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**THE DEVELOPMENT AND PLANNING LAW, 1971 (28 OF 1971)**

**THE DEVELOPMENT AND PLANNING REGULATIONS**

**(1995 Revision)**

Revised under the authority of the Law Revision Law (19 of 1975).

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Consolidated and revised this 4th day of July, 1995.



**DEVELOPMENT AND PLANNING REGULATIONS**

**(1995 Revision)**

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**DEVELOPMENT AND PLANNING REGULATIONS**

**(1995 Revision)**

1. These Regulations may be cited as the Development and Planning Regulations (1995 Revision). Citation

2. In these Regulations- Definitions

“agricultural/residential” means land, the primary use of which is both agricultural and residential;

“ancillary building” means a garage or other buildings or structure on a lot or parcel subordinate to and not forming an integral part of the main or principal building but pertaining to the use of the main building;

“apartment” with reference to a building or block denotes a building which is used or intended to be used as a home or residence for more than two families living in separate quarters;

“architect” means a person approved by the Authority as such for the purpose of submitting to the Authority plans and applications under these Regulations and may include an engineer, surveyor, draughtsman or other person having professional qualifications, training or experience in building, construction or civil engineering;

“areas” mean the areas shown on the map and “zones” have a similar meaning;

“Authority” includes “Board” in the alternative;

“business” with reference to any building, denotes commercial use and includes a shop, restaurant, bank, office or other place in which people are commonly employed in any trade or profession;

“cottage colony” means any premises or complex of premises which are operated on a commercial basis for providing living accommodation the character of which is that of a group of cottages;

“detached house” means a dwelling unit on its own exclusive lot;

“duplex” means two dwelling units one above the other or side by side having a common wall and being on one lot;

“dwelling unit” means two or more rooms used or intended for the domestic use of one or more individuals living as a single housekeeping unit, with exclusive cooking, eating, living, sleeping and sanitary facilities;

“final certificate” means a certificate issued under regulation 31 authorising the occupation and use of a building on the completion of a building operation;

“gross acreage” means an area inclusive of roads and other developments;

“guest house” means premises having the external appearance of a dwelling unit but operated on a commercial basis providing sleeping accommodation for six or more paying guests and where no facilities are provided for persons other than those guests and the owner and staff;

“height of a building” means in the case of a building with a gabled or hipped roof, the vertical distance measured from the average elevation of the finished building site to the eaves and, in the case of buildings with a flat roof, the vertical distance from the kerb line to the highest point of the roof excluding cornices, parapet walls and railings;

“heavy industry” means any industry other than light or cottage industries;

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“hotel” has the meaning ascribed to it in the Hotels Aid Law (1995 Revision);

“industry” means the use of land for the carrying on of any industry or industrial process;

“Law” means the Development and Planning Law (1995 Revision);

“light industry” means an industry which is carried on in a special building and in which the process carried on or the machinery used is such as if carried on or used in a residential area would not cause detriment to the amenity of that area including detriment by reason of noise, vibration, smell, fumes, electrical interference, smoke, soot, ash, dust or grit;

1995 Revision

“lot” has the meaning ascribed to the word “parcel” in the Registered Land Law (1995 Revision);

“low water mark” means, in relation to any place, the average height of all low waters of the sea at that place throughout any one calendar year;

“map” means the zoning map of Grand Cayman which is annexed to the development plan and “plan” has a similar meaning;

“parking area” means an open space reserved for parking vehicles related to any building;

“prescribed” means prescribed by the Law or these Regulations;

“public access” means private land over which members of the public enjoy rights by virtue of any law;

“public building” means any building used for civic, administrative, religious or social purposes to which the public has access and includes a town hall, post office, church and public hall;

“public utility building” means any building which is essential to the proper provision of public utility services including water, electricity and communications;

“residential land” means any lot, plot, tract, area, piece or parcel of land including any building used exclusively or intended to be used for family dwelling or concomitant uses specified herein;

“resort residential” means any area of land used primarily for the accommodation of tourists and which may also be used for normal residential use;

“semi-detached house” means two dwelling units built side by side with a common wall with each dwelling unit on its own exclusive lot;

“service road” has the meaning ascribed to it in the Roads Law (Revised);

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“setback” means the horizontal distance between any boundary of a parcel and any building on the parcel;

“site coverage” means the total area covered by a building divided by the area of the lot on which it stands expressed as a percentage;

“storey” means that portion of a building included between the surface of any floor and the surface of the floor next above or if there be no floor above it, then the space between such floor and the ceiling next above it;

“storm belt” means the area of land being predominantly covered by mangrove trees zoned on the map;

“section” means a section of the Law;

“warehouse” means any building designed or adapted for the storage of goods other than goods held for sale by retail;

“water lens” means an underground source of fresh water; and

“workshop” means any building where work of a light industrial nature is carried out and includes motor repair shops, carpenters’ shops and any ancillary building used for the repair of goods or equipment.

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|---------------------------|---|
| Mode of application       | 3. Applications for planning permission to carry out development are to be made to the Authority in the manner prescribed and, subject to section 5, such applications shall be examined and dealt with by the Authority having regard to the development plan and these Regulations.   |
| Permitted development     | 4. Development shall be in accordance with land uses indicated on the development plan, which is held in the offices of the Authority and identified by the signature of the Governor thereon together with a reference to these Regulations.   |
| Control of development    | <p>5. (1) The control of development, including buildings and subdivision of land, shall be in accordance with these Regulations and the development plan.</p> <p>(2) Notwithstanding the requirements of subregulation (1), the Authority may give permission for development deviating from these Regulations only as provided in the development plan.</p> <p>(3) These Regulations shall be read with and interpreted having regard to the development plan, provided that where there is a conflict between these Regulations and the Planning Statement for the Cayman Islands 1977, these Regulations shall prevail.</p> |
| Applications for building | <p>6. (1) Applications for building permits for the construction of or changes in building are to be made on the prescribed forms and accompanied by the following drawings-</p> <ul style="list-style-type: none"><li>(a) a location plan (on the same scale as the Registry Index Map where possible);</li><li>(b) a site lot plan at a convenient natural scale to indicate items in subregulation (3);</li><li>(c) floor plans to a scale of: 1/8 in. = 1 ft. or 1/4 in. = 1 ft.; and</li><li>(d) front and rear elevations to a scale of: 1/8 in. = 1 ft. or 1/4 in. = 1 ft.</li></ul>                                     |

When major development is involved additional elevations must be submitted together with a statement of the material to be used in the external finish



of walls and roofs and if the Authority so requires, their colour must be shown on the drawings.

(2) Original drawings may be either in ink or pencil and three prints made therefrom shall accompany each application. Major commercial and industrial building applications are to be signed by an architect but the Authority may consider plans prepared by a person other than an architect if all the required information appears thereon.

(3) The site plan must show-

- (a) the location of the proposed building;
- (b) the location of existing buildings on the site and on adjacent land;
- (c) the front, rear and side setbacks;
- (d) the dimensions of relevant lots (for subdivision);
- (e) the fronting roads giving their names and widths;
- (f) the water and sanitary drainage systems; and
- (g) the north point.

(4) The location plan must show the position of the lot in relation to the adjoining lots and, if possible be a copy of the relative Registry Index Map. In special circumstances the Authority may require a topographical survey.

(5) Water supply and sanitary drainage systems must be shown on floor plans.

(6) On every plan the identity of the person who prepared it must appear and each site lot plan must be certified as follows-

“I hereby certify that all the dimensions shown on this plan are correct.

Signature \_\_\_\_\_  
Address \_\_\_\_\_”.

7. (1) In new development areas parking space must be provided on individual lots or in nearby locations for public, commercial, industrial and domestic buildings as set out below.

General requirements re parking, height, setbacks, waterfront property, etc.

The minimum parking space for a vehicle is 8 ft. x 16 ft., exclusive of access thereto and spaces must be provided upon the following scale -

- (a) churches and other places of worship- one space per 12 seats;

- (b) cinema, theatres and places of public assembly-one space per 6 seats;
- (c) clubs, restaurants, recreation halls and bars-one space per 200 sq. ft.;
- (d) commercial development-one space per 500 ft.;
- (e) industrial development-one space per 1,000 sq. ft.;
- (f) hotels-one space per 2 guest bedroom units;
- (g) apartments and cottage colonies-one space per apartment; and
- (h) dwelling units- one space per unit.

In no case may the building plus the car parking area exceed seventy-five per cent of the lot except in commercial centres where the building plus car parking area may occupy up to ninety per cent of the lot, the remainder being suitably landscaped.

(2) The maximum permitted height of buildings, is fifty-five feet to the soffits of the eaves, or five storeys, whichever is the less, or in residential zones two storeys. Provided that in a beach resort/residential zone the maximum permitted height of a building is thirty-three feet to the soffits of the eaves or three storeys, whichever is the less. No dwelling house may exceed two habitable storeys above the highest point of the surrounding ground. No apartment or guest house shall exceed three storeys.

