



**AMENDED
GOVERNMENT MOTION NO. 1 of 2015/16**

AMENDMENT TO THE DEVELOPMENT PLAN 1997

Proposed Rezoning:

**Bodden Town, Block 44B Parcel 23
– Rosaly Swann Bass –
Bodden Town, Block 44B Parcel 420
- Crown -**

WHEREAS on 4th September 2013 the Central Planning Authority (CPA) considered an application for the rezoning of Registration Section Bodden Town, Block 44B Parcel 23 from Medium Density Residential and Public Open Space, to Medium Density Residential only (CPA/19/13 Item 4.1). The CPA resolved not to support the proposed amendment to the Development Plan;

AND WHEREAS the CPA reconsidered the application to rezone on 13th November 2013 (CPA 24/13/Item 6.5) and resolved to support relocating the area of Block 44B Parcel 23 that is currently zoned Public Open Space to the easterly portion of the Parcel, with the area that is currently zoned Public Open Space to then be rezoned to Medium Density Residential;

AND WHEREAS the CPA further resolved to take the opportunity to support the rezoning of the Crown's Block 44B Parcel 420 (being the adjoining Coe-Wood Public Beach) from Public Open Space and Medium Density Residential, to Public Open Space only;

IT WAS FURTHER RESOLVED to forward the portion of the rezoning application that proposed to rezone the adjoining Coe-Wood Public Beach Public Open Space to Medium Density for the 60 days notification and advertising per Section 11(2) in the Development and Planning Law (2011) Revision;

AND WHEREAS the proposed amendments were duly advertised in the *Cayman Compass* on 28th & 31st January and the 3rd & 5th February 2014 respectively, in accordance with Section 11(2) of the Development and Planning Law (2011 Revision), and persons were invited to view the application at the Planning Department for comment. During the

comment period no letters of objection or representation were received on the proposed amendments;

AND WHEREAS on 3rd September 2014 the CPA again reviewed the application in light of the public consultation process (CPA/21/14 Item 4.1) and it was resolved to forward the proposed amendment to the Ministry of Planning with the recommendation that it be forwarded to Cabinet and subsequently the Legislative Assembly for consideration;

AND WHEREAS on 31st March 2015 Cabinet considered the rezoning application, and approved that the matter be referred on to the Legislative Assembly for consideration.

AND WHEREAS in accordance with Section 10(2)(b) of the Development and Planning Law (2011 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and maps of which are attached hereto;

BE IT NOW THEREFORE RESOLVED to rezone the area of Registration Section Bodden Town, Block 44B Parcel 23 that is currently zoned Public Open Space to Medium Density Residential and to rezone the corresponding easterly portion of the Parcel to be rezoned to Public Open Space; and Registration Section Block 44B Parcel 420 to be rezoned from Medium Density Residential and Public Open Space to Public Open Space only.

MOVED BY: Honourable D. Kurt Tibbetts, OBE, JP
Minister of Planning, Lands, Agriculture, Housing & Infrastructure

Received in the Office of the Clerk this 5th day of May, 2015

Passed by the Legislative Assembly this 19th day of June, 2015

Clerk of the Legislative Assembly

SUMMARY OF REZONING APPLICATION

Relocation of Public Open Space

Block 44B Parcel 23

Medium Density Residential and Public Open Space

to Public Open Space only

Block 44B Parcel 420

The applicant is the owner of Block 44B Parcel 23, a 0.97 acre beach-front Parcel located on Bodden Town Road in Bodden Town. The property adjoins Coe-Wood Public Beach on the latter's south side. It is undeveloped, apart from a small storage shed. The Parcel is predominantly zoned Medium Density Residential (MDR), with a small portion zoned Public Open Space (POS). The Public Open Space zoning covers a strip of land approximately 37 feet in width, running down the western boundary of the Parcel from Bodden Town Road to the sea, facilitating public access from road to sea. This public beach access is approximately 160 feet away from Coe-Wood Public Beach.

The owner of Parcel 23 originally applied to the Central Planning Authority (CPA) in 2013 to amend the Development Plan from MDR and POS to MDR only. On 4th September 2013 the CPA resolved not to support such an amendment, citing its duty under Planning Regulation 17(2) "to preserve Public Open Space zones". It further noted the relative shortage of Public Open Space designation in Bodden Town, and that removing this designation from the subject site would reduce public choice in accessing the waterfront. CPA recommended that Government purchase the strip of land zoned POS.

The applicant then contacted the Department of Planning seeking further clarification of the CPA's decision. On 13th November 2013 the CPA further considered the matter and determined that:

- a) The CPA supports relocating the area that is currently zoned POS to the easterly portion of Parcel 23. The area that is currently zoned POS can then be rezoned to MDR.

- b) The CPA also supports this opportunity to recommend the rezone of Block 44B Parcel 420 (the Crown's adjoining Coe-Wood Public Beach) from MDR and POS, to POS only.

