

THE INHABITANTS OF THE MUNICIPALITY OF BAHÍA DE BANDERAS, NAYARIT that we signed at the bottom, went by our own right, appointing LAURA MAÍZ APELLANIZ as a common representative (INE Credential is attached) and accrediting it to file written documents and receive all kinds of notices on our behalf and documents at the following address: Avenida Revolución # 1, 1st Local Level 5, Sayulita, Nayarit, CP 63734, we appear in the framework of the Public Consultation convened regarding the proposal to update the Municipal Urban Development Program and other rights of that they enjoy in accordance with the legal provisions in force that, in the terms of the Law of Human Settlements and Urban Development (LAHDU) for the State of Nayarit, are taken into account and given a timely, timely, well-founded and motivated response to each of the observations, objections and proposals we have in that regard, which are the following:

1.- The proposal to update the PMDU is essentially illegal. Indeed, the provisions contained in the proposal to update the PDMU, if adopted and put into effect, would be mandatory in accordance with Article 57 of the LAHDU. Given that a significant number of them (which will be accurately identified in this document), are presented without support, lacking foundation and motivation, this would violate the constitutional guarantee of legality, protected by Article 16 of the Political Constitution of the United Mexican States, which provides that "No one may be disturbed in his person, family, domicile, papers or possessions, but by virtue of a written order from the competent authority that grounds and motivates the legal cause of the procedure." This guarantee is also protected by the Constitution of the State of Nayarit.

2- The supposed "update" of the PMDU is not such, since it has been drafted and proposed with total abstraction of both a) the way it has been applied and, above all, ceased to apply the current Program in force since 2002, as b) of the very negative balance of destruction and environmental damage that has resulted from its non-observance by authorities and individuals, which explains too eloquently the reason why, what is now proposed for, supposedly, "update", is presented lacking as it was said of foundation and motivation and it is, inevitably, arbitrary and capricious and, therefore, illegal, of which all numerous examples will be given in this writing. With this, Ecological Guideline 10 of the General Ecological Planning Program of the Territory is contravened, which mandates "Reduce environmental degradation trends".

3.- Quite the contrary and despite false claims in its text, the proposal has been drafted and presented without complying with the obligation to abide by the guidelines and criteria in terms of ecological management of the territory of the Municipality. Indeed, section I of Article 33 of the State Law of Ecological Balance and Environmental Protection of the State of Nayarit explicitly obliges that Urban Development Programs comply with the "guidelines and strategies contained in Ecological Management Programs". The contravention of the proposed update of the PMDU to this provision is facilitated and is unavoidable given that the municipal authorities of Bahía de Banderas have been negligently for decades without complying with their legal obligation to adopt and enforce the Ecological Management Program of the Municipality, with the incongruous result that, 18 years later and again, it is intended to re-expose the Municipality to its urban development is not conditioned by what they determine the provisions of ecological management, as required by law, all of which In turn, it explains again why the aforementioned balance of destruction and environmental degradation has accumulated, in contravention of various laws, regulations and regulations in the 3 levels of government.

Based on this estimate of population growth, the PMDU of 2002 estimates that the demand for urban land for 2005 would be 405.21 hectares, plus an additional 515.93 hectares in the medium term and another 2,558.27 hectares in the long term, adding 3,479.41 hectares by the year 2025 (See page 228 and Table 229). For those 25 years the PMDU expanded the demand for urban land, arguing that up to 2025 1,591.84 hectares are required, but proposing that they were 2,785.94 hectares, that is, with a 25-year fluctuation of 74 percent (see page 228 and Table 229). The same exercise was done for the PMDU of 2002, of urban equipment requirements, proposing an accumulated up to 2025 of 140.38 hectares. for Urban Services 554.

Nothing similar is done or justified in the current proposal to update the PMDU, so, again, it is not surprising that it is not upheld or based on the motivation and foundation required by law. All the numerous substantive changes and additions to the PMDU, are presented in the proposed “update” proposal without supporting them in any forecast, or trend scenarios and without having achieved the expected growth expectations in the 2002 PMDU. They do not bother even in adducing or inventing new expectations in order to justify the arbitrary liberalization that has been alluded to (of course, thanks to a loose and disorderly public consultation process), but a redensification of urban areas is proposed, expanding considerably and making available of urban development a territorial space much larger than the one required and which can be justified. As can be seen in Tables 5, 6 and 9 of the proposal, the urban land growth that is now proposed is 12,322.67 hectares (4,219.73 of “Urban Area” and 8,152.94 of “Urban Reserve”), equivalent to 16.04 percent of the territory of the Municipality. In the Secondary Zoning, the “Urban Tourist Areas” are proposed for 1,800.39 hectares, plus 2,609.02 hectares of “Short Term Urban Tourism Reserve”, another 2,609.02 in the medium term and another 20.46 years in the long term (totaling 4,630.74 hectares). Additionally, as will be seen, the proposed redensification in the different zones of the Secondary Zoning, number of levels, the coefficients of occupation and land use, etc. must be added.

8. It can be understood, that it does not justify, that the update proposal has not been supported by a “Forecast” at least like the one included in the 2002 PMDU to justify it, as it is clear that, contrary to what is stated on page 22 of the proposed update, the “Methodological Guide: Development and Update of Municipal Urban Development Programs” (SEDATU 2017), which between pages 198 and 221 indicates that it should be submitted, for Management and Execution of a PDMH, the “Current and proposed situation” of urban planning (which is equivalent to the “Forecast” and the “Scenarios that accompanied the 2002 Program”). The update proposal only summarizes, in 3 pages, merely the “Methodology” that was supposedly followed, but that evidently was not applied and much less according to the aforementioned Guide. In more than 20 pages of the Guide, especially after 208 (“Current Situation”), which does not appear in the proposal, and in 209 (“Proposal”), it is indicated that it “must be able to guide the development towards the desired objectives, in accordance with improving the problems and deficiencies presented by the current urban model, and must be adapted to the demands required according to the population growth”, and must also include Tables of “Future demands and housing requirements, equipment and services”, that is, everything that is precisely missing in the update proposal.

9.- The “Terms of Reference for the Development or Update of Municipal Urban Development Plans or Programs, of PUMOT (Development Program) are not followed or included in the proposal for updating to Urban, Metropolitan and Territorial Planning, 2019), particularly its sections III.3, V and VI:

a) II.3. “Evaluation of current municipal planning instruments” (showing the evolution of the current PMDU);

4.- For the same reasons mentioned above, the proposal also contravenes a) section IV of Article 19 of the General Law of Ecological Balance and Environmental Protection, which establishes that the ecological system must consider “The balance that must exist between human settlements and their environmental conditions” and b) the obligation of municipal authorities, set forth in section IV of Article 20 BIS 5 of the same Law, to make “ecological ordering and the arrangement and regulation of human settlements compatible, incorporating the corresponding forecasts” in urban development plans or programs. In case the above were not enough, it would also be contravening a) both section I of Article 33 of the State Law of Ecological Balance and Environmental Protection of the State of Nayarit, which expressly and explicitly mandates that Urban Development Programs “must take into account the guidelines and strategies contained in the Ecological Management Program”, as b) its Article 34, which provides without a doubt, that “The criteria for regulating human settlements will be considered in the formulation and application of the state and municipal policies, plans and programs of urban development and those that derive from them”. This indicates that before updating the PMDU, it is mandatory for the municipal authority to put into effect an Ecological Management Program.

5.- The proposal of “update” of the PMDU, which, as has been said and will be tested, contains new provisions not provided for in the PMDU in force since 2002 (thus exceeding any concept of mere update), is presented without having complied with the obligation to submit it to the environmental impact assessment procedure, ordered by section I of article 39 of the State Law of Ecological Balance and Environmental Protection of the State of Nayarit, for programs that generally promote changes in land use.

6.- The intention now to adopt and enforce new urban development provisions, without complying with the requirement that they comply with the guidelines and criteria of ecological management as required by the aforementioned Law in section IV of its Article 19, (which, as stated, are those that are required to establish the balance “between human settlements and their environmental conditions), threatens the constitutional guarantee that the undersigned protect the right to a healthy environment for their development and well-being, protected by Article 4 of the Political Constitution of the United Mexican States.

7.- Instead of now taking the effective measures that are urgently required to enforce the PMDU in force and, thus, by means of a genuine update, strengthen it, to enforce it and to comply, with the alleged “update” what it is actually intended to liberalize it, through a proposal that actually weakens it and constitutes a new and less restrictive urban development program, which not only a) undermines any planning concept but also b) proposes to Although they do not exist and, therefore, they are not invoked or can not be invoked, demands, requirements and specific pressures of development and urban expansion that require and justify it, which again explains the lack of motivation and rationale for what is proposes. It is of remarkable importance that for the PMDU of 2002, care was taken to at least support and justify it (see “Synthesis of the Current Situation” between pages 221 and 227, and “Forecast” between pages 228 and 236), including important estimates of population growth and consequent demands for urban and tourism development (in sections 1.83 and 1.8.4). Thus, in the most important section (1.9) of “Forecast” of the PMDU of 2002, the “Tendency Scenario” is presented as well as the “Critical Trend Scenario” and the expectation of “Programmatic Scenario”, based on which 2002 was given foundation and motivation to the provisions to which, from then on, the expected development in the Municipality by 2025 would have to be adhered to, with the urban land requirements that would entail and with provisions that would ensure, or at least induce, an orderly urban development, which estimated a municipal population for that last year of 273,000 inhabitants (which in 2020 is still far from happening).

