

Response to Draft Planning Statement

Submitted by Sustainable Cayman

August 2024



Index

Foreword

1 Introduction	4
• 1.1 Request for a Strategic Environmental Assessment	
• 1.2 Request for Comprehensive Population Analysis	
2 Concerns and Recommendations	5
<i>Points Mentioned in the DPS</i>	5
• 2.1 Increased Development in Unprotected Areas	
• 2.2 Increasing Building Heights and Footprints	
• 2.3 Restrictive Zoning	
<i>Points Not Mentioned in the DPS</i>	8
• 2.4 Legal Binding Nature of the Planning Statement	
• 2.5 Healthy Carrying Capacity	
• 2.6 Sister Islands	
• 2.7 Economic Growth Over Population Needs	
• 2.8 Specific Protections for 'Protected Areas'	
• 2.9 Hierarchy of Policy	
• 2.10 Central Mangrove Wetlands (CMW)	
<i>General Recommendations</i>	12
3 Policies and Legal Pathways	13
• 3.1 National Policies	
• 3.2 International Agreements	
4 Specific Recommendations	14
• 4.1 Enhanced Public Involvement	
• 4.2 Carrying Capacity Studies	
• 4.3 Affordable Housing Initiatives	
• 4.4 Sustainable Development Incentives	
• 4.5 Sustainable Design Standards	
5 Concluding Thoughts	17



Foreword

Reflecting on the wisdom of Dr. Seuss, 'When the last tree is cut down, the last fish eaten, and the last stream poisoned, you will realize that you cannot eat money,' it becomes clear that the time to maintain the balance between development and environmental stewardship is running short. The Cayman Islands' rapid growth, driven by outdated and piecemeal regulations, has led to a precarious balance between development, environmental health, and resilient infrastructure. Unchecked population growth now threatens the island's natural capacities, affecting both human and ecological well-being.

While we recognize that growth is necessary, understanding what that will look like in 10, 20 or 50 years, particularly in the context of climate change, is crucial. The draft Development Plan and Statement seems more inclined toward maximizing growth rather than judicious land use, failing to tip the balance towards a sustainable future. To truly meet societal needs and ensure a resilient and adaptive future for the Cayman Islands, a more integrated approach is essential. This means creating more open channels for public participation, enacting policies that address both societal and environmental needs, and committing to restoring natural landscapes. Only then can we secure a future where both people and nature thrive.

1 Introduction

As Cayman surges into the future, a clear, concise, and uncompromising plan for sustainable development is necessary, and we can see the beginnings of this in the Draft Planning Statement released in March. As a binding piece of legislation, it is paramount that the contents of the statement are comprehensive, precise, and unassailable. Any grey area leaves room for exploitation.

This response to the 2024 Draft Planning Statement (DPS) has been crafted by the *Sustainable Cayman* team. Consisting of designers, engineers, consultants, and activists, we are dedicated to ensuring the sustainable development and environmental stewardship of the Cayman Islands. As we review the DPS, our goal is to provide constructive feedback that aligns with the principles of sustainability, resilience, and community well-being which we believe are the building-blocks of Cayman's future. Our feedback is organized into three sections: firstly, an analysis of specific concerns relating to the DPS; secondly, an analysis of policy integration and the legal framework required for implementation; and thirdly, specific feedback concerning points laid out in the draft planning statement. Our recommendations are aimed at enhancing the planning framework to create a cohesive, integrated approach that supports balanced growth while protecting our natural and cultural heritage.

1.1 Request for a Strategic Environmental Assessment

Before diving into our response, we request the final revision of the Planning Statement must undergo a Strategic Environmental Assessment by an independent third party. This detailed screening would allow for the planning department to truly understand the long-term impact of their intended policies before implementation. This step would provide us with the opportunity to create truly lasting and sustainable development plans, and to get it right the first time.

1.2 Request for Comprehensive Population Analysis

PlanCayman relies on ESO population figures (1990-2022), predicting 500,000 residents in 26 years with 2-4% growth, while the cargo port OBC forecasts 250,000 residents by 2084. Both projections lack independent, data-driven analysis and consider only the highest growth scenarios. Population growth in the Cayman Islands is mainly influenced by government policy, not birth rates, which are currently at 1.1. With Caymanians now a minority (46.5% vs. 53.5%), sustainable growth management is crucial to maintain a balanced population ratio.

