



## AGENDA ITEM COMMENTARY

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<b>MEETING NAME:</b>	City Council
<b>MEETING DATE:</b>	March 17, 2025
<b>ITEM TITLE:</b>	PUBLIC HEARING: Consider and take appropriate action on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.
<b>STAFF INITIATOR:</b>	Tara Tomlinson, Director of Development Services

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### BACKGROUND:

**This commentary applies to the next two agenda items:**

- 1. Conduct a Public Hearing on an amendment to the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.**
- 2. Consider and take appropriate action on an ordinance that will amend the Wolfforth Code of Ordinances, 14.03.013 Commercial Use Categories, 14.03.008 Use Table, 14.04.024 Game Room, and 14.08.004 Definitions.**

Recently, Lubbock County on December 23, 2024 passed an ordinance to go into effect May 1, 2025 for regulation of game rooms. Game rooms are defined as a for-profit business located in a building or place that contains in any combination, six or more amusement redemption machines or electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes, but does not include a video arcade facility. The purpose of the ordinance is to promote the public health, safety, and welfare by regulating the operation of game rooms, restricting the location of game rooms, and restricting the number of game rooms that may operate in the areas specified, and by regulating business activities which merely serve as a front for criminal activities, including but not limited to gambling, money laundering, and tax evasion.

In looking at the City of Wolfforth's zoning ordinances, game rooms were not specifically identified and regulations were vague. City staff is proposing updating and clarifying its zoning ordinance to help address public safety concerns, create more community-friendly regulations, and introduce preventative measures. The staff recommends the following changes and additions:

- 14.03.008- Use Table- Currently, the table only includes Game Halls, which are defined as a game arcade, bingo, billiard or pool hall. The staff recommends adding a separate section that is categorized as Game Room with the short definition of "any real estate where one of the uses is the playing amusement redemption machines or electronic, electromechanical, or mechanical contrivances".
- 14.03.013- Commercial Use Categories- The staff proposes adding a specific use category to provide more detailed descriptions of the characteristics and exceptions for this zone. This addition

would help clarify the distinction between a Game Room and a Game Hall, ensuring a more precise understanding of each.

- 14.04.024- Specific Use Standards- In this article of the Code of Ordinances, the staff has the opportunity to establish specific zoning standards, including location requirements. In line with Lubbock County's ordinance, the staff proposes to align its location standards closely with those of the County for consistency and coordination.

- 14.08.004- Definitions- The addition of the following definitions—Game Room, Gambling Device, Game Hall, and Video Arcade—will further clarify and enhance the understanding of the ordinance.

On March 11, 2025, the Planning and Zoning Commission approved the recommendation to approve the ordinance for Game Rooms.

**EXHIBITS:**

1. Public Hearing Notice

**COUNCIL ACTION/STAFF RECOMMENDATION:**

Hold a public hearing.