(3) Subregulation (2) does not apply to any chimney, church spire, dome, cupola, stage tower, water cooling tower, elevated water storage tank, elevator tower, radio or television antenna tower, smokestack, parapet wall or structure of a like nature, and any necessary mechanical appurtenances thereof:

Provided that-

- (a) in Grand Cayman the maximum permitted height of any such structure and appurtenance (if any) shall not exceed the height limitation prescribed by the Director of Civil Aviation within the flight approach zone pattern of the Owen Roberts International Airport; and
- (b) in the case of a radio or television antenna tower or structure of a like nature where the structural stability of the tower or structure is reliant upon guys, it shall not be erected on any lot nearer to any of the boundaries of that lot than a distance less than the height of such structure or appurtenance.

1989 Revision

(4) Setbacks (building lines) are to be measured to septic tanks and to the walls, stairs or balconies of the buildings. Roof overhangs must not project closer to the boundary than three feet. Setbacks governed by the Roads Law (Revised)

must be in accordance with the requirements thereof and in all other cases the requirements of these Regulations apply.

(5) Waterfront property-

- (a) in George Town - within the area enclosed from a point on the waterfront map reference MM593 331, thence in a northerly direction along such waterfront to map reference MM597 344 thence due east to the edge of the road reserve of North Church Street, thence southerly along the western road reserve boundaries of North Church Street, Harbour Drive and South Church Street to map reference MM 594 331, thence due west to the point of commencement, new buildings or additions to existing buildings may be permitted but any such buildings (including ancillary buildings, structures and walls) shall not at any point be closer than seventy-five feet to low water mark: 1995 Revision

Provided that this restriction shall not apply to any works carried out by the Highway Authority established under the Roads Law (Revised) where the works are for the protection of the existing road against undermining or scouring by the sea or to any works carried out by the Port Authority established under the Port Authority Law (1995 Revision) where the works are for the improvement of the George Town port facility;

- (b) in other areas (except hotel and tourist related zones) no land adjacent to the waterfront may be developed by buildings unless each lot is at least one hundred feet in mean distance measured from low water mark at right angles to the nearest edge of the road. No building other than ancillary buildings shall, at any point, be closer than fifty feet to low water mark in areas where the coastline is ironshore, or seventy-five feet in other areas.

(6) Applications for the approval of places of public assembly, gas stations, garages, clubs, bars, cinemas, obnoxious and other industrial plants such as workshops and similar establishments must be advertised by the applicant in a manner approved by the Authority twice in a newspaper published and circulating in the Islands, with a period of at least seven days but not more than ten days between the advertisements. Within three weeks of the final advertisement members of the public may lodge objections with the Authority, stating their grounds.

(7) Notwithstanding subregulation (1), regulation 8 (5), (6) and (7), and regulation 9, the Authority may grant permission to carry out development that does not comply with all or any of those provisions if the Authority is satisfied-

- (a) that an exceptional circumstance exists; and
- (b) that there is a sufficient reason why the permission should be granted.

Residential zone

8. (1) In the residential zone the primary uses are residential and horticultural.

(2) Commercial, agricultural, religious, social and educational development (including recreational facilities and public and civic buildings), may be permitted, provided that the applicant has advertised details of his application twice in a newspaper published and circulating in the Islands, with a period of not less than seven days or more than ten days between each publication of the notice, and there are no objections which the Central Planning Authority regards as raising grounds for refusing such permission.

(3) Any other variation from the primary use shall only be granted after the applicant has advertised details of his application four times in newspaper published and circulating in the Islands, with a period of not less than seven days or more than ten days between each successive publication of the notice, and it is established to the satisfaction of the Central Planning Authority that the majority of persons not under a legal disability who-

- (a) reside within a radius of 1,500 feet of the boundaries of the applicant's land; and
- (b) who reside elsewhere in the Islands and own land within such radius specified in subregulation (a) hereof,

have given their approval to the variation.

(4) Notwithstanding the foregoing regulations, no use of land in a residential zone shall be dangerous, obnoxious, toxic or cause offensive odours or conditions or otherwise create a nuisance or annoyance to others.

(5) In high density areas, detached and semi-detached houses and, if in suitable locations, guest houses and apartments are permissible provided-

- (a) the maximum density is six detached or semi-detached houses or four two-bedroom or six one-bedroom duplexes per acre;
- (b) the maximum density for guest houses is thirty bedrooms per acre;
- (c) the maximum number of apartments is twenty-five per acre with a maximum of forty-two bedrooms per acre;
- (d) the minimum lot size for each detached and semi-detached house is 6,500 sq. ft. and 5,000 sq. ft. respectively;
- (e) the minimum lot size for duplexes is 6,500 sq. ft. for one bedroom and 8,000 sq. ft. for two bedrooms;
- (f) the minimum lot width is 60 feet;

- (g) the maximum site coverage for each detached and semi-detached house, duplexes, guest houses and apartments is 40 per cent of the lot size;
  - (h) the minimum front and rear setbacks are 20 feet; and
  - (i) the minimum side setbacks are 10 feet for a ground floor storey and 15 feet for a second floor storey.
- (6) In medium density areas, detached and semi-detached houses and, in suitable locations, guest houses and apartments are permissible provided-
- (a) the maximum density is four detached and semi-detached houses or three two bedroom duplexes per acre;
  - (b) the maximum density for guest houses is twenty bedrooms per acre;
  - (c) the maximum number of apartments is twenty per acre with a maximum of thirty bedrooms;
  - (d) the minimum lot size for detached and semi-detached houses is 10,000 sq. ft. and 8,000 sq. ft. respectively;
  - (e) the minimum lot size for duplexes is 10,000 sq. ft.;
  - (f) the minimum lot width is 80 feet;
  - (g) the maximum site coverage for detached and semi-detached houses, duplexes, guest house and apartments is twenty five per cent of the lot size;
  - (h) the minimum front and rear setbacks are 20 feet; and
  - (i) the minimum side setbacks are 10 feet for a ground floor storey and 15 feet for a second floor storey.
- (7) In low density areas, detached and semi-detached houses and, in suitable locations, guest houses and apartments are permissible provided-
- (a) the maximum density is three detached or semi-detached houses or two three bedroom duplexes per acre;
  - (b) the maximum density for guest houses is sixteen bedrooms per acre;
  - (c) the maximum density per apartment is fifteen per acre with a maximum of twenty-four bedrooms;
  - (d) the minimum lot size for detached and semi-detached houses is 12,500 sq. ft. and 11,600 sq. ft. respectively;
  - (e) the minimum lot size for duplexes is 13,500 sq. ft.
  - (f) the minimum lot width is 100 feet;
  - (g) the maximum site coverage for detached and semi-detached houses, duplexes, guest houses and apartments is twenty-five per cent of the lot size; and
  - (h) the minimum front and rear setbacks are 20 feet; and

- (i) the minimum side set backs are 10 feet for a ground floor storey and fifteen foot for a second floor storey.
- Hotel and tourist related development
9. (1) Hotels, cottage colony development and apartments are permitted in hotel and tourist-related development if they comply with the following requirements-
- (a) the maximum number of bedrooms for hotels is sixty-five per acre;
  - (b) the maximum number of apartments is twenty per acre with a maximum of thirty-five bedrooms;
  - (c) the minimum lot size for hotels and apartments is half an acre with a minimum lot width of 100 feet;
  - (d) the minimum lot size for residential development within a hotel zone is 12,500 sq. ft. and the minimum lot width 100 feet;
  - (e) the maximum site coverage for hotels and apartments is forty per cent of the lot size;
  - (f) the minimum setbacks are 100 feet from the low water mark for buildings up to two storeys, with an additional 30 feet setback for each additional storey;
  - (g) the minimum side setbacks are fifty per cent the height of the building with a minimum of 15 feet;
  - (h) the minimum rear setbacks are 25 feet from the road edge or lot boundary as the case may be; and
  - (i) in the case of a cottage colony development-
    - (i)the maximum number of cottage units is ten per acre;
    - (ii)no cottage unit contains more than two bedrooms; and
    - (iii)the maximum site coverage is twenty-five per cent of the lot size.
- (2) In certain cases unrelated development may be permitted by the Authority within a hotel and tourist-related zone but it will be required to conform to the setback requirements applicable to hotels as well as to all other requirements applicable to its own particular type of development.
- (3) Entertainment facilities which are related primarily to the needs of the tourist industry should normally be located within a hotel and tourist-related development zone.
- (4) Applications in respect of entertainment facilities outside a hotel and tourist-related development zone will be considered on their merits, having regard to the character of the surrounding area and any relevant regulations.