b) V. "Integrated diagnosis" with "synthesis of the Current Situation" which, among others, contemplates the general conditions of the urban development process, the changes registered by area in the demographic and economic dynamics, and the changes in the use of soil and densification;

c) VI. "Forecast and future scenarios", using statistical packages, geographic information systems and techniques for the analysis and interpretation of satellite images, projections should be made at the ACEB level for the short (5 years), medium (15 years) and long term (30 years), based on the trend trend of the municipality, and that these allow the conceptual construction of two future scenarios (trend and ideal) by zone over the following:

- Promotional growth prospects;

- Demand for urban land;

- Future densification scenario;

- Future infrastructure needs

- Requirements of urban equipment and public spaces

all of which, having not been done, could not generate a motivation and rationale for the proposal that was included in the document of alleged update, very serious omission that invalidates it, given that it was based on that evaluation of the current Program and the Diagnostics and Forecasts that indicate the aforementioned Terms of Reference, which should have found the motivation and rationale for any proposal included in the update.

10.- Given the strangeness and restlessness that caused finding a similar proposal, lacking any foundation and motivation, an additional effort was made to try to identify the reasons, if any, explanations or prejudices, that could be behind such serious omission. In fact, its origin could finally be identified on the first page of the Introduction of the document that contains the text of the proposal, not having been evidently visible in the first place, because it did not involve a technical or legally recognizable concept that could support it. After disqualifying the PMDU of 2002 in the first two paragraphs of said Introduction (which is said to have been "... surpassed by the disorderly, exponential growth and accelerated urbanization process that entails", and to adduce without proving that "The evolution of urban development was manifested in a dynamic population acceleration ..."), in the third paragraph of the first page of the proposal you can discern * that argues:

"However, another important factor of positive effect for the municipality is the process of shaping the Puerto Vallarta-Banderas Bay metropolitan area that has led to a favorable projection at national and international level that has been a point of priority attention for made to turn to investors and government of the different levels, to this tourist destination of great importance, for this reason the current municipal government of Banderas Bay has considered the updating of the Municipal Plan of Banderas Bay (PMDU) with an integral vision as a primary task to the needs beyond the municipal level, that is to say with perspectives that obey the Metropolization, and that leads to Bahía de Banderas to be a sustainable, orderly and resilient destination ". (* sic: reproduced here the textual paragraph, as it comes in the document, but the underlines are added).

The forced application of this vision of “Metropolization” that is adduced, and that makes at least the entire coast of the Municipality be treated as a continuum from the metropolis (Puerto Vallarta), is not legally contemplated in the legal provisions applicable and has its cost, which is manifested in the intention to expand considerably the developable space, but without any support, because it is not based on any current requirement or demand that justifies it, in addition to throwing away the characteristics and peculiarities of the different destinations of the coastal corridor Nayarita, which makes them unique and attractive, instead of encouraging them to be artificially assimilated to the questionable and negative non-sustainable development model that has prevailed in the City of Puerto Vallarta.

within the Municipality (see sections V and Vi of its Article 4).

It is especially questionable, that “the current Municipal Government of Bahía de Banderas has considered the updating of the Municipal Urban Development Plan of Bahía de Banderas (PMDU) with a comprehensive vision of the needs beyond the municipal scope” as a primary task. . How can it be that the main thing is not the interest of the Municipality, and who ordered that the update be made based on the needs outside the Municipality?

The highly criticized incipient attempts that have been made to promote the metropolitanization of Puerto Vallarta with Banderas Bay (which include the signing between the Governors of both entities, of a Letter of Intent, on January 28, 2020, and that even contemplate the Creation of a “Commission for Metropolitan Coordination”, of a “Metropolitan Planning Committee” and of a “Metropolitan Development Advisory Council”), should not pretend, to maintain the slightest degree of credibility, extend beyond the tip North of the Bay, which, as stated above, already represents a rather negative urban development model that should not be extended. In fact, try to extend the concept to the coastal corridor Nayarita towards the north, where the use of urban land is quite different and the destinations, spaced by a good amount of kilometers, have characteristics positive that would be lost and would be devoured by the metropolization (although there is also significant environmental degradation there), it would be an artificial model more than questionable, which does not seem to have been mandated by society.

It is in that specific sense that it is a real shame that the opportunity to make a real “update” of the PMDU now in force (2002) is being wasted, based on its own merits and characteristics, and the real accumulation of both growth in the last 18 years, of the forecasted growth but that did not occur in various locations, and with serious estimates towards the future in the short, medium not own and long term, but above all taking into account what failed of that PMDU, whose The main defect undoubtedly constitutes not the bad thing that was arranged, but the very bad application of the same resulting from the lack of commitment of the authorities to enforce it, with a cumulative record of significant non-compliance that has left a balance of environmental degradation, of whose Evidence here is presented, in a video taken with a drone and incorporated into a memory card that is attached as ANNEX I to this document, in which s and record the specific links of this degradation in the municipal territory, and which are the following:

