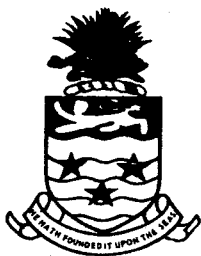


CAYMAN ISLANDS



Supplement No. 4 published with Gazette No. 15 of 1977.

**DRAFT OF PROPOSED
DEVELOPMENT AND PLANNING
REGULATIONS, 1977**

THE DEVELOPMENT AND PLANNING LAW, 1971

(No. 28 of 1971)

THE DEVELOPMENT AND PLANNING REGULATIONS, 1977

In exercise of the powers conferred upon the Governor in Council by subsection (1) of section 36 of the above Law the following Regulations are hereby made.

Citation.

1. These Regulations may be cited as the Development and Planning Regulations, 1977.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“agricultural/residential” means land of which the primary use is agricultural and or residential and on which one house per acre can be built;

“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” means the areas shown on the map and “zones” has 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;

“development plan” has the meaning ascribed to it in the Law.

“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 29 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 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;

“hotel” has the meaning ascribed to it in the Hotels Aid Law;

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

“Law” means the Development and Planning Law, 1971;

“lot” has the meaning ascribed to the word parcel in the Registered Land Law, 1971;

“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;

“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;

“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 these Regulations or by the Law;

“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, a post office, a church and a 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 1974;

“setback” means the minimum horizontal distance between the boundaries of a plot and the front, rear or side lines of a building situated thereon. When two or more plots under one ownership are used, they shall be considered as one plot for the purpose of this calculation;

“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;

“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; and

the definitions set forth in section 2 apply to these Regulations.

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

5. (1) The control of development, including buildings and sub-division of

development.

land, shall be in accordance with these Regulations and the development plan.

(2) Notwithstanding the requirements of sub-regulation (1) the Authority may give permission for development deviating from these Regulations only as provided in the development plan.

(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.

Applications for building.

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 —

- (a) a location plan (at the same scale as Registry Index Map where possible);
- (b) a site lot plan at a convenient natural scale to indicate items in sub-regulation (3);
- (c) floor plans. Scale $\frac{1}{8}$ " = 1 ft or $\frac{1}{4}$ " = 1 ft.; and
- (d) front and rear elevations. Scale $\frac{1}{8}$ " = 1 ft. or $\frac{1}{4}$ " = 1 ft.:

When a 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 sub-division);
- (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) PROVISION FOR PARKING — 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.

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 75 p.c. of the lot except in commercial centres where the building plus car parking area may occupy up to 90p.c. of the lot, the remainder being suitably landscaped.

(2) HEIGHT OF BUILDINGS — The maximum permitted height of buildings is 55 ft to the soffits of the eaves, or five storeys, whichever is the less or in residential zones, two storeys. 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) SETBACKS — 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 3 ft. Setbacks governed by the Roads Law must be in accordance with the requirements thereof and in all other cases the requirements of these Regulations apply.

(4) WATERFRONT PROPERTY —

(a) in George Town — within the area enclosed from a point on the waterfront map reference MM592 330, 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 MM593 330, thence due west to the point of commencement, new buildings or additions to existing buildings will be permitted but shall not at any point be closer than 50 ft. to low water mark;

(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 100 ft. in mean distance measured from low water mark at right angles to the nearest edge of the road. No building shall at any point be closer than 50 feet to low water mark in areas where the coastline is ironshore, or 75 ft in other areas.

(5) GENERAL INFORMATION — 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 local newspaper for two successive weeks in a manner approved of by the Authority. Within three weeks of the final advertisement members of the public may lodge objections with the Authority

stating their grounds.

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

(2) Commercial development and agriculture may be permitted, provided that the applicant has advertised details of his application in at least two consecutive issues of a newspaper circulating in the Cayman Islands 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 in at least four consecutive issues of a newspaper circulating in the Cayman Islands 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 ft of the boundaries of the applicant's land; and

(b) who reside elsewhere in the Cayman Islands and own land within such radius specified in sub-regulation (a) hereof,

have given their approval to the variation.