The effect of these recommendations will be to have one continuous strip of beach zoned Public Open Space of approximately 340 feet in length.

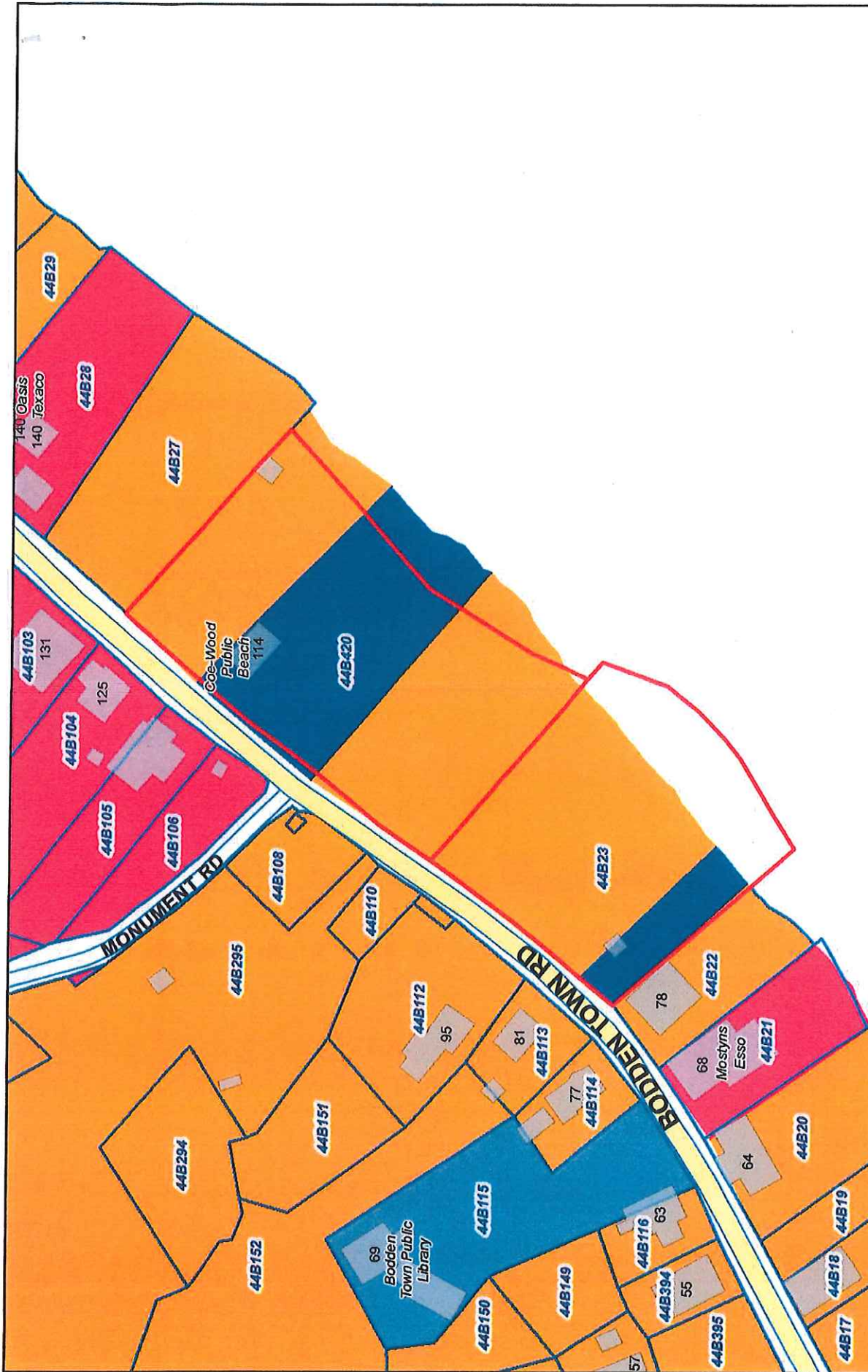
Accordingly, it was resolved to forward the CPA's recommended rezoning to 60 day public notification & advertising in accordance with Section 11(2) Development & Planning Law (2011 Revision).

Thereafter, the proposed amendment to the Development Plan was advertised in the *Cayman Compass* on 28th and 31st of January 2014 and the 3rd and 5th of February 2014 respectively. During the comment period no objections or representations were received.

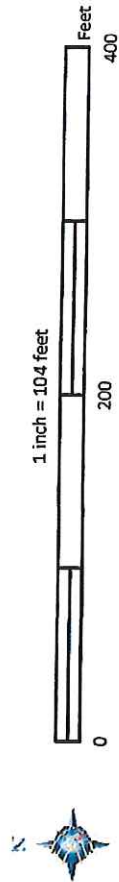
On 3rd September 2014 the CPA considered its proposed amendment in light of the public consultation process, and resolved to forward it to the Ministry of Planning with the recommendation that it be forwarded to the Legislative Assembly for debate, subject to Cabinet approval.