10. (1) The Authority may, for such period as it may specify, permit building on any lot which does not conform to regulation 8(5), (6) or (7) or regulation 9(1), where-
- Temporary relaxation of certain regulations in case of certain strata title development
- Law 14 of 1973
- (a) such building forms part of a development of strata titles under the Strata Titles Registration Law, 1973, on a larger parcel of land of which such lot forms a part and such development as a whole complies with the said provisions by the Authority;
  - (b) that on the completion of all stages of the development such lot will be combined with such larger parcel; and
  - (c) a restriction under Division 3 of the Registered Land Law (1995 Revision) has been registered against the remainder of such larger parcel which will ensure that in the event of the development of the larger parcel not being completed within such time as the Authority deems reasonable, the dimensions of the lot on which such building is temporarily permitted as aforesaid will be modified so as to bring the building on it into compliance with the aforementioned subregulations.
- 1995 Revision
11. (1) Industrial development is permissible within industrial zones provided that-
- Industrial development
- (a) it is not detrimental to the surrounding area;
  - (b) it provides centres of local employment;
  - (c) access to industrial areas is ensured; and
  - (d) this regulation is complied with fully.
- (2) The Authority may, in each case, determine-
- (a) the minimum size of the lot;
  - (b) the minimum height and bulk of structures;
  - (c) ancillary uses permitted on the site;
  - (d) ancillary uses prohibited;
  - (e) the maximum permitted floor area;
  - (f) the maximum site coverage;
  - (g) the location of development including structures, loading and unloading areas and other facilities;
  - (h) the number and location of parking spaces; and
  - (i) the amount, type and location of screening and landscaping required.
- (3) Other forms of development are permissible if the primary use is retained.

(4) Industrial development may be permitted by the Authority in other areas provided it is not offensive and does not adversely affect the area, and in residential zones is also subject to regulation 8(2), (3) and (4) as follows-

- (a) industry linked to or based upon agriculture may alternatively be located conveniently to the agricultural activity with which it is associated;
- (b) industry which is linked to or based upon fishing, boating, sailing and related activities may alternatively be located conveniently to the activity with which it is associated;
- (c) light industry linked to the needs of local communities may alternatively be located conveniently within a residential area; and
- (d) heavy industry shall only be carried on in areas zoned for heavy industry.

(5) The Authority will require an acceptable standard of layout, design and construction and a high degree of landscaping in order to achieve the screening from public roads, and adjoining property of industrial buildings and structures, storage areas, waste disposal areas and parking and loading areas. Additionally, the Authority may require reasonable provisions for integration of the development into its surroundings.

Commercial zones

12. (1) Commercial development including banks, businesses, restaurants, shops, offices, supermarkets and gas stations are permissible in a commercial zone and, subject to the Law or these regulations, in other areas if in such other areas it is related to the needs of the community and not detrimental to the surrounding area:

Provided-

- (a) the maximum density, minimum lot size and setbacks are at the discretion of the Authority; and
  - (b) site coverage may not exceed seventy-per cent of the lot save that up to ninety per cent may be permitted in town areas.
- (2) (a) Banking facilities related primarily to international trade should be located within commercial zones and such facilities related to the needs of a particular community should be located within or immediately adjacent to that community and, if a commercial zone is designated on the map for that community, the new banking facilities will normally be located within that zone;
- (b) office accommodation should normally be located within a commercial zone except where it is ancillary to, and or necessary



for, the servicing of some other form of development in which case it may be located adjacent to such development.

- (c) larger shops and supermarkets intended to serve a wider area than their immediate neighbourhood should be located in a commercial zone; and
- (d) shops which are required to serve the daily needs of a community should be located within or immediately adjacent to that community; and,

where a commercial zone is designated on the map adjacent to that community the new shopping facilities will normally be located within that zone.

(3) Other uses are permissible so long as the primary commercial use of the zone is maintained.

13. (1) Subject to the Law and these Regulations, religious institutions, social and educational development including recreational facilities and public and civic buildings are permissible in any zone where they meet the needs of the community.

Religious, social and  
educational development

(2) The maximum density and minimum lot size are at the discretion of the Authority except in residential zones where the requirements relating to setbacks and site coverage for high density areas shall apply.

(3) Front setbacks from the road reserves are 25 feet minimum. Subject to sub-regulation (2), other setbacks will be decided in relation to the amenities of adjoining owners with particular regard to disturbance by noise.

14. (1) The beach resort/residential zone is a transition zone between the hotels/tourism zone and the low density residential zone. Development within this zone will generally be permitted if it has the appearance of residential development in scale and massing.

Beach resort/residential  
zone

(2) The following development is permitted in the beach resort/residential zone-

- (a) detached and semi-detached houses;
  - (b) duplexes;
  - (c) beach resorts; and
  - (d) in locations considered by the Authority to be suitable, guest houses, apartments, cottage colonies and tourist related development.
- (3) (a) The maximum density for houses or duplexes is four detached or semi-detached houses, or four three-bedroom duplexes per acre.

