

On motion of **Mr. Walker**, seconded by **Mr. Templet**, the following resolution was offered:

RESOLUTION NO. 140056

A resolution requesting and authorizing the Planning Department and the Planning Advisory Board to study the text of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and amending regulations related to gaming establishments, off-track wagering, and other related uses; establishing requirements for historical horse racing, off-track wagering facilities, and other gaming establishments; establishing interim development standards during the study; and providing for related matters. (Parishwide)

WHEREAS, State Act No. 437 (Act) of the 2021 Regular Legislative Session provides for historical horse racing and defines it as a “form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a pari-mutuel facility licensed in the United States; concluded with official results and without scratches, disqualifications, or dead-heat finishes through machines permitted and authorized by the La. State Racing Commission (commission)”; and

WHEREAS, historical horse racing is a new, innovative, and popular type of gambling within off-track wagering facilities that may attract new customers; and

WHEREAS, the last Parish-wide study on off-track wagering facilities was conducted in 2013; and

WHEREAS, current Jefferson Parish definitions and regulations located within Chapters 33 and 40 of the Code of Ordinances (Code) for gaming establishments and off-track wagering are unclear and inconsistent within the Code and have not been updated to align with the State regulations; and

WHEREAS, Chapter 40 of the Code defines “off-track wagering facility” as “any facility licensed and authorized by the State of Louisiana to accept off-track wagers. (May also be called an off-track betting parlor)”; and

WHEREAS, the State limits the number of off-track wagering facilities per licensee, number of horse racing machines per facility and licensee, and number of off-track wagering facilities in Jefferson Parish; and

WHEREAS, a key objective of Envision Jefferson 2040 is to minimize negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices; and

WHEREAS, interim development standards are necessary to protect public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Jefferson Parish Council, acting as governing authority of Jefferson Parish, Louisiana:

SECTION 1. That the Planning Department and the Planning Advisory Board are hereby authorized to study the text of Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and amending regulations related to gaming establishments, off-track wagering, and other related uses; establishing requirements for historical horse racing, off-track wagering facilities, and other gaming establishments; establishing interim development standards during the study; and providing for related matters.

SECTION 2. That the following interim development standards are hereby established:

The following interim standards shall apply to off-track wagering facilities and gaming establishments:

- (a) *Generally*. Where there is a conflict between the interim standards and the regulations in Chapter 33 Unified Development Code and Chapter 40 Zoning, the interim standards shall govern. Where the interim standards are silent on a standard, the provisions of the applicable section shall apply.
- (b) *Off-Track Wagering Facility*. Off-track wagering facility shall mean any facility licensed and authorized by the State of Louisiana to accept off-track wagers. (May also be called an off-track betting parlor.)
- (c) *Historical Horse Racing*. Historical horse racing shall be defined as Historical horse racing is defined as “a form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a pari-mutuel facility licensed in the United States; concluded with official results and without

scratches, disqualifications, or dead-heat finishes through machines permitted and authorized by the La. State Racing Commission.

- (d) *Pari-Mutuel Wagering*. Pari-mutuel wagering, pari-mutuel system of wagering, or mutuel wagering shall be defined as “any method of wagering previously or hereafter approved by the commission in which one or more patrons wager on a horse race or races, whether live, simulcast, or previously run. Wagers shall be placed in one or more wagering pools, and wagers on different races or sets of races may be pooled together. Patrons may establish odds or payouts, and winning patrons share in amounts wagered including any carryover amounts, plus any amounts provided by an association less any deductions required, as approved by the commission and permitted by law. Pools may be paid out incrementally over time as approved by the commission” and “net commission” as the “commission retained by a licensee on pari-mutuel wagers on historical horse races, less breakage, settlements, and taxes applicable to such wagers”
- (e) *Minimum Distance*. The minimum distance between any off-track wagering facility and any property on the National Register of Historic Places, any public playground, any residential property, or a building used primarily as a church, synagogue, public library, or school shall be one (1) mile. Measurement of the distance shall be a straight line from the nearest point of the off-track wagering facility to the nearest point of the property on the National Register of Historic Places, the public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.
- (f) Historical horse racing shall not be conducted via a machine, website, or mobile application beyond the property of an off-track wagering facility that offers historical horse racing.
- (g) Any off-track wagering facility shall have no more than three (3) historical horse racing machines in operation.

SECTION 3. The interim development standard set forth in this resolution is in accordance with and by the authority of Sec. 33-2.21.5 of the Jefferson Parish Code of Ordinances, providing, in pertinent part, that when the Jefferson Parish Council initiates a study to prepare an amendment to the text or official maps of Chapter 33, Chapter, 40, or the Comprehensive Plan, and pending final disposition of the study, the Jefferson Parish Council may establish interim development standards that provide for reasonable approval conditions for certain types of development applications that would otherwise be affected by the study for one (1) year, which may be extended by the Jefferson Parish Council for not longer than one (1) six (6)-month period.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:


YEAS: 7

NAYS: None

ABSENT: None

The resolution was declared to be adopted on this **27th day of July, 2022.**

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY


EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL