



Design Review Process and Construction Requirements

DESIGN REVIEW PROCESS AND CONSTRUCTION REQUIREMENTS

Introduction

Before any construction can start in Puerta del Mar, the design of your home must be reviewed and approved by the Architectural Committee, the objective of this review is to ensure that the proposed designs comply with the requirements outlined in the Puerta Del Mar Rules and Regulations and that Puerta del Mar develops in a harmonious and orderly manner. This document outlines the Design review process and provides a summary of the Construction Requirements from start through completion.

The Puerta Del Mar Rules and Regulations is where you will find the complete set of regulations pertaining to what is permitted and what is not allowed to do regarding design and construction of your home. **Owners and architects are encouraged to read and become familiar with the rules and regulations before you start the design for your home. This document is available online at the Puerta Del Mar web site (www.puertadelmar.net).** Also available on the website is the contact information for the architectural committee members that will be reviewing your plans and the management company.

The Architectural Committee:

The architectural committee is in charge of reviewing your plans and conduct site inspections from time to time to check for compliance with the approved plans. Any questions regarding interpretation of the rules and regulations, corrections issued to your plans, etc., should be addressed to the architectural committee. Contact the management office or visit the Puerta Del Mar Website to contact the Architectural Committee.

Submittal of plans

Plans can be submitted at any time at the development's management offices. They will take in your plans, check them for completeness, process the application, and let the architectural committee know that your plans have been submitted. A detailed description of the submittal requirements is outlined further below in this document.

Plans are picked-up from the management office once a week. The architectural committee reviews them within a week or two. (Most plans are reviewed within a week). Plans are then sent back to the management office, which will notify you that your plans are ready. If the plans have corrections, then revised plans need to be resubmitted, following the same steps. If your plans have been approved, then you will go to the next step in the review process. Any questions regarding the start of the process, the status of the review, etc., should be addressed to the management office.

Plan Review Fee:

The person who submits a construction project for review is obliged to pay on behalf of Asociación de Residentes de Puerta del Mar, A.C. a review fee of \$500.00 Dollars (five



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Hundred Dollars 00/100), legal currency in the United States of America, or its equivalent in Mexican Currency at the exchange rate published in the Official Gazette of the Federation on the day of payment, for the review of all new construction projects in Puerta del Mar.

The fee will be paid when the plans are submitted for review. The fee will be used to cover the expenses of hiring a qualified Architect to carry out a competent review, as provided in article 18 of the Rules and Regulations of Puerta del Mar. The objective of the architecture committee is for a qualified professional architect to provide a competent review of the projects to be built in Puerta del Mar.

This fee includes the original review and up to 2 (two) additional re-submissions as long as the nature of the design is not changed significantly.

Section was amended by General Members Meeting OCT-23-21

I. The Design Review:

A typical project design starts with preliminary design plans (colored floor plans, elevations, or renderings), prepared by the architect to convey in a graphic, easy to understand way the overall dimensions, materials proposed and architectural features of the design. Once the preliminary design has been approved by the owner, the architect prepares final construction plans, which are drawings more technical in nature and that include structural, electrical, plumbing information required to obtain the building permit and to build the home.

The review of plans for your home is also a two-part process; intended to follow the development of your home design, that is, the architectural committee will be reviewing your plans as they are developed, not at the end of the process.

Part A: The Preliminary Plan Review.

Preliminary plans should be submitted to the architectural committee for review. These plans shall include the necessary information to demonstrate how the Design will conform to the requirements specified in the rules and regulations.

The intent of this review is to identify early on the design process any non-conformances with the rules and regulations, and how best to resolve these before time and money is spent on construction drawings. If the project meets all the requirements, then the architectural committee will approve the start of construction plans.

Items to be reviewed include:

- **Architectural Design:** The appropriateness of the proposed design with the type of architecture in Puerta Del Mar and the approved house styles will be reviewed. All major design elements such as entrance gate/fences, balconies, trellises, shall be included.

It should be noted that special attention will be given to the overall design and aesthetics of the house during this review. House design that shows appropriate



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scale and massing of the house and its proportion to the site will be required. Special attention will be given to the main elevation, with the aim to encourage inclusion of outdoor spaces such as small gardens, patios, colonnades and porticos or any other element that set the house apart from the street. Elevation offsets that create visual interest are encouraged. Designs with two- or three-story vertical walls up to the property line will not be considered appropriate without some vertical offset to minimize the appearance of disproportionate bulk.

- **Heights:** Total height of the House, height of property line walls and fences, percentage of solid property wall at the street frontage.
- **Materials and finishes:** Show proposed materials and finishes for all major components such as walls, roofs, fascia's, windows, guardrails, garage doors, fences, perimeter walls, etc.
- **Site Design:** Landscaped and patio areas need to be clearly shown, also show any items that may impact neighboring homes, such as: Construction next to property lines, roof, and site drainage, retaining walls & basement next to neighbor' homes, water infiltration, privacy issues, etc.).

Submittal Material:

Your preliminary review package should include the following information as a minimum. All drawings need to be to scale. Provide one set of originals (color) and a legible copy.

1. **Project Information:** Indicate the lot and block number, owner's and architects name and contact information. Provide floor area for each floor and total building area.
2. **Site Plan:** Indicate spot elevations at each corner of the lot (See exhibit H), proposed site drainage, property lines, building footprint or roof plan, show patios and landscaped areas (required). Show property walls and proposed patio furnishings (bb-q, pergolas, exterior stairs, site wall and gates. Show location of electricity (CFE) meter, gas tank and any other equipment (pool, cistern equipment, AC units, etc.)
3. **Floor plans:** Indicate major dimensions, property lines. Show stairs, balconies, decks, and finished floor elevations referenced to the street elevation per annex H.
4. **Exterior elevations/ Rendering:** Show front, rear and side elevations with at least one elevation or rendering in color, indicating exterior materials and finishes in the plans. Shown any additional property walls, design for gates, decks. Show maximum height dimensions.
5. **Exterior colors/ Material board:** Show colors and materials proposed for the house, including trims, fascia's, roofs, walls, windows, doors (including garage), etc.
6. **Cross Section:** At least one cross section indicating roof pitches, total building height and height and width of chimney(s), height of cupolas and any roof terraces. Show property lines.
7. **Additional Information:** Include:
 - a) Photos of the site and the surrounding lots.



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- b) Topographic information if you lot has a slope greater than 10%. This will help the architectural committee understand the drainage patterns in and around your lot. It will also help determine the correct maximum building height for your lot.
- c) No plumbing, electrical, mechanical, or structural drawings are required at this stage.

Part B: Construction Document Review.

After Preliminary plans are approved, the architect can proceed with construction drawings. Once these are completed, they shall be submitted for the final review. The purpose of this review is to ensure that the CONSTRUCTION DRAWINGS are consistent with the plans approved at the Preliminary Review, once the final plans are approved; the construction plans will be stamped and given to the owner, along with a letter to be given to the Rosarito Building Department to obtain a building permit from the city. If the construction plans deviate from the approved Preliminary Plans, the Architectural Committee may approve such deviations and issue the approval letter or if major changes are made or non-compliance items are detected, the Architectural Committee will issue written corrections on the plans that will require revisions to be made and plans to be resubmitted.

Note: THE CITY OF ROSARITO WILL NOT ISSUE A BUILDING PERMIT WITHOUT A LETTER FROM THE ASSOCIATION MANAGEMENT ALONG WITH AN ORIGINAL AND 2 COPIES OF THE DRAWINGS STAMPED AND APPROVED BY THE ARCHITECTURAL COMMITTEE.

Submittal Material:

All information required in the Preliminary design review above plus the following:

1. Structural, electrical and plumbing plans.

II. Construction Requirements:

1. Construction deposit:

Each owner is responsible for the actions of their contractors and staff with respect to the proper maintenance and cleaning of public property throughout the construction process, as well as for any incidental damage that may be caused by the actions or omissions of such construction personnel, including suppliers, who deliver materials to the job site. To ensure that any damage caused to public property during the construction of the house can be repaired, the owner agrees to pay on behalf of Asociación de Residentes de Puerta del Mar, A.C., a construction deposit for all major construction projects. The deposit does not constitute an insurance policy against any accident for which the owner is directly responsible.

The amount of the deposit is \$7,000.00 Dollars (Seven Thousand Five Hundred Dollars 00/100) legal currency in the United States of America or its equivalent in Mexican Currency at the exchange rate published in the Official Gazette of the Federation on the day of payment, for construction site, which will be deposited in the Administration offices of PDM



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before the start of construction. At the end of a project, the owner must request a refund of the Construction Deposit.

The owner from this moment accepts and agrees with the Association that the following amounts may be deducted from said deposit:

- The amount of the construction project review fee referred to in the previous chapter.
- The total amount of the inspection fee(s) referred to in the next chapter.
- The number of sanctions and / or penalties that are determined by the Board of Directors of the Residents Association of Puerta del Mar, A.C., for violations of the rules and regulations for the construction of the subdivision, committed during the execution of the construction project.

Section was amended by General Members Meeting OCT-23-21

2. Construction Requirements:

Before Construction can begin:

- a) Plans must be approved by the Architectural Committee and a construction license been issued by the city of Rosarito.
- b) You should have your lot “delivered” by Grupo Lagza. This requires that you make an appointment with them to have your lot surveyed and stakes placed at the corners of your lot. You should allow 30 – 60 days for this task to be scheduled and completed as Grupo Lagza only schedules this periodically. On your appointment date you will be required to be present at your lot and sign acceptance of your lot based on the survey and the stakes placed on your lot. An attorney will be available on site or by phone to confirm your acceptance.
- c) All construction must be conducted by a licensed contractor with proper registration/licenses (Must be a licensed Perito). Insurance coverage to cover construction is highly recommended.
- d) Owner or contractor must notify the management company and register with the Puerta Del Mar Security Company before any site mobilization can occur.
- e) The owner or owner representative have reviewed and agree with the security guidelines and hours of construction permitted.
- f) Permits for temporary electric power from the Electric Company (CFE) and for water/sewer hookup from CESPT have been obtained.
- g) The construction deposit has been submitted.

During Construction:

- h) A 30”x42” sign made with solid materials and visible from the street must be posted indicating with legible text the lot and block number, the Construction License #, owner’s name, the name, telephone number and e-mail address of the Architect or Engineer responsible (Perito) and his Perito License #.
- i) Owners/Builders are required to provide portable toilet facilities on the jobsite for your workers.



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- j) Construction must be completed within 18-months from the date you start construction.
- k) Owner/Builder must control dust levels during excavation and grading activities.
- l) It is highly recommended that on each lot upon which construction is occurring should have on its lot and available solely for that lot, a dumpster or other trash receptacle to hold the construction debris. If no trash receptacle is provided, then construction debris should be removed on a weekly basis.
- m) A written permit from owner of lot to be used must be presented if storage materials or work is to be conducted outside of the construction lot.
- n) No tent, shack, trailer or other temporary building, improvement or structure shall be placed upon any portion of the Project except with the approval of the HOA Committee.

After completion:

- o) Thoroughly complete construction. A house is deemed completed when all work is completed, including landscape, exterior walls and fences, all utilities hook-ups and meters are working, and the house interior is ready to be used. All construction debris and leftover construction material shall also be removed from the property.
- p) Notify the management office when the house is ready for final inspection and submit the Notice of construction Completion form (annex B) with the required photos.
- q) Request refund of the construction deposit.

3. Construction inspections

The Architectural Committee and the Association will monitor the construction project from time to time to ensure that it complies with the plans previously approved and submitted for study.

Any variation in the approved plans must be resubmitted to the Architectural Committee for review.

2 (two) story constructions will be subject to a minimum of 5 (five) inspections, which include inspections inside the building. If the construction has more than 2 (two) floors, 1 (one) additional inspection will be required.

The Architectural Committee will conduct a final construction inspection of your home within thirty (30) days of receipt of the New Construction Completion Notice Form. This final inspection is contemplated within those described in preceding paragraphs.

If during the ordinary and/or final inspections, any non-compliance with the previously approved plans and/or their colors and/or materials is detected or found, the Architectural Committee will deliver a Notice of Non-compliance to the builder so that the owner can remedy and/or correct at its cost the variation to the previously approved project, the foregoing within the non-extendable period of 10 (ten) business days after receipt of the aforementioned Notice of Non-compliance. After the term referred above, an additional inspection will be ordered.



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If after the term previously described and the additional inspection carried out, the owner has not corrected or proved that the correction of the variations detected in the inspection has begun, the owner will be subject to the corresponding fine(s) in the terms of ANNEX D of the Rules and Regulations of the Puerta del Mar Complex, called Puerta del Mar Fines Policy.

Regardless of whether the Board of Directors of Asociación de Residentes de Puerta del Mar, A.C. determines the issuance of fine(s) for non-compliance, the aforementioned body may order that the construction deposit delivered by the owner at the beginning of the project be considered as a conventional penalty for non-compliance, and therefore, it will not be obliged to return it.

Each of the inspections referred to in this section will have a cost of \$ 100.00 Dollars (One Hundred Dollars 00/100) legal currency in the United States of America or its equivalent in Mexican Currency at the exchange rate published in the Official Gazette of the Federation on the day of payment, which the owner agrees to pay on behalf of Asociación de Residentes de Puerta del Mar, A.C.

The Board of Directors of Asociación de Residentes de Puerta del Mar, A.C., regardless of the costs for inspections and/or review of the construction project in question, may issue the sanctions and/or penalties resulting from violations of regulations and construction regulations of the complex, committed during the execution of the construction project.

Section was amended by General Members Meeting OCT-23-21

4. Actions for Non-Compliance

At any time during your construction, should the Puerta Del Mar Architectural Committee find that the owner does not comply with any of the Puerta Del Mar Rules and Regulations, the Puerta Del Mar By-Laws, the Reglamento de la Ley de Edificaciones para el Municipio de Playas de Rosarito, Baja California or the designs that the owner submitted for approval, the owner will be notified in writing with respect to these violations. The owner will be notified of the amount of time to correct these violations, and/or be advised of what must be done to comply.

Should the owner continue to not comply or resolve these violations, the owner will be asked to cease all further construction until these violations are resolved. In addition, the Puerta Del Mar Homeowners Association will notify the City of Rosarito to issue a “Stop Construction Notice” until these violations have been corrected.

Should your house not comply with your submitted and approved plans, you will be required to resolve these and bring your designs into compliance prior to taking occupancy of your house. Should you not do so, the Puerta Del Mar Homeowners Association will notify the City of Rosarito not to issue an “Occupancy Permit” for your house, until these violations have been corrected. This does not exclude any other additional fines and penalties that may be levied as indicated in the Puerta Del Mar Fines Policy.



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5. Amounts for Fees

All the amounts for fees stipulated in this document may be modified at the sole discretion of the Board of Directors of Asociación de Residentes de Puerta del Mar, A.C., provided that the requirements established in the Bylaws for the adoption of resolutions in board meetings are met.

Section was added by General Members Meeting OCT-23-21