



## City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

<b>Primary Application Type:</b>	Amending Chapter 32 of the Zoning and Land Development Code	<b>Hearing Date:</b>	June 28, 2023		
<b>Additional Applications:</b>	N/A	<b>Public Hearing:</b>	<b>YES</b> X	<b>NO</b>	
<b>General Title:</b>	PLAC Code Amendment	<b>Quasi-Judicial:</b>	<b>YES</b>	<b>NO</b> X	
<b>Applicant:</b>	Gulfstream Park Racing Assoc. Inc.	<b>Workshop:</b>	<b>YES</b>	<b>NO</b> X	
<b>Application #</b>	#LDC-23-2874	<b>Advertisement Type Required:</b>	<b>DISPLAY</b> x	<b>REGULAR</b>	<b>N/A</b>
<b>Staff Recommendation:</b>		<b>Approve</b>	<b>Approve with Conditions</b>		<b>Reject</b>
		X			
<b>Request:</b>			<b>Strategic Plan Priority Area:</b>		
Amending Chapter 32 of the Zoning and Land Development Code to permit certain uses within the Planned Local Activity Center (PLAC) Zoning District			<input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
<b>Sponsor Name:</b>	Vanessa Leroy, Director Sustainable Development Department	<b>Prepared By:</b>	Christy Dominguez, Planning and Zoning Manager		

**Short Title:**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, OF THE CITY OF HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE, ARTICLE III SECTION 32-171 PLAC, PLANNED LOCAL ACTIVITY CENTER DISTRICT, RELATIVE TO ADDING CASINOS, PARI-MUTUEL WAGERING, SLOT GAMING MACHINES, AND CARDROOM FACILITIES TO THE PERMITTED USES WITHIN THE PLAC DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

## Staff Summary

### Summary

Gulfstream Park Racing Association, Inc., (*the "Applicant"*), has filed subject Application #LDC-23-2874 requesting an amendment to Section 32-171(d)(1) of the City's Zoning and Land Development Code to allow the installation of simulcasting and pari-mutuel wagering, slot gaming machines, casinos, and cardroom facilities within the Planned Local Activity Center (PLAC) District.

The following is a summary of the proposed amendments in the attached draft ordinance:

1. Amends the PLAC Permitted Uses to include casinos, including pari-mutuel wagering, slot machine gaming, and cardroom facilities.
2. Deletes the existing limitation allowing simulcasting screens and pari-mutuel wagering machines as an accessory use indoors in alcoholic beverage licensed facilities.
3. Deletes the existing prohibition of slot gaming facilities and casinos.

The objective is to eliminate prohibitory language and add such uses as permitted without limited circumstance as accessory uses.

### Background

On November 6, 2006, the City Commission adopted Ordinance No. 2006-22 creating the PLAC, Planned Local Activity Center District to apply to land within the City designated Local Activity Center land use category per the City's Comprehensive Plan; specifically, the Village at Gulfstream Park Local Activity Center.

In January 2014, the City Commission approved the Amended and Restated Development Agreement for the VGP which acknowledges that the Developer would be initiating an amendment to the Planned Local Activity Center (PLAC) District regulations to permit pari-mutuel wagering upon approval of the Amended Development Agreement.

Gulfstream Park Racing Association subsequently filed Application # 117-14-TC to amend the City's Code to allow pari-mutuel wagering within the PLAC. As originally proposed by the applicant, the ordinance also deleted the prohibition of simulcasting, slot machines and casinos within the VGP.

On September 3, 2014, the City Commission adopted the ordinance amending Section 32-171 (d)(1) to continue prohibiting such uses, and only allow simulcasting wagering as an accessory use indoors of alcoholic beverage facilities as follows:

(1) Permitted uses. Uses consistent with or customary to mixed-use urban centers including but not limited to multi-family residential, office, retail and commercial uses including cinemas, nightclubs, café/restaurants, hotels, accessory parking, and certain commercial recreation uses. The following commercial recreation uses shall not be permitted: ~~simulcasting, slot gaming facilities, casinos, pari-mutuel facilities and related wagering systems.~~ as accessory uses indoors in facilities that are licensed

to serve alcoholic beverages: simulcasting screens and pari-mutuel wagering machines. Slot gaming facilities and casinos are prohibited.

The amendment permitted pari-mutuel simulcasting and related wagering systems in the VGP indoors of facilities licensed to sell alcoholic beverages.

