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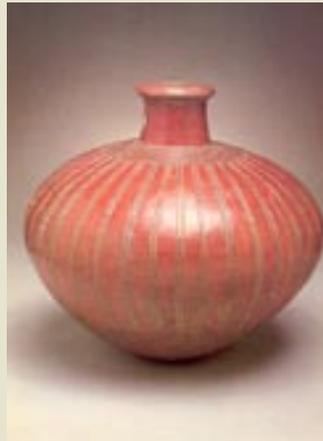




## Introduction

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Peninsula Papagayo Resort is a mixed-use resort community integrating the beauty of the land and the culture of Costa Rica with the amenities and luxuries of a world-class resort. The Peninsula Papagayo Master Design Guidelines for Hotels and Multi-Family Residences apply to the development, design and construction of all Hotels and Multi-Family Residences within Peninsula Papagayo. These guidelines have been created to preserve and protect the natural environment, to promote design that is in harmony with the land and the region's historic culture, and to enhance the aesthetic integrity of Peninsula Papagayo.



*Reflective of Historic Culture*

These Master Design Guidelines establish the following:

- 1) the architectural design *vision* and philosophy of the resort
- 2) the design review *process*
- 3) the *rules* by which the aesthetic integrity of the resort will be maintained

THESE GUIDELINES APPLY ONLY TO HOTELS AND MULTI-FAMILY RESIDENCES. Other guidelines will address single Family Residences and the Village Commercial structures.

The Master Declaration for Peninsula Papagayo provides for neighborhoods or subdivisions to be formed within the resort community ("Neighborhood Associations"). These groups may elect to create additional guidelines to supplement these Master Design Guidelines. Such supplemental guidelines are acceptable as long as they do not contradict the overall aesthetic or procedural standards set forth herein. Any such new guidelines must be approved by the Peninsula Papagayo Master Design Review Board (MDRB).

Additional guidelines and revisions to these Master Design Guidelines may be promulgated from time to time by the MDRB under the governance of the Master Association.

The Master Design Guidelines contained in this document will be administered and enforced by the Master Design Review Board (“MDRB”), consisting of experienced architects and other design professionals. Please contact the MDRB Staff at 506-696-2162 for the most current information or any clarification regarding these Guidelines or to schedule meetings with the MDRB as required by these Guidelines.

# Design Philosophy & Objectives

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## 1.1 Design Philosophy

The design philosophy of Peninsula Papagayo draws from two major sources: the land itself and the indigenous Pre-Columbian culture that inhabited the peninsula over 3,000 years ago. The unifying visual theme is the subtle blending of people and structures with the landscape in order to preserve and enhance the natural environment. The Peninsula Papagayo lifestyle will be one where people today can experience the same beauty and mystery that drew inhabitants to the region centuries ago. Buildings will be in harmony with the ocean, land, flora and fauna, blurring the line between indoor and outdoor spaces.



*In Harmony with the Ocean and the Land*



*Pre-Columbian Influences*



*Indigenous Culture*

## **Building Sites Formed by Natural Bowls**

As major lava flows from distant volcanoes cooled, dramatic “bowls” occurred in the landscape. These natural valley-like areas curve around beaches and form natural building sites. This dynamic interaction between the sea and volcanic activity has created a powerful landscape that the Master Plan embraces. In some cases, Hotel and Multi-Family Residential sites have been identified within these bowl areas, often with a strong degree of privacy and closely related to a beach. Dramatic views, cooling ocean breezes and lush, natural landscape provide a strong natural setting for creative and sensitive development within these areas.



*Natural Bowl at Playa Pochote*

In other instances, Hotel and Multi-Family Residence sites have been located on the mesa and ridge areas overlooking the ocean. Often these sites offer panoramic views of the dramatic Peninsula Papagayo landscape.

## **Environmental Commitment**

The master plan for Peninsula Papagayo establishes a strong commitment to the environment, and it is very important that the design of Hotels and Multi-Family Residences fulfill that commitment. This can be achieved by starting with a strong respect for the natural setting...buildings are to blend into the topography and vegetation. It is especially important that the design of Hotels and Multi-Family Residences accomplish a scale, massing, and use of materials and colors that will allow the buildings to become one with their setting rather than establishing an overpowering presence.

## ***Environmental Commitment...a Strong Respect for the Natural Setting***

The commitment to the environment can also be accomplished through the implementation of sustainable design practices, the use of renewable building products, and the design of energy-efficient buildings. The design of Hotels and Multi-Family Residences, while dealing with the rich heritage and aesthetic values of Peninsula Papagayo, must also hold environmental stewardship in the highest regard.

## **1.2 Objectives for Hotel and Multi-Family Residential Design**

### **1.2.1 Create a Distinct Experience for Guests and Owners**

Each Hotel and Multi-Family Residential site in Peninsula Papagayo offers a unique setting and an opportunity to create a special experience for guests and owners. Generally, these Properties benefit from dramatic views of the ocean and many have direct beach access. Within the natural context of each site there is the opportunity to create a sense of sanctuary and privacy...the topography and vegetation will often allow a sense of seclusion and remoteness from other Properties and activities within the resort.

Hotels and Multi-Family Residences should strive to create a distinct identity. This can begin with a clear statement of the special facilities, uses, and market appeal for the specific property. Within the Master Plan context, some hotel Properties may be intimate in scale and address the desires of a secluded, boutique retreat, while others may offer the full services and high-tech support of a conference facility. Still other Properties may be best suited to emphasize the unique aspects of Costa Rica through education (archeology, marine, flora, and fauna), wellness and health, outdoor adventure, spa and fitness, golf, and beach. The design opportunity is to apply the principles of the overall design theme and the specific design guidelines to create a special, one-of-a-kind experience for each Hotel and Multi-Family Residential property in Peninsula Papagayo.

### **1.2.2 Integrate Hotels and Multi-Family Residences with the Natural Environment**

#### **Preserve View Corridors**

- **Community View Corridors** — The Master Plan for Peninsula Papagayo has established several major View Corridors. By respecting the open plateaus and bluff edges these View Corridors will provide a continual reminder of the importance of the ocean to the Community. Ocean views can be glimpsed from roads, golf courses, and other locations within the Community. The design of Hotels and Multi-Family Residences must not infringe on these View Corridors.
- **Individual Site View Corridors** — At a more detailed level of planning, a number of View Corridors may evolve in the design of Properties to enhance the view from lobbies, individual rooms and residences. Proper site planning and landscaping should be used to preserve these views and thus enhance the resort experience.
- **Ocean Vistas** — Where applicable, Hotels and Multi-Family Residences should be designed to take advantage of the dramatic ocean vistas and cooling ocean breezes.

#### **Integrate Buildings with the Natural Features of Each Site**

- Each Hotel and Multi-Family Residential Site at Peninsula Papagayo is unique in terms of its natural opportunities and constraints. In an effort to achieve a synthesis of nature and buildings, it is expected that the design of each structure will be tailored to take advantage of the unique features and characteristics of the individual site.

- Indoor and outdoor spaces, especially at lobbies and public areas, should flow together, blending man-made structures with nature.



*Merging of Indoor and Outdoor Spaces*

- Buildings should adhere to the natural contours of the site, taking advantage of hillsides and slopes for protection and ventilation.

### **Integrate with the natural landscape and seasonality**

- Unlike the typical rain forest climate, Peninsula Papagayo's *dry tropical forest* is subject to distinct seasons when many plants drop their leaves and remain open for a period of time. The opacity of the forest canopy changes so dramatically during this time of year that the Costa Ricans call it the "Gold Season." Hotel and Multi-Family Residence design should take this *seasonality* into account.



*The "Gold Season" of the Dry Tropical Forest Climate*

- Landscape, existing and new, should blend with buildings and unify the overall landscape within the community.

### 1.2.3 Reflect Unique Traditions of the Indigenous Pre-Columbian Culture

- The incorporation of Costa Rican Pre-Columbian legends, metaphors and art forms is encouraged at any level of reference. Such reference to Pre-Columbian heritage can be as simple as a decorative pattern or it can be the basis for the entire design concept of the Hotel or Multi-Family Residence.



*Art Forms of Pre-Columbian Heritage*

- Natural materials in earth tones and subtle hues are encouraged.
- Principal building practices of *dry tropical climates*, such as incorporating eaves and overhangs to protect from rain and sun and designing open-air floor plans to optimize ocean breezes, are recommended.
- The use of indigenous materials is encouraged.



*Natural Stone Paving*

- Buildings that are simple in design and planning...with varied and rich detail will support the traditions of indigenous Pre-Columbian culture.

### 1.2.4 Preserve the Natural Environment

The ***Shoreline, Mangrove Preserves*** and ***Nacascolo Valley*** are all examples of areas at Peninsula Papagayo that have been designated as *natural preserves*. These areas foster and provide sanctuary to unique species of flora and fauna.



*Sanctuary to Flora and Fauna at Peninsula Papagayo*

The Costa Rican Government and the Peninsula Papagayo Resort Community are sensitive to the value of these areas and have designated them as *natural preserves* and as Non-Buildable Areas. As such, residents and guests can enjoy the continued proliferation and protection of indigenous species on the peninsula. Further, the natural preserve areas provide openspace buffers between major development areas, providing increased privacy and protected views.

- To preserve the natural features of each Hotel and Multi-Family site, such as views, topography, and existing forest and ground cover, each building must be individually sited to minimize disruption of the existing environment.
- In an effort to preserve the night sky, lighting of public and private areas will generally be directed away from the sky, water, and neighboring Properties. Other than at the point of arrival, lobby, public areas, and pool or garden terraces, the general level of illumination for Hotels and Multi-Family Residences is intended to be no greater than that needed for safety and way-finding.

### 1.2.5 Establish Sustainable, Environmentally Responsible Design and Building Practices

Designers and their clients are encouraged to incorporate sustainable design initiatives and environmentally sound building practices in the design and construction of Hotels and Multi-Family Residences. It is recommended that the following design criteria for producing environmentally responsible design solutions be considered:

#### **Community Sustainability**

Peninsula Papagayo has been conceived as a carefully planned resort community set within the beautiful natural environment of Costa Rica. In order to preserve the beauty of its setting and to promote environmentally responsible design, Developers, Architects and Contractors should strive to make conservation and sustainability top priorities and to set the standard for

future environmentally sensitive development. The Master Developer is committed to sustainable design within Peninsula Papagayo, and strongly encourages the implementation of the following “Ten Sustainability Strategies.”

### **1. Site Design and Building Plans**

Site buildings in careful response to solar orientation and prevailing breezes. Solar orientation can be effectively used to help minimize cooling costs in summer. In addition, proper solar orientation can also aid in utility costs associated with lighting the building, by introducing natural light wherever practical. In general, shading devices are often needed for the high summer sun, but when properly designed can invite the low winter sun. Natural ventilation should be carefully considered with respect to which windows operate and how they are oriented to sun and breezes.

Careful design and integration of buildings with the topography and natural site features will help minimize site impacts and will also reduce construction costs. In addition, potential impacts to natural vegetation and drainage patterns can be reduced. Site work should be planned to balance cut and fill and to reuse topsoil and other native materials as much as possible, to reduce the export of materials off-site.

When designing floor plans, designers should be sure to include enough space for recycling operations within kitchen and garage areas.

### **2. Appliances**

Energy-efficient appliances should be specified whenever possible. Such appliances are significantly more efficient with their use of water and electricity, and are available in various models, finishes and colors that fit a range of budgets. The use of these appliances will help reduce utility bills, which in turn helps to reduce the impact on the local environment. As a minimum, within Hotel Suites and Multi-Family Residences, dishwashers, refrigerators and clothes washers and dryers should be specified as energy-efficient. Other appliances that can be specified as energy-efficient certified include air conditioners, furnaces, boilers, heat pumps and thermostats.

### **3. Wood**

The use of reclaimed wood is encouraged to help reduce the number of trees harvested for construction. An added benefit is that this wood is usually very rustic in nature, with enhanced character that is often highly coveted.

When new wood must be used for construction, such as for rough framing members, designers are encouraged to specify wood that has been certified by an organization such as the Forest Stewardship Council (FSC). These organizations oversee lumber harvesting from source to final destination, and will certify that the wood is a renewable resource, grown using environmentally appropriate practices and harvested in a well-managed forestry operation.

### **4. Windows**

Windows represent the largest source of heat loss or gain through the exterior envelope of a residence. By specifying energy-efficient window units, however, designers and builders can reduce energy costs and increase the comfort levels within the home. Energy-efficient windows are designed to decrease solar heat gain in summer, helping to reduce cooling loads.

## **5. *Insulation***

Insulation within exterior walls and roofs is the primary barrier against heat gain in a residence. Accordingly, architects should specify high R-values and should recommend types of insulating materials that are “green” products. The use of proper insulation is critical to maintain interior comfort with minimum energy if air conditioning is used. Spray-applied cellulose insulation is an excellent choice for exterior walls. It is typically manufactured from recycled or other green materials, has relatively high R-values, and helps to act as a barrier against air infiltration as well. In addition, cellulose insulation typically contains less toxic binders than other types of spray insulation, and is formaldehyde-free, which helps to preserve indoor air quality. Since some types of cellulose insulation are not appropriate for sloped conditions—such as within vaulted ceiling spaces—manufacturers or installers should be consulted as part of the design process. The use of spray insulations without CFCs or HCFCs is highly encouraged. All types of spray-applied insulation help to eliminate air movement within wall and ceiling cavities, which in turn reduces heat loss or heat gain and lowers utility bills.

If batt insulation products are specified in lieu of spray-applied products, cotton batts are a good choice. This type of insulation usually consists of recycled cotton material, and generally does not contain harmful chemicals or other elements that may impact indoor air quality. When using batt insulation, sealant or caulk should be applied around all penetrations within exterior walls, including openings for receptacles, lights, plumbing, ductwork, doors and windows. Wood plates for framed walls at floor lines should also be sealed, either with sealant or sill seal. Fiberglass batt insulation should be avoided when possible. However, there are some fiberglass products that contain recycled glass and formaldehyde-free binders and are therefore more desirable than standard fiberglass batts.

## **6. *Paints, Stains and Sealers***

Architects should stress the use of low toxic products for paints, stains, and sealers in order to achieve a healthier and cleaner environment by reducing air pollutants and toxic waste. Many of these products are water-based (natural), rather than solvent-based (toxic chemical), which makes them healthier to work with and easier to clean up. Paints or stains with low volatile organic compounds (VOCs) should be specified. VOCs provide buildings and cars with the “brand-new” smell, but are major negative contributors to indoor air quality.

## **7. *Flooring Materials***

Wood floors represent an excellent opportunity to use sustainable building materials. Reclaimed or salvaged wood can be used for flooring, which can add character to the interior of the residence. When these materials are not practical, wood certified by an organization such as the Forest Stewardship Council should be specified. From an environmental health standpoint, solid wood floors are generally preferred over engineered wood products. This is because solid wood floors can be refinished numerous times, require lower amounts of energy and fuel to produce, and are not manufactured with volatile compounds that may impact indoor air quality.

When carpeting is used, designers should strive to use products that are Green Seal certified. These products contain fewer harmful chemicals and can usually be recycled after their useful life has expired. “Green” lines of carpet, backing, and pad are now available from many manufacturers, and can look as attractive as traditionally manufactured material.

Tile floors also represent an opportunity for sustainable design. Local, natural stone is a great choice for flooring, both from an aesthetic standpoint and from an environmental standpoint. For ceramic tile products on floors, walls, and countertops, brands that contain high amounts of recycled material should be considered.

## **8. Concrete**

The foundations, floors, basement walls, driveways, walkways, patios, and other flatwork within and around a building can easily be constructed using sustainable materials. Concrete can contain a high percentage of recycled material—as much as 35% to 50%—including reground concrete and flyash (a by-product of coal-burning). In addition, the use of locally produced materials reduces the energy required to transport concrete.

## **9. Landscaping**

Landscape plans that respect the dry tropical forest character of Peninsula Papagayo and the use of native plant species are strongly encouraged. Native plants will help maintain the quality and character of the Peninsula Papagayo Resort. They will also require less irrigation than other species and should be used as much as possible to reduce water demand. Trees, shrubs, flowers, and ground cover can be efficiently irrigated using low-volume drip irrigation systems that use much less water than their spray counterparts; such low-volume systems are therefore strongly encouraged. Using locally available materials will help to reduce the amount of energy expended to transport plant material to the project site, increases the survival rate of plantings, and reduces environmental waste. Turf lawns and sod are enormous consumers of water and should therefore be limited as much as possible.

## **10. Lighting**

Economics, health, and aesthetics favor the maximum use of daylighting in buildings. Sunlight is free and uses no electricity, so long as solar gain that requires cooling is kept in check. Recent developments in glazing technology have made windows much more energy-efficient, so that optimization of daylighting can be achieved with less concern about costly solar gain in summer.

In addition to using traditional windows for daylighting, other methods for introducing natural light—such as clerestories, skylights, lightshelves, and atria—are encouraged. The careful detailing of simple architectural details such as wide window sills, louvers, walls, and other methods of bouncing light deep into a building can help ensure the most efficient use of natural light. In general, designers and builders should use daylighting wherever practical before resorting to electric lighting.



*Use of Natural Daylighting*

When artificial lighting is required, fixtures that can use compact fluorescent bulbs (CFB) should be specified. A CFB uses approximately one quarter of the electricity of incandescent bulbs and lasts up to 10 years. Many recessed lighting systems are now available in CFB, including the dimmable options. Architects and Interior Designers are encouraged to look for recessed fixtures that are designed to hold the CFB horizontally to maximize the lighting effectiveness. CFBs are also available for use in traditional table lamps, floor lamps, and flood lights.

# The Master Design Review Board

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## 2.1 Purpose and Authority of the Master Design Review Board

Under the Master Declaration of the Peninsula Papagayo Resort Community, the Master Design Review Board (MDRB) is charged with the responsibility of establishing and enforcing design standards set forth in the Master Design Guidelines. As further provided in the Master Declaration, the MDRB has the authority to approve or deny all formal design applications for projects in Peninsula Papagayo. All initial construction or modifications to Hotels and Multi-Family Residences, ancillary and auxiliary buildings, site improvements, and landscaping must be approved by the MDRB prior to the start of construction.

## 2.2 MDRB Membership & Appointment

The Master Design Review Board will have at least three (3), but no more than five (5) members, with at least two (2) of the members having a professional degree or other background in design, land planning, architecture, engineering, or some field which is related to the functions to be performed by the Master Design Review Board.

## 2.3 Functions of the MDRB

It will be the duty of the MDRB to perform the following functions:

1. Consider and act upon Design applications submitted to it in accordance with the Design Review Process established in Section 7 of these Master Design Guidelines.
2. Amend the Master Design Guidelines as deemed appropriate with the approval of the Board of Directors.
3. Perform any duties assigned to it by the Board of Directors. The powers of the MDRB relating to the Design Review Process will be in addition to all design review requirements imposed by governmental agencies having jurisdiction over Improvements at Peninsula Papagayo.

## 2.4 Meetings & Voting

The MDRB will meet monthly or as needed to properly perform its duties. The MDRB's actions on matters will be by majority vote. Any action may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed by a majority of the MDRB members. The MDRB will keep and maintain accurate records. All actions taken by the MDRB along with any conditions affecting the submittal will be recorded in meeting minutes and forwarded to the Property Owner in writing within seven (7) days of the review meeting.

## 2.5 Design Review Schedule

The MDRB will meet from time to time to perform its functions and will establish a schedule for regular meetings, generally once per month. Applicants may request Special Meetings, and the MDRB will make reasonable efforts to accommodate the special time needs of Applicants. However, the MDRB will not be liable for delays that are caused by meeting schedules or other such circumstances.

## 2.6 Amendment of Design Guidelines

The MDRB may, with approval of the Board of Directors of the Master Association, adopt, amend and repeal by unanimous vote, rules and regulations to be incorporated into, or amendments of, the Master Design Guidelines. All such rules will be deemed incorporated into the Master Design Guidelines.

## 2.7 Variances

The MDRB has the authority to approve variations from any of the Master Design Guidelines. Any request for a variance from these guidelines will be evaluated at the sole discretion of the MDRB. Prior to MDRB approval of any variance, it must be demonstrated that the proposal is consistent with the overall objectives of the Master Design Guidelines and that the deviation will not adversely affect adjoining Properties. Prior to granting a variance, the MDRB will notify surrounding Property owners who may be affected.

## 2.8 Appeal Process

Decisions of the MDRB shall be final unless appealed by the Property Owner. The initial step in the appeal process is for the Applicant to return to an MDRB Meeting to present new or extenuating information. At that time, the MDRB may grant the appeal, or if the initial appeal is denied by the MDRB, the Property Owner may extend the appeal to the Board of Directors of the Peninsula Papagayo Resort Community. The final appeal decision of the Board of Directors shall be binding. No improvements subject to an appeal shall be constructed prior to the issuance of the appeal decision.

## 2.9 Non-Liability

Neither the MDRB, nor its members, nor the Master Developer, nor the Master Association, will be liable to any Property Owner or to any other related party for any damage, loss, expense, or prejudice suffered or claimed on account of any action taken by the MDRB including, but not limited to:

1. Approving or disapproving any plans, specifications or other materials, whether or not defective.
2. Constructing or performing any work, whether or not pursuant to approved plans, specifications and other materials.
3. The development or manner of development of any land within Peninsula Papagayo.
4. Executing and recording a form of approval or disapproval, whether or not the facts stated therein are correct.
5. Performing any other function pursuant to the provisions of the Master Design Guidelines.
6. Stop Work Notices.

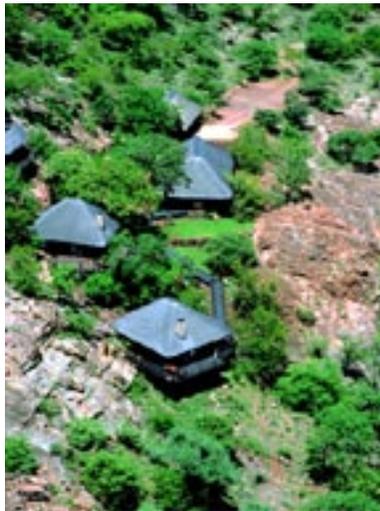
# Site Development Guidelines

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The Master Plan for Peninsula Papagayo has established a number of sites for Hotel and Multi-Family development. Each of these sites has been selected after careful consideration of natural features, views, and suitability for development. The Master Developer, in concert with the prospective Property Owner, as part of the site purchased negotiations, will establish the building type and size of development that is appropriate for each site. Once this has been established, the prospective Property Owner will prepare a plan for the development that meets the requirements of these Guidelines. Since the natural ecology at Peninsula Papagayo is fragile and the overriding goal of Peninsula Papagayo is to blend development into the natural setting, the following Site Development Guidelines outline the steps and precautionary measures that must be followed in order to confirm that the intended development and uses can be achieved on the site while preserving and protecting the resort aesthetics and ecology.

## 3.1 Development Concept for Hotels and Multi-Family Residences Projects

To achieve a comfortable fit of Hotel and Multi-Family Residences projects on the designated sites, and to maintain a balanced scale of buildings within the community, it is required that the development program for these projects be distributed into a series of buildings that are carefully placed within the context of the site. In the process, it is intended that these building clusters create exterior spaces such as courtyards, terraces, and gardens that are inviting to owners and guests. Individual buildings and associated outdoor spaces are to follow the natural contours of the site by stepping with the terrain. Large monolithic structures that require wholesale grading solutions are not allowed.



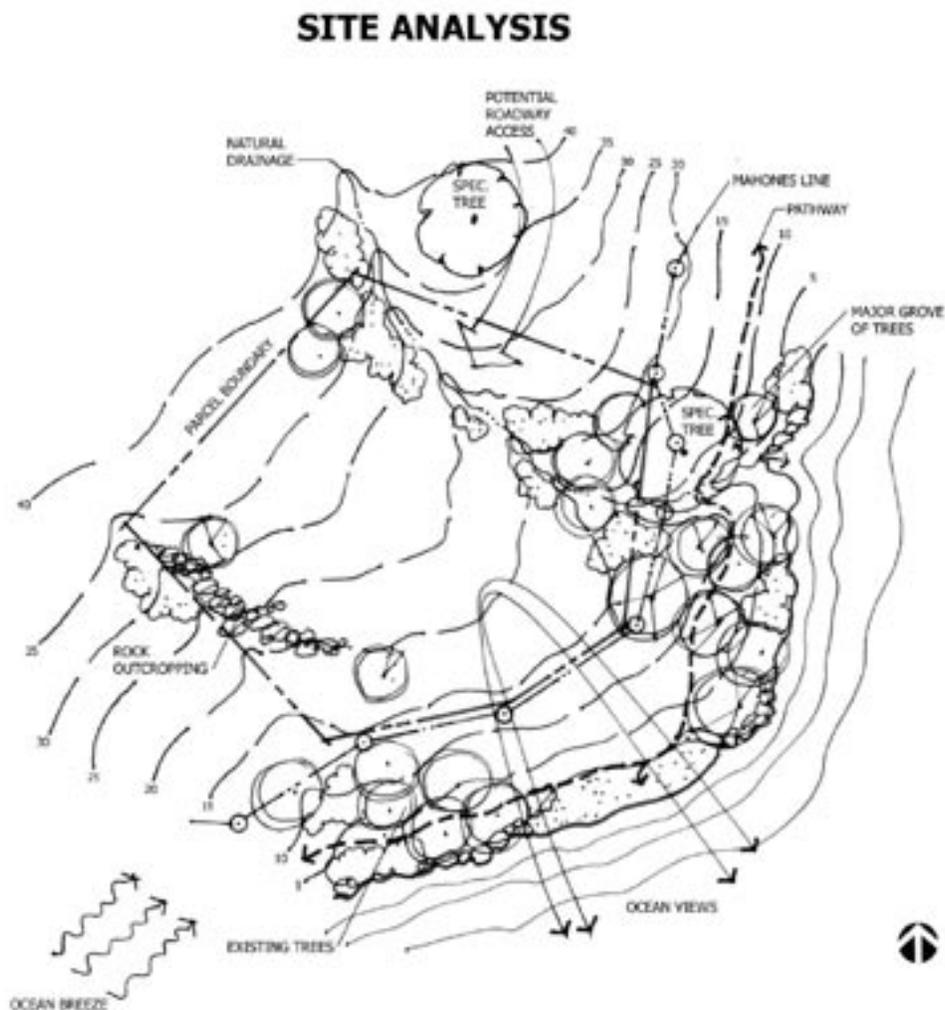
*Building Clusters that Step with the Terrain*

Each of these Properties should, in total composition, create a special resort experience for owners and guests by addressing factors such as the sense of arrival; indoor and outdoor spaces for social interaction; special functions that fulfill resort needs and create identity; views and direct awareness of the special setting; architectural form, massing, and scale that are inviting and creative; and a well-conceived integration of site features, landscape, outdoor spaces and architecture.

## 3.2 Site Analysis

The natural coves, landforms, and vegetation patterns offer varied sites that have been deemed suitable for Hotel and Multi-Family Residential development. It is very important that a careful Site Analysis be prepared at the outset of the planning and design process. Through this process, development can benefit from the special characteristics of the particular site while avoiding areas of sensitivity and preserving those features that bring value to the individual Property as well as the resort community in general.

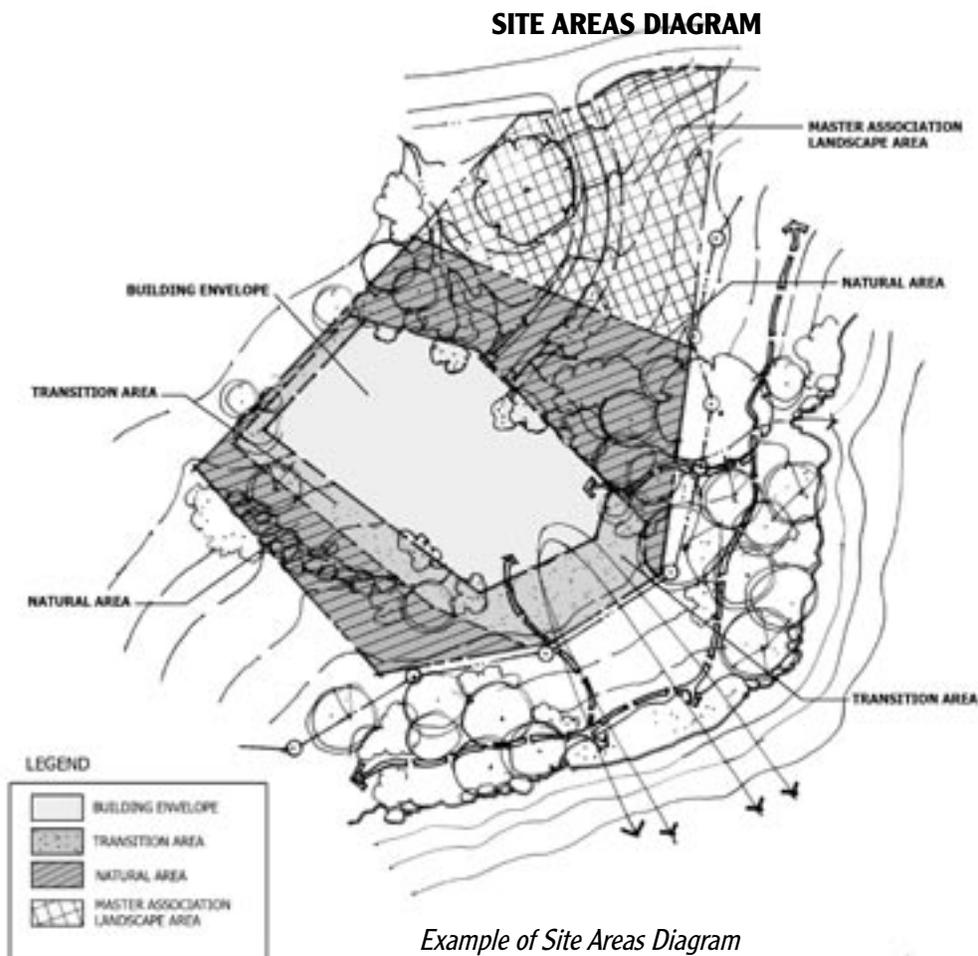
It is important that the Site Analysis be prepared as part of the initial design process, and as such it will be reviewed by the MDRB during the Concept Review. Items to be addressed should include constraints and opportunities based on natural conditions and cultural influences. Factors such as sun, wind, views and View Corridors, access, topography, archeology, natural vegetation, rock outcroppings, drainages, direction of primary ocean breezes, and other natural site features should be addressed in this analysis. In conclusion, the Site Analysis should form the basis to prepare a conceptual design for the Property that engages buildings and other improvements with the natural qualities of the land itself.



*Example of Site Analysis Drawing*

### 3.3 Site Areas Diagram

As an outgrowth of the Site Analysis, a Site Areas Diagram shall be prepared by the Property Owner and the Architect. The Site Areas Diagram will establish four areas: *the Natural Area, the Building Envelope, the Transition Area, and the Master Association Landscape Area*. These Areas are to be designated to provide a reasonable amount of flexibility in siting buildings and other improvements including future additions, while preserving significant Natural Areas, View Corridors, and the “essence” of the natural setting.



#### 3.3.1 Natural Area

The Natural Area is that portion of the Property that lies outside the Building Envelope and is to remain in an essentially natural landscape condition or be restored to a natural condition by the Property Owner if disturbed during construction. Only plants indigenous to the specific area of development or those listed in Appendix B (Approved Plant List) may be added to the Natural Area, unless otherwise agreed to by the MDRB.

- On some Properties, portions of the Natural Area may be planted or otherwise improved by the Master Developer to enhance the aesthetics of Peninsula Papagayo.

- Removal of vegetation from the Natural Area is not allowed unless approved by the MDRB.
- No changes to drainage patterns and water volumes, or the intrusion of soils or other construction debris are allowed in the Natural Area.

### 3.3.2 Building Envelope

The Building Envelope identifies the location for essentially all improvements to a Property. It consists of the area where vertical structures, most landscape improvements, parking, and horizontal improvements (patios, pools, courtyards, etc.) may occur. Buildings are subject to height, setback and site coverage restrictions as well as Architectural Design Guidelines (Section 5.0). All exterior improvements are subject to Site Development (Section 3.0) and Landscape Design Guidelines (Section 4.0).

Most of the landscape within this area will not be visible from neighboring Properties or the street, because it will typically be screened by privacy walls, buildings and/or other landscape elements. Within this area the Property Owner has more flexibility to create a more lush and/or ornamental landscape provided that the irrigation needs meet the requirements of the particular Property. The Building Envelope is the least restricted in terms of the type of vegetation which may be planted. This space, however, must abide by all Landscape (Section 4.0) and Architectural (Section 5.0) Design Guidelines.

Building Envelope locations are to be determined based on the specific characteristics of each Property including natural features, views, relationships to adjoining Properties, topography and setback criteria. The specific design objectives for selecting the Building Envelope are:

- Minimize site grading and overall disturbance to the natural setting
- Accommodate the development program for the Property while clustering buildings, consolidating improvements, and stepping with the terrain
- Optimize views from the Property while maintaining privacy
- Preserve views for neighboring Properties, common use areas, and View Corridors
- Protect and utilize distinctive natural features
- Protect wildlife habitats and corridors
- Avoid archeological areas

### 3.3.3 Transition Area

Transition Areas are those areas typically visible from the street, common areas or adjacent Properties, which are to remain in a more natural state and act as a transition between the improvements on the Property and the surrounding Natural Areas. They are located outside the Building Envelope and typically adjacent to it. Landscaping in the Transition Area must conform to a more uniform planting palette as set forth by the MDRB.

It is intended that grading and removal of natural vegetation will be kept to a minimum within this area. The intention is to use this area to transition from the more intense development within the Building Envelope to the undisturbed Natural Area so that the development can blend into the site in a visually pleasing and environmentally sound manner.

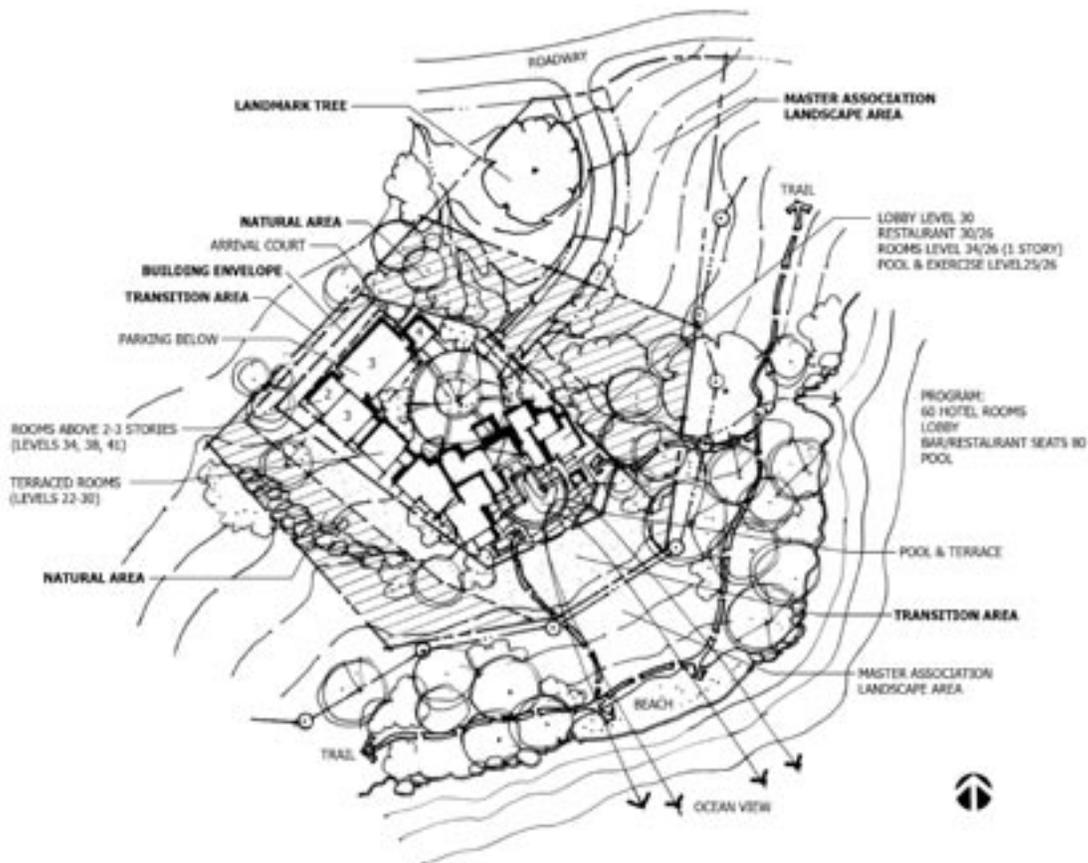
### 3.3.4 Master Association Landscape Area

The Master Association Landscape Area, when shown on the Site Areas Diagram, will represent that portion of the Property, typically adjoining a main or secondary road, which will be planted and maintained by the Master Developer or Master Association. This Area must remain in its planted condition or be restored by the Property Owner if disturbed by construction.

### 3.4 Parcel Diagram

Within the context of the Site Analysis and Site Areas Diagram, the Property Owner and Architect will prepare a Parcel Diagram for approval by the MDRB. The Parcel Diagram will indicate the proposed development concept, including the density and land uses agreed upon by the Property Owner and the Master Developer. It will form the basis for all future plans and development on the Property. The Parcel Diagram will indicate the designated Site Areas; and proposed vehicle and pedestrian access routes, building footprints, terraces and decks, pools, arrival courts, parking, View Corridors, walls and fencing, existing trees for removal, existing trees to be retained, proposed landscaping; and any other significant site features such as rock outcroppings, water features, or archeological sites.

#### PARCEL DIAGRAM



*Example of Parcel Diagram*

### 3.5 Setbacks

Setback dimensions are to be used to delineate the Building Envelope within each Property. These dimensions are to be tailored for each Property and approved by the MDRB during the Sketch Plan Review. Setback lines and dimensions that establish the Building Envelope will be clearly indicated on each Parcel Diagram.

### 3.6 View Corridors

There are two categories of View Corridors at Peninsula Papagayo: Community View Corridors and Individual Site View Corridors.

**Community View Corridors** form part of the open area space at Peninsula Papagayo. Improvements on private Properties that may impact the quality of views through these corridors are controlled by the MDRB.

**Individual Site View Corridors** are areas on individual Properties that are to be left relatively open to encourage the enjoyment of views from roads, trails, open spaces and other nearby Properties. Generally, landscaping should avoid blocking these View Corridors. The planting of large trees and shrubs will be carefully reviewed by the MDRB to ensure minimal impact on views and to preserve open spaces within the landscape.



*View Corridor to Playa Pochote*

### 3.7 Grading, Drainage and Erosion Control

Without sufficient precautions, extreme erosion damage from rainfall runoff can occur, especially during the peak of the Green Season (September through November). Many of the soils throughout Peninsula Papagayo erode easily, especially if the existing plants and topsoil are disturbed or removed. As such, grading activities, drainage design and erosion control measures should minimize disruption of the site, preserve the site's natural features, and maintain natural drainage patterns.

#### 3.7.1 Grading Guidelines

- All site improvements should be carefully designed to minimize cutting and filling. In general, after grading, all cut and fill slopes should feather into adjacent slopes and resemble the surrounding existing topography.
- Prior to grading operations, any topsoil or fertile subsoil suitable for landscaping should be salvaged and stockpiled. It should not be used for bulk filling.

- Slope design should seek to avoid unstable conditions, erosion and undue loss of vegetation. Retaining structures should be avoided. If no other option exists, walls should be made of rock, wood timbers, and/or concrete or concrete masonry with plaster or stone veneer.
- All cuts, fills and retaining walls must create smooth transitions at the top and bottom of slopes to appear to be extensions of the natural land form.
- In the landscaping of slopes, a combination of planting and naturalistic placement of indigenous rocks in a variety of sizes and groups is preferred.
- In general, cut and fill quantities from grading operations should balance.

### 3.7.2 Drainage Guidelines

- Care should be taken on how the flow of water from the Building Envelope to the adjacent Natural Area and its ravines will be treated.
- Outside of the Building Envelope, existing drainage swales should not be altered. Whenever possible, drainage shall be conveyed on the surface. Swales should be designed so that they can be stabilized by rock and/or vegetative means. Long, linear swales should be avoided. Curves should be used that work with the topography and help slow water velocity.
- Where practical, naturally existing drainage courses are to be protected.
- New drainage ways are to be designed to appear and function like natural drainage ways. Headwalls and inlets should be defined by rock that is consistent with the rock found naturally on the site, and no exposed pipes or flared-metal end sections are to be seen.
- Increased water flow from the Property is to be managed to the greatest extent possible within the Property by systems that retain water and encourage percolation.
- Ponds and artificial water features may be built only within the designated Building Envelope. Exceptions may be granted on a case-by-case basis.
- Materials and sizes for all culverts and driveways are to be approved by the MDRB.
- When appropriate, gutters and downspouts will direct drainage from the roofs to on-site drainage collection areas.

### 3.7.3 Retaining Wall Guidelines

- Retaining walls should be built to extend into and blend with the existing topography.
- Where grade changes exceed 1.8 m (6'-0"), stepped-back or terraced wall structures with ample planting terraces should be used. Any retaining walls in excess of 1.2 m (4'-0") in height are to be designed by a structural engineer.
- Natural rock or block faced with rock or plaster is highly recommended for all retaining walls. A dry stack pattern, similar in appearance and structure to the traditional "Guanacaste Wall," is preferred.



*Traditional Costa Rican "Guanacaste Wall"*



*Planting Integrated with Stone Wall*

- The tops of walls should blend with natural contours. Ends of walls should not be abrupt, but should create natural-looking transitions to the existing landforms and vegetation.

### 3.7.4 Erosion Control Guidelines

- Upon commencing construction, installation of temporary perimeter controls such as silt fences, sediment traps/basins and stone check dams is required.
- Drainage crossings should be monitored to determine if construction of temporary dry swales for diversion of drainage is needed.
- Existing streams and drainage ways must be protected from the intrusion of sediments. This can be accomplished through the use of geotextile silt fences, earth berms, stabilized swales and stone check dams.

### 3.8 Driveways and Arrival Courts

Depending on the density of the project and the configuration of the site, Hotel and Multi-Family Residence projects should typically have a primary entry with a drop-off loop or motor court arrival. It is highly recommended that the main arrival have a protecting porte cochere leading from the auto drop-off to the main door of the facility. Special paving, such as stone cobbles, should be used in the arrival court. Arrival courts are to be further defined by walls, fences, ancillary buildings, and landscaping to become an extension of the primary entry building and lobby.



*Sense of Arrival and Entry*

Driveways with their associated landscaping and signage should be set into the natural terrain and vegetation to heighten the sense of arrival, and where possible, to establish a progression of views and items of interest that lead to the arrival court. The paved surface of the driveway shall be at least 5.0 m wide, but no wider than 6.5 m. Depending on specific site circumstances, it is recommended that the maximum gradient on primary driveways and internal access roads not exceed 12%. For the first 8 meters from the access road, and within the auto court, the gradient should not exceed 6%.

Driveways should be designed to minimize the site disturbance and grading, and they are to avoid landmark trees.

The driveway and parking-garage layouts should be designed to minimize the visibility of the garage doors, and off-street parking from the auto court, street, common areas and adjoining Properties.

Approved materials for driveways include turf block, stone, colored and patterned concrete, pre-cast concrete pavers, or other materials approved by the MDRB. Driveways must be dust-free. Loose surfaces, such as crushed rock must be installed with a stabilizer or binder coat to eliminate dust. All driveways are to be maintained so that blowing dust is avoided.



*Paving Patterns*

No asphalt or plain concrete is allowed. Colors of finished paving materials should complement proposed buildings and integrate with the surrounding colors.

Auto courts, parking, and turnaround areas must be located within the Building Envelope.

### 3.9 Garages and Parking Areas

Parking areas and garages should be minimally visible, should be integral with the overall building layout, and should blend into the natural terrain. Use of strategic plantings and landscape features are strongly encouraged. Garages and carports can either be open or enclosed, but open designs should screen the view of vehicles from the road.

The total number of parking spaces is to be based on the number of hotel rooms, residences, and other facilities within the project. The following minimum parking spaces are recommended in order to accommodate anticipated guest usage. Parking spaces are to be provided within the Building Envelope unless other facilities are specifically approved by the MDRB:

Hotel Rooms	0.5 spaces per room
Condominiums	1.25 spaces per unit
Commercial Space	1.0 space per 35 sq. meters of commercial floor area
Restaurants and Bars	1.0 space per every 10 seats
Meeting Space	To be determined on an individual basis

All parking spaces are to be at least 3.5 m wide by 7.0 m long; except that up to 20% of the spaces may be designated “compact” spaces and be at least 3.0 m wide by 6.5 m long.

No on-street parking is permitted at Peninsula Papagayo, except as approved by the MDRB. Overflow and guest parking will be available in remote parking lots provided by the Master Developer and/or Master Association.

Off-street parking areas may be surfaced with stone pavers, concrete pavers, colored concrete, grass/turf block or other MDRB-approved material. Asphalt is not permitted.

### 3.10 Paths, Outdoor Stairs, Courtyards and Terraces

These special landscape features should help blur the line between indoor and outdoor space, blending with the natural topography and extending the interior space into “outdoor rooms.” In addition, these design elements can help to define and to bring an enrichment to the exterior spaces and outdoor rooms of the architectural composition.



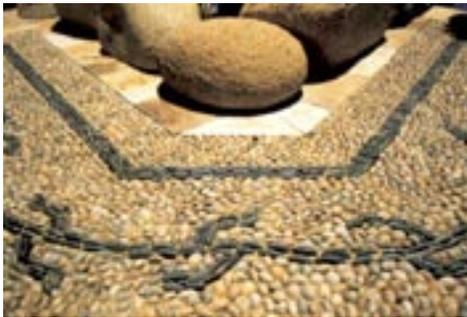
*Transition to Outdoor Room*

- Terraces and patios should be located within the Building Envelope.
- Paths, outdoor stairs and terraces should be planted, colored and designed to make a smooth transition to the Natural Area or Transition Area.



*Landscaped Pathway*

- The use of natural and local materials such as stone, tile and/or architectural gravel is encouraged. Concrete may be used provided it is colored and textured.



*Natural Stone Paving in Courtyard*

- Extending flooring material from the inside of an adjacent building to the outdoor spaces is encouraged.
- The use of architectural devices such as verandas, balconies, trellises, and courtyards to help in the gradual transition from indoors to outdoors is encouraged.

### 3.11 Walls, Fences and Gates

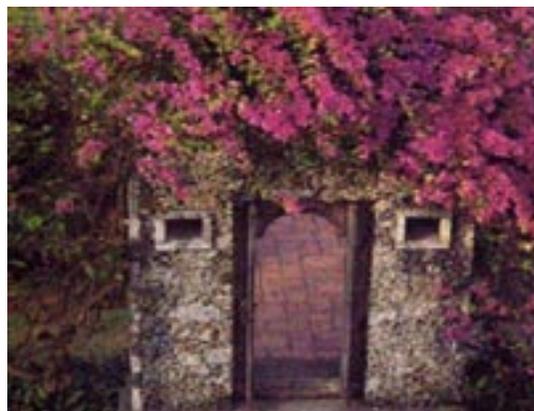
Walls, fences, and gates offer great design tools for linking buildings together and defining spatial transitions. These devices can be especially important in demarking transitions of privacy and access. These structures can be very effective when used in the context of a building cluster or compound to define exterior spaces and to create a sense of progression and mystery. However, if merely used to demark property lines they can be particularly vulnerable to obstructing views or to blemishing the natural landscape and terrain. As such, walls and fences should not be used for property boundary demarcation.

- In general, driveway gates or pedestrian gates are to be located within the Building Envelope or within the Transition Area.
- Privacy walls should be located and used in a manner that does not impact views from adjacent Properties. Landscape solutions, like berming and dense planting, are preferred in those situations.
- Approved materials for walls and fences include natural rock or stone, bamboo, multi-hued and textured cement plaster, and wood. No exposed concrete or masonry is permitted. Indigenous materials, especially as seen in Guanacaste walls, are highly encouraged.
- Fence, wall and gate designs may borrow from nature and the Pre-Columbian motifs and should relate to the architecture of the primary buildings.



*Gate of Natural Material*

- Gates and gateposts should be attractive in open or closed positions. Materials such as architectural metal, wood, and bamboo should be used for gates. Gateposts should be wood, plaster, or stone. Any announcement or security equipment should be carefully integrated into the gate and gatepost and be as unobtrusive as possible.



*Transitional Gateway*

### 3.12 Pools, Spas and Water Features

Pools and water features will often become a central focus of Hotel and Multi-Family Residence projects. As such, they should relate closely to the architecture of the primary buildings and natural site characteristics. They can also become an attractive interface between buildings and natural landscape to transition grades, open up views, and integrate development and site context in a comfortable and pleasing manner.

- In general, pools, spas and water features should be designed as integral parts of the “outdoor rooms” and visually blend with the landscape. Landscaping should be selected and arranged to complement the water feature and to transition into a natural environment.



*Swimming Pool Set into the Natural Setting*

- Swimming pools, spas and ponds should be placed within the Building Envelope and situated to minimize sound and light transfer to adjacent Properties. In many situations, they can be screened with low landscape walls and/or plantings to minimize their visibility from off-site.
- Design solutions that eliminate the need for a continuous pool fence are encouraged as long as public safety is assured.
- Swimming pools, spas and ponds may be placed outside of the Building Envelope if they are well-shielded from the views of surrounding Properties and if they receive special MDRB approval.



*Pool with Infinity Edge*

- The exposed walls and edges of infinity pools and spas must utilize rock and neutral colors on exposed pool walls or surfaces when visible from off-site. All pools, spas or water features with infinity edges that are visible from common areas or other Properties require utilizing an edge detail that is approved by the MDRB.
- The surface area of pools, spas and water features should be included within the calculation of the maximum allowable area to be irrigated.

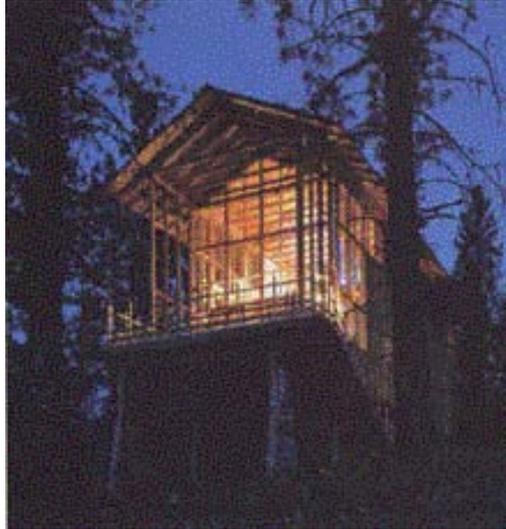
### 3.13 Exterior Lighting

In order to preserve the nighttime sky at Peninsula Papagayo, exterior lighting should be used for the purposes of ensuring safety and for creating subtle drama at primary entries and activity areas.



*Lighting with Indirect Sources*

- Lighting levels throughout Peninsula Papagayo will be monitored by the MDRB for compliance.
- Exposed light sources for fixtures at the primary entries of a Hotel or Multi-Family Residential complex may be allowed with MDRB approval. However, other exterior building lighting must be recessed or provided with concealed source fixtures. For those fixtures with exposed light sources, the wattage of bulbs should not exceed 40 watts, and the lens of the fixture should be made of a seeded, tinted in white or amber, or textured glass.
- Wall washing of building façades is not permitted.
- Exterior site lighting must be directed onto vegetation or prominent site features, such as boulders or planting, and not upon the building. In such cases, lighting must be designed to avoid glare to pedestrian areas and off-site Properties.
- Lighting of plant materials shall be achieved with hidden light sources. This can be achieved by using lamps recessed into the ground, hidden by plant materials, or with recessed fixtures.
- To preserve the dark sky, up-lighting or “moonlighting” techniques are strongly discouraged and will require the specific approval of the MDRB.
- Incandescent lamps with a maximum of 40 watts should be used for all exterior lighting applications. Any other light source must be specifically approved by the MDRB and must be of a similar output and color as the incandescent lamps.
- With the exception of the driveway, internal roadway, and pathway lights, all lighting must occur within the Building Envelope. Subtle lighting of the driveway entry is allowed, but “runway” lighting of driveways and internal roadways is strongly discouraged.
- No direct, spill, or reflected light from exterior light sources may fall onto adjacent Properties, roadways, pathways, or within 50 m (165’-0”) of the beach/ocean.



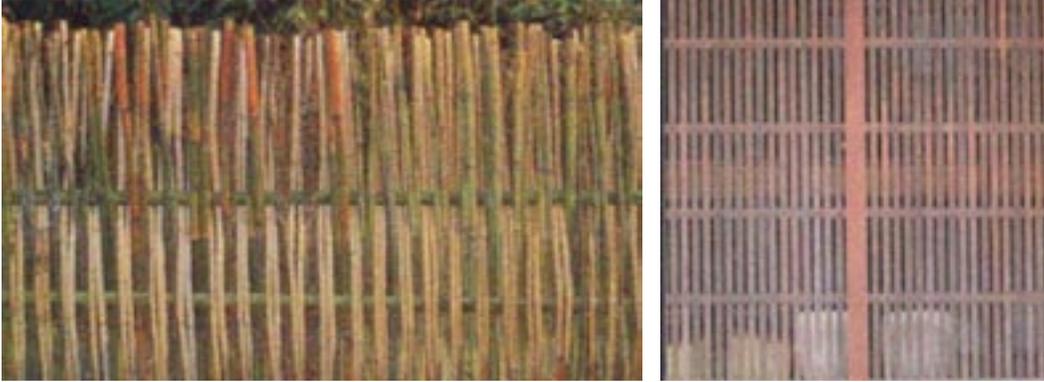
*Control of Interior Light Sources*

- To preserve the nighttime sky, light emanating from the interior of a building is also subject to MDRB control. Interior lighting should be concentrated at activity areas and minimized next to windows. Built-in lighting adjacent to windows should be directed towards the interior. Architectural or decorative elements, such as louvers or screens, should be employed to minimize the quantity of light escaping through the windows. Other than at primary entries, lobbies, and major public rooms, the maximum level of foot-candles that are 6 m (20 feet) from the building face shall be three foot-candles.
- Where deemed appropriate, field demonstration of proposed light sources or lighting techniques may be required.

### 3.14 Exterior Service & Storage Areas

Service and storage areas should not be visible outside the Property. They should integrate with the architecture of the primary structures and should produce minimal noise, smell or other disturbance to public areas or adjacent Properties.

- In general, service or storage areas, trash dumpsters, communications and satellite antennae, and associated outdoor work areas are to be located within the Building Envelope. They are to be completely screened from off-site views and on-site guest or common areas by the use of architectural features or plant materials. Where feasible, these areas should be integrated into the primary building.
- Trash container storage areas must be located so that they are easily accessible to service personnel, smells are contained, and they are made inaccessible to wildlife.
- Pool and spa equipment should be located behind walls or in underground vaults to contain noise. Solid noise-absorbing covers for equipment may be required after installation if it is discovered that the equipment is audible from adjacent Properties.
- Enclosures and screens should complement the character, materials, and colors of the primary structures.



*Material and Character of Enclosure Screens*

- All utility sources shall be adequately screened from view with materials compatible with the structure. All utilities shall be installed underground.
- Boats, RVs, Jet Skis, trailers and related equipment are to be stored out of site from neighboring Properties and roads.

# Landscape Design Guidelines

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The overall landscape design should preserve and protect distinctive natural features; frame views; blend buildings into the surrounding site; and preserve, protect, and enhance existing vegetation, rock outcroppings, wildlife habitats and corridors throughout the community. Landscape materials and details should draw upon the indigenous landscape to control the visual impact of non-indigenous landscape design, utilize plant palettes that are sensitive to water conservation, should contribute to a green landscape during the Gold Season, should enhance soil conservation, and should maximize energy conservation through shading.

## 4.1 Planting Guidelines

- In general, landscape planting should relate to the natural landscape context of the site. Properties located on hillsides and bluffs should be more dense and tropical in character. Plantings within a mesa context should be consistent with the indigenous plants found on the individual site which may be lower, less dense and consisting of species that require less water. Suggested plant lists are included in Appendix B – Approved Plant List.



*Plant Materials*

- New plantings within the Natural or Transition Area are to be installed so that natural rock outcroppings are preserved and are not damaged. Pockets of planting within those areas are allowed.
- The use of larger specimen trees is preferred in areas close to major buildings to help blend structures with the site, accentuate entry areas, provide for climate amelioration, and to define outdoor spaces.
- Planting of trees must take into consideration views from adjoining Properties. The use of large canopy trees, which will negatively impact views from adjoining Properties, is not permitted.
- Plant materials should blend with buildings and help to complete structures and outdoor rooms. Shrubs may be used as informal low walls, vines along fences and trellises can provide shade and texture, and trees can be used to lessen the scale of building massing.



*Planting as a Complement to the Architecture*

- In general, amended soil and mulch, that enhance soil moisture retention and reduce water needs for planted areas, are required.

## 4.2 Vegetation Removal, Protection & Preservation

- Landmark trees should not be removed, as they create shade, channel cooling breezes, and dramatize ocean views. However, in those instances where foliage completely obscures ocean views, the MDRB may allow pruning or thinning to create framed vistas.
- Landmark Trees are to be indicated on Parcel Diagrams, and the design of the improvements must protect these Landmark Trees due to their value to the Property as well as the overall Resort Community.
- Restricted Trees will be indicated on the Parcel Diagram. Because Restricted Trees are deemed ecologically significant they are protected by the Costa Rican government and cannot be removed without specific approval by the appropriate governmental agencies. Property Owners should realize that certain trees that are not currently regarded as Restricted Trees may acquire a Restricted Tree status as they mature.
- The area below the canopy drip line of a protected tree is to remain undisturbed as much as possible. This includes no change in drainage patterns or intrusion of soils or other construction materials. Trees needing protection should be fenced to exclude access with the addition of silt fencing, if soil intrusion is a possibility.
- Trees which must be removed to allow for development must be felled so as to not touch or cause root zone disturbance to adjacent trees. All vegetation that has been removed must be taken to an off-site location. No burning is allowed.
- All tree removal is subject to approval by the MDRB and the approval process of SETENA (Costa Rica National Environmental Technical Secretariat). Removal of trees with a trunk diameter of 15 cm (6") and above is allowed only under very special circumstances and is subject to the approval of the MDRB and governing Costa Rican agencies.
- The MDRB encourages the extensive use of a blended mix of natural and planted trees, shrubs and ground cover to create a natural-looking environment.

### 4.3 Irrigation Guidelines and Restrictions

- Landscape irrigation should be minimized. Irrigation systems that are used should provide efficient water coverage and minimize water usage and runoff.
- Landscape and irrigation designs for each Property must minimize water usage during the Dry Season (December–March).
- Drip irrigation systems should be used for trees, shrubs and larger ground covers.
- A separate water meter for landscape irrigation will be required.
- Minimal use of grass turf is highly recommended.
- Spray heads should not overthrow water onto buildings or other hard surfaces.
- Plant materials should be grouped according to their water consumption needs.
- Native organic mulches such as shredded hardwood bark mulch is recommended for all new areas of planting to retain soil moisture and provide for weed control.
- All irrigation lines should be adequately buried.