- (b) The maximum density for guest houses is thirty bedrooms per acre.
  - (c) The maximum density for apartments is twenty per acre with a maximum of thirty bedrooms.
  - (d) The maximum density for beach resorts is thirty bedrooms per acre.
  - (e) The maximum number of cottages is eight per acre.
- (4) All development shall meet the following minimum requirements prior to approval by the Authority-
- (a) Lot sizes-
    - (i)The minimum lot size for detached and semi-detached houses is 10,000 sq. ft. and 8,000 sq. ft. respectively;
    - (ii)The minimum lot size for duplexes is 10,000 sq. ft.;
    - (iii)The minimum lot size for apartments, cottage colonies, beach resorts, guest houses or tourist-related development is one half of an acre.
  - (b) Setbacks-
    - (i)Setbacks shall be at least seventy-five feet from the low water mark to any building or structure other than ancillary structures, except that the Authority may determine a setback to be no less than fifty feet from high water mark having regard to-
      - (A)the elevation of the property and its environs;
      - (B)the geology of the property;
      - (C)the storm/beach ridge;
      - (D)the existence of a protective reef adjacent to the proposed development;
      - (E)the location of adjacent development; and
      - (F)any other material consideration which the Authority considers will affect the proposal.
    - (ii)Side setbacks shall be fifty per cent of the height of the buildings as measured at the eaves adjacent to the setback, with a minimum of fifteen feet;
    - (iii)Rear setbacks shall be twenty feet minimum from the road edge or lot boundary as the case may be, except for buildings over one storey for which the rear setbacks shall be twenty-five feet minimum; and
    - (iv)Setbacks to ancillary structures may be determined by the Authority at its discretion.
- (5) Where an application for planning permission is made for development in a beach resort/residential zone the Authority shall ensure that the development will provide-

- (a) a high standard of accommodation, amenity and open space; and
- (b) outdoor facilities, including swimming pools, gardens and sun decks/patios/terraces with a substantial amount of landscaping, and incorporate sufficient screening to provide privacy from adjacent properties.

(6) Where planning permission is granted for a development in a beach resort/residential zone which has a frontage of two hundred feet or more, the Authority shall ensure that a public right of way to the sea is set aside and dedicated; such a right of way shall be a minimum of six feet wide for every two hundred feet of frontage or part thereof, and may be within an area set aside for setbacks.

15. The primary use of a public open space zone shall be for preservation of the natural environment of the land and the Authority shall have regard to visual and ecological amenities of such zones. Public open space zone

16. In the storm belt zone, the Authority shall provide that- Storm belt zone

- (a) red and predominantly red mangroves in the area defined on the map as storm belt are protected from development except in exceptional circumstances;
- (b) development shall only be permitted in exceptional circumstances and only if storm protection is provided by other means which is equivalent to the storm protection of the land and vegetation which existed prior to development and it can be demonstrated to the satisfaction of the Authority that the ecological role of the peripheral mangrove will not be substantially adversely affected by such proposal development; and
- (c) development on lands immediately to the rear of the storm belt shall be permitted to have an access to the North Sound through the protected belt equal to five per cent in width of the land owned by the owner where it adjoins the sea with a minimum of fifty feet, and dredging of the access shall be carefully controlled so as to minimise its effect on the ecology of the North Sound.

17. (1) In relation to any land above the water lenses marked on the map- Land above water lenses

- (a) residential and agricultural development will in general be permitted over a water lens; and
- (b) industrial development will be permitted over a water lens only if-
  - (i) the development is a small industrial land use;
  - (ii) it requires a supply of water readily available; and
  - (iii) it can be demonstrated that this facility cannot be provided elsewhere on the Islands.

(2) Strict conditions shall be imposed to ensure that the water in the lens shall not be contaminated by the development or by the effluent therefrom and that the quantity of water used will not deplete the lens to the disadvantage of existing users.

Scenic shoreline

18. It is the duty of the Authority to ensure that the open character of scenic shoreline land is preserved, in particular that of the beaches, and also to safeguard the public's right to use the beaches and to gain access to them through public rights of way.

Agricultural/residential

19. (1) One house per acre may be built on agricultural/residential land:

Provided that if the Authority is satisfied that any such land is situated in an area designated by the Governor by Order to be land not situated over a water lens and not particularly suited to agriculture it may permit not more than three houses to be built on an acre of such land.

