



GOVERNMENT MOTION NO. 2 of 2015/16

AMENDMENT TO THE DEVELOPMENT PLAN 1997

Proposed Rezoning:

West Bay Beach North, Block 17A Parcel 9

- Danny Soto
- Investor Nominees Ltd
- Randy Soto
- Deputy Ltd

WHEREAS on 14th May 2014 the Central Planning Authority (CPA) considered an application for the rezoning of Registration Section West Bay Beach North, Block 17A Parcel 9 from Low Density Residential and Mangrove Buffer, to an expanded area of Low Density Residential and a reduced area of Mangrove Buffer (CPA/12/14 Item 4.1). The CPA resolved to support the proposed amendment to the Development Plan subject to the revised mangrove buffer zone maintaining a minimum width of 50ft;

AND WHEREAS the proposed amendments were duly advertised in the *Cayman Compass* on 9th, 11th, 17th and 20th June 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 15th October 2014 the CPA again reviewed the application in light of the public consultation process (CPA/24/14 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 5th May 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 alter the zoning area of Registration Section West Bay Beach North, Block 17A Parcel 9 from Low Density Residential and Mangrove Buffer, to an expanded area of Low Density Residential and a reduced area of Mangrove Buffer.

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

Received in the Office of the Clerk this 7th day of May, 2015

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

Clerk of the Legislative Assembly

SUMMARY OF REZONING APPLICATION

Mangrove Buffer and Low Density Residential to Mangrove Buffer (reduced) and Low Density Residential (expanded) Block 17A Parcel 9

The applicant is the owner of Block 17A Parcel 9, a 24.4 acre Parcel located at the terminus of Crighton Drive, Governor's Harbour, West Bay Beach North. The property forms a peninsula abutting the marine entrance to Governor's Harbour from the North Sound. It is undeveloped and the Department of Environment estimates that approximately 98 percent of the vegetation on site is red, black and white mangroves. The Parcel has a split zone with Low Density Residential (LDR) to the east abutting the North Sound, and Mangrove Buffer comprising the north and west of the parcel. The applicant seeks to alter the ratio of the LDR and Mangrove Buffer zone to enable a residential subdivision to be created.

The owner originally applied to the Central Planning Authority (CPA) in 2012 to amend the Development Plan from LDR and Mangrove Buffer to LDR only. On 20th February 2013 the CPA resolved not to support such an amendment.

The applicant submitted a new application for amendment to the Development Plan on 13th January 2014, requesting to retain a portion of the existing Mangrove Buffer zone. The CPA considered the comments from the Department of Environment, the Water Authority and the Planning Department, and took into account advice from the Department of Environment that a minimum width of 50ft of the revised Mangrove Buffer zone, should be retained.