### 4.4 Landscape Structures

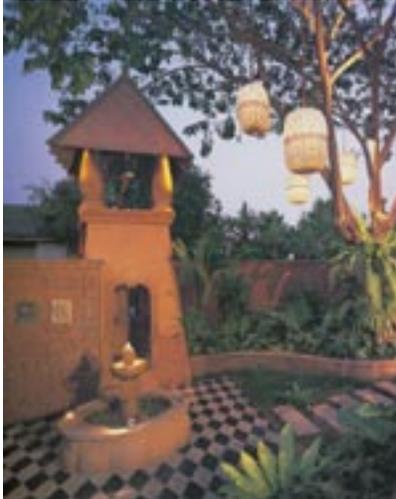
- Landscape structures should appear as extensions or complementary accents to the primary buildings.
- Landscape structures such as arbors, pavilions, cabanas and decks must be located within the Building Envelope. They must be sited and designed so that they do not impede views from neighboring Properties.
- The height, color and style used for outdoor structures should be consistent with, or complementary to, the primary buildings. In general, the same guidelines that apply to architectural structures apply to the design of landscape structures (refer to Section 5.0, Architectural Design Guidelines).



*Landscape Structures Set within the Landscape*

### 4.5 Public Art

Property Owners and designers are encouraged to include artwork, such as sculpture and fountains, into the development of Hotel and Multi-Family Residence projects. Such artwork can be especially effective when placed in arrival courts, gardens, pool areas, and courtyards. Generally, such exterior, or public art, should not be seen from neighboring Properties or roads.



*Artistic Fountain in Courtyard*

The artistic message, or theme, of exterior art must relate to the culture and heritage of Costa Rica. Generally, it is preferred that the art be reflective of Pre-Columbian influences or native flora and fauna.



*Pre-Columbian Art – Native Flora and Fauna*

The size, location, design, and lighting of all exterior artwork must be approved by the MDRB.

## 4.6 Project Signs

Project identification signs are to be located near the primary entry of Hotel and Multi-Family Residence projects, as approved by MDRB. Signs should display a consistency of design detailing and materials with those found on the primary buildings of the development. Sign structures should blend into the landscape, and the sign should present a clear and simple statement of identity and location. The sign face is to be lighted and visible from the intersection of the adjacent road and the primary entry drive. The primary sign face shall not exceed 6 square meters.

Secondary signage within the project should be consistent in design, materials, and detailing and it should be used in a discrete manner to provide necessary orientation and information.

# Architectural Design Guidelines

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The following are the main objectives for architectural design at Peninsula Papagayo.

- To create buildings appropriate to an informal, yet elegant, Costa Rican lifestyle
- To promote the integration of indoor/outdoor spaces and functions



*Indoor/Outdoor Spaces and Functions*

- To design buildings that respond to the dry tropical climate and landscape
- To draw upon the indigenous building traditions and design influences of the Pre-Columbian culture



*Pre-Columbian Design Influences*

- To encourage the practice of sustainable and environmentally responsible design and construction

## 5.1 Compatibility with the Natural Setting

Due to the relatively large scale and the various functions involved in Hotels and Multi-Family Residences, it is especially important that the design of these Properties begin with a careful site analysis to determine how the development program can best fit into the natural features of the site. This site analysis should address such characteristics as topography, existing trees and vegetation, views, sun exposure, wind and ocean breezes, proximity of adjacent Properties, roads and automobile access, pathways and pedestrian access, archeological resources, relationship to a beach and the location of the “majones” line, natural drainages, and the overall feel and character of the setting.



*Compatibility with the Natural Setting*

Once the site analysis has been accomplished, the overriding goal of Hotel and Multi-Family Residence design for each specific development parcel in Peninsula Papagayo will be to marry the development onto the site in a manner that creates a mutual compatibility...so that the new development becomes an integral part of its natural setting. The following architectural guidelines have been established in order to achieve that overriding goal while expressing the cultural richness of Costa Rica.

## 5.2 Scale, Form, and Massing

Rather than presenting large monolithic forms for Hotels and Multi-Family Residences structures, the form and massing of these Properties should be composed of multiple structures, or clusters of buildings, that are fitted to the topography and other natural features of the site. In this manner, site grading can be kept to a minimum, and natural vegetation can be protected. Where possible, building massing is to be articulated into forms that express their interior uses and thereby provide a variation in the scale and importance to various building components.



*Multiple Structures Set into the Topography*

The overall form and massing of these building clusters is intended to present a horizontal profile rather than vertical proportions. In addition, the adjoining buildings are to blend with and not conflict with each other. This can be achieved by:

- Matching eave heights of adjacent buildings.
- Using similar, but not necessarily identical color and materials.
- Linking buildings with the landscape and each other by the use of walls, plantings, patios, trellises, covered walkways, and terraces.

Hotels, and especially Multi-Family Residences, are to present a comfortable scale that is supportive of the pedestrian emphasis at Peninsula Papagayo. This attention to scale will also be beneficial in setting the buildings into the natural landforms and vegetation. By addressing the following design guidelines, a varied, yet comfortable and appropriate scale can be achieved:

- One- and two-story elements should be introduced, especially at the edge of the cluster, to reduce the perceived bulk, size, and height of buildings.
- Develop courtyards and plaza areas defined by building masses.
- Provide linkages to the Peninsula Papagayo trail system with defined points of entry or gateways.
- Avoid long, uninterrupted rows of garage doors and reduce their visibility by introducing roof overhangs, varied orientation, landscape walls, and planting.
- Use varied, and interesting, architectural elements that vary from building to building, such as balconies and entries.
- Break the façade of buildings down into “residential” or “room” size components.
- Use a variety of building forms, site walls, and landscape plantings to merge the cluster with the natural site and avoid an abrupt interface.

### 5.3 Building Composition

While the individual sites for Hotels and Multi-Family Residences will vary significantly, the overall composition of the buildings should present a degree of consistency so that the family of architecture reflects the heritage, design principles, and consistent aesthetics of Peninsula Papagayo. To accomplish this consistency, yet with room for creativity and individual expression, the architecture of Hotel and Multi-Family Residences shall be composed of three organizing elements: a base that ties the building to its site; building walls that reflect the materials, colors, and lifestyle of Guanacaste; and a roof that presents a sense of scale, drama, and protection.

**Base** – Depending on the topography of the site, the base of the building may be designed in two different ways. The first is to merge the building into the site with heavy stone or plaster walls. Ideally, these walls will be battered, will follow the contours of the site, and will engage the ground and natural rock outcroppings with large stones and boulders. These heavy foundation walls are to be coordinated with landscaping to blend the building into the site and to obscure the delineation between structures and natural site features.

The second approach, appropriate on steeply sloped, heavily wooded sites is to support the structure on columns and piers that extend from the lowest level of the structure to the site below. When used in this manner, special care must be given to the design of these columns to avoid the appearance of the building being supported on “stilts.” It is also important that the underside of the structure be carefully designed to present a finished appearance. To meet these requirements, columns set at an angle back into the hill or columns made up of multiple structural members or “branched” columns may be incorporated. Stone piers can provide a visual tie to the site and lessen the length of columns.

**Building Walls** – As a reflection of the heritage and lifestyle of Guanacaste, building walls may be designed as heavy masonry or plaster enclosures, wood frame structures with various siding patterns and materials, or transparent walls that have a strong expression

of the supporting structure. For Hotels and Multi-Family Residences, this supporting structure may be fabricated of wood timber, steel, or concrete. Uninterrupted building walls are generally not to exceed three stories in height.

**Roofs** – Roof forms offer an opportunity for creativity and individual expression. Roofs should present a sheltering appearance for shade, wind, and rain. In general, flat roofs should only be used when combined with trellises and rooftop terraces. The scale of roofs should be lessened through the use of multiple components and changes to ridgelines.

In summary, the intent is to produce building compositions that reflect the drama and interest of the natural setting while presenting an ordered and rational expression of the structure: a supporting base that merges with the site; a wall area that reflects the lifestyle of the area; and a roof that offers creativity and individual expression within a consistent palette of materials and colors.

## 5.4 Building Height

The overall design intent is to create buildings that blend quietly into the landscape. To that end, thoughtful site and building designs that emphasize a horizontal profile and step with the contours of the site are encouraged. In addition, simple, low roof forms, which mimic the topography and avoid breaking the tree line will support this goal.

Costa Rican regulatory agencies have established that the maximum height allowed for any built object at Peninsula Papagayo is 14 meters (45'-6"). This pertains to the maximum height for the structure as measured by the vertical distance for each primary façade, measured from the average elevation of the finished grade adjoining the façade to the highest point of the primary roof structure associated with the façade. The ICT will be the final arbiter for all final height determinations.

Within this overall constraint, however, it is very important that roof forms and skylines be fragmented, step with the contours of the site, and create a varied and pleasing profile for buildings and clusters of buildings. Long, continuous ridges of uniform height should be avoided.

In order to help transition the buildings into the surrounding site and to soften the profile of architectural massing, it is recommended that roof lines step down to one or two stories at the ends of buildings. If the height will step down to one or two stories for a horizontal distance equal to at least 10% of the length of that elevation, it will help to accomplish an effective transition of scale and massing.

## 5.5 Eave Heights

In addition to the overall height of Hotel and Multi-Family Residences, it is important that eave heights of those structures be varied to ensure a comfortable sense of scale, to conform to natural features of the site, and to present articulated and interesting elevations. Eave heights are expressed in stories measured from the finished grade to the eave of the most prominent roof form above.

In order to present an unimposing scale, it is recommended that buildings have an eave height of three or four stories for a maximum of 80% of any primary elevation, with the remaining portion of the elevation at one or two stories.

## 5.6 Specialty Elements

Specialty Elements are architectural assemblies or components of the exterior elevations that articulate the massing and create a hierarchy to the scale and definition of the building. Generally these Specialty Elements will help to define an entryway or focus attention on a key portion of the building. They can be used to interrupt otherwise long, continuous elevations by articulating the form and massing with a strong architectural feature. The primary Specialty Elements may extend vertically from the ground level into the roof—expressing the structure of the building and emphasizing the architectural character of the building.



*Specialty Element to Define Entry and Focus of Architecture*

Other secondary Specialty Elements may be used to express functions within the building on a lesser scale, yet relate to the primary Specialty Elements in terms of architectural definition, materials, and structural systems. As such, these features can establish a rhythm and harmony to the architecture, and they can help avoid long, uninterrupted, and repetitive elevations.

## 5.7 Structural Expression

The overall architectural direction for Peninsula Papagayo calls for a direct and rational expression of structural systems. Whether massive stone walls, plaster walls, timber or steel frame, or wood clad walls, the structural system should be an honest and direct expression in terms of scale, assembly, and connections. The force of gravity and structural loading should be apparent from the roof structure through the walls and onto the foundation. The following structural guidelines should be incorporated:

- Stone walls should have patterns that express the weight and bearing capacity of the material. Stone should not be expressed merely as a facing material. The bottoms of stone piers and walls should be anchored by large boulders embedded into the ground, and stone sizes should gradually decrease from lower to upper courses. Where possible, they should appear as an outgrowth of natural rock outcroppings. Stone piers and walls should be battered and follow an irregular, tapered profile from bottom to top. Straight “plumb-line” profiles should be avoided.
- Timber and steel framing should be assembled and sized to create the appearance of structural order with rational continuity from top to bottom. Trusses, braces, beams, and columns can be used to open the transparency of building walls that can be left open or in-filled with glass. The size, spacing, and configuration of these assemblies can be creative and architecturally expressive as long as the structural order is perceived.



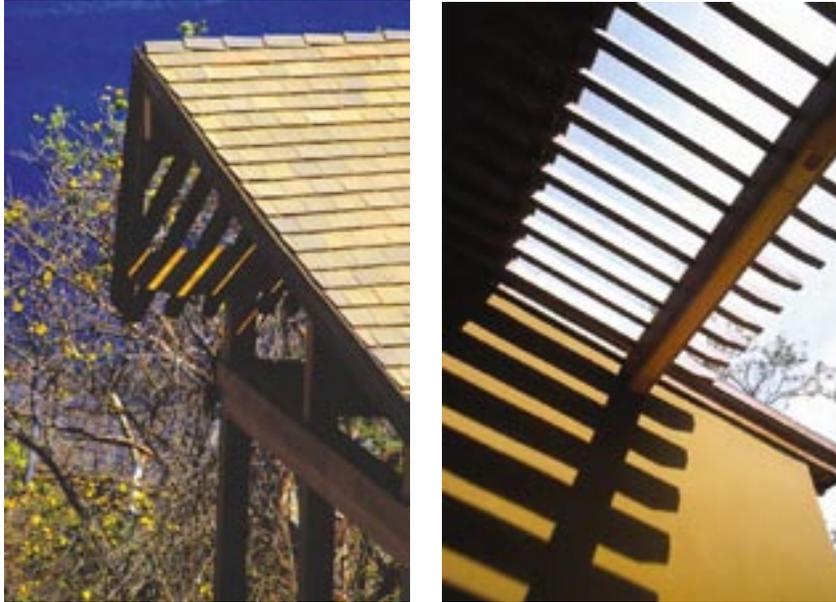
*Creative Structural Expression*

- Plaster walls can present a variety of textures, but the visual thickness and recess of openings should convey the appearance of heavy load-bearing walls.



*Heavy Plaster Walls with Deep Recesses*

- Roof structures should be apparent with visual expression of beams, purlins, rafters, trusses, and decking. Roof overhangs and soffits should be open, rather than boxed in, to allow the structural members and connections to be seen.



*Expression of Roof Structure*

- Roofs, walls, and beams should not appear to be supported by glass or voids. Openings in masonry walls should have an arch or lintel at the top of the opening.
- The expression of the structural system should be carried out in the details, connections, and small-scale elements of the building, including balconies, railings, colonnades, and window mullions with proportions and sizes appropriate to their function.

## 5.8 Roofs

In keeping with the goals of visual harmony of architecture within the community and sensitivity to the environment, roof forms, materials, and composition should help break down the scale and massing of buildings and allow them to blend more comfortably into the natural setting.

- Roof Forms and Pitches — A variety of creative roof forms and pitches are encouraged within the community. Consideration must be given to adjacent Properties, View Corridors and blending with the landforms of the environment.



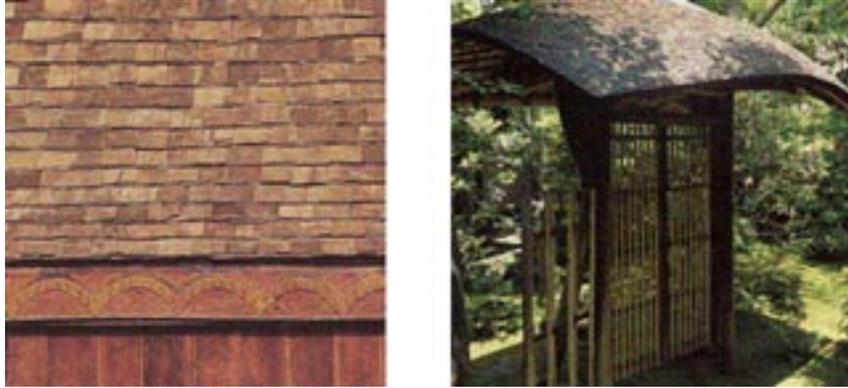
*Roof Forms to Soften the Building Profile*

- Eave Depths — Eave design should consider the need for sun shading and wind-driven rain protection. Generally, eaves related to major building forms should have a minimum depth of one meter. The use of trellises as an extension of the roof edge is encouraged and recommended.



*Eave Depth for Shadow and Weather Protection*

- Roof Materials — Acceptable roof materials are unstained fire and insect-treated wood shingles or flat, clay or slate tiles in muted dark gray, green, brown, or tan to match colors of the site's vegetation and soil. Synthetic or natural close-cropped thatch roof covering is also allowed; however, fire suppression for thatched roofs should be carefully considered. Long-stem thatch may be used on cabanas and other outdoor structures. No reflective metal roof material is to be used. If copper is used, surface treatment must be used to enhance aging. No Spanish "mission tile" is allowed. No asphalt shingles are allowed.



*Roofing Materials and Details*

- Gutters and Downspouts — Gutters, downspouts, and flashing should be of copper or matte finish metal to match adjacent trim, fascia, or roof.
- Mechanical Equipment — Roof-mounted mechanical equipment is prohibited on any roof, unless in the judgment of the MDRB, it does not adversely affect views from roadways, other lots or public spaces. When permitted, such equipment must be screened from view from roadways, other lots and public spaces. It is desired that all mechanical equipment be located in enclosed structures. Noise created by mechanical equipment should not reach adjacent Properties.
- Lightning-protection rods are to be integrated into the design of the roof ridge cap and are to be copper or finished metal to match the ridge cap. Chimney masses should appear to be extensions of the primary structure and should be of the same material and color.

## 5.9 Exterior Walls and Finishes

The exterior walls of buildings should express the form and structure of the architecture while enhancing a compatibility with the natural characteristics of the site in terms of color, texture, and materials. Walls are to be treated in a direct, simple manner while reflecting a style that speaks of Costa Rica and the dry tropical environment.

Local or regional stone, especially such as that seen on the Guanacaste walls throughout the area; plaster with integral color and a hand-troweled finish; wood with clear matte finishes or transparent stains; timber or steel frames expressing structure; and metal that acquires a natural patina (non-reflective) may all be used on primary wall surfaces. Textured and stained concrete as well as ceramic tiles in earth-tone colors may be used for accent or secondary walls. No exposed concrete block or brick is allowed.

Walls are to be given equal, finished architectural treatment on all sides.

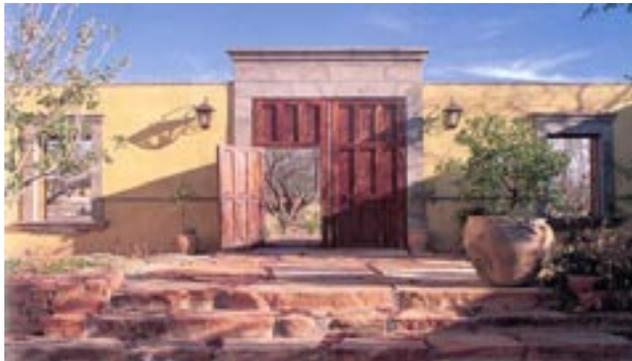
Where different materials adjoin, there should be a clear break in the plane of the wall surface. Random changes in wall material that have no relationships with the structure of the building are to be avoided.



*Plaster Wall Material and Texture*

## 5.10 Doors & Windows

The primary entry door for Hotels and Multi-Family Residences should present a clear image of invitation and have a strong relationship to the arrival into the Property. The doors, in terms of their location and configuration, should combine with roof forms and entry structures to provide a sheltered arrival into the building complex. The style and artistic quality of the primary entry doors should be a direct reflection of the image and character of the overall architecture and the identity of the Property.



*A Strong Sense of Arrival*



*Attention to Detail*

Openings for windows and doors are to be appropriate to the structural expression of the building. For example, in stone or plaster walls, doors and windows are to be relatively small in proportion to the wall area, set within a deep reveal, and topped with a properly designed lintel or arch to span the opening. Timber or steel frame structures with piers, columns, and large spans may accommodate large window openings appropriate for taking in panoramic views or creating indoor/outdoor spaces.



*Deep Window Openings in Stone Walls*

Because of the climate and typical ocean breezes, an opportunity exists to design windows and doors in a manner that allows opening the building to the outdoor environment.



*Attention to Detail at Window and Door Openings*

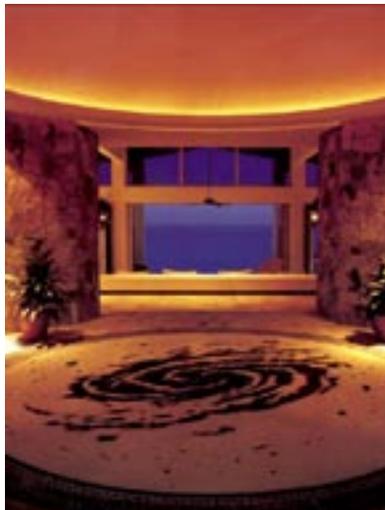
Large expanses of glass are permitted, especially to allow the enjoyment of the panoramic views at Peninsula Papagayo. Appropriate solar-screening devices such as overhangs and trellises should accompany these large glass areas. Reflective glass and mirrored glass are not allowed.



*Extended Overhangs to Provide Shadow on Large Window Walls*

Where wide window/door openings occur for blending indoor and outdoor living, the use of broad overhangs is encouraged. Trellises and shutters should also be used at openings to manage sun and rain while creating texture and shadow patterns on walls.

All glass areas are to appear recessed into the associated wall structure except for bay windows. Freestanding glass curtain walls, especially those that are seen without a supporting and enclosing structural system, are not allowed. Large glass areas are to be shaded by projecting roof overhangs, balconies, or porches to minimize their visibility and reflection, and to enhance their energy efficiency.



*Windows, Materials, and Artistry*

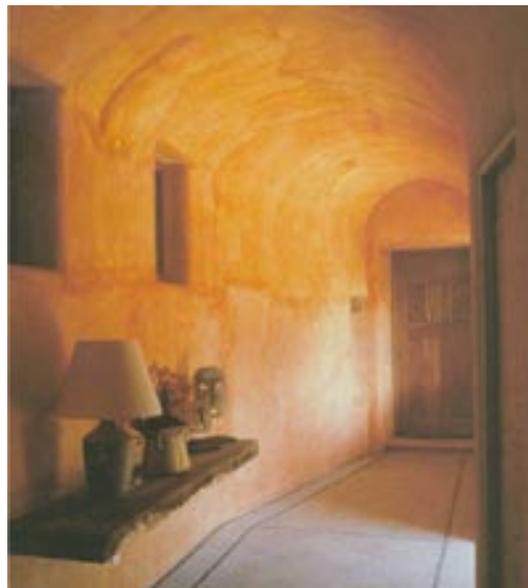
Detailing, especially for items such as hardware, latches, and hinges offer a great opportunity to express a Pre-Columbian interpretation.



*Door Hardware Expressing Crafted Details*

## 5.11 Color

In general, maintaining the natural color of building materials is recommended. In addition, colors and finishes for primary exterior materials should be of soft, earth tones that relate to the soil, rocks, and vegetation of the site. Shiny, vibrant, and reflective surfaces or colors for exterior finishes are not permitted.



*Warm Earth-Tone Colors*

Stains and sealants may be used to protect wood from weathering, to give it a more refined texture, or to achieve a different hue, but those stains and sealants should be clear or transparent with a matte finish. No high-gloss finishes are allowed.

Stone or rock should be carefully chosen to complement the natural landscape of the site in terms of color and texture. Stone that is consistent in color with the natural fieldstone seen on the many Guanacaste walls of the region is highly favored.

Plaster should be mottled with an uneven integral color or color wash over a light base coat, and a matte finish.

Plaster walls and roofs must have a Light Reflective Value (LRV) of 35 or lower. Warm earth-tone hues are desired. Trim and accent colors may have an LRV of 45 or lower. LRVs are available from the paint/stain manufacturer. At such time that the Property Owner wishes to repaint exterior walls, reconfirmation of original color with the MDRB is suggested. There will be no cost to the owner for this submission.

Colors of primary building materials are to blend with the natural colors of the site — such as gray-brown from tree bark, olive-green from foliage, dark-brown, ochre, tan, warm-gray from rocks and soil.



*Colors Expressive of the Natural Site*

Accent and trim colors may be deeper in hue and saturation than primary wall colors, but these accent colors should also be taken from the natural colors found on the site while avoiding bright, vivid, and primary colors.

It is generally desired that buildings at Peninsula Papagayo blend into and be in harmony with the surrounding vegetation. Large areas of bright or vivid painted wall surface are to be limited to interior applications.

## 5.12 Decorative Elements

In general, decorative elements that draw upon Pre-Columbian vernacular and influences are encouraged. Sources for inspiration might include indigenous petroglyphs, patterns, carvings, ceramics and sculpture. The most common materials used are woods, stone, bamboo, metals, and clay.



*Decorative Elements in Plaster and Metal*

### 5.13 Building Projections and Accessory Structures

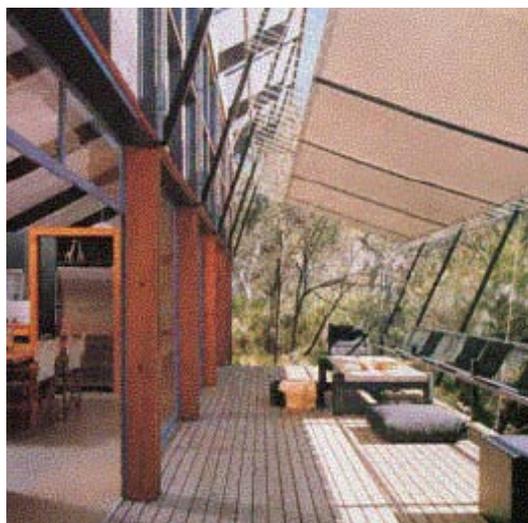
The use of architectural extensions to provide shade and shadow, protect buildings from the intense sun, and create a strong indoor/outdoor relationship is outlined below. The style and details of these architectural elements, such as column and eave treatments, could borrow from Pre-Columbian traditions. In general, requirements for accessory structures will be similar to those for the main building.

- Verandas — Informal in arrangement, these areas are encouraged to be a minimum of 2.5 m (8 feet) in depth and utilize wide, overhanging roofs. Flooring materials are to be natural stone, tile or decking and/or be the same materials as utilized in the interior of the building.



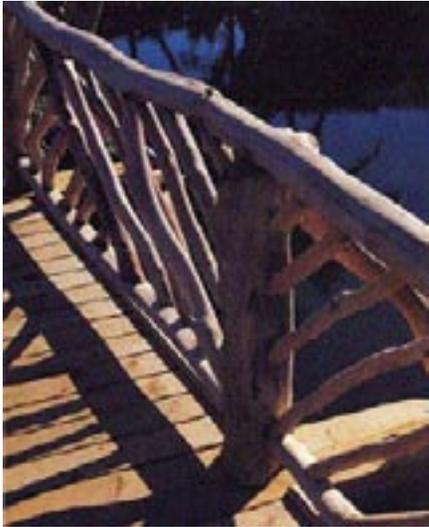
*Veranda Providing Shade and Comfortable Indoor/Outdoor Living Spaces*

- Entry and/or Side Porches — Porches that provide shelter from the sun and accentuate entry areas should be a minimum of 1.8 m (6 feet) in depth.
- Arbors/Trellises — Covered areas that connect separate structures or are freestanding are encouraged.



*Arbors and Trellises to Provide Shading*

- Railings — Decorated or carved railing details that reflect Pre-Columbian or nature-based motifs are encouraged.



*Decorative Railing Details in Wood and Iron*

- Vents — Rooftop equipment and/or large vents are to be grouped and concealed in roof or wall structures that match the materials and style of the buildings.

## 5.14 Antennae & Flagpoles

Antennae, flagpoles or satellite dishes that are visible from any neighboring property, streets, or public areas must have expressed approval from the MDRB.

## 5.15 Sustainable Design Practices

The following sustainable design practices are strongly recommended:

- Construction and building practices that minimize site disturbance during construction.
- Building materials that are sustainably harvested and manufactured.
- Use of high recycled content or sustainable content building materials.
- Use of locally or regionally produced building materials.
- Design techniques that emphasize natural ventilation of indoor and outdoor spaces.
- Creation of ample, shaded outdoor areas and use of shading devices to minimize solar gain of house.
- High-efficiency (low-flow) showerheads, toilets, faucets and similar appliances.
- Materials that will withstand the effects of a dry topical marine environment to reduce the need for frequent replacement or maintenance.
- Increasing the required insulation in walls, ceilings and foundations to reduce energy consumption and to lower utility bills.

## 5.16 Skylights

Skylights must be integrally designed into the roof structure and are not to be obtrusive. Skylight glazing shall not be backlit or manufactured of reflective material. Skylight framing and glazing shall be colored or coated to match adjacent materials.

## 5.17 Solar Equipment

Solar power-generating equipment is encouraged but should integrate with the architectural design of the roof structure. Solar panels that are highly reflective may not be visible to adjacent Properties, common areas or streets.

## 5.18 Fire Protection

In order to ensure adequate fire protection, all buildings designed for human occupancy, including garages, must have an automatic fire alarm system connected to Peninsula Papagayo's centralized monitoring system.

## 5.19 Security Systems

All Hotels and Multi-Family Residences may be connected to Peninsula Papagayo's centralized monitoring system for security, fire and emergency response. Developers and Property Owners may incorporate additional security measures into their plans, subject to the following controls:

- Exterior high-intensity lighting is not allowed.
- Audible alarm systems will not be approved because of their potentially disruptive impact upon the Peninsula Papagayo Resort Community.
- Security fencing that interrupts the flow of landscape within the Natural Areas of the Property is discouraged.

## 5.20 Seismic Design Considerations

Costa Rica is located in Seismic Zone 4 as defined in the Uniform Building Code (UBC); seismic activity and coastal winds are the primary structural design concerns for building design.

Costa Rican law mandates the use of a registered Costa Rican structural engineer for the development of Construction Documents. Each Property Owner is encouraged to consult this professional for seismic design advice.



# Construction Guidelines

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## 6.1 Pre-Construction Conference

Prior to commencing construction, the Property Owner and/or Project Architect must meet with an authorized representative of the MDRB to review the approved Final Design Package, the Construction Staging Plan, and to coordinate scheduling and construction activities with the MDRB. At this meeting, the Property Owner and/or Design Consultants must bring a copy of the Building Permits issued and any related permits.

## 6.2 Insurance

Each Property Owner and each of the Property Owner's Contractors shall obtain and maintain throughout the course of construction on the Property, property and liability insurance, naming the Master Developer and the Master Association as additional insureds. This insurance shall be in such amounts as reasonably determined by the MDRB to be sufficient to protect the Master Developer and the Master Association from losses, damages, costs and claims arising out of the activities of any Property Owner on or in the vicinity of the Property during construction.

## 6.3 Access to Construction Area

Peninsula Papagayo requires all Contractors to comply with the following:

1. Restrict access to the construction area only through the Peninsula Papagayo Construction Gate.
2. Identify all vehicles entering Peninsula Papagayo with the Contractor's name and job site.
3. Enforce hours of access, speed limit and route of travel on the Peninsula Papagayo road system as specified by the MDRB.
4. Limit access to the construction area only on designated routes as specified by the MDRB.
5. Consolidate all deliveries of materials and equipment to the extent feasible and notify Peninsula Papagayo Security of any oversized material deliveries, traffic-disrupting activities and activities that produce excess noise.
6. Provide the MDRB with a written list of the individuals and entities needing access to the Property for the purpose of constructing the Property Owner's authorized Improvements.

## 6.4 Fencing

To protect the Natural Area of a Property from damage due to construction operations, a chain-link fence at least 1.8 m (6 feet) high shall be installed to completely enclose the Building Envelope designated and approved in the Final Design Package. The fence shall have a single entrance located at the driveway entrance, and shall be maintained intact until the completion of construction. The construction trailers (if any), portable toilets, construction material storage and dumpsters must all be contained within the chain-link fence. In special cases, the MDRB may allow materials to be stored outside the chain-link fence when approved in advance by the MDRB.

If it is necessary to conduct construction activities outside of a Building Envelope to complete an Improvement within the Envelope, the Property Owner or Contractor may submit to the MDRB a boundary description of the proposed encroachment. The MDRB will require the construction area outside the Building Envelope to be returned as closely as possible to its original condition when construction is complete.

## 6.5 Vehicles and Parking Areas

Construction crews shall not park on, or otherwise use, other Properties or any open space. Private and construction vehicles and machinery shall be parked only within the Building Envelope or in areas designated by the MDRB. All vehicles shall be parked so as not to inhibit traffic.

At the single entrance in the construction fence, a 3.65 m (12'-0") wide temporary gravel drive shall be installed, extending from the roadway into the Property for 9.14 m (30'-0"). This drive shall be maintained in good condition throughout construction.

Each Contractor shall be responsible for its subcontractors and suppliers obeying the speed limits posted within the development. Fines will be imposed against Contractors for repeated violations. Adhering to the speed limits shall be a condition included in the contract between the Contractor and its subcontractors/suppliers. Repeat offenders may be denied future access to the project by the MDRB.

## 6.6 Storage of Materials and Equipment

All construction materials, equipment and vehicles will be stored within the fenced boundary of the MDRB-approved construction area, and outside any resource protection areas within the approved construction area. Equipment and machinery will be stored on-site only while in use.

## 6.7 Construction Activity Times

The time of construction will be limited to the period from 7:00 am to 5:30 pm Monday through Saturday. Construction on Sunday is not permitted unless approved by the MDRB. Essentially quiet activities that do not involve heavy equipment or machinery may occur at other times subject to the review and approval of the MDRB. An authorized project representative is to be on-site while any work is being done. No personnel are to remain at the construction site after working hours.

## 6.8 Construction Trailers and/or Temporary Structures

Any Property Owner, Design Consultant, or Contractor who desires to bring a construction trailer or similar structure to Peninsula Papagayo must obtain written approval from the MDRB. The MDRB will work closely with the Property Owner, Design Consultant, and/or Contractor to site the trailer in the best possible location to minimize the impact to the site and to adjacent Properties. All such facilities will be removed from the Property upon completion of construction.

Temporary living quarters at the Property for the Property Owner, Design Consultant, and/or Contractor or their employees will not be permitted.

## 6.9 Sanitary Facilities

Sanitary facilities, including potable water, must be provided for construction personnel on-site in a location approved by the MDRB. The facility must be screened from view from adjacent Properties and roads, and maintained regularly.

## 6.10 Debris and Trash Removal

Contractors must clean up all trash and debris on the construction area at the end of each day. Trash and debris must be removed at least once a week and transported to an authorized disposal site. Lightweight material, packaging, and other items, must be covered or weighted down to prevent wind from blowing such materials off the construction site. Contractors are prohibited from dumping, burying or burning trash anywhere on the Property or on Peninsula Papagayo premises except in areas, if any, expressly designated by the MDRB.

During the construction period, each construction area must be kept neat and tidy to prevent it from becoming a public eyesore or affecting adjacent Properties. Dirt, mud or debris resulting from construction activity must be promptly removed from roads, open spaces, driveways etc. Any cleanup costs incurred by the MDRB or the Master Association will be billed to the Property Owner.

## 6.11 Excavation and Grading

Watering and/or other methods must be used to control blowing dust resulting from grading and construction operations. During construction, erosion must be minimized on exposed cut and/or fill slopes through proper soil stabilization, water control and re-vegetation. Consultants are responsible for the implementation of erosion-control measures. Grading operations may be suspended by the MDRB during periods of heavy rains or high winds.

Each Property Owner shall fully compensate the Master Association for all damages to Peninsula Papagayo, including damage to improvements, landscaping or other facilities and equipment caused by or resulting from the Property Owner's activities and/or the activities of the Property Owner's Contractors.

All topsoil disturbed by grading operations must be stockpiled and covered to minimize blowing dust within the construction area. Further, the topsoil must be reused as part of the site restoration/landscaping plans. Fill or topsoil material brought to the Property shall be free of termites and deleterious matter.

There shall be no blasting or discharge of explosives on any Property, except with the prior written approval of the MDRB.

## 6.12 Archeological Discoveries

Peninsula Papagayo is known to contain artifacts of historical and archeological significance. The Master Developer has already performed several archeological studies in order to locate the major sites of archeological significance. These studies should minimize "construction" discoveries. In the event that any object, artifact or structure of possible archeological or historical significance is discovered during construction, landscaping or other activity on a Property, construction activity should immediately cease so as not to further disturb the object or structure and the Property Owner should notify the Master Association and any other governmental authority as directed by the Master Association. Until such time as the Master Association and governmental authorities have evaluated the discovery, all construction activity will cease and may not commence until notification by the Master Association. Property Owners must notify all persons performing construction, landscaping, excavation or other work on their Property of these obligations.

## 6.13 Foundations

It is the Property Owner's responsibility to conduct an independent soil-engineering investigation to determine the suitability and feasibility of any Property for construction of the intended Improvement. Property Owners are encouraged to seek the assistance of a licensed soil engineer to examine and test soil conditions on their Property prior to undertaking any design or construction. The Master Developer makes no representation or warranties, expressed or implied, as to the soil condition. Portions of Peninsula Papagayo have been filled. Ground may settle in filled areas.

## 6.14 Ground Termite Standards

Soil under all concrete slabs on the ground, under all building floors, whether on ground or over airspace, and under all footings and masonry foundation walls, shall be treated against subterranean termites by a licensed termite control company.

Chemicals used outside of the dwelling or in accessible spaces under the dwelling, shall be applied in a safe manner to mitigate exposure to humans, flora and fauna.

## 6.15 Property Survey

Prior to commencement of design, it is the responsibility of the Property Owner to obtain a survey by a surveyor licensed in Costa Rica to confirm property boundaries, topography, significant existing trees, significant rock outcroppings, drainages, “majones” line, existing restrictions, utilities, access ways, roadways abutting the Property, and the location of other existing site features or Property attributes that would affect the design of any Improvement.

## 6.16 Restoration or Repair of Other Property Damages

Damage and scarring to any Property, improved space, or open space, including but not limited to roads, driveways, concrete curbs, gutters, utilities, vegetation and/or other Improvements, resulting from construction operations, will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly and any costs related therein are those of the Property Owner.

## 6.17 Miscellaneous and General Practices

All Property Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors while on the premises of Peninsula Papagayo. The following practices are prohibited:

- Changing oil on any vehicle or equipment on the site itself or at any other location within Peninsula Papagayo other than at a location, if any, designated for that purpose by the MDRB.
- Allowing concrete suppliers, plasterers, painters, or subcontractors to clean their equipment anywhere but the location designated, if any, for that purpose by the MDRB.
- Removing any rocks, plant material, topsoil, or similar items from any other Property within Peninsula Papagayo, including other construction sites.
- Carrying any type of firearm within Peninsula Papagayo.
- Using disposal methods or equipment other than those approved by the MDRB.
- Careless disposition of cigarettes and other flammable material. At least three (3) 10-pound ABC-rated dry chemical fire extinguishers shall be present and available in conspicuous places on the construction site at all times.
- Careless treatment or removal of protected plant materials or plants not previously approved for removal by the MDRB.
- Use of illegal drugs.
- Use of alcoholic beverages other than during pre-approved and supervised functions.
- Use of, or transit over, any golf course area.
- Pets on site.
- Use of radios and other audio equipment at construction sites.

## 6.18 Construction Signage

Temporary construction signs shall be limited to one sign per Property. The sign shall be freestanding and visible at the primary roadway entry onto the Property. Its design and location shall be subject to the review and approval of the MDRB. All construction signs are to meet the following criteria:

- Signs shall be single-faced, panel type.
- No additional signs may be attached to the main sign or be suspended below it.
- Only the following information may appear on a construction sign: Contractor's name, Architect's name, Property Owner's name or name of Property (Trade Wind, etc.), and one phone number.
- Information such as "For Sale," "Available," or similar language, or descriptive phrases such as "3 bedroom" may not appear on any construction sign.
- Colors of sign backgrounds should be muted earth tones.
- The sign should be readable from approximately 6 m (20 feet) away and shall not exceed a size of 3 square meters.
- Construction signs must be removed at the time the Property is substantially complete or when the MDRB directs the sign to be removed.