A thorough, independent population analysis is crucial for sustainable growth planning in the Cayman Islands, allowing for strategic development decisions based on comprehensive data. Aligning the Planning Statement with an independent Carrying Capacity Report, considering various population scenarios, will ensure coordinated, sustainable development for the island. This comprehensive analysis will also enable the Cayman Islands Government and the electorate to make informed decisions on future development, preventing unnecessary costs and environmental degradation.

2 Concerns and Recommendations

Points mentioned in the DPS

As an overarching plan for the Cayman Islands, the Planning Statement must address current and future challenges and opportunities for our development. However, concerns have been raised regarding the potential impact of these plans on green spaces, density, and carrying capacity of the islands. This analysis will address these concerns by comparing the proposed strategies and identifying potential gaps and areas for improvement.

2.1 Increased Development in Unprotected Areas

Concern: Section 3.2 of the DPS, which concerns the proposed ‘*agricultural zone*,’ could inadvertently lead to increased development in unprotected natural areas, harming habitats and ecosystems. Currently, there is too much ambiguity relating to where zones will be located and exactly what type of development will be permitted in them.

Analysis: Although the DPS acknowledges the need for balanced development and the protection of natural resources, detailed zoning maps and policies are lacking. They must clearly designate substantial areas for conservation to mitigate this concern. Introducing specific Green Space zones and stricter regulations on development in ecologically sensitive areas could help address this issue. Although section 3.8 states that “*the Authority shall preserve land for public enjoyment, and protect them from non-recreational development*,” there is little mention of what land should be preserved, how it will be preserved, and what exactly is meant by ‘*non-recreational development*.’ This policy must be clarified before implementation.

Action

- Clearly define and protect green space zones within the zoning maps to ensure that significant natural areas are preserved.
- Introduce policies that mandate the inclusion of green spaces within new developments.

2.2 Increasing Building Heights and Footprints

Concern: Section 3.4, which relates to various commercial zones, fails to consider the push from developers to increase building heights, which may conflict with the character of the islands and the objective needs of the local population. Furthermore, there is a lack of clarity on building footprint, something which developers could seek to exploit, reducing availability for public recreation space.

Analysis: The planning policies should include clear guidelines on building heights and footprints, especially in residential and tourism zones, to maintain the aesthetic and cultural integrity of the islands. A tiered approach to building heights that considers proximity to the coastline, landmarks & heritage sites, population density, and infrastructure capacity, while restrictions on building footprint size and mandatory public parks and green space within all new projects could help manage this issue effectively. Specifically, areas around the airport approach from the west and the adjacent south coast areas across the South Sound wetland basin, need to be properly evaluated following aircraft weather go arounds due to heavy rainstorms. Explicit policies mandating minimum green space percentages for residential, commercial, and mixed-use developments could ensure a healthier balance between built environments and natural areas. It should be noted that we are not advocating against density, only that large buildings must be considered within their wider context and benefit the population at large.

Actions:

- Enforce strict guidelines on building heights and development densities, especially in ecologically sensitive and coastal areas.
- Require developers to allocate a minimum percentage of land to native green spaces and public amenities.

2.3 Restrictive Zoning

Concern: Although the zones mentioned in section 3 are beneficial for defining development, they could also heavily restrict it. With land becoming increasingly scarce, focusing on zones that encourage the development of single-family homes could exacerbate the housing crisis already in effect in Cayman.

Analysis: Implementing a sustainable land management framework that includes land banking for future public use, stricter land use regulations, and incentives for sustainable development practices can help mitigate this concern. The Planning Statement should also explore vertical growth options that do not compromise green spaces or the island's carrying capacity.

Action:

- Develop strategies to ensure affordable housing and access to essential services for all population segments.



Points not mentioned in the DPS

2.4 No mention that the Planning Statement is a legally binding document

Concern: At no point does the DPS mention that it is a legally binding document and the primary statutory development plan.

Analysis: Without mention of the primacy of the planning policies laid out in the Planning Statement, there is too much room for those who wish to work around the laws.

Actions

- Set out in definitive language in the introduction of the Planning Statement that this is the primary planning framework of the Cayman Islands and the statutes laid out are binding.

2.5 Consideration of Healthy Carrying Capacity

Concern: The current plan does not adequately consider the healthy carrying capacity of the islands, which is crucial for long-term sustainability.

Analysis: The planning statement should include an expert independent assessment of the carrying capacity of the islands, considering factors such as population density, resource availability, and environmental impact. This assessment should inform zoning decisions, infrastructure development, and population management strategies to ensure sustainable growth.

Actions

- Conduct an independent comprehensive assessment of the islands' carrying capacity and incorporate the findings into the planning policies.
- Use the carrying capacity assessment to guide zoning decisions and infrastructure planning.

2.6 Sister Islands

Concern: As it stands, the DPS fails to go into detail of specific plans for Cayman Brac and Little Cayman. Although the islands are often lumped together, the distinct and specific nature of these two islands is currently being disregarded, with the policies laid out in the DPS seemingly focusing on the more urbanized Grand Cayman.

Analysis: The planning statement must consider the unique nature of Cayman Brac and Little Cayman. They are unique islands with specific needs that do not necessarily relate to Grand Cayman. Although there are certain policies that can be applied equally across the three islands, there are others that will be island specific. For example, policies that consider natural resources, coastlines, transport, and tourism will all be highly site specific.

Actions:

- Draft a planning statement for Cayman Brac and Little Cayman that considers the specific intricacies of life on those islands.

2.7 Focus on Economic Growth Over Population Needs

Concern: The plan appears to prioritize economic growth, potentially overlooking the needs of the broader population, particularly those not in the high-net-worth segment.

Analysis: The DPS should emphasize inclusive growth by incorporating policies that ensure affordable housing, access to public services, and community facilities. Strategies to promote diverse economic opportunities beyond luxury tourism and finance sectors would benefit the wider population and create a more balanced development approach.

Actions:

- Diversify economic opportunities to reduce reliance on high-net-worth tourism and finance sectors.

2.8 Lack of specifically expressed protections

Concern: There are little to no specific expressions of protections and safeguarding measures that will be given to '*protected areas*.'

Analysis: without a definitive list of safeguarding measures, there is little reason to have protected zones. As the future primary source of regulation, the Planning Statement must include specific references to the rights given over to areas that obtain '*protected*' status.

Actions:

- The Planning Statement must provide a definitive list of protections afforded to zones designated as such. These could include: the right to place a moratorium on development; the right to restrict access in sensitive areas; the right to restrict development in overdeveloped areas.

2.9 Hierarchy of policy

Concern: Currently there is no hierarchy of the policies laid out in the DPS. This is particularly concerning where plans conflict.

Analysis: Many of the policies laid out in section 5, particularly the Natural Resources Policy (5.7) could actively conflict with previous sections of the Planning Statement. Without a clear hierarchy of policy, these gaps can be exploited, leading to lengthy legal battles and long-term development issues.

Actions:

- There must be a clear hierarchy of policy defined at the beginning of the Planning Statement. For example, the policies in Section 5 are overarching plans that should trump those reviewed in previous sections.
- There also must be a clear hierarchy within the sections themselves and where points within each individual section may conflict.

2.10 Central Mangrove Wetlands (CMW)

Concern: The proposed extension of the East-West Arterial (EWA) road poses a significant threat to the CMW, potentially leading to the clearing of at least 174 acres of wetland. Historically, road construction in the Cayman Islands has led to sprawling, unconstrained development, further endangering natural habitats. The lack of focus on preserving the CMW in the current planning statement is particularly concerning, given its crucial role in local biodiversity, climate regulation, and supporting the economy through fisheries and agriculture.

