

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: March 5, 2013  
SUBJECT: Day Camps

### Introduction

The Town Council has referred to the Planning Board a request to amend the Zoning Ordinance to allow summer day camps. Last summer, the code enforcement officer determined that a temporary summer camp was not a permitted use.

### Current Ordinance Provisions

The Zoning Ordinance provides for two types of day care establishments:

**Home Day Care:** A facility which provides a regular program of care and protection in the operator's residence for up to six (6) children under the age of sixteen (16) or up to two (2) adults for any part of the day.

**Day Care Facility:** A facility which provides a regular program of care and protection during any part of the day for either (i) three (3) or more adults or seven (7) or more children under the age of sixteen (16) in the operator's residence or (ii) any number of children or adults in a building other than the operator's residence.

Sec. 19-8-8, Home Day Care and Day Care Facility Standards, establishes standards for day cares.

The smaller facility, the day care home, is a conditional use. A permit is required from the Code Enforcement Officer. The CEO sends a notice to neighbors and if there are objections, the applicant must appear before the Zoning Board of Appeals to request a conditional use permit.

The Day Care Facility is larger and requires Site Plan Review from the Planning Board.

Both types of facilities must provide a fenced, outdoor play area and a vehicle pick-up and drop-off area.

### Community Custom and Practice

In speaking with members of the community, it has been common practice during the summer for older teenagers and adults to run neighborhood summer camps. The *general* parameter of these camps are as follows:

1. Limited duration. The camps run for up to 4 weeks each summer.
2. Part-time. The camps do not run all day. One suggested time was 9:00 a.m. to 1:00 p.m., although some campers might stay later as needed.
3. Speciality. The camps have a theme, such as sports camp, theatre camp, etc.
4. Size. Summer camps tend to have no more than 8-10 kids per camp.
5. Generally, the camps are run in a neighborhood where older teens run the camp with limited parental supervision for younger kids in the neighborhood.

#### Ordinance amendment

If the Planning Board would like to allow day camps to continue, an amendment to the Zoning Ordinance could be drafted that adds day camp as a third type of day care.