(4) Notwithstanding the foregoing provisions of these 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 providing —

(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 ft.;

(g) the maximum site coverage for each detached and semi-detached house, duplexes, guest house and apartments is two-fifths of the lot size;

(h) the front and rear setbacks are 20 ft.; and

(i) side setbacks are 10 ft minimum or 15 ft for a two storey unit.

(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 ft.;

(g) the maximum site coverage for detached and semi-detached houses,

- duplexes, guest houses and apartments is one quarter of the lot size;
- (h) the front and rear setbacks are 20 ft. minimum; and
- (i) side setbacks are 10 ft minimum or 15 ft. for a two-storey unit.

(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 15 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 ft.;
- (g) the maximum site coverage for detached and semi-detached houses, duplexes, guest houses and apartments is one quarter of the lot size; and
- (h) the front and rear setbacks are 20 ft. minimum.

(8) Where circumstances so justify, the Authority may permit building on a lot below the prescribed minimum lot size and must so do if the lot existed as a separate lot on a day prior to the coming into operation of these Regulations.

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 65 per acre;
- (b) the maximum number of apartments is 20 per acre with a maximum of 35 bedrooms;
- (c) the minimum lot size for hotels and apartments is half an acre with a minimum lot width of 100 ft.;
- (d) the minimum lot size for residential development within a hotel zone is 12,500 sq. ft and the minimum lot width 100 ft.
- (e) the maximum site coverage for hotels and apartments is two-fifths of the lot size;
- (f) setbacks must be 100 ft from the low water mark for buildings up to two storeys, with an additional 30 ft. setback for each additional storey;
- (g) side setbacks must be half the height of the building with a minimum of 15 ft. ; and
- (h) rear setbacks must be 25 ft. from the road edge or lot boundary as the case may be;

(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.

Industrial development.

10. (1) Industrial development is permissible within industrial zones provided that —

- (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 sub-regulations (2), (3) and (4) of regulation 8 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.

11. (1) Commercial development including banks, businesses, restaurants, shops, offices, supermarkets and gas stations are permissible in commercial zones and subject to any other provision of 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 and minimum lot size and setbacks are at the discretion of the Authority; and
- (b) site coverage may not exceed $\frac{3}{4}$ of the lot save that up to 90 p.c. 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;
- (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.

Religious, social and educational development.

12. (1) Subject to any other provision of 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.

(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 ft. minimum. Subject to sub-regulation (2) of regulation 12 other setbacks will be decided in relation to the amenities of adjoining owners with particular regard to disturbance by noise.

Beach resort/residential.

13. Beach resorts and residences are permitted in the Beach Resort/ Residential Zones provided that they comply with the requirements prescribed for low density residential areas.

Public open space.

14. The primary use of the public open space zones 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.

Storm belt.

15. In the Storm Belt zone, the Authority shall provide that —

- (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 proposed 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 5 p.c. in width of the land owned by the owner where it adjoins the sea with a minimum of 50 ft. and dredging of the access shall be carefully controlled so as to minimize its effect on the ecology of the North Sound.

Land above water lenses.

16. In relation to any land above the water lenses marked on the map —

- (a) residential and agricultural development will in general be permitted over a water lens;

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

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.** 17. 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.** 18. 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.
- Application for sub-divisions.** 19. (1) Applications for sub-divisions are to 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 sub-divisions 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 sub-divisions 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 sub-divisions are to be drawn to one of the following scales — 1:650; 1:1250; 1:2500.
- (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 sub-division, 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.
- Road requirements.** 20. 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 —
- (a) truncations must be provided at all road intersections and junctions, the minimum truncation length measured from the lot corner along the respective boundaries being 10 ft.;
 - (b) cul-de-sacs (roads without through access) may not normally extend further than 800 ft, but if "finger" development associated with canals

- on both sides makes it impractical to comply with that restriction an adequate turning circle for road vehicles must 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 on to a throughway from a sub-division must be kept to the minimum practicable and not less than ¼ mile apart, unless the Authority otherwise permits;
 - (f) minimum road reserves are to be 30 ft. with a maximum reserve of 50 ft. or as laid down by the Roads Law;
 - (g) the Authority may require provision for the continuation of principal roads to adjoining sub-divisions or their proper projections when adjoining property is not sub-divided and also continuation of such minor roads as may be necessary for extensions of utilities and access to adjoining properties; and
 - (h) roads must be constructed to the standard specified by the Authority.

