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**MEMO**

**To:** FILE  
**From:** Planning Staff  
**Subject:** Playgrounds and Play Apparatus in Open Space Zoning District  
**Date:** September 26, 2007

Per Section 20-403 of the Development Code, active recreation uses are not permitted by right but require approval through Special Use Permits in the Open Space District. 'Active recreation' is defined in Section 20-1755(1) of the Development Code as:

*"Areas and facilities, used or designed for active or group sports and recreational activities, including spectator areas associated with such facilities. Such areas include but are not limited to:*

*(i) athletic fields and courts, playgrounds and play apparatus..."*

"Playgrounds' is not defined in the Development Code but is defined in the Merriam-Webster Dictionary as *"a piece of land used for and usually equipped with facilities for recreation especially by children."* Based on the definitions above, play apparatus and playgrounds would require Special Use Permits when located within City parks.

Most City parks contain areas with play apparatus and playgrounds in addition to open space and areas for passive recreation. Section 20-1701 defines an accessory use as *"A use that is clearly incidental to, customarily founding connection with, and (except in the case of off-street parking space) located on the same lot as the principal use to which it is related."* In these instances, the playgrounds and play apparatus are accessory uses to the park and would not require a Special Use Permit.

Playgrounds and play apparatus which are accessory uses to a park or open space in a OS (Open Space) District would not require a Special Use Permit but would be permitted by right. These uses would require site planning rather than a Special Use Permit. Areas which are devoted primarily to playgrounds and play apparatus would require a Special Use Permit.