(2) Buildings in agricultural/residential areas shall comply with the requirements for low density residential areas only in respect of parking, lot width, site coverage and setbacks.

Authority may permit building on lot below minimum size

20. Where circumstances so justify, the Authority may permit building of dwelling units on a lot the size of which is below the prescribed minimum and must so permit if the lot existed as a separate lot on the 28th day of August, 1977.

Application for subdivisions

21. (1) Applications for subdivisions shall be made on the form provided stating the registration section, block and parcel number of the land and must be signed by the proprietor or his agent.

(2) In subdivisions of six lots or less, three prints of the proposals shall be submitted and such prints may be copies of the registry index map.

(3) In subdivisions of over six lots, six prints shall be submitted, the original being signed by the proprietor or his agent and the person who prepared it.

(4) Proposed subdivisions are to be drawn to one of the following scales- 1:625; 1:1,250; 1 :2,500.

(5) The plans shall show -

- (a) the location of site (shown as an inset with the site bordered red together with the block and parcel numbers of adjoining lots);
- (b) the road layout including road widths and access;

- (c) the approximate lot sizes;
  - (d) land use within the subdivision, including land for public purposes; and
  - (e) existing topographical detail (the Authority may require a separate topographical map).
- (6) Applications shall be accompanied by a statement as to -
- (a) water supply and sewage disposal;
  - (b) road specifications;
  - (c) power and light to be available; and
  - (d) drainage.

22. Planning applications involving the provision of new public roads or the extension of existing private roads on frontage development or an existing road shall comply with the following conditions-

Road requirements

- (a) truncations shall be provided at all road intersections and junctions, the minimum truncation length measured from the lot corner along the respective boundaries being ten feet;
- (b) cul-de-sacs (roads without through access) may not normally extend further than eight hundred feet, but if “finger” development associated with it on both sides makes it impractical to comply with that restriction, an adequate turning circle for road vehicles shall be provided at the end;
- (c) proposed roads shall intersect one another at an angle of not less than 70 degrees;
- (d) service roads for rear access to commercial and industrial development shall be provided;
- (e) the points of access onto a throughway from a subdivision shall be kept to the minimum practicable and not less than 1/4 mile apart, unless the Authority otherwise permits;
- (f) minimum road reserves shall be thirty feet with a maximum reserve of fifty feet or as laid down by the Roads Law (Revised);
- (g) the Authority may require provision for the continuation of principal roads to adjoining subdivisions or their proper projections when adjoining property is not subdivided and also continuation of such minor roads as may be necessary for extensions of utilities and access to adjoining properties; and
- (h) roads shall be constructed to the standard specified by the Authority.

1989 Revision

23. (1) Buildings for human habitation shall be provided with potable drinking water as well as water for domestic purposes and if such potable water is from a

Water requirements

well it shall, if so required by the Chief Medical Officer, be rendered free from bacteria.

(2) The developer shall indicate the manner in which a water supply of not less than fifty gallons per person per day will be provided.

(3) The developer of any subdivision shall provide space and design for a complete water reticulation system, whether or not an approved supply is immediately available for connection.

(4) No approval shall be given to any water supply unless the Authority has firstly ascertained the location of all septic tanks in lots adjoining the lot on which the water supply is to be situated, and determined that the water supply is, having regard to the location of such tanks, satisfactorily sited.

Sewerage requirements

24. (1) The developer of a subdivision shall submit a proposal for a satisfactory sewerage system:

Provided that in small subdivisions, individual septic tanks are acceptable.

(2) Buildings intended for human habitation shall be provided with water borne sanitation draining to a septic tank of accepted design approved by the Chief Medical Officer except in areas designated by the Chief Medical Officer as having comprehensive sewerage systems. The effluent from a septic tank shall drain through a cased drainage and be discharged at such distance from any water supply as the Authority shall determine to be satisfactory after inspection of the lot on which such discharge is to take place and the lots adjoining such lot, and septic tanks shall be so located that the house drainage may eventually be connected to a main sewer and shall comply with setbacks.

Land for public purposes

25. According to the size of a subdivision the Authority may require the applicant to set aside land for public purposes including children's playgrounds, sport fields, parks, churches and public rights of way and to reserve without charge adequate lots, not exceeding five per cent of the land being developed for public use.

Flooding  
1976 Revision

26. Reclaimed land for development and public areas must comply with the minimum soil levels and other requirements prescribed from time to time by the Mosquito (Research and Control) Law (Revised).