FROM SOUTH TO NORTH:

- CLANDESTINE DUMPERS WITH MANGROVES AFFECTED ON FOOT

HIGUERA BLANCA ROAD - LITIBU

- LA CALERA DUMPER

- STONE BANK

- EL RANCHITO DUMPER

- CLANDESTINO DUMPER ZONE EL RANCHITO

- CERRO DEL MONO (THE LOCA CLANDESTINE ROADS, AND TOWARDS

PLAYA HORCONES): Around 7 paths have been opened for

start developments, affecting the beach of "the crazy" with great

land shedding towards the beach and reefs)

- RISCO EDGE CONSTRUCTION WITH SPILL TO THE

MAR (PUNTA HORCONES): 2 important cliffs called "los

Horcones "on the Cerro del Mono, with several houses in the process of

construction with large spill of land towards the sea and cliffs. - FAUSTO LAND (SOAP WATER SPILL AND

GRAY, LA ESCONDIDA BEACH)

- WALTER STAUNDINGHER PREDIO

- MALPASO BEACH

- FEDERAL HIGHWAY 200 SAYULITA-GUAMUCHIL SECTION

- MANGLARES AFFECTED

- DUMPER AFFECTED: Garbage concentration of different hotels,

they are several hectares affected, and are about to spill into

Mangroves and the estuary that goes out to the beach. - STONE BANK: Called tecolota stone bank, for years they have

completely destroyed the hill and the surrounding vegetation.

- BASURERO LA CELERA / BASUREROS ZONA EL RANCHITO: Underground garbage dumps beside the Higuera Blanca - Sayulita road

Unfortunately, this negative record is public knowledge, as can be seen in the compilation of published exemplary notes, which is also accompanied as ANNEXES II to XXIII to this document, and which account for a Nayarite coast known for being severely contaminated and besieged by various urban development problems.

In case the accumulation balance accumulated under the current PMDU empire was not enough, it will be necessary to be aware of the much worse prognosis of degradation that, if applied what is proposed for its update, would be added, and that would inevitably lead to the image, for example, of Sayulita, be the one that can be foreseen in ANNEX XXVII that accompanies this document.

11.- With what basis or motivation was the environmental criterion P4 eliminated, among the Guidelines and Criteria applicable in areas where the environmental policy of "protection" applies, and which in the PMDU of 2002 provides:

"Direct discharges of sanitary sewage and solid waste will be prohibited, so there must be treatment plants for each locality and an alternate municipal sanitary landfill"

elimination that would now imply its' permissibility, which we object to.

12.- On what basis or motivation was the environmental criterion P7 eliminated, among the Guidelines and Criteria applicable in areas where the "protection" environmental policy applies, and which in the PMDU of 2002 provides:

"The construction or permanence of any type of infrastructure (tourism, services, etc.) will be limited according to detailed studies of ecosystem carrying capacity"

elimination that will now imply its' permissibility, which we object to.

13.- On what basis or motivation the restriction of "2 to 5 hotel rooms per hectare", of the environmental criteria C2, was eliminated from among the Guidelines and Criteria applicable in areas where the "conservation" environmental policy applies, and that in The 2002 PMDU provides:

"Only low-impact activities related to tourism can be carried out in areas of low hotel densities (from 2 to 5 hotel rooms per hectare)"

elimination that will now imply its' permissibility, which we object to.

14.- On what basis or motivation was the environmental criterion C3 eliminated, among the Guidelines and Criteria applicable in areas where the "conservation" environmental policy applies, and which in the PMDU of 2002 provides:

"Human settlements established in these areas may not exceed 60 inhabitants / ha"

elimination that will now imply its' permissibility, which we object to.

15.- With what basis or motivation the restriction threshold was reduced, from "must be established" to "should be considered" in environmental criteria C4, among the Guidelines and Criteria applicable in areas where the environmental policy of "conservation" applies, and that in C5 of the PMDU of 2002 provides:

"In areas suitable for urban development that border on some protected natural area, buffer zones must be established between the two from the limit of the protected natural area to the area of exploitation"

reduction that will now imply its' permissibility, which we object to.

16.- On what basis or motivation were the "buildings" removed from the C8 environmental criteria, among the Guidelines and Criteria applicable in areas where the "conservation" environmental policy applies, which appeared in Criterion C9 in the PMDU of 2002 , and that in the update now only has:

"The installation of communication infrastructure (poles, towers, structures, equipment, buildings, lines and antennas), in vulnerable ecosystems and sites of high scenic value, that are located in areas for tourism development should not be allowed"

elimination that will now imply its' permissibility, which we object, especially if it has to do with the undue increase made to the number of levels (up to 8) that are intended in the update and, of course, we also object.

17.- On what basis or motivation was the concept "open sky" of environmental criteria C13, among the Guidelines and Criteria applicable in areas where the environmental policy of "conservation", which in C14 of the PMDU of 2002 is eliminated includes and now would have:

"The location of material banks and open pit stone deposits will not be allowed"

elimination that will now imply its' permissibility, which we object to.

18.- With what basis or motivation is limited, in the environmental criterion A9, among the Guidelines and Criteria applicable in areas where the environmental policy of "use" applies, to dismantling in "the Areas of Special Use and Buffering Areas, as well as in the Rustic Areas ", when in the A10 of the PMDU of 2002 it was explicitly applied to all" the forest "; now available in the proposed update:

"The clearing of the forest in the Areas of Special Use and Buffering Areas, as well as in the Rustic Areas, should be gradual and strata, so as to allow the movement of wildlife to safer sites. The species that are trapped in the area must be relocated, as indicated by the corresponding environmental impact study "

limitation that will now imply its' permissibility, which we object to.

19.- With what basis or motivation is it limited, in the environmental criterion A10, among the Guidelines and Criteria applicable in areas where the environmental policy of "use" applies, to dismantling in "the Areas of Special Use and Buffering Areas, as well as in the Rustic Areas ", when in the A11 of the PMDU of 2002 it is implicitly applied to the whole forest, now being available in the proposed update:

"The actions of dismantling and excavation of embankments for the construction of roads and roads in the Areas of Special Use and Buffering Areas, as well as in the Rustic Areas should be carried out avoiding the removal of vegetation and movement of large volumes of land"

limitation that will now imply its' permissibility, which we object to.

20.- On what basis or motivation does the possibility, in the environmental criterion CnP1, open up among the Guidelines and Criteria applicable in areas where the environmental policy of "landscape conservation" applies, that the prohibition "to exploit material banks less than 1km from the road "can be lifted, which is not allowed in the corresponding criteria of the PMDU of 2002, since now it would be ambiguously available:

"The operation of material banks within 1 km of the road is prohibited, you must submit a technical opinion from the competent authority in the field, as well as compatibility of land use"

except that it will imply now its' permissibility, which we object to.

21.- On what basis or motivation are the "Environmental Policies" contained in the PMDU of 2002, in its section 3.1.1., Which we object, removed from the update.

22.- In what part of the document where the update is proposed, can you verify the veracity of what is manifested in it, that one of the Urban Growth Policies will be "Order urban growth and reverse the trends of the expansion, prioritizing the densification and compaction of the Municipality ", when the trend of what is available and proposed for the update goes exactly the opposite way?

23.- Where in the update proposal document, can you find the serious and effective planning provisions that require the "Urban Policies" to be applied that, in a purely discursive manner and in the form of "Criteria" of "

Growth "(from Cr.Co.1 to Cr.Co.10), which were not included in the PMDU of 2002, so that they become more than the shallow statement of vague and apparently good intentions, which do not strengthen the Program and they take away seriousness ?.

24.- Where in the update proposal document, can you find the serious and effective planning provisions that force the "Urban Policies" to be applied that, in a purely discursive manner and in the form of "Criteria" of "Improvement "(including M and M.Co1 to 13), which were not included in the 2002 PMDU, so that they become more than the shallow statement of vague and apparently good intentions, which do not strengthen the Program and Are you serious?

25.- Where in the update proposal document, can you find the effective planning provisions that require the "Urban Policies" to be applied that, in a purely discursive and in the form of "Criteria" of "Conservation" (from Cv to Cv.Co.5), which were not included in the PMDU of 2002, so that they become more than vague and seemingly good intentions, not Strengthen the Program and reduce seriousness ?.

26.- Why, in the update proposal document, is eliminated from a cut of the PMDU of 2002, all its component of "Strategic Level" (between pages 263 and 277) and its various "Policies", not Criteria, ("Environmental", "Urban Planning", "Land Incorporation to Urban Development", "Land Use", "for Preservation of Undeveloped Areas", "Road and Transportation"), as well as its Sector Policies "Regulation of land tenure and urban improvement of human settlements", "Offer of Land Use and Use of Reserves", "Promotion and Promotion of Housing", "Construction, Expansion and Conservation of Infrastructure" , "Construction, expansion and conservation of urban equipment", "Improvement of Urban and Regional Public Services to Integrate Infrastructure and Equipment Networks and Systems", of "Ima Urban gene and Preservation of Historic and Scenic Value Zones, "Promotion of Economic and Social Development", "Pollution Control and Ecological Preservation", "Prevention and Attention to Urban Risks" and "Municipal Development and Intergovernmental Coordination ", As well as its entire Strategies section (3.2 on page 278), to replace them and instead give space for the supposed" Criteria "referred to above in points 23 to 25?

27.- Why is it so eloquent and clear that the vast evidence of environmental deterioration and degradation (presented here) caused by the poor level of compliance with the PMDU of 2002 (resulting from the lack of government's willingness to enforce it)), it has been preferred to eliminate precisely, from the Strategies referred to in the final part of the previous paragraph, the one that promised at the time and that obviously was not fulfilled, to give:

"The attention of the deficiencies or deficiencies in urban development and environmental protection, will be carried out through programs that will be executed before or simultaneously with those of urban expansion..."programs that never existed, with the unfortunate consequent result and that, in the context of the update, could have been planned to strengthen the Program?

28.- Crucial for the purposes of this document and for the Public Consultation of which it is a part, is to formulate and receive a timely response, at least for the space covered by the coastal corridor of 1) Higuera Blanca to Sayulita, on the map that The following questions are accompanied as ANNEX XXV and 2) from Cruz de Huancaxtle to Litibú, on the accompanying map as ANNEX XXVI:

28.- a) To decide, in the update proposal, what area in hectares would be granted to each of the types of areas that appear in Table 1, what information was taken into account with respect to the area that the PMDU of 2002 granted each of these types of areas?

28.- b) How does the area in hectares that is proposed in the update proposal document compare, for each of the types of areas (shown in Table 1), with the area that the 2002 PMDU allocated to each of them?

28.- c) To decide, in the update proposal, what area in hectares would be granted to each of the types of areas that appear in Table 1, what information was available regarding the amount of land that for each type of area had been granted in the PMDU of 2002, and that in fact it had already been occupied?

28.- d) Based on and in accordance with the answers provided to the questions asked above in points 28.- a) to 28.- c), what is specifically the rationale and motivation, both from a legal and technical point of view, to assign to each type of area the surfaces that are intended to be granted in the update proposal document, and which we object until they are justified in a well-founded and motivated manner ,? .

29.- The same questions that were asked immediately above in point 28.- a) ad), are asked at this point and in the same terms, at least for the space covered by the coastal corridor of 1) Higuera Blanca to Sayulita , on the map that is attached as ANNEX XXV and 2) from Cruz de Huancaxtle to Litibú, on the map that is attached as ANNEX XXVI, regarding:

29.- g) The surfaces (code by code) that are granted to the "Rural Area" that appear in Table 8, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- h) The surfaces (code by code) that are granted to the "Urban Reserve Area" that appear in Table 6, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- i) The surfaces (area by area) that are granted to each of the areas that appear in Table 9 of "Primary Zoning", as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- j) The surfaces (code by code) that are granted to the "Agricultural Area" that appear in Table 10, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- k) The surfaces (code by code) that are granted to the "Short Term Urban Reserve Area" that appear in Table 11, as well as the already occupied surfaces and the reasons why they were included in this type of area

29.- l) The surfaces (code by code) that are granted to the "Medium Term Urban Reserve Area" that appear in Table 12, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- m) The surfaces (code by code) that are granted to the "Long Term Urban Reserve Area" that appear in Table 13, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- n) The surfaces (code by code) that are granted to the "Urban Tourist Area" that appear in Table 14, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- g) The surfaces (code by code) that are granted to the "Rural Area" that appear in Table 8, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- h) The surfaces (code by code) that are granted to the "Urban Reserve Area" that appear in Table 6, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- i) The surfaces (area by area) that are granted to each of the areas that appear in Table 9 of "Primary Zoning", as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- j) The surfaces (code by code) that are granted to the "Agricultural Area" that appear in Table 10, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- k) The surfaces (code by code) that are granted to the "Short Term Urban Reserve Area" that appear in Table 11, as well as the already occupied surfaces and the reasons why they were included in this type of area

29.- l) The surfaces (code by code) that are granted to the "Medium Term Urban Reserve Area" that appear in Table 12, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- m) The surfaces (code by code) that are granted to the "Long Term Urban Reserve Area" that appear in Table 13, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- n) The surfaces (code by code) that are granted to the "Urban Tourist Area" that appear in Table 14, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- ñ) The surfaces (code by code) that are granted to the "Short Term Tourist Urban Reserve Area" that appear in Table 15, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- o) The surfaces (code by code) that are granted to the "Long Term Tourist Urban Reserve Area" that appear in Table 16, as well as the already occupied surfaces and the reasons why they were included in this type of area

29.- p) The surfaces (code by code) that are granted to the "Medium Term Rustic Reserve Area" that appear in Table 17, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- q) The surfaces (code by code) that are granted to the "Long Term Rustic Reserve Area" that appear in Table 18, as well as the already occupied surfaces and the reasons why they were included in this type of area

29.- r) The surfaces (code by code) that are granted to the "Rustic Reserve Area of Special Control" that appear in Table 19, as well as the surfaces already occupied and the reasons why they were included in this type of area

29.- s) The surfaces (code by code) that are granted to the "Short Term Rural Reserve Area" that appear in Table 20, as well as the already occupied surfaces and the reasons why they were included in this type of area

29.- t) The surfaces (code by code) that are granted to the "Medium Term Rural Reserve Area" that appear in Table 21, as well as the areas already occupied and the reasons why they were included in this type of area