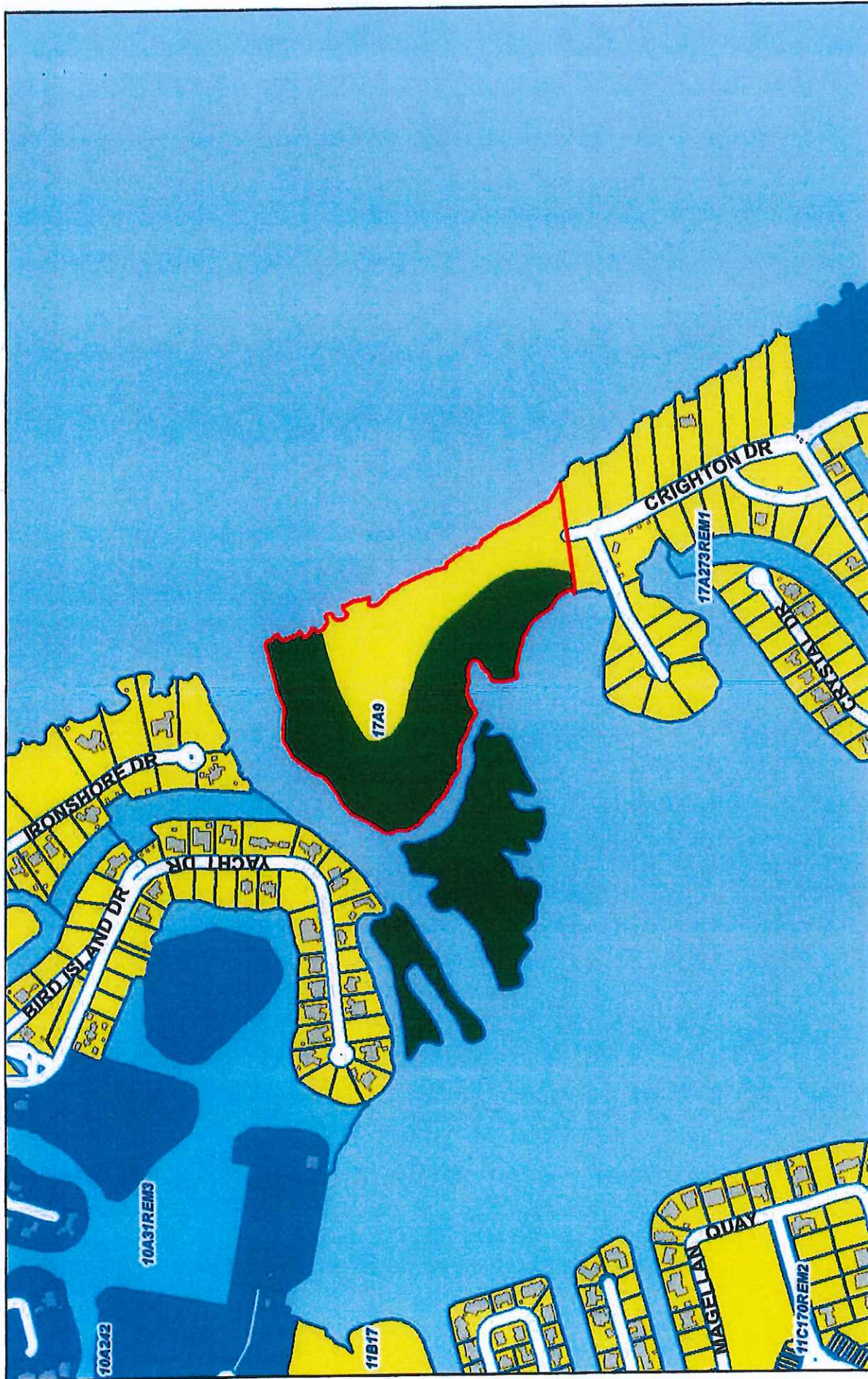
Accordingly, it was resolved to forward the CPA's recommended rezoning to 60 day public notification & advertising in accordance with Section 11(2) Development & Planning Law (2011 Revision).

Thereafter, the proposed amendment to the Development Plan was advertised in the *Cayman Compass* on 9th, 11th, 17th and 20th of June 2014. During the comment period no objections or representations were received.

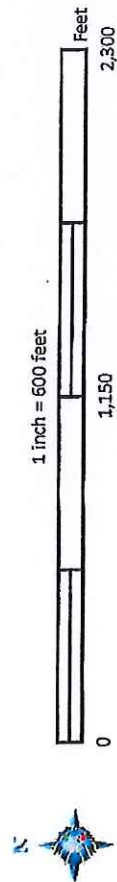
On 15th October 2014 the CPA considered its proposed amendment in light of the public consultation process, and resolved to forward it to the Ministry of Planning with the recommendation that it be forwarded to the Legislative Assembly for debate, subject to Cabinet approval.

