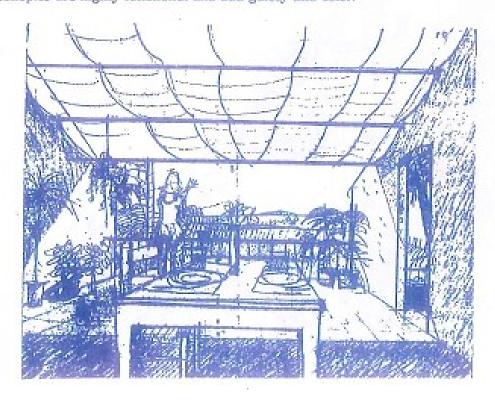


Louvered shutters permit air to flow through while blocking out the sun. They are one of the most useful control devices in the tropics. They will also add beauty and character to your house.





Canvas canopies are highly functional and add gaiety and color.



The latest revisions of the following documents are referenced:

- OGPe Regulations
- Application for Architectural Review
- Construction Security Deposit Agreement
- Construction and Structure Maintenance Work Rules
- Vacant Lot Maintenance Permit
- Policy for Controlling Undesirable Business at Palmas del Mar
- PHA-ARB Administrative Procedures for the Imposition of Fines

## **APPENDIX B: Palmas del Mar Architecture – Variety and Harmony**





Prairie style reinterpreted

Cupula and Pyramid



Towers



Sawtooth roofs



Curved canopy



Concrete and glass volumes



Concrete and glass volumes



Cone and cylinder



Moldings



Columns and pergola



Concrete gutter