29. u) The surfaces (code by code) that are granted to the "Patrimonial Protection Area" that appear in Table 22, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- v) The surfaces (code by code) that are granted to the "Restriction Area by Irrigation Facility Pass" that appear in Table 23, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- a) ' The surfaces (code by code) that are granted to each of the areas that appear in Table 24 of Secondary Zoning, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- b) ' The surfaces (code by code) that are granted to the "Ecological Preservation Areas" that appear in Table 25, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- c) ' The surfaces (code by code) that are granted to the "Areas of Special Use" that appear in Table 26, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- d) ' The surfaces (code by code) that are granted to the "Natural Buffering Area" that appear in Table 27, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- e) ' The surfaces (code by code) that are granted to the "Agricultural Area" that appear in Table 28, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- f) ' The surfaces (code by code) that are granted to the "Natural Areas" that appear in Table 29, as well as the surfaces already occupied and the reasons why they were included in this type of area
- 29.- g) ' The compatibilities that were determined in Table 30 for "Activity and Turn for Use of Ecological Preservation"
- 29.- h) ' The compatibilities that were determined in Table 31 for "Activity and Turning for Use of Areas of Natural Buffering Area and Special Use Area"

- 29.- i) ´ The compatibilities that were determined in Table 32 for “Activity and Turning for the Use of Agricultural Areas”
- 29.- j) ´ The surfaces (code by code) that are granted to the “Ecological Tourist 2” Use Zones that appear in Table 33, as well as the surfaces already occupied and the reasons why they were included in this zone type
- 29.- k) ´ The surfaces (code by code) that are granted to the “Ecological Tourist 3” Use Zones that appear in Table 34, as well as the already occupied surfaces and the reasons why they were included in this zone type
- 29.- l) ´ The surfaces (code by code) that are granted to the “Ecological Tourist 5” Use Zones that appear in Table 35, as well as the surfaces already occupied and the reasons why they were included in this zone type
- 29.- m) ´ The surfaces (code by code) that are granted to the “Rural Tourist 8” Use Areas that appear in Table 36, as well as the surfaces already occupied and the reasons why they were included in this zone type
- 29.- n) ´ The surfaces (code by code) that are granted to the “Rural Tourist 12” Use Areas that appear in Table 37, as well as the already occupied surfaces and the reasons why they were included in this zone type
- 29.- ñ) ´ The surfaces (code by code) that are granted to the “Tourist Tourist Use Areas (TC15)” that appear in Table 38, as well as the already occupied surfaces and the reasons why they were included in this type of area
- 29.- o) ´ The surfaces (code by code) that are granted to the “Hotel Tourism 12” Use Zones that appear in Table 39, as well as the surfaces already occupied and the reasons why they were included in this zone type
- 29.- p) ´ The surfaces (code by code) that are granted to the “Hotel Tourism 15” Use Zones that appear in Table 40, as well as the surfaces already occupied and the reasons why they were included in this zone type
- 29.- q) ´ The surfaces (code by code) that are granted to the “Hotel Tourism 20” Use Zones that appear in Table 41, as well as the surfaces already occupied and the reasons why they were included in this zone type

29.- r) ´ The surfaces (code by code) that are granted to the "Hotel Tourism 25" Use Zones that appear in Table 42, as well as the surfaces already occupied and the reasons why they were included in this zone type

29.- s) ´ The surfaces (code by code) that are granted to the "Hotel Tourism 40" Use Zones that appear in Table 43, as well as the surfaces already occupied and the reasons why they were included in this zone type

29.- t) ´ The surfaces (code by code) that are granted to the "Hotel Tourism 50" Use Zones that appear in Table 44, as well as the surfaces already occupied and the reasons why they were included in this zone type

29.- u) ´ The surfaces (code by code) that are granted to the "Hotel Tourism 40" Use Zones that appear in Table 43, as well as the surfaces already occupied and the reasons why they were included in this zone type

30.- At least for the space covered by the coastal corridor of 1) Higuera Blanca to Sayulita, on the accompanying map as ANNEX XXV and 2) from Cruz de Huanacastle to Litibú, on the accompanying map as ANNEX XXVI, what is the rationale and motivation, including the requirements and demands that justify them, of each of the changes that are made in the update proposal document and in their respective tables, in any part or entry of:

1. The "Land Use Modalities: Land Use Regulations" table that accompanies the PMD of 2002

2. The "Permits of Uses, Reservations and Destinations: Specific Uses" table that accompanies the PMDU of 2002

What do we object until they are justified in a well-founded and motivated way?

30.- a) What were the specific reasons for eliminating, in the update proposal document, the tables accompanying the 2002 PMDU and detailed immediately above in point 30?