Water requirements.

21. (1) Buildings for human habitation must be provided with potable drinking water as well as water for domestic purposes and if such potable water is from a well it shall, if so required by the Chief Medical Officer, be rendered free from bacteria.

(2) The developer must indicate the manner in which a water supply of not less than 50 gallons per person per day will be provided.

(3) The developer of any sub-division is required to 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.

22. (1) The developer of a sub-division shall submit a proposal for a satisfactory sewerage system.

In small sub-divisions, 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 must 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 must be so located that the house drainage may eventually be connected to a main sewer and shall comply with setbacks.

Land for public purposes.

23. According to the size of a sub-division 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 5 p.c. of the land being developed, for public use.

Flooding.

24. 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)

Provisions for

25. In sub-divisions provisions shall be made for —

- schools.** (a) one primary school for every 400 families. (The site reserved for a primary school being approximately 3 acres); and
(b) one secondary school for every 2,000 families. (The site reserved for a secondary school being approximately 7 acres).
- Landscaping.** 26. (1) Suitable landscaping must be carried out and shade trees planted where practicable.
(2) In reclaimed swamp areas interlocked sections of existing trees shall, where practicable, be left to provide windbreaks until replaced by suitable reforestation.
- Public rights of way in hotel and tourist-related zones.** 27. In hotel and tourist-related zones, the Authority when granting planning permission in relation to land which has a shoreline of 200 ft 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 ft in width from the public road to the sea. Such rights of way may be within the area set aside for setbacks under these regulations.
- Canals.** 28. 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.
- Final certificate.** 29. 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.
- The Lesser Islands.** 30. (1) The control of development in Cayman Brac shall be in accordance with Appendix 1 of the Planning Statement for the Cayman Islands 1977.
(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 29 shall not apply in relation to land in the Lesser Islands. The Board may by notice published in the Gazette declare that any or all of regulations 1 to 29 shall apply in relation to land in the Lesser Islands.
- Fees.** 31. 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.
- Penalties.** 32. Whoever contravenes any of these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding \$1000.00.
- Planning Regs. 1972 revoked.** 33. The Development and Planning Regulations 1972 are hereby revoked.

THE SCHEDULE

Sub-division of six or less lots	Nil
Sub-division of (over 6 plots) per lot	\$30
Residential up to 1000 sq. ft (per dwelling)	\$15
Residential over 1000 sq.ft. to 1500 sq.ft. (per dwelling)	\$50

Residential over 1500 sq.ft. (per dwelling)	\$100
Hotel: for each guest bedroom	\$40
Apartment Block (per apartment)	\$60
Commercial Building per 100 sq. ft.	\$7.50
Industrial Building (warehouse or workshop) (per 100 sq. ft)	\$5
Petrol Filling Station	\$150
Social club, cinema or place of assembly other than a church (per 100 sq. ft.)	\$5
Agricultural building (per 100 sq. ft)	\$1
Other building or structure (per 100 sq. ft)	\$5
Trade and Business Site Signs (if approval granted and not included in original plan)	\$15
Change of use of part or all of a building	\$15
Outline Planning Permission	
a) Single family or duplex unit	\$15
b) All other applications:	
(i) up to a value of \$50,000.	\$15
(i) for every \$50,000 — over the first \$50,000 — an extra	\$50
(iii) maximum	\$1000

Made in Council this _____ day of _____ 1977.

Clerk of the Executive Council

Approved by the Legislative Assembly this _____ day
of _____ 1977 in compliance with subsection (3) of section 36.

Clerk of the Legislative Assembly.

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