Analysis: The CMW covers approximately 30% of the Grand Cayman's land mass and is the largest intact area of mangrove wetlands in the Caribbean. This ecosystem provides essential services, such as carbon sequestration, rainfall regulation, and habitat for resident and migratory bird species, and supports local fisheries. The CMW has previously qualified as a Ramsar site, as well as an Important Bird Area (IBA) and meets the requirements to become a UNESCO World Heritage Site, underscoring its global ecological significance. Despite this, the draft 2024 Planning Statement does not mention the protection and conservation of this vital area. There are existing laws that allow land to be protected, and we would argue that a far larger part of the CMW should be protected. The CMW should be considered as critical infrastructure and a national asset for the island of Grand Cayman, such as the Brac Bluff is for Cayman Brac, to ensure its protection and sustainable management.

Actions:

- Designate the entire CMW as a protected area for land and wildlife under the National Conservation Law (NCL) as stipulated in sections 3 and 4, respectively.
- Allocate the designated CMW as '*public open space*' under the fa
- Refer to this process specifically in section 3 of the Planning Statement, creating a new section called *Protected Zones*. This creates a structure which can be replicated to protect other ecologically important areas across the islands and fortified by an ironclad legal framework.
- Implement strict development restrictions in and around the CMW to prevent habitat destruction.
- Mandate comprehensive environmental impact assessments (EIAs) for any proposed projects that may affect the natural functioning of the wetland. It must also be stipulated that these assessments must be done by independent and unbiased third parties.
- Promote restoration initiatives to enhance the ecological health and resilience of the CMW.
- Raise public awareness about the ecological and economic benefits of the CMW, emphasizing its role in climate regulation and supporting local fisheries.
- Engage local communities, stakeholders, and environmental groups in conservation efforts and decision-making processes.
- Integrate policies that align with international environmental agreements, such as the Ramsar Convention, to ensure the CMW's protection aligns with global best practices.

General Recommendations

To address the concerns above effectively, the following recommendations should be incorporated into the 2024 Draft Planning Statement

Enhanced Public Involvement: While the statement outlines comprehensive zoning policies, it should also emphasize continuous public engagement and transparency throughout the planning and implementation process. This will help address community concerns and ensure that development plans are aligned with public interests.

Carrying Capacity Studies: Include a mandate for regular carrying capacity assessments to inform zoning decisions. These studies should consider factors such as population density, resource availability, and environmental impact.

Affordable Housing Initiatives: Develop and implement policies that promote affordable housing options for all segments of the population. This will help ensure that the benefits of development are equitably distributed. New homes could be funded through the profits of specific taxes, such as those levied on hotel rooms, so that as the tourism

industry grows, so do the funds available for subsidised housing.

Sustainable Development Incentives: Provide incentives for developers to adopt sustainable practices, such as green building certifications, energy-efficient designs, and the use of renewable energy sources. An example of this was the Green Homes Grant in the UK which provided homeowners and landlords with up to £10,000 to make upgrades to their homes that would make them more sustainable.

Sustainable Design Standards: Adopting aspects of international certifications such as BREEAM, WELL, LEED, and Passivhaus into our standard building codes would force developers to build more environmentally consciously. Furthermore, specific standards relating to Cayman and our needs could be developed out of these international standards.

3.0 Policies and Legal Pathways

To achieve a cohesive and integrated planning framework, the 2024 Draft Planning Statement must consider and incorporate policies, laws, and international agreements. Without this step, the Planning Statement risks creating conflicting directives that could undermine efforts to address climate change, promote renewable energy, conserve

biodiversity, enhance tourism, ensure road safety, secure food and nutrition, and provide affordable housing. This lack of alignment may result in inefficiencies, legal challenges, and missed opportunities for synergistic policy implementation.

These include, but are not limited to, the following:

3.1 National Policies

- **National Energy Policy:** Align planning policies with the National Energy Policy to promote energy efficiency, renewable energy, and sustainable development practices.
- **Climate Change Policy:** Integrate climate resilience measures into the planning framework to mitigate and adapt to the impacts of climate change.
- **National Conservation Act:** Ensure that the planning statement is consistent with the provisions of the National Conservation Act, protecting critical habitats and species. This law is particularly important when considering the future of the CMW as mentioned in the previous section.
- **National Development Plan:** Align the planning statement with the broader goals and objectives of the National Development Plan to ensure a coordinated approach to growth and development.

- **Cayman Biodiversity Strategy and Blue Iguana Recovery Plan:** Ensure that land-use planning and development decisions support the conservation of biodiversity, the protection of critical habitats, and the specific goals to protect and restore the habitat of endangered species such as the blue iguana, the ghost orchid and numerous other unique species.

3.2 International Agreements

- **Ramsar Convention:** Recognize the Central Mangrove Wetland and other critical wetland and seagrass habitats as Ramsar sites to ensure their protection and sustainable management.
- **Convention on Biological Diversity:** Implement policies that support biodiversity conservation and sustainable use of natural resources.
- **Paris Agreement:** Incorporate measures to reduce greenhouse gas emissions and enhance climate resilience in line with the Paris Agreement commitments.

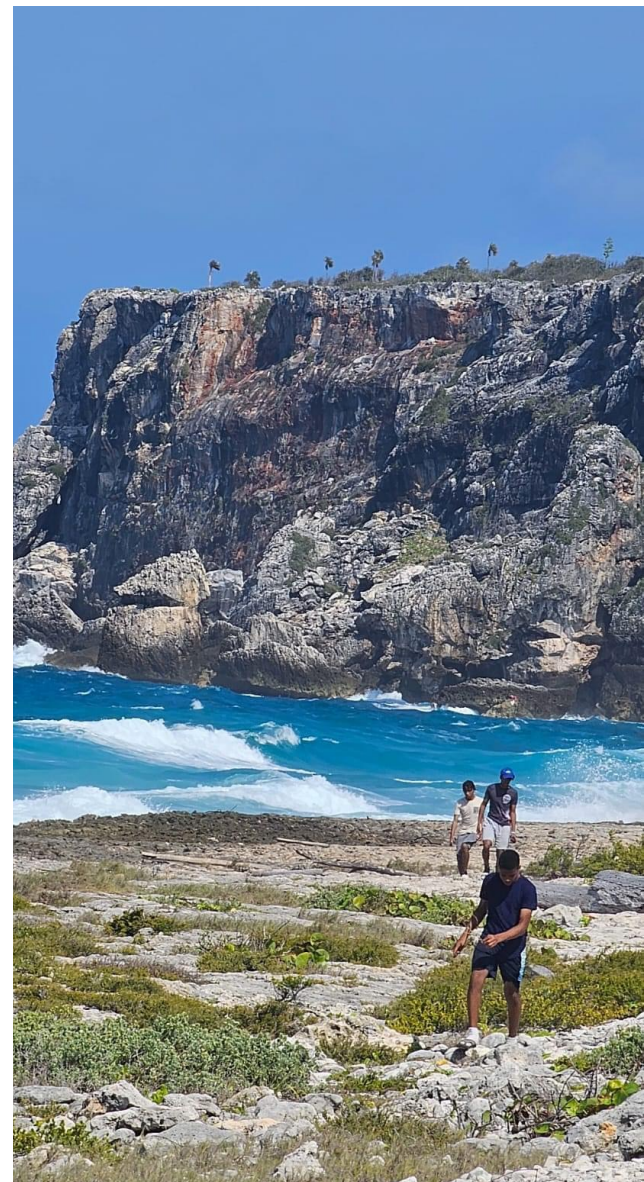
Action:

- Review and revise the 2024 Draft Planning Statement to ensure alignment with these policies and legal instruments.
- Include cross-references to relevant policies and laws throughout the document to highlight their importance and guide implementation.
- Establish a monitoring and evaluation framework to track progress and ensure compliance with the integrated policies and legal instruments.
- Encourage urban and rural planning practices that support biodiversity.

4.0 Specific Recommendations

While it's not mandatory to explicitly mention climate change in the statement, given its significant impact on the Cayman Islands and many other regions, it is advisable to include it. Incorporating climate change into the vision statement demonstrates a forward-looking approach and a commitment to addressing one of the most pressing challenges of our time.