Provision for schools

27. In subdivisions provision shall be made for-

- (a) one primary school for every 400 families. (The site reserved for a primary school being approximately three acres); and

- (b) one secondary school for every 2,000 families. (The site reserved for a secondary school being approximately seven acres).
28. (1) Suitable landscaping shall be carried out and shade trees planted where practicable. Landscaping
- (2) In reclaimed swamp areas interlocked sections of existing trees shall, where practicable, be left to provide windbreaks until replaced by suitable reafforestation.
29. In hotel and tourist-related zones, the Authority, when granting planning permission in relation to land which has a shoreline of two hundred feet or more in a development other than private single dwelling units, shall require the owner to set aside and dedicate to the public a right of way of not less than six feet in width from the public road to the sea. Such right of way may be within the area set aside for setbacks under these regulations. Public rights of way in hotel and tourist related zones
30. Canals shall not be straight and, at the point of entrance from the sea, so designed as to provide adequate protection from storm surges and, wherever possible, to meander through the area with an inlet to provide circulation of water. Canals
31. Certificates of fitness for occupancy shall be obtained from the Authority before any new buildings are occupied. The Authority may grant special permission for occupation of part of a building prior to completion but, in the case of an owner-occupier who possesses Caymanian Status no special permission for the occupation of part of an uncompleted building is required if such part complies with the approved plans. Final certificate
32. (1) The control of development in Cayman Brac shall be in accordance with Appendix 1 of the Planning Statement for the Cayman Islands 1977. Cayman Brac and Little Cayman
- (2) The control of development in Little Cayman shall be in accordance with Appendix 2 of the Planning Statement for the Cayman Islands 1977.
- (3) Regulations 1 to 31 shall not apply in relation to land in Cayman Brac and Little Cayman. The Board may, by notice published in the Gazette, declare that any or all of regulations 1 to 31 shall apply in relation to land in Cayman Brac and Little Cayman.
33. An application fee is payable to the Authority and must accompany the application for planning permission in accordance with the Schedule. Fees are not refundable, irrespective of the Authority's decision, but additional fees will not be charged for re-submission of amended plans required by the Authority. Fees

Penalties

34. Whoever contravenes any of these regulations is guilty of an offence and liable on summary conviction to a fine of five thousand dollars.



**SCHEDULE**

**APPLICATION FEES FOR PLANNING PERMISSION**

**Part 1-Application for planning permission and development**

<b>Item</b>	<b>Type of development</b>	<b>Fee</b>
1.	Permission to subdivide	A fee calculated at the rate of \$60 in respect of each lot in the proposed subdivision
2.	Construction of or extension to a single family residence, duplex or apartment	A fee calculated at the rate of 15 cents in respect of each square foot of the proposed development
3.	Carrying out of commercial or industrial development (not being hotel, petrol station or agricultural development)	A fee calculated at the rate of 20 cents in respect of each square foot of the proposed development
4.	Carrying out of hotel development	A fee calculated at the rate of 15 cents in respect of each square foot of the proposed development
5.	Carrying out of petrol station development	A fee calculated at the rate of \$1 in respect of each square foot of the proposed development
6.	Carrying out of agricultural development	A fee calculated at the rate of 2 cents in respect of each square foot of the proposed development
7.	Construction of a social club or place of assembly	A fee calculated at the rate of 10 cents in respect of each square foot of the proposed development
8.	Construction of a church	Free
9.	Construction of a swimming	

	pool	\$75
10.	Erection of a sign	\$50
11.	Construction of a fence:	
	Residential	\$100
	Other	\$250
12.	Modification of the shoreline or the construction of dock	\$250
13.	The carrying out of dredging	\$750
14.	Rezoning of land (if not included as part of a development plan review)	\$1,000
15.	Carrying out of an excavation	(a) A fee calculated at the rate of 15 cents in respect of each cubic yard to be excavated; or (b) \$750 plus a fee calculated at the rate of 10 cents in respect of each cubic yard to be excavated, whichever amount is the lesser
16.	Permission for a change of use of land	The fee that would have been payable under this Schedule if the applications were an application for development for the proposed new use

### **Part 2-Application for outline planning permission**

The application fee for outline planning permission for development is fifty per cent of the fee that would be payable under Part 1 in respect of an application for planning permission for the development.

### **Part 3 -Application for planning permission for development made after the development has been started or has been completed**

The application fee for planning permission for development made after the development has been started or has been completed is double the fee that would be payable under Part 1 in respect of an application for planning permission for the development.

Publication in revised and consolidated form authorised by the Governor in Council this 4th day of July, 1995.

Meredith A Hew  
Acting Clerk of Executive Council