On 31st March 2015 Cabinet approved the proposed amendment, and directed that it be referred on to the Legislative Assembly for consideration.

The proposed rezoning is depicted on the attached 'Existing' and 'Proposed' maps.



MAP 1: Existing Zoning, Block 44B Parcels 23 & 420

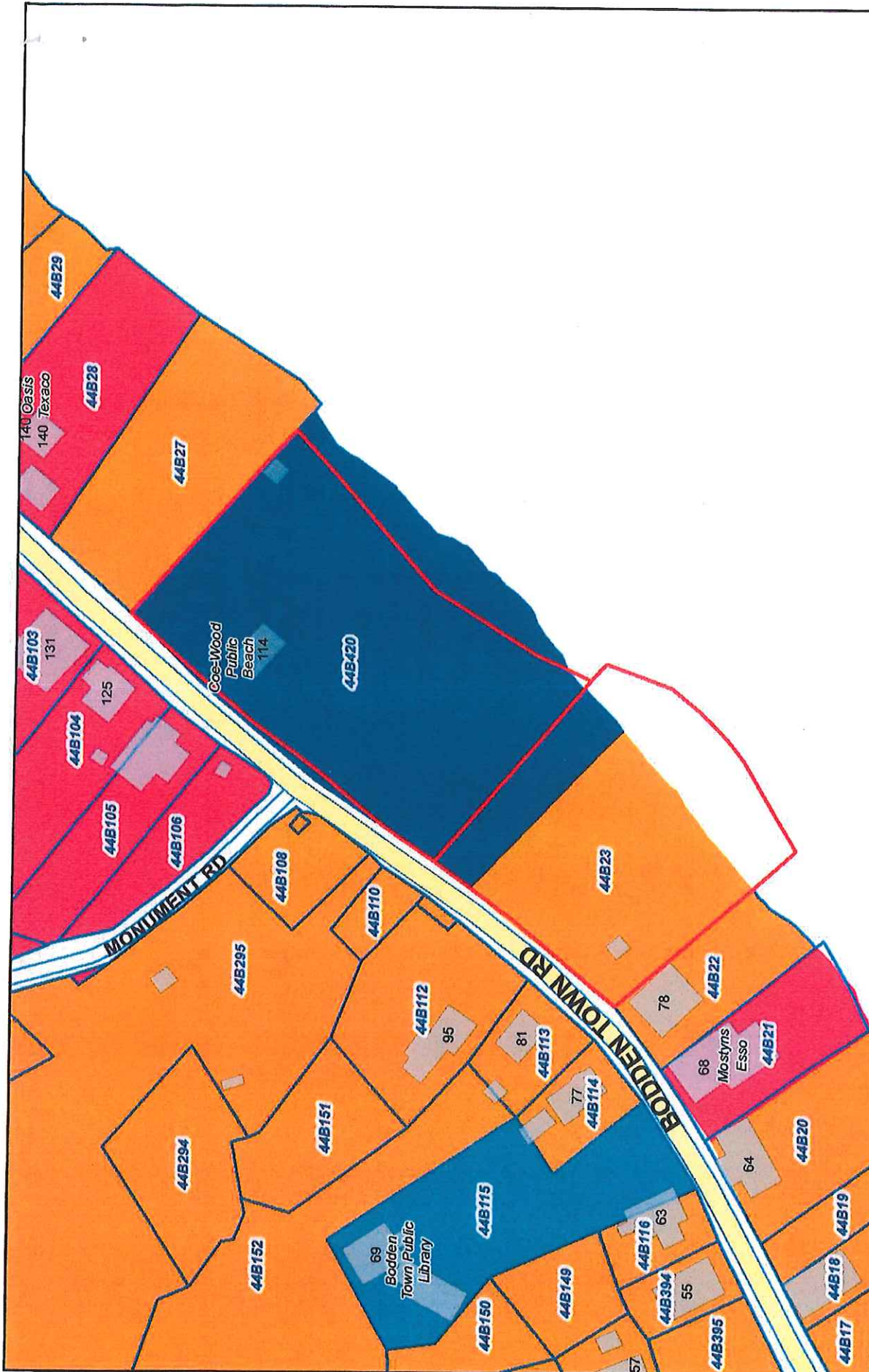


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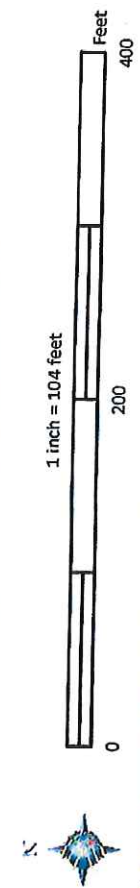


Legend
Planning Zones
Neighbourhood Commercial
Medium Density Residential
Public Open Space
Institutional

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MAP 2: Proposed Zoning, Block 44B Parcels 23 & 420



Legend

 Public Open Space	 Medium Density Residential	 Neighbourhood Commercial
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Planning Zones

Zone Description

CAYMAN LAND INFO

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