The National Planning Framework for Scotland is a recent example of a comprehensive and urgent approach to addressing the climate emergency and biodiversity crisis, emphasizing the need for resilient, restorative communities in line with globally accepted standards. It sets out a clear vision for net-zero, nature-positive places designed to reduce emissions and adapt to climate change impacts while protecting and restoring the environment.



It is our opinion that:

- ➔ The Cayman Islands' planning statement should evoke a sense of urgency and commitment to addressing climate change and biodiversity loss.
- ➔ Highlight the specific vulnerabilities of the Cayman Islands to climate change impacts, such as sea-level rise, extreme weather events, and coastal erosion.
- ➔ The introduction should be expanded to highlight the unique challenges and opportunities faced by British Overseas Territories (BOTs) in terms of urban development and environmental conservation. For example, you can discuss how BOTs often grapple with limited land resources and vulnerability to climate change impacts due to their geographical locations.
- ➔ Emphasize the importance of sustainable development in enhancing resilience to climate change and other environmental threats while ensuring economic prosperity and social well-being for residents. Provide examples of how other OTs have successfully implemented sustainable development initiatives.
- ➔ Explicitly state the relevance of the planning statement in addressing challenges faced by BOTs due to urbanization and environmental vulnerabilities.
- ➔ Emphasize the importance of indicators in guiding planning decisions towards increased urban sustainability within the islands.

1. Vision Statement (section 1.5)

Recommendation: Revise the Vision Statement to emphasize sustainability, resilience, and inclusivity. The vision should reflect the long-term goal of creating a balanced, prosperous, and environmentally responsible community. With that in mind, the vision statement could read as the following:

"Enrich the quality of life in the Cayman Islands through holistic development that harmonizes economic prosperity, social well-being, and environmental stewardship, while cherishing the cultural heritage, safeguarding health, and nurturing the general welfare of its people, in resilient response to the impacts of climate change".

2. Policy Statements

Recommendation: Strengthen the policy statements to reflect a stronger commitment to sustainability and resilience. Include specific references to climate change mitigation and adaptation, biodiversity conservation, and inclusive growth.

3. Infrastructure and Transportation (Sections 2.9 & 2.10)

Recommendations:

- Promote the development of sustainable infrastructure and transportation systems, including public transit, cycling, and pedestrian pathways.
- Integrate green infrastructure solutions, such as permeable pavements, green roofs, and rainwater harvesting systems, to enhance resilience and reduce environmental impact.

4. Zoning and Land Use (Section 3)

Recommendations:

- Introduce clear guidelines and criteria for zoning and land use decisions, emphasizing the protection of green spaces, critical habitats, and cultural heritage sites.
- Include provisions for mixed-use developments that promote walkability, reduce reliance on private vehicles, and enhance community interaction.
- Ensure that zoning policies support diverse economic opportunities and affordable housing options.

5. Community Engagement

Recommendations:

- Foster continuous community engagement throughout the planning and implementation process.
- Establish mechanisms for regular public consultations, feedback sessions, and participatory planning workshops to ensure that community voices are heard and considered.

6. Monitoring and Evaluation

Recommendations:

- Develop a robust monitoring and evaluation framework to track the implementation of the planning statement and assess its impact.
- Include specific indicators and targets for sustainability, resilience, and inclusivity to guide and measure progress.

5 Concluding Thoughts

In conclusion, the Sustainable Cayman team appreciates the opportunity to provide feedback on the 2024 Draft Planning Statement. We believe that our recommendations will help create a more sustainable, resilient, and inclusive future for the Cayman Islands. By addressing the concerns and integrating relevant policies, we can ensure that development is balanced, environmentally responsible, and beneficial to all residents.

Thank you for considering our feedback.



Sustainable Cayman



www.sustainablecayman.org



info@sustainablecayman.com

Contributors:

Matthew Feitelberg, Melanie Carmichael, Rickeem Lashley, Al Ebanks, Dejea Lyons

References:

<https://sustainablecayman.org/press-news-1/f/mundane-environmentalism>

<https://www.caymancompass.com/2024/06/03/developer-carries-out-unauthorised-land-clearing-by-proposed-road-extension/>

<https://kpmg.com/ky/en/home/insights/2024/05/protecting-paradise.html>