30.- b) What was the rationale and motivation, including the specific requirements and demands, in Tables 45 ("Tourist Land Use"), 49 ("Rural Housing"), 50 ("Rural Housing Use"), 52 ("Residential 51"), 53 ("Residential Land Use H51"), 54 ("Residential 84"), 55 ("Residential Land Use H84"), 56 ("Residential 127"), 57 ("Vertical Multi-Family Housing 127"), 58 ("Use of Residential Land H127"), 59 ("Housing 211"), 60 ("Use of Residential Land H211"), 61 ("Multi-Family Housing"), 61 ("Housing Multi-family Vertical 211"), 63 ("Mixed Zone"), 64 ("Mixed Land Use"), 66 ("Urban Corridor"), 67 ("Land Use Urban Corridor"), 68 ("Urban Tourist Corridor"), 69 ("Land Use Urban Tourist Corridor"), 70 ("Urban Coastal Corridor"), 71 ("Land Use Urban Coastal Corridor"), 73 ("Regional Urban Corridor"), 74 ("Land Use"), 76 ("Services to Industry and Trade"), 77 ("Land Use Services Industry and Commerce"), 78 ("Medium Industry"), 79 ("Industrial Land Use"), 81 ("Regional Equipment"), 82 ("Civic and Business Center"), 83 ("Education and Culture"), 84 ("Health and Assistance"), 85 ("Public Administration and Urban Services"), 86 ("Recreation and Sports"), 87 ("Supply Equipment"), 88 ("Tourist Equipment"), 89 ("Green and

Open Spaces") and 90 ("Land Use Urban and Tourist Equipment"), for:

1. assign land use to each of these areas differently than the PMDU of 2002 does
2. modify any of the corresponding items that appeared for each of the areas in the tables accompanying the 2002 PMDU and are detailed immediately above in point 30,
3. determine to what specific degree the figures granted for each land use have been reached, in each of the items of the tables that accompany the PMDU of 2002 and are detailed immediately above in number 30,
4. modify each of the items and the figures in them that are assigned to each land use and that vary with respect to those assigned in the tables that accompany the PMDU of 2002 and are detailed immediately above in the point 30,

Since in no case is that information provided in the update proposal document and that we object until they are justified in a well-founded and motivated way?

30.- e) What were the specific reasons for determining the "Compatibilities" for Uses, in Tables 46, 47, 48, 62, 65, 72, 75 and 80 of the update proposal document, and which vary in terms of What was available in the PMDU of 2002?

30.- f) What were the reasons for reducing equipment areas in Sayulita?

30.- g) Specifically in terms of changes in densities in land uses and their use, within the center of Sayulita, which we object to as long as they are justified with the appropriate foundation and motivation: 1. what are the technical studies on which each of these changes are based, who made them and what is their content and

2.- what are the requirements and the demands that justify them

Since this information is not provided in the update proposal document?

30.- h) Specifically in terms of the changes in the "allowed densities", in the "intensity of land occupation", in the "intensity of land use", in the "maximum permitted levels of construction levels" in the PMDU of 2002 and in the accompanying tables, and detailed immediately above in point 30, which we object until they are justified in a well-founded and motivated manner, and what are the technical studies on which each of them are based These changes, who made them and what is their content, since in no case is that information provided in the update proposal document?

30.- i) Specifically regarding any change, of any kind, that is proposed in the update document of the PMDU of 2002, within any type of natural area thus defined by said Program, which we object until they are justified In a

well-founded and motivated manner, what are the technical studies on which each of these changes are based, who made them and what is their content, since in no case is that information provided in the update proposal document?

31.- In ANNEX XXIV an additional list of even more specific and specific concerns is submitted, which are submitted by invoking the same legal provisions mentioned above, within the framework of our objections and of what is requested in points 30. g) and 30. h), also requesting that they be answered in full and timely as requested in the third request point.

FOR ALL OF THE ABOVE EXPOSED, in the exercise of their rights protected in the legal provisions invoked in the text of this document, in the most restrained, respectful and peaceful manner, it is requested:

1.- That the update proposed for the Municipal Urban Development Program of Banderas Bay, Nayarit, is not approved, published or put into effect, until they are merged and motivated as required by the Political Constitution of the The United Mexican States, each of the changes that are intended to be made with that proposal regarding the PMDU in force since 2002;

2.- That at our expense, through our accredited representative, be provided with copies of the comments received in writing within the Public Consultation in question.

3.- That, in respect of the constitutional guarantees mentioned above and in the terms of the Law of Human Settlements and Urban Development for the Nayarit State and other applicable legal provisions, a timely and complete response to each of the approaches is sent to us, observations and objections contained in this document.

Banderas Valley, Nayarit, February 22, 2020.

FIRMS

LAURA MAIZ

NOTE: OTHER ORIGINALS OF THIS WRITTEN ARE ADDED WITH ADDITIONAL SIGNATURES, SO
AS OTHER COMMUNICATIONS OF ENDORSEMENT BY OTHER PEOPLE.