## 6.19 Construction Management Plan

Once the MDRB has granted Final Plan approval, the Property Owner and/or the Contractor must prepare a Construction Management Plan for approval by the MDRB Staff prior to the start of construction. The Construction Management Plan must describe how the Contractor will manage the construction process and protect the site and neighboring Properties during the construction period. Specific items to be addressed in the Construction Management Plan must include the following:

- A construction layout plan showing the limit of site disturbance, limit of site grading, all trees to be removed or protected, construction parking, equipment storage, laydown area and supply storage, vehicle access, debris storage and dumpster location, temporary construction buildings or trailers, and sanitary facilities.
- Location of temporary utilities and permanent utility trenches.
- Location and design of a construction sign.
- Erosion control and soil stabilization plans.
- Location and type of fire protection equipment and resources.
- Site drainage plans for the construction period.
- Detail plans and techniques for tree protection.
- Protection of archeological sites, if applicable.
- Location and design of any construction safety or security fencing.
- Fencing and other methods to minimize and mitigate the visual impact of the construction from neighboring Properties and adjacent roadways.
- Transportation of employees to and from the site.



# Design Review Process

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## 7.1 Overview of the Design Review Process

The Design Review Process is intended to help Property Owners and their design teams to integrate their vision with the architectural and aesthetic vision of Peninsula Papagayo. Through a series of consultations and meetings, the MDRB will evaluate all development proposals on the basis of the Master Design Guidelines. The interpretations of these standards are left up to the discretion of the MDRB with the exception of certain restrictions such as building height or setbacks which are established in the Peninsula Papagayo Master Concession and/or Master Declaration.

Design Approval must be granted by the MDRB prior to the initiation of any Improvements in Peninsula Papagayo including, but without limitation, the following:

- Construction of all new buildings.
- Construction, renovation, expansion or refinishing of the exterior of an existing building, fences, bridges, pools, driveways, patios and/or culverts and other site Improvements.

In addition to final design approval from the MDRB (valid for one year), each Property Owner must meet all the submittal and approval requirements of Costa Rica, the Province of Guanacaste and the ICT. Those may include design approvals, building permits and other discretionary permits.

In general, the review process is comprised of the following steps:

- 1.Pre-Design Meeting**
- 2.Concept and Parcel Diagram Review**
- 3.Sketch Plan Review**
- 4.Final Plan Review**
- 5.Construction Monitoring**

## 7.2 Pre-Design Meeting

Prior to the preparation of any materials for formal MDRB review, the Property Owner and appropriate Design Consultant(s) should meet on-site with representatives of the MDRB for a Pre-Design Meeting. The purpose will be for the MDRB to answer questions and to offer guidance to the Applicant.

## 7.3 Concept and Parcel Diagram Review

During this review, the MDRB and the Applicant will discuss the overall development concept including the general use of the site, density, building locations, massing, and access. The Applicant will present the Site Analysis, Site Areas Diagram and Parcel Diagram for MDRB approval. The Parcel Diagram will establish the conceptual use of the site to accommodate the development program as previously agreed upon between the Property Owner and the Master Developer.

## 7.4 Sketch Plan Review

The Property Owner and Design Consultants should prepare and submit to the MDRB for review and approval a Sketch Plan Package that should adequately convey existing site conditions, constraints, building orientation and design, vehicular and pedestrian access, the proposed use of exterior materials and colors and conceptual landscape design. All architectural plans are to be prepared by a licensed Architect. All landscape architectural plans are to be prepared by a licensed landscape Architect. Upon receipt of the required Package and staking of the Property, the Property Owner may attend the next regularly scheduled MDRB Meeting, or may request a special meeting if appropriate. The MDRB will review and comment on the Sketch Plan Package at the meeting and allow time for discussion with the Property Owner and/or Design Consultants.

At the conclusion of the Review, the MDRB will *Approve, Approve with Conditions, or Disapprove* the Package. If Approved, the Property Owner may prepare and submit the Final Design Package for review and approval by the MDRB. If Approved with Conditions, the Property Owner may resubmit a revised Sketch Plan Package to the MDRB or may move forward and prepare a Final Design Package for MDRB Final Review & Approval. Property Owners who choose the latter option do so at their own risk. If the MDRB Disapproves the Final Package, the Applicant must redesign and resubmit for Sketch Plan Review. There will be no charge for resubmission.

## 7.5 Final Plan Review

Within six (6) months of Sketch Plan Approval, the Property Owner shall submit the required Final Plan Package to the MDRB.

Upon receipt of the Final Plan Package the MDRB shall review the submittal for completeness, and when the submittal is deemed complete, the MDRB shall schedule the application for review at the next scheduled meeting. The Property Owner may attend the next regularly scheduled MDRB Meeting, or may request to be scheduled for a later meeting, or request a special meeting if appropriate. The MDRB will review and comment on the Package at the meeting and allow time for discussion with the Property Owner and/or Design Consultants.

At the conclusion of the Review, the MDRB will *Approve, Approve with Conditions, or Disapprove* the Package. If Approved, the Property Owner may apply for a building permit based on the approved Package. If Approved with Conditions, the Property Owner must resubmit a revised Final Plan Package until a Final Approval is received from the MDRB. If the MDRB Disapproves the Package, the Property Owner must redesign and resubmit a Final Plan Package. There will be no charge for resubmission.

All actions taken by the MDRB along with any conditions affecting the submittal will be recorded in meeting minutes and forwarded to the Property Owner in writing. Final MDRB Approval will be valid for one year.

## 7.6 Construction Monitoring

During construction, the MDRB will observe the site and the project for compliance with the approved Final Plan Package. Observations will be conducted on an “as needed” basis as determined by the MDRB.

## 7.7 MDRB Process Outline

This portion of the Design Guidelines describes a “road map” to the Design Review Process. In order to help ensure that the process is both positive and productive, there are a series of steps that begin prior to the start of design and carry to the completion of construction.

The following Design Review steps are to be followed for all Hotel and Multi-Family Residences within Peninsula Papagayo:

Step	Responsibility	Timing
<p><b>1. Pre-Design Meeting</b></p> <p>The purpose of this meeting is to provide the Applicant, either the Property Owner or the Architect, with the necessary introductory information to initiate the design process. It will also allow discussion of the Applicant’s objectives and goals in the context of the Peninsula Papagayo design vision.</p> <p>During this meeting the MDRB can answer questions and offer guidance on specific issues such as:</p> <ul style="list-style-type: none"> <li>• Parcel configuration, setbacks, existing restrictions, and utilities.</li> <li>• The particular characteristics of the Property.</li> <li>• Optimal orientation of the building and outdoor spaces.</li> <li>• Overall design concepts of the development in the context of the Parcel.</li> <li>• Potential issues or conflicts with View Corridors and Natural Areas.</li> <li>• Clarification of the Master Design Guideline objectives and the Design Review Process for the Applicant.</li> </ul> <p>Property Owners may obtain a Pre-Design Conference package that includes a current copy of the Master Design Guidelines and a Pre-Design Conference request form through the MDRB Office located on-site. A package may also be requested by phone at 506-696-2162 or email at <a href="mailto:MDRB@ecodesarrollo.com">MDRB@ecodesarrollo.com</a>.</p>	<p>Applicant to make a request to the MDRB Staff</p>	<p>Staff will schedule a meeting within approximately three weeks of the Applicant’s request</p>
<p><b>2. Concept Review/Parcel Diagram</b></p> <p>The purpose of this meeting is review the overall development concept and the Site Analysis, Site Areas Diagram and the Parcel Diagram. The Applicant, either the Property Owner or the Architect, will present the overall density and the development program that had been previously agreed upon between the Property Owner and the Master Developer.</p> <p>The Applicant will present the Site Analysis, Site Areas Diagram and Parcel Diagram.</p> <ul style="list-style-type: none"> <li>• <b>Site Analysis</b> – a conceptual site analysis of development suitability, constraints, and opportunities based on natural conditions and cultural influences including such factors as sun, wind, views, access, topography, archeology, natural</li> </ul>	<p>Applicant/ MDRB Staff</p>	<p>The Applicant must submit Sketch Plan to the MDRB Staff at least 14 days prior to the next scheduled MDRB Meeting</p>

Step	Responsibility	Timing
<p>conditions and cultural influences including such factors as sun, wind, views, access, topography, archeology, natural vegetation, rock outcroppings, drainages, direction of primary ocean breezes, and other natural site features, drawn to a scale of 1:200 metric.</p> <ul style="list-style-type: none"> <li>• <b>Site Areas Diagram</b> – a diagram of the entire Property overlaid on topography contours and indicating Property Boundaries, Existing Restrictions, the recommended Development Envelope, the recommended Landscape Transition Zone; and recommended areas of Natural Landscape Preservation; any View Corridors within the area; the primary point of vehicle access, any recreation, golf, or beach amenities in the immediate area; and any pedestrian paths within the area; drawn to a scale of 1:200 metric.</li> <li>• <b>Parcel Diagram</b> – a diagram of the entire Property including all information from the Site Areas Diagram plus the proposed Improvements including building footprints, roadways, pedestrian walks and paths, courtyards, patios, pools, recreation areas, arrival courts, parking, trees to be removed, trees to be preserved, proposed walls, fences, landscaping, and other site Improvements.</li> </ul> <p>The MDRB will review the Site Analysis, Site Areas Diagram and Parcel Diagram and will take action to approve, deny, or table the submittal.</p> <p>After the Concept / Parcel Diagram Review Meeting the MDRB notifies the Applicant of the results in writing.</p>	<p>MDRB Staff/ Applicant</p> <p>MDRB Staff</p>	<p>Within 10 days of meeting</p>
<p><b>3. Sketch Plan Review</b></p>		
<p>During this step, the MDRB will review the Sketch Plan of the development. The Sketch Plan, submitted by the Applicant, must convey the design intent of the project within the context of the site.</p> <p>One set of full-sized drawings at the scales indicated shall be submitted for review along with a Computer Disk in Adobe pdf read-only file format.</p> <p>The following information is to be submitted by the Applicant to the MDRB for Sketch Plan Review:</p> <ul style="list-style-type: none"> <li>• <b>Payment of the Sketch Plan Review Fee</b> – in the form of a check payable to: “Asociación Maestra de la Comunidad del Resort Península Papagayo.”</li> <li>• <b>Location Map</b> – indicating location of the Property within Peninsula Papagayo.</li> <li>• <b>Existing Site Conditions</b> – including topography at 1 m contours, Parcel Boundaries, Setbacks, and Existing Restrictions. Locations of trees over 10 cm caliper at 30 cm above ground and any significant natural features such as rock outcrops or any significant drainages must be indicated.</li> </ul>	<p>Applicant/ MDRB Staff</p>	<p>The Applicant must submit Sketch Plan to the MDRB Staff at least 14 days prior to the next scheduled MDRB meeting.</p>

Step	Responsibility	Timing
<p>This information must be submitted on a Parcel Survey at a minimum scale of 1:200 metric prepared by a licensed surveyor. Refer to Appendix C, Property Survey Requirements, for specific information that must be shown on all surveys and site base plans.</p> <ul style="list-style-type: none"> <li>• <b>Site Plan</b> – 1:200 metric minimum scale, showing the layout of the proposed development including the following: <ul style="list-style-type: none"> <li>• Existing topography and proposed grading (1 meter contour interval)</li> <li>• Building footprint with finished floor grades</li> <li>• Natural Area, Building Envelope, Transition Area</li> <li>• Property number</li> <li>• Location of all existing trees having a trunk measuring 15 cm or more in diameter with an indication of which trees are to be removed and which are to be saved</li> <li>• Location of rock outcroppings and boulders</li> <li>• Orientation and photos of primary views from site</li> <li>• Location of archeological findings</li> <li>• Location and height of proposed retaining walls</li> <li>• Location of driveway, parking areas, turnarounds and/or other paved areas with finished grades and materials indicated</li> <li>• Location of fences/walls, patios, decks, walks, pools and any other site amenities</li> <li>• Location of recreational amenities such as tennis courts, pools, gardens and lawns</li> <li>• Connecting links to pedestrian pathways and recreation trails</li> <li>• Location of trash containers</li> <li>• Location of utility services</li> <li>• On-site drainage retention and storm water connections to existing drainage features</li> </ul> </li> <li>• <b>Site Sections</b> – minimum scale no less than 1:200 metric showing proposed buildings, building heights, elevations and existing and finished grades in relation to surrounding site, including adjacent Properties and roads.</li> <li>• <b>Schematic Floor Plans</b> – minimum 1:50 metric scale including the following: <ul style="list-style-type: none"> <li>• General construction type</li> <li>• Configuration and use of rooms and spaces within all buildings of the development</li> <li>• Window and door locations and sizes</li> <li>• Relationship between indoor and outdoor areas</li> <li>• Exterior lighting schemes</li> </ul> </li> <li>• <b>Schematic Roof Plan</b> – minimum 1:50 metric scale including the following: <ul style="list-style-type: none"> <li>• General construction type</li> <li>• Roof slopes and roof materials, including location of drainage systems</li> <li>• Exterior roofing materials and colors (color chips recommended)</li> </ul> </li> </ul>		



Step	Responsibility	Timing
<p><b>4. Final Plan Package</b></p>		
<p>Within this step, the MDRB will review the Applicant’s architectural plans for the residence, site Improvement plans, and landscape plans that have been prepared to describe in detail, the design of the project. The Final Plan Package Submittal shall convey the design intent in enough detail to illustrate the final design of the constructed project.</p> <p>One set of full-sized drawings at the scales indicated shall be submitted for review along with a Computer Disk in Adobe pdf read-only file format.</p> <p>Specific information to be submitted must include:</p> <ul style="list-style-type: none"> <li>• <b>Name, registration number and contact information</b> – for each design and construction professional signing plans and providing construction certifications.</li> <li>• <b>Final Design Review Application Form and Fee</b> – in the form of a check payable to: “Asociación Maestra de la Comunidad del Resort Península Papagayo.”</li> <li>• <b>Site Plan</b> – 1:200 metric scale minimum, showing: <ul style="list-style-type: none"> <li>• Existing topography and proposed grading (1 meter contour interval)</li> <li>• Existing trees with a caliber over 15 cm indicating trees that are to be saved and trees that are intended to be removed; all major vegetation areas that are existing</li> <li>• Any archeological areas on the site</li> <li>• Utility locations and tie-in points</li> <li>• Property boundaries and existing restrictions, setbacks, Development Envelope, Transition Area, and Natural Landscape Areas</li> <li>• Drainage system</li> <li>• Building configuration with roof plan, decks, and terraces indicating finished floor grades</li> <li>• Access driveway, parking area, and turnarounds</li> <li>• Proposed area of construction disturbance</li> <li>• Fences and walls</li> <li>• Patios, courtyards, pools, recreation facilities, connections to community pathways and trails, and any other site amenities</li> </ul> </li> <li>• <b>Foundation Plan</b> – 1:50 metric scale minimum, indicating top and bottom elevations of all walls, unexcavated areas, and crawl space areas</li> <li>• <b>Building Floor Plan(s)</b> – 1:50 metric scale minimum, indicating: <ul style="list-style-type: none"> <li>• Overall building configuration and dimensions</li> <li>• All room dimensions and room layouts</li> <li>• Door and window locations and sizes</li> <li>• Location of mechanical and electrical systems and fire sprinkler and monitoring systems</li> </ul> </li> </ul>	<p>Applicant/ MDRB Staff</p>	<p>The Final Plan must be submitted at least 14 days prior to the next MDRB Meeting</p>

Step	Responsibility	Timing
<ul style="list-style-type: none"> <li>• Mechanical rooms and flue/duct chases</li> <li>• Location and type of all exterior lighting fixtures with cut sheets</li> <li>• Kitchen equipment layout</li> <li>• Floor plans of all garage, accessory, or ancillary structures</li> <li>• <b>Roof Plan</b> – 1:50 metric scale minimum indicating: <ul style="list-style-type: none"> <li>• Roof pitch and direction of slope</li> <li>• Ridges, valleys, hips and pitch breaks</li> <li>• Roofing materials</li> <li>• Chimneys and major flues</li> <li>• Skylights, dormers</li> <li>• Gutters and downspouts</li> </ul> </li> <li>• <b>Exterior Building Elevations</b> – 1:50 metric scale minimum, illustrating the following: <ul style="list-style-type: none"> <li>• The highest ridge of the roof, the height of each eave, the elevation of each floor, and the existing and finished grades for each elevation oriented in accordance with the Site Plan</li> <li>• All exterior materials, colors and finishes including walls, roofs, trim, vents, windows, doors, light fixtures, and any other exterior features</li> <li>• Expressed exterior structural components</li> <li>• Primary and Secondary Specialty Elements</li> <li>• Profile, size, and material used for exterior trim detailing including trim around doors and windows</li> <li>• Satellite dish sizes and locations</li> <li>• Utility meters and connections</li> <li>• Provide one set of colored exterior elevations indicating shade and shadow patterns</li> <li>• Address marker design and location</li> <li>• Any exposed downspouts, gutters, or other drainage systems</li> </ul> </li> <li>• <b>Building Height</b> – 1:50 metric minimum scale, indicating proposed building height and finished grade.</li> <li>• <b>Building Sections</b> – 1:50 metric minimum scale, indicating roof, walls, floors, porches, terraces, patios, decks, exposed structure, interior relationships, finished exterior grades and any other information to clearly describe the interior/ exterior relationships of the building as well as the building's relationship to the site.</li> <li>• <b>Exterior Building Details</b> – indicating the visual expression of materials, structure, finishes, trim, soffit and fascia, railings, chimney caps, and other such detail components.</li> </ul>		

Step	Responsibility	Timing
<ul style="list-style-type: none"> <li>• <b>Landscape Plan</b> – at 1:200 metric scale minimum, indicating: <ul style="list-style-type: none"> <li>• Location of existing trees (over 15 cm caliper) to be saved and removed</li> <li>• Planting plan by species and size of all proposed trees, shrubs, and ground cover</li> <li>• Patio, deck, and other hardscape areas, including paving patterns and materials</li> <li>• Swimming pools and hot tubs</li> <li>• Tennis courts and other recreational amenities</li> <li>• Garden and lawn areas</li> <li>• Pedestrian courtyards, pathways, and connections to community trails</li> <li>• Driveways, auto courts, and parking areas</li> <li>• Retaining walls</li> <li>• Fences and privacy walls</li> <li>• Dog runs</li> <li>• Service areas</li> <li>• Exterior lighting</li> <li>• Irrigated areas</li> <li>• Area of disturbance, revegetation, and plant protection techniques</li> <li>• Address sign</li> <li>• Water features and exterior artwork</li> </ul> </li>   <li>• <b>Material and Color Board</b> – describing, through actual samples, photos, and catalog cuts, the exterior materials and colors of the project such as: <ul style="list-style-type: none"> <li>• Roof material and color</li> <li>• Wall materials and colors</li> <li>• Exterior trim material and color</li> <li>• Exterior material and color of windows and doors</li> <li>• Exterior stone/rock and tile materials</li> <li>• Fence/wall materials</li> <li>• Exterior railings</li> <li>• Paving and deck materials</li> </ul> </li>   <li>• <b>Scale Model</b> – minimum 1:200 metric scale, to show the project in a manner that adequately conveys the 3-dimensional massing. Computer-Generated 3-D Modeling may be used to supplement, but not to replace, the Scale Model.</li>   <li>• <b>Perspective Sketches</b> – (optional scale) provide ground-level perspective sketches of the building from locations representing primary public exposures to the development. These sketches should indicate exterior shadow patterns, materials colors, and textures. Computer-Generated 3-D Renderings may be used.</li> </ul>		

Step	Responsibility	Timing
MDRB reviews the Final Plan Package and contacts the Applicant to notify them of the meeting date. The Applicant may attend the meeting in person or via conference call. After the Final Plan Meeting the MDRB notifies the Applicant of the results in writing.	MDRB	MDRB Meeting results will be sent to the Applicant within 10 days of the Final Plan Meeting
<b>5. Pre-Construction Meeting</b>		
The purpose of the Pre-Construction Meeting is to provide the Contractor with the necessary introductory information to initiate the staging and construction processes. Specific issues such as Area of Disturbance, protective fencing for existing vegetation, staging requirements, construction office, temporary parking, and hours of construction will be discussed. The Applicant will pay the Compliance Deposit, to the MDRB in the form of a check payable to: “Asociación Maestra de la Comunidad del Resort Península Papagayo.” The Pre-Construction Site Walk Checklist (see Appendices) will also be reviewed at this time, on-site with the Applicant.	Applicant/ MDRB Staff Applicant	Prior to any staging or work on site.
<b>6. Construction Management Plan</b>		
Prior to the start of construction the Property Owner/Contractor must prepare a Construction Management Plan for approval by the MDRB Staff.	Applicant/ Contractor	Prior to ground breaking or construction staging
<b>7. Construction Inspections</b>		
<ul style="list-style-type: none"> <li>• <b>Building Staking</b> – Prior to construction, the Applicant shall stake the layout of all buildings and components of the Construction Management Plan for on-site approval by the MDRB Staff.</li> <li>• <b>Building Foundation</b> – The Applicant shall schedule a foundation inspection from the MDRB Staff.</li> <li>• <b>Mock-Up of Building Materials and Details</b> – The Applicant shall construct a full scale mock-up (2 m x 2 m minimum) which accurately conveys all exterior roof and wall materials; colors; and typical detailing of windows, corners, and trim.</li> <li>• <b>Inspection of Mock-Up</b> – The MDRB Staff will schedule a visit to review the mock-up with the Applicant. The MDRB Staff will issue a written approval or denial with specific deficiencies noted.</li> <li>• <b>Framing Inspection</b> – The Applicant will request a framing inspection from the MDRB Staff who will inspect the framing and issue a written approval or denial with specific deficiencies noted.</li> </ul>	<p>Applicant and MDRB Staff</p> <p>Applicant and MDRB Staff</p> <p>Applicant</p> <p>MDRB Staff</p> <p>Applicant/MDRB Staff</p>	<p>Prior to ground breaking or construction staging</p> <p>After foundation is complete and prior to framing</p> <p>Prior to building framing</p> <p>Within one week of request</p> <p>Prior to enclosure of framing</p>



### 7.7.1 Notice of Non-Compliance

If, during the course of a construction observation, the MDRB finds changes and/or alterations that have not been approved, the MDRB will issue a Notice of Non-Compliance within ten (10) working days of the observation. The MDRB will describe the specific instances of non-compliance and will require the Property Owner to comply or resolve the discrepancies. The Property Owner will then have thirty (30) days to remedy the non-compliance, unless the MDRB has designated in writing a greater period of time. The MDRB has the authority to place a Stop Work Notice (“Red Tag”) at the job site if necessary to enforce compliance.

### 7.7.2 Red Tag/Stop Work Notice

If the MDRB places a Stop Work or “Red Tag” Notice at the job site, all work shall stop on the Improvement. Should the Property Owner not comply with the remedies, the enforcement provisions of Section 9.12 of the Master Declaration will apply.

### 7.7.3 Certificate of Completion

Upon completion of construction, the Applicant will notify the MDRB that all Improvement(s) have been completed. The MDRB will make a final observation of the Property within seven (7) working days of the notification. If it is determined that the work has been completed in compliance with the Final Plan Approval, the MDRB will then issue, in writing, a Certificate of Completion within ten (10) working days of the observation. If it is found that the work was not done in compliance with the approved Final Plan Approval, the MDRB will issue a Notice of Non-Compliance within ten (10) working days of observation including a list of those items found to be in non-compliance.

## 7.8 Application & Fees

Application and information packages are available from the MDRB for each submission. In order to be scheduled for review, each submittal must be accompanied by all required information as specified in the Design Review Process. A representative of the Applicant, either the Property Owner and/or the Design Consultants must attend the MDRB meetings to explain their submittal and be available to respond to questions.

Design Review Fees are represented below. All fees shall be established by the MDRB and are subject to revision annually. All payments should be made in the form of a check payable to: “Asociación Maestra de la Comunidad del Resort Península Papagayo.”

<b>Item</b>	<b>Sketch Plan Review</b>	<b>Final Plan Review</b>
Initial Development		
Up to 2000 sq. meters of floor area	US \$2000.00	US \$2000.00
Over 2000 sq. meters and less than 5000 sq. meters of floor area	US \$5000.00	US \$5000.00
Over 5000 sq. meters of floor area	US \$7500.00	US \$7500.00
Subsequent Improvements and modifications (additions, alterations, site Improvements)	US \$1000.00	US \$1000.00
Color Changes and certain minor Improvements; at the discretion of the MDRB	TBD	TBD

## 7.9 Subsequent Changes

Subsequent construction, landscaping or other changes to the Improvements that differ from the approved Final Plan Package must be submitted in writing to the MDRB for review and approval prior to making changes.

## 7.10 Government Permits & Approvals

The Property Owner shall apply for all applicable building permits from the Province of Guanacaste and ICT after receiving Final Plan Approval from the MDRB. Any adjustments by these agencies to the MDRB-approved plans must be resubmitted to the MDRB for review and approval prior to commencing construction. It should be noted that as per national requirements, registered Costa Rican Architects and engineers are required to complete Construction Documents. Many are quite familiar with the regulatory approval process and Property Owners are encouraged to engage their services for this process.

## 7.11 Compliance Deposit

In order to ensure that the Peninsula Papagayo Design Guidelines are met and that construction does not deviate from the Final Plan Approval, a refundable Compliance Deposit shall be deposited by the Applicant with the MDRB and held until a Certificate of Completion for the Project has been issued by the MDRB. If any aspect of the Project is determined by the MDRB to be non-compliant with MDRB Guidelines, the MDRB will notify the Property Owner of the non-compliance. If after 60 days the non-compliance has not been remedied, or a suitable plan for bringing the Project into compliance has not been presented by the Applicant and approved by the MDRB, the MDRB may at its sole discretion expend all or a portion of the Compliance Deposit to correct that portion of the Project not in compliance.

The following Compliance Deposits shall be deposited with the MDRB:

Less than 2000 sq. meters of floor area:	US \$20,000
More than 2000 but less than 5000 sq. meters of floor area:	US \$30,000
More than 5000 sq. meters of floor area	US \$50,000



# Appendix A — Definition of Terms

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Note: All capitalized terms set forth in these Master Design Guidelines, unless otherwise indicated, shall have the meaning set forth in the Master Declaration. Many of the following terms are used throughout these Master Design Guidelines; therefore, the section number(s) referenced for each term should not be construed as comprehensive.

**Architect** — 1.2.5, 3.3, 6.18, 7.4, 7.7, Appendix D. An individual licensed to practice architecture in Costa Rica, any State within the United States, or any other governmental entity approved by the MDRB.

**Accessory or Ancillary Structures** — 2.1, 3.8, 7.7. Those secondary structures directly related to a residence such as a garage, pool equipment enclosure, trash enclosure, or landscape structure.

**Association Landscape Area** — 3.3, 3.3.4. As shown on all Property Diagrams, the portion of the Property typically adjoining the main or secondary road; this area will be planted and maintained by the Master Association.

**Board of Directors** — 2.3. Master Association Board of Directors (also referred to in the Master Declaration as “Master Association Board,” “Board of Directors,” “Directors,” and “Board”) shall mean the Board of Directors of the Master Association elected in accordance with the Articles of Organization of the Master Association and the Master Declaration.

**Building Permits** — 6.1, 7.1, 7.10. Those approvals and documents required and issued by the appropriate governmental entities controlling the construction of buildings and site Improvements in Guanacaste; not to be confused with the design approvals required under this document.

**Construction Documents** — 5.20, 7.10. Those plans and specifications prepared by the Architect and consulting engineers that describe the Improvements to be constructed.

**Construction Management Plan** — 6.19. A detailed plan and description showing the area and manner in which all construction activities will be confined, and how the remaining portions of the Property will be protected.

**Contractor** — 6.2, 6.3. An individual or company responsible for the construction of Improvements to a Property.

**Design Review Process** — 7.1. The process for reviewing and approving Property Improvements; the process is administered by the Master Design Review Board.

**Floor Area** — 7.8, 7.11. The Floor Area, for purposes of these guidelines, shall be the enclosed habitable indoor space, measured from the inside of interior walls. It will not include garage, mechanical, deck, or terrace spaces.

**Gold Season** — 1.2.2. That portion of the year when the climate is dry, generally from December through April. During this season many of the trees shed their leaves.

**Green Season** — 3.7. That period of the year when the climate is subject to rain, generally from May through November. During this season the trees, shrubs and flowers are in full leaf and blossom.

**Guanacaste Wall** — 3.7.3. The traditional dry-stacked stone walls seen throughout the agricultural areas of Guanacaste.

**ICT** — 5.4, 7.1, 7.10. ICT shall mean the Costa Rican Tourism Institute, the governmental authority which granted the Peninsula Papagayo Master Concession on the Peninsula Papagayo Master Concession Property. It is solely responsible for granting further concessions with respect to the Lot/Units and Parcels comprising the Peninsula Papagayo Master Concession Property as contemplated in the Master Declaration. This entity controls the concession land at Peninsula Papagayo.

**Improvement** — 3.3.2, 3.7. Improvement shall mean any change from natural grade (including removal of vegetation or trees), destruction of vegetation and tree removal, all structures, buildings, landscaping and appurtenances thereto of every type and kind, including, but not limited to, buildings, outbuildings, walkways, trails, the paint on all exterior surfaces, waterways, sprinkler pipes, irrigation systems, storm drainage systems, garages, swimming pools, hot tubs, spas, tennis courts, golf courses, putting greens, improved beach areas, marinas and channels and other recreational facilities, roads, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, hedges, windbreaks, plantings, planted trees and shrubs, fire breaks, poles, signs, and solar equipment to the extent allowed by the Master Design Guidelines.

**Landmark Trees** — 4.2. Trees identified by the Master Developer that have a particular size, form, and character such that they provide an added value to the individual property as well as the Resort Community in general.

**Light Reflectance Value (LRV)** — 5.11 A numerical designation representing the amount of light reflected by a color. The higher the LRV value the greater the amount of light reflected, and therefore the lighter the color will appear.

**Master Association** — Introduction, 2.6, 3.3.4. The Master Association shall mean the Peninsula Papagayo Resort Community Master Owners Association.

**Master Declaration** — Introduction, 2.1, 7.1. The Master Declaration shall mean the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Access Ways for the Peninsula Papagayo Resort Community, as it may be amended from time to time.

**Master Design Guidelines** — Introduction. Master Design Guidelines shall mean those architectural rules, regulations and guidelines from time to time adopted by the Master Design Review Board, with respect to structures, landscaping, fences and other Improvements. The Master Design Guidelines may impose different conditions and special design standards upon various Properties, Lot/Units, Parcels or Neighborhoods, in light of topography, location, visibility or other factors.

**Master Design Review Board** — 2.1. Master Design Review Board (MDRB) shall mean the Master Design Review Board established by the Master Association in order to review and approve all design of Improvements within the Property (including landscaping) and any subsequent alterations thereof.

**Master Developer** — 1.2.5, 2.9. The Master Developer shall mean Ecodesarrollo Papagayo, S.A., and any successor or assignee who is designated as a successor Master Developer by recorded instrument.

**Neighborhood Associations** — Introduction. Each Neighborhood within the Peninsula Papagayo Resort Community may (but is not required to) form a separate owners association to administer and maintain aesthetic, recreational or other Improvements that are peculiar to that particular Neighborhood, and to exercise the voting rights of the Owners within the Neighborhood on Master Association matters requiring a vote of the Members. Formation will be by separate articles of organization and each association may enact their own conditions and existing restrictions, provided however such conditions and existing restrictions are approved by the Master Developer, prior to the Class B Termination Date, or by the Board of Directors thereafter. Each such association is referred to herein as a Neighborhood Association and shall have jurisdiction over a Neighborhood concurrent with (but subject to) the jurisdiction of the Master Association.

**Non-Buildable Area** — 1.2.4. A portion of a Property, outside of the Building Envelope, that is considered non-buildable by the MDRB or Master Developer due to physical, archeological, or other constraints.

**Notice of Non-Compliance** — 7.7.1. Notice of Non-Compliance shall mean the notice sent by the Master Design Review Board notifying a Property Owner that the Improvement constructed or installed on his or her Property, Lot/ Unit or Parcel was built without obtaining approval of the Master Design Review Board or does not substantially comply with the plans approved by the Master Design Review Board.

**Parcel Diagram** — 3.4, 7.7. A diagram prepared by the Property Owner/Architect for a specific Property. The Parcel Diagram will indicate important site information as depicted on the Site Analysis and Site Areas Diagram, and will indicate the conceptual location and configuration of all building and site Improvements proposed for the Property.

**Peninsula Papagayo Construction Gate** — 6.3. A gated entry into Peninsula Papagayo that is designated for construction access. All construction traffic will be required to enter Peninsula Papagayo through the Construction Gate.

**Peninsula Papagayo Master Concession** — 7.1. Peninsula Papagayo Master Concession shall mean that certain grant of Concession to Ecodesarrollo Papagayo, S.A., by the ICT dated as of January 15, 1993, and all subsequent amendments thereto.

**Peninsula Papagayo Resort Community/Peninsula Papagayo** — Introduction, 5.1. Peninsula Papagayo Resort Community or Peninsula Papagayo shall mean those areas that are subject to the Master Declaration, whether held in fee title or by Concession.

**Person** — 6.12. Person means any individual, partnership, corporation, trust, trustee, unincorporated organization and the heirs, executors, administrators or other legal representatives of any individual.

**Pre-Columbian** — 1.1, 1.2.3, 5.1, 5.12, 5.13. Referring to the culture, art, history, and legends of Costa Rica prior to the European influence.

**Property** — 3.1. Synonymous with Lot or Parcel. Property shall mean: any separate lot, series of lots or parcel that is held in single ownership and described as real property and shown on a final, recorded subdivision map, recorded parcel map, lot-line adjustment, resubdivision, or certificate of compliance, or the like which is intended to be improved.

**Restricted Trees** — 4.2. Restricted Trees are those trees deemed ecologically significant and are therefore protected by the Costa Rican government. Restricted Trees cannot be removed without specific approval by the appropriate governmental agencies.

**Setback** — 3.5. A distance from the property boundary to the Building Envelope of each Homesite. The setback will be indicated on each Property Diagram.

**Site Analysis** — 3.2, 7.7. A diagram prepared by the Property Owner/Architect for a specific Property. The Site Analysis will include such site features as topography, existing vegetation, landmark trees, water features and drainages, View Corridors, anticipated auto and pedestrian access, archeological sites, rock outcroppings, sun and wind influences, and other natural site features that describe the Property.

**Site Areas Diagram** — 3.3, 7.7. A diagram prepared by the Property Owner/Architect for a specific Property. The Site Areas Diagram will establish four areas on the Property: the Natural Area, the Building Envelope, the Transition Area, and the Master Association Landscape Area (if applicable).

**Site Coverage** — 3.4. The Area of a Property that will be covered by the building foundation “footprint” plus all impervious surface areas such as terraces, walkways, driveways, auto courts, pools, and pool decks.

**Stop Work Notice** — 7.7.1, 7.7.2. The Stop Work Notice or “Red Tag” shall mean a stop work notice issued by the Master Design Board Review indicating that all construction activity must cease immediately.

**View Corridor** — 1.2.2, 3.2, 3.3, 3.3.2, 3.6, 5.8. Areas designated within the open space or portions of private Properties that are to be left relatively open in order to preserve the enjoyment of views from roads, trails, and residences within the community.



Scientific Name	Common Name	Family	Tolerance														
			Wind			Drought			Salt			Native	Evergreen	Endangered	Restricted		
High	Medium	Low	High	Medium	Low	High	Medium	Low									
<i>Cochlospermum vitifolium</i>	Poro-poro	Cochlospermaceae															
<i>Cojoba arborea</i>	Lorito/Mimosa	Fabaceae															
<i>Conocarpus erectus</i>	Mangle/Marequito	Combretaceae															
<i>Cordia collococa</i>	Muñeco/Laurel	Boraginaceae															
<i>Cordia gerascanthus</i>	Laurel Negro	Boraginaceae															
<i>Crescentia alata</i>	Jícaro	Bigoniaceae															
<i>Dalbergia retusa</i>	Cocobolo	Leguminosae															
<i>Delonix regia</i>	Malinche rojo	Leguminosae															
<i>Dyphysa americana</i>	Guachipelin	Papilionaceae															
<i>Enterolobium cyclocarpum</i>	Guanacaste	Mimosaceae															
<i>Erythrina berteruana</i>	Poro	Papilionaceae															
<i>Ficus cotinifolia</i>	Higueron	Moraceae															
<i>Ficus elastica</i>	Goma Elastica	Moraceae															
<i>Ficus goldmanii</i>	Chilamates	Moraceae															
<i>Genipa americana</i>	Guatil	Rubiaceae															
<i>Gliricida sepium</i>	Madero negro	Papilionaceae															
<i>Godmania aesculifolia</i>	Cortes chivvo	Bigoniaceae															
<i>Guazuma tomentosa</i>	Guacimo	Ulmaceae															
<i>Guettarda macrosperma</i>	Madroño negro	Rubiaceae															
<i>Guaiacum sanctum</i>	Guyacán real	Zygophyllaceae															
<i>Hymenaea courbaril</i>	Guapinol	Leguminosae															
<i>Hyperbaena tonduzi</i>	Pepenance	Menispermaceae															
<i>Jacarana mimosifolia</i>	Flamboyán Azul	Bigoniaceae															
<i>Koelreuteria elegans</i>	Goldenrain tree	Sapindaceae															
<i>Lagerstoemia indica</i>	Crape Myrtle																
<i>Licania arborea</i>	Alcornoque/Roble Blanco	Rosaceae															
<i>Ligustrum japonicum</i>	trueno/ Wax Mrtle																
<i>Lonchocarpus costarricensis</i>	Pavo/Rabo de Toro	Leguminosae															
<i>Lonchocarpus miniflorus</i>	Chaperno negro	Papilionaceae															

Scientific Name	Common Name	Family	Tolerance												
			Wind			Drought			Salt						
			High	Medium	Low	High	Medium	Low	High	Medium	Low	Native	Evergreen	Endangered	Restricted
Lonchocarpus S.p.	Carao macho	Leguminosae													
Lonchocarpus S.p.	Caperno blanco	Papilionaceae													
Lonchocarpus salvadorensis	Sangregao	Papilionaceae													
Lueha speciosa	Guacimo colorado	Tiliaceae													
Lysiloma seemanii	Quebracho	Mimosaceae													
Machaerium biovulatum	Palo de chanco	Papilionaceae													
Maclura tinctoria	Mora	Moraceae										Native		Endangered	
Mammea Americana	Mamey	Guttiferae		Medium			Medium			Medium			Evergreen		
Mangifera indica	Mango	Anacardiaceae		Medium			Medium			Medium			Evergreen		
Manilkara zapota	Níspero zapote	Sapotacea	High			High			High			Native	Evergreen		
Masticodendron capiri	Tempisque	Sapotacea												Endangered	
Myrica cerifera	Mariquita	Myricaceae	High			High			High				Evergreen		
Ochorama lagopus	Balso	Bombacaceae													
Ocotea veraguensis	Canelo	Lauraceae													
Parchira aquatica	Parchira	Bombaceae		Medium		High				Medium			Evergreen		
Parkinsonia aculeata	Palo Verde	Leguminosae			Low	High			High			Native			
Peltophorum pterocarpum	Carao amarillo	Fabaceae		Medium		High				Medium					
Pisonia aculeata	Petrono	Nigtaginaceae													
Pithecellobium saman	Cenizaro	Leguminosae										Native		Endangered	
Platymiscium curuense	Cachimbo	Leguminosae										Native	Evergreen		Restricted
Plumeria rubra	Flor blanca	Apocynaceae										Native			
Psidium cartegensis	Siete cueros	Leguminosae													
Psidium guajava	Guayaba	Myrtaceae		Medium			Medium			Medium			Evergreen		
Pterocarpus rohri	Guacimo blanco	Leguminosae													
Rahedra trinervis	Yayo	Verbenaceae		Medium			Medium					Native			
Samanea saman	Cenizaro	Leguminosae		Medium		High				Medium		Native	Evergreen	Endangered	
Sapindus saponaria	Jaboncillo	Sapindaceae													
Sapondias mombin	Jobo	Anacardiaceae										Native			
Sapondias purpurea	Jocote	Anacardiaceae										Native			

Scientific Name	Common Name	Family	Tolerance													
			Wind			Drought			Salt			Native	Evergreen	Endangered	Restricted	
High	Medium	Low	High	Medium	Low	High	Medium	Low								
Schoefia schieben	Melon	Oleaceae														
Sciadodendrum excelsum	Chile	Anacardiaceae														
Schizolobium parahyba	Gallinazo	Caesalpinaceae														
Sideroxylon capiri	Tempisque	Sapotacea														
Simarouba glauca	Aceituno	Simaroubaceae														
Spathodea campanulata	Llama del Bosque	Bignoniaceae														
Stemmadenia donnell-smithii	Primavera	Bignoniaceae														
Sterculia apetala	Panama	Sterculiaceae														
Sterculia mexicana	Ardillo	Sterculiaceae														
Swietenia panamensis	Carboncillo	papilionaceae														
Swietenia macrophylla	Caoba	Meliaceae														
Swietenia mahogoni	Caoba	Meliaceae														
Tabebuia orchracea	Cortes amarillo	Bignoniaceae														
Tabebuia impetiginosa	Cortes negro	Bignoniaceae														
Tabebuia rosea	Roble de sabana	Bignoniaceae														
Tamarindus indica	Tamarindo	Leguminosae														
Tecoma stans	Sauco Amarillo	Combretaceae														
Terminalia catappa	Almendo de Playa	Combretaceae														
Terminalia oblonga	Sura/Guayabon	Combretaceae														
Thouinidium decandrum	Sardino	Sapendaceae														
Trichilia anisopleura	Manzana Rosa/Rose Apple	Myrtaceae														

Scientific Name	Common Name	Family	Tolerance													
			Wind			Drought			Salt			Native	Evergreen	Endangered	Restricted	
			High	Medium	Low	High	Medium	Low	High	Medium	Low					
<b>Palms</b>																
<i>Acrocomia vinifera</i>	Coyol	Palmaceae	High			High				Medium			Native	Evergreen		
<i>Archontophoenix cunninghamia</i>	Piccabeen palm	Areceae	High				Medium				Low			Evergreen		
<i>Areca triandra</i>	Areca triandra	Arecaceae	High					Low			Low			Evergreen		
<i>Bismarckia nobilis</i>	Bismarck Palm	Borasseae		Medium		High				Medium				Evergreen		
<i>Chamaedorea cataractarum</i>	Cat palm	Hyophorbeae		Medium				Low		Medium				Evergreen		
<i>Chrysalidocarpus lutescens</i>	Multi Palm	Arecaceae	High			High					Low			Evergreen		
<i>Cocos nucifera</i>	Palma de Coco	Arecaceae	High			High			High				Native	Evergreen		
<i>Dictosperma album</i>	Hurricane palm	Areceae	High				Medium			Medium				Evergreen		
<i>Hyophorbe lagenicaulis</i>	Bottle Palm	Hyophorbeae	High			High				Medium				Evergreen		
<i>Livingstonia chinensis</i>	Chinese Fan Palm	Corypheeae		Medium		High				Medium				Evergreen		
<i>Phoenix canariensis</i>	Canary Island Date Palm	Phoeniceae		Medium		High				Medium				Evergreen		
<i>Phoenix reclinata</i>	Reclining Date Palm	Phoeniceae		Medium		High				Medium				Evergreen		
<i>Phoenix roebelenii</i>	Pygmy Date Palm	Phoeniceae	High			High					Low			Evergreen		
<i>Ptichosperma macarthurii</i>	Macarthur Palm	Arecaceae			Low		Medium				Low			Evergreen		
<i>Rhapsis excelsa</i>	Lady Palm	Corypheeae	High				Medium			Medium				Evergreen		
<i>Sabal palmetto</i>	Sabal	Corypheeae	High		Low				High					Evergreen		
<i>Syagrus romanzifianum</i>	Coco de Pluma	Arecaceae	High		Low						Low			Evergreen		
<i>Vietchia winin</i>	Winin Palm	Arecaceae	High		Low					Medium				Evergreen		
<i>Wodyetia bifurcata</i>	Foxtail Palm	Arecaceae	High			High				Medium				Evergreen		

<b>Bamboo</b>																	
<i>Bambusa ventricosa</i>	Budda Belly Bamboo	Gramineae													Evergreen		
<i>Bambusa vulgaris</i>	Bambu	Gramineae		Medium				Low		Medium					Evergreen		

Scientific Name	Common Name	Family	Tolerance																					
			Wind			Drought			Salt			Native	Evergreen	Endangered	Restricted									
			High	Medium	Low	High	Medium	Low	High	Medium	Low													
<b>Shrubs and Accents</b>																								
Agave americana	Century Plant	Agavaceae	High			High			High															
Allamanda nerifolia	Bush Allamanda	Apocynaceae		Medium			Medium			Medium														
Alpinia purpurata	Red Ginger	Zingiberaceae			Low		Medium						Low											
Alpinia zerumbet	Shell Ginger	Zingiberaceae		Medium			Medium			Medium														
Bougainvillea glabra	Bougainvillea	Nyctaginaceae		Medium		High			High															
Brunfelsia paniciflora	San Juan	Solanaceae		Medium			Medium					Low												
Caesalpinia pulcherrima	Dwarf Poinciniana	Caesalpiniaceae		Medium		High				Medium														
Capparis cynophallophora	Black Willow	Capparaceae		Medium		High			High															
Carissa macrocarpa	Carissa	Apocynaceae		Medium		High			High															
Cassia bicapsularis	Cassia Shrub	Leguminosae			Low		Medium			Medium														
Chrysobalanus icaco	Icaco/Cocoplum	Chrysobalanaceae		Medium			Medium		High															
Codiaeum variegatum	Croton	Euphorbiaceae		Medium		High				Medium														
Cordyline terminalis	Ti Plant	Agavaceae			Low		Medium					Low												
Cortaderia selloana	Pampas Grass	Poaceae		Medium		High				Medium														
Crinum amabile	Crinum Lily	Amaryllidaceae			Low		Medium			Medium														
Crinum asiaticum	Crinum Lily	Amaryllidaceae			Low		Medium			Medium														
Cycas revoluta	King Sago	Cycadaceae		Medium		High				Medium														
Dracaena marginata	Red-Eyed Dracaena	Agavaceae		Medium		High						Low												
Dracaena reflexa	Song of India	Agavaceae		Medium		High						Low												
Duranta repens	Golden Dewdrop	Verbenaceae		Medium		High				Medium														
Forestiera segregata	Wild Olive	Oleaceae		Medium			Medium		High															
Galphimia glauca	Thryallis	Malpighiaceae				High																		
Hamelia patens	Firebush	Rubiaceae				High				Medium														
Hibiscus rosa sinensis	Hibiscus	Malvaceae			Low		Medium																	
Ixora coccinea	Ixora	Rubiaceae					Medium			Medium														
Ixora coccinea 'Petite'	Dwarf Ixora	Rubiaceae					Medium			Medium														
Jasminum multiflorum	Star Jasmine	Oleaceae										Low												
Jasmininum volubile	Wax Jasmine	Oleaceae					Medium			Medium														
Jatropha hastata	Peregrina	Euphorbiaceae				High				Medium														

Tolerance			Wind			Drought			Salt			Native	Evergreen	Endangered	Restricted
High	Medium	Low	High	Medium	Low	High	Medium	Low	High	Medium	Low				

Scientific Name      Common Name      Family

**Shrubs and Accents**

Lantana camara	Lantana	Verbenaceae				High					Medium					
Lantana camara 'Gold Mound'	Gold Mound Lantana	Verbenaceae				High					Medium					
Lantana montevidensis	Trailing Lantana	Verbenaceae				High			High							
Ligustrum japonicum	Japanese Privet	Oleaceae														
Ligustrum sinense 'Variegatum'	Varigated Chinese Privet	Oleaceae						Medium				Low				
Muntingia calabura	Capulin												Native			
Murraya paniculata	Orange Jasmine	Rutaceae				High					Medium					
Nerium oleander	Oleander	Apocynaceae		Medium				Medium		High						
Pandanus SSP	Pandanas	Pandanaceae								High						
Pennisetum setaceum	Fountain Grass	Poaceae														
Pentas lanceolata	Penta	Rubiaceae														
Philodendron selloum	Mano de Tigre	Araceae									Medium					
Philodendron xanadu	Xanadu Philodendron	Araceae						Medium				Low				
Russelia equisetiformis	Firecracker Plant	Scrophulariaceae							Low		Medium					
Scaevola frutescens	Beach Naupaka	Goodeniaceae		Medium		High					Medium					
Stenocereus arizonii	cactus		High			High				High			Native			
Turnera ulmifolia	Damiana/Yellow Alder	Turneraceae											Native			

Tolerance			Drought			Salt			Native	Evergreen	Endangered	Restricted
High	Medium	Low	High	Medium	Low	High	Medium	Low				

Scientific Name	Common Name	Family	High	Medium	Low	High	Medium	Low	High	Medium	Low	Native	Evergreen	Endangered	Restricted	
<b>Ground Covers/Vines</b>																
Allamanda cathartica	Allamanda	Apocynaceae														
Arachis pumila	Mani, Peanut	Leguminosae														
Asparagus densiflorus	Asparagus Fern	Liliaceae														
Bromilia pinguin	Penguin Bromelia	Bromiliaceae														
Bromelia spp.	Bromeliads	Bromiliaceae														
Catharanthus roseus/blanco	Periwinkle	Apocynaceae														
Cuphea hyssopifolia	Cuphea	Lythraceae														
Evolvulus glomeratus	Blue Daze	Convolvulaceae														
Ficus Pumila	Hiedra/Creeping Fig	Moraceae														
Helianthus debilis	Beach Sunflower	Asteraceae														
Hymenocallis latifolia	Spider Lily	Amaryllidaceae														
Ipomoea pes-capri	Railroad Vine	Ipomea														
Lantana ovatifolia	Lantana	Verbenaceae														
Liriope muscari	Liriope, Pincel Verde	Liliaceae														
Liriope muscari 'Varigated'	Liriope, Pincel Blanco	Liliaceae														
Mandevilla splendens	Mandevilla, Pink Allamanda	Apocynaceae														
Nephrolepis exaltata	Sword Fern	Polypodiaceae														
Ophiopogon japonicus	Mondo Grass	Liliaceae														
Setcreasea purpurea	Purple Heart	Commelinaceae														
Wedelia trilobata	Wedelia	Asteraceae														

## Appendix C — Property Survey Requirements

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The following format and information should be used in the compilation of each individual Peninsula Papagayo Property.

All drawings should be delivered in AutoCAD 2000 (or more recent) with the coordinate system and vertical datum conforming to DEHC's (the project civil engineer) coordinate system, which will be provided at the request of the surveyor. All AutoCAD entities (line types, colors, etc.) are to be "by layer." All line type scales set at 1. Survey drawn at 1/1 formatted in metric units. The survey is to be plotted at 1:200 metrics for review purposes. X-refs should be placed on individual specific layers (i.e., x-diagram).

The following items should be shown on separate layers

- Property boundaries
- Building Envelope and Transition Areas
- Existing Restrictions
- All utilities including but not limited to the following:
  1. Electrical
  2. Potable water
  3. Waste Treatment
  4. Telecommunications
  5. Non-potable water service (irrigation)

Utilities to show, where possible, depth of bury, location and points, and sizes of service. The following site elements are to be shown on the survey:

1. Location of existing features with spot grades.
2. Rock outcrops with spot grades at base and high points.
3. Existing vegetation with spot grades at trunk. Type of tree to be shown with trunk diameter and approximate height and spread of canopy.
4. Existing walls with TW and BW grades.
5. Notable features such as natural waterways, lava outcrops, etc.
6. Edges of existing pavement.

All Lots are to show grades drawn with polylines in the following manner: 1-meter contours and 5-meter contours shown on separate layers.

The permitting authorities may require other information and it is the lot surveyor's responsibility to ensure that the survey meets those requirements.



# Appendix D — Application Forms and Checklist

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Peninsula Papagayo Master Design Review Committee  
Hotel and Multi-Family Residential Application Form

## I. GENERAL INFORMATION

1. Submission Date \_\_\_\_\_
2. Date of MDRB Meeting \_\_\_\_\_
3. Type of Review (Check one)
  - Sketch Plan
  - Final Plan
  - Resubmitted Plan

## II. PROJECT TEAM INFORMATION

1. NAME OF PROJECT \_\_\_\_\_
2. LOCATION OF PROJECT \_\_\_\_\_
3. NAME OF APPLICANT \_\_\_\_\_  
Company \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_
4. NAME OF OWNER(S) \_\_\_\_\_  
Company \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_
5. NAME OF ARCHITECT \_\_\_\_\_  
Company \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_

**III. PROJECT INFORMATION**

- 1. Total Parcel Area \_\_\_\_\_ Square meters
- 2. Proposed Total Site Coverage \_\_\_\_\_ Square meters
- 3. Percentage of Site Coverage\* \_\_\_\_\_ Percent  
[\* Total Site Coverage divided by Total Lot Area]
  
- 4. Number of Hotel Rooms \_\_\_\_\_
- 5. Number of Residences \_\_\_\_\_
- 6. Total Retail Floor Area \_\_\_\_\_ Square meters
- 7. Total Restaurant Seats \_\_\_\_\_
- 8. Total Conference Floor Area \_\_\_\_\_ Square meters
- 9. Total Building Floor Area \_\_\_\_\_ Square meters
- 10. Number of Garage Parking Spaces \_\_\_\_\_
  
- 11. Number of Outdoor Parking Spaces \_\_\_\_\_
  
- 12. Property Type \_\_\_\_\_
- 13. Proposed Total Floor Area \_\_\_\_\_ Square meters
- 14. Proposed Maximum Building Height \_\_\_\_\_ Square meters

**End of Application Form**

Peninsula Papagayo Master Design Review Committee  
Hotel and Multi-Family Residence Satellite Dish Application

**I. GENERAL INFORMATION**

- 1. Submission Date \_\_\_\_\_
- 2. Date of DRC Meeting \_\_\_\_\_

**II. PROJECT TEAM INFORMATION**

- 1. NAME OF PROJECT \_\_\_\_\_
- 2. LOCATION OF PROJECT \_\_\_\_\_
- 3. NAME OF APPLICANT \_\_\_\_\_  
Company \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_
- 4. NAME OF OWNER(S) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_
- 5. NAME OF ARCHITECT \_\_\_\_\_  
Company \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_

**III. SATELLITE DISH REQUIREMENTS (Applicant to check each requirement for completion)**

- Satellite dish(es) 0.6 m (24") or less in diameter.
- Satellite dish(es) located in inconspicuous location and proposed location shown on plans and elevations, or if dish is located remotely from building, dish is screened with approved material.
- Dish(es) is painted to match adjacent building surface.

**End of Satellite Dish Application**

Peninsula Papagayo Master Design Review Committee  
Hotel and Multi-Residential Compliance Checklist

### Step 1: Pre-Planning Meeting

- Discuss general Design Vision
- Discuss Review Process and Guidelines
- Verify Applicant has current Guidelines and Appendices
- Discuss design and construction schedule
- Discuss specific issues such as lot configuration, setbacks, existing restrictions, and utilities

### Step 2: Conceptual Review/Parcel Diagram

- Site Analysis
- Site Areas Diagram
- Parcel Diagram

### Step 3: Sketch Plan Review

- Completed Application
- Sketch Plan Fee
- 3 sets of full-sized drawings plus Computer Disk
- Submittal prepared by licensed Architect
- Existing Site Conditions (1:200)
  - Topography
  - Building Envelope
  - Area of Disturbance
  - Boundaries
  - Setbacks
  - Existing Restrictions
  - Locations and sizes of existing trees (greater than 10 cm caliper)
- Proposed Site Plan and Grading (1:200)
  - Topography (existing and new contours)
  - Building Envelope
  - Area of Disturbance
  - Boundaries
  - Setbacks
  - Existing Restrictions
  - Locations and sizes of existing trees (greater than 10 cm caliper)
- Schematic Building Floor Plans (1:50)

- Walls, doors, and windows
- Roof overhangs
- Elevations for each floor
- Schematic Building Roof Plans (1:50)
  - Roof pitch and direction of slope
  - Materials
  - Chimneys and major flues (called out as painted)
  - Ridges, valleys, hips and pitch breaks
  - Exterior walls below (dashed)
- Schematic Building Exterior Elevations (1:50)
  - Exterior materials called out
  - Specialty Elements included
- Building Height Calculations (same scale as Exterior Elevations)
  - Must illustrate compliance with Guidelines
- Schematic Landscape Plan (1:200)
  - Location and type of existing vegetation
  - Location and type of proposed vegetation
  - Area of Disturbance
  - Erosion control measures
- Primary building corners and center of driveway must be staked

## Step 4: Final Plan Review

- Completed Application
- Final Plan Fee
- 3 sets of full-sized drawings plus Computer Disk
- Submittal prepared by licensed Architect
- Site Plan (1:200)
  - Access drive and parking
  - Survey of trees to be saved and trees to be removed (greater than 10 cm caliper)
  - Site grading and drainage
  - Existing and final topography
  - Utility locations and tie-in points
  - Area of Disturbance
  - Property boundaries and existing restrictions
  - Setbacks
  - Building configuration and roof plan

- Decks and terraces
- ❑ Foundation Plan (1:50)
  - Top and bottom elevations of all walls
  - Unexcavated areas
  - Crawl space areas
- ❑ Building Floor Plans (1:50)
  - Overall building dimensions
  - Room layouts
  - Mechanical rooms and flue/duct chases
  - Window and door locations
  - Roof overhangs above
  - Meter and utility locations
  - Satellite dish location
  - Exterior lighting systems (locations shown and cut sheets provided)
- ❑ Roof Plan (1:50)
  - Indicate all roof pitches and direction of slope
  - Call out roof materials
  - Indicate chimneys and mechanical flues
  - Call out ridges, valleys, hips, and pitch breaks
  - Gutter locations
  - Show exterior walls below (dashed)
- ❑ Exterior Building Elevations (1:50)
  - Building height shown
  - Exterior materials and colors called out
  - Window and door locations and configurations
  - Exterior materials called out
  - Specialty Elements included
  - Exterior expressed structural components
  - Meters and utility connections
  - Satellite dish location
  - Finished grade
- ❑ Building Sections (1:50)
  - Showing roofs, walls, floors, porches, terraces, patios, decks, exposed structure, room names, and finished grade
- ❑ Exterior Building Details (no scale)
  - Indicating visual description of materials, structure, finishes, trim, soffits, railings, chimney caps, etc.

- Landscape Plan (1:200)
  - Survey of existing trees to be saved and those to be removed (greater than 15 cm caliper)
  - Proposed plantings (trees, shrubs, and ground cover) shown by species and size
  - All patio, deck, and other hardscape areas
  - Driveway, auto courts, and parking areas
  - Pools, decks, and terraces
  - Recreation facilities and pathways
  - Retaining walls
  - Fences and privacy walls
  - Dog runs (if applicable)
  - Service areas
  - Exterior lighting (and cut sheets)
  - Irrigated areas indicated
  - Address sign
- Material and Color Board (no scale)
  - Actual samples, photos, and catalog cut sheets
  - Must illustrate all exterior materials and colors
- Model and 3-D Renderings
  - Must adequately convey 3-dimensional massing
  - Rendering may be hand-rendered, or may be constructed by computer

## Step 5: Pre-Construction Meeting

- Construction Management Plan (same scale as Site Plan)
  - Construction access
  - Construction parking
  - Temporary buildings
  - Location of sanitary facilities
  - Fencing around Area of Disturbance
  - Construction signage
  - Proposed method of maintaining natural drainage around worksite
  - Tree protection
  - Erosion control
  - Material storage and staging
  - Dumpster location
  - Proposed Construction Schedule
- Compliance Deposit

### **End of Hotel and Multi-Family Residential Compliance Checklist**



