On 5th May 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 17A Parcels 9



Legend

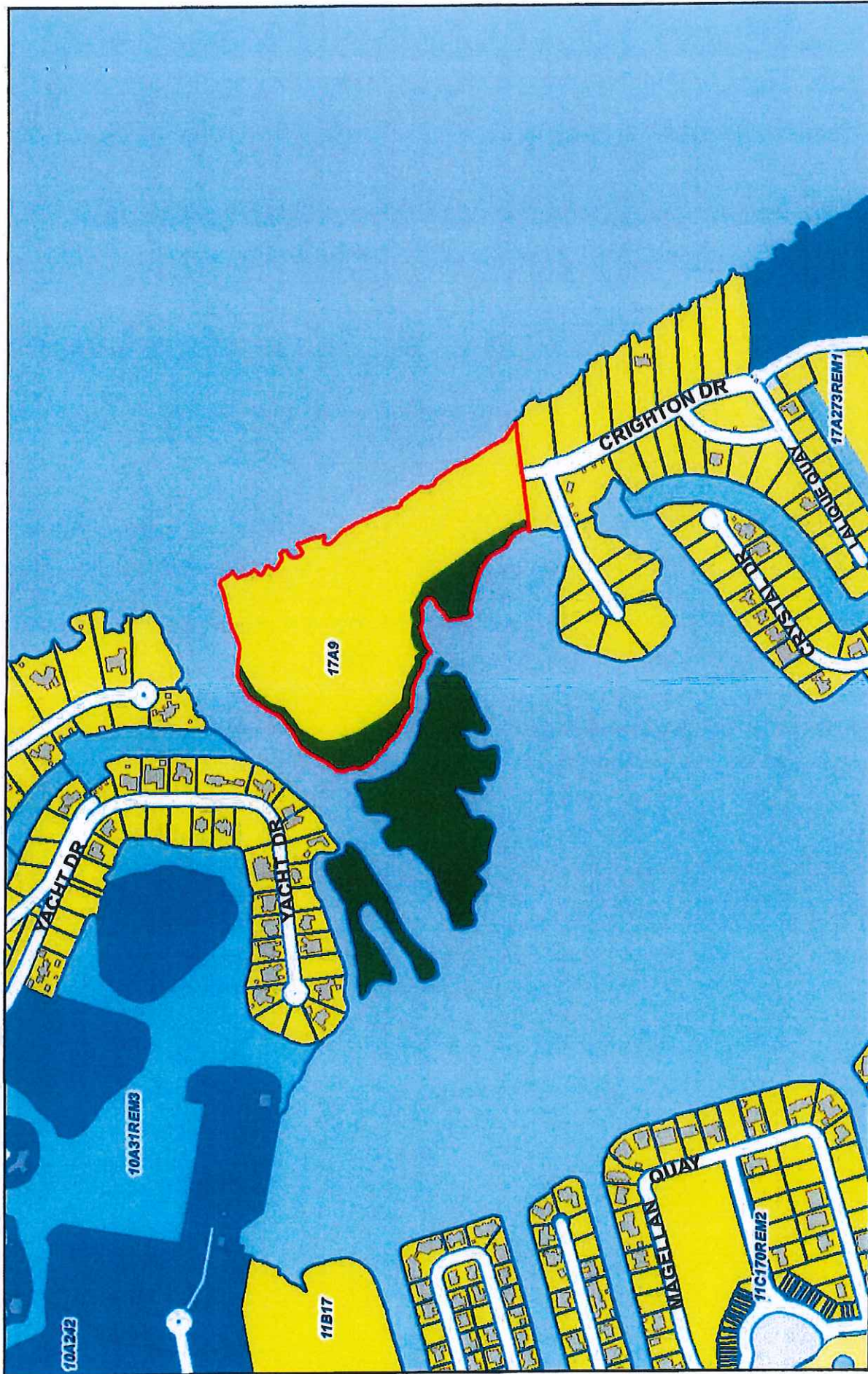
- Planning Zones**
- Mangrove Buffer
 - Low Density Residential
 - Private Road
 - Private Canal
 - Hotel - Tourism

Lands & Survey Department
P.O. Box 1089
Grand Cayman, KY1-1102
CAYMAN ISLANDS

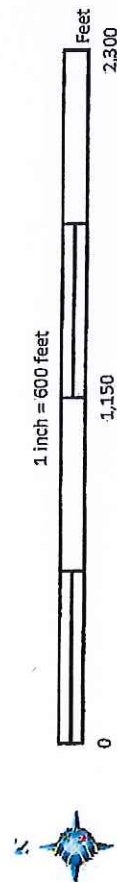
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MAP 2: Proposed Zoning, Block 17A Parcels 9



Legend

- Planning Zones**
- Mangrove Buffer
 - Low Density Residential
 - Private Road
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