### **Current Situation**

The PLAC Zoning District specifically prohibits “slot gaming facilities and casinos”. Therefore, as the Village at Gulfstream Park (VGP) is zoned PLAC, such uses are presently not permitted by Code. Recently, Gulfstream Park has expressed a desire to include pari-mutuel wagering, slot gaming and card rooms in the VGP and was advised by staff that a Text Code amendment would be required in order to allow the use. They now have filed the subject application for Planning and Zoning Board consideration and City Commission approval, to amend the code to allow casinos, cardroom facilities, pari-mutuel wagering and slot gaming machines within the PLAC.

According to the applicant, the request is being made in order to create and maximize the potential re-branding of the VGP by evaluating the business opportunity of permitting these uses for its overall property. By approving the request, the City will enable the Applicant to consider expanding these uses into the VGP and/or undeveloped parcels outside the existing clubhouse and within the PLAC.

The Applicant’s pari-mutuel license permits the proposed commercial recreation uses on the property; however, the existing PLAC code provisions restrict such uses on the PLAC zoned portion of the property.

### **Comprehensive Plan Considerations**

The area of the Gulfstream Park property zoned PLAC (Exhibit 3) is designated as the Gulfstream Local Activity Center (LAC) in the City’s Comprehensive Plan which provides for compact development with a mixture of community serving uses including commercial, office, employment, civic, recreation, institutional, hotel and residential.

The Gulfstream LAC, as well as the approved Development Order (DO) for the Gulfstream LAC provides for a maximum development program of 750,000 square feet of commercial use, 140,000 square feet of office space, 1,500 high-rise residential units, 500 hotel rooms, and a 2,500 theater seats. The Development Order sets a maximum traffic volume of 1,800 p.m. peak hour trips that may be permitted for the DRI.

Pursuant to Ordinance no. 2014-26 amending the Development Order for the VGP and the Amended Development Agreement with Gulfstream in effect, a limited amount of commercial recreation uses is also permitted contingent upon an equivalent reduction in the maximum intensity of the other uses.

Commercial recreation uses may be allowed up to a maximum of 580 p.m. of those peak hour trips through “trade-offs” within the approved development program based on the number of trips generated by such uses. The use of “trade-off” for commercial recreation uses is consistent with the Broward County Land Use Plan. Pursuant to Hallandale Beach Resolution No. 2014-79, the trade-off monitoring chart may only be amended by Resolution of the City Commission in order for a use to be deemed an approved use within the development program.

Should the City Commission decide to approve the proposed code amendment, any future commercial recreation use within the Gulfstream LAC/PLAC zoned portion of the property will require approval of the trade-off chart by the City Commission.

### **Analysis**

Article III, Section 32-171 (a) states the PLAC district regulations are created to ensure development within a local activity center (LAC) future land use category is consistent with LAC land use designation and *intended to encourage and promote development that facilitates a coordinated and balanced mix of land uses, including: retail, office, hotel/conference, certain types of commercial recreation uses, residential and other similar uses. The mix of land uses associated with the PLAC district shall also provide recreation, entertainment, and associated employment opportunities while creating an urban center with high quality architecture, pedestrian-friendly streets, outdoor public spaces, and access to public transit.*

Article III, Section 32-171 (d) PLAC District sets forth the permitted, accessory and prohibited uses in the district. Section 32-171 (d)(1) specifies the currently permitted and prohibited uses as follows:

*Permitted uses. Uses consistent with or customary to mixed-use urban centers including but not limited to multi-family residential, office, retail and commercial uses including cinemas, nightclubs, café/restaurants, hotels, accessory parking, and certain commercial recreation uses. The following commercial recreation uses shall be permitted as accessory uses indoors in facilities that are licensed to serve alcoholic beverages: simulcasting screens and pari-mutuel wagering machines. Slot gaming facilities and casinos are prohibited.*

The attached proposed ordinance amends Section 32-171 (d)(1) as follows:

(d) Permitted, accessory and prohibited uses.

(1) Permitted uses. Uses consistent with or customary to mixed-use urban centers including, but not limited to, multi-family residential, office, retail and commercial/**commercial recreation** uses including cinemas, nightclubs, cafe/restaurants, hotels, **casinos, including pari-mutuel wagering, slot machine gaming, and cardroom facilities, and** accessory parking. ~~The following commercial recreation uses shall be permitted as accessory uses indoors in facilities that are licensed to serve alcoholic beverages: simulcasting screens and pari-mutuel wagering machines. Slot gaming facilities and casinos are prohibited.~~

### **Why Action is Necessary**

Pursuant to Section 2-102 of the City of Hallandale Beach Land Development Regulations, the Planning and Zoning Board shall review and make advisory recommendations to the City Commission on applications for text changes to the Zoning and Land Development Code.

**Cost Benefit**

The proposed code changes will provide flexibility to the Village at Gulfstream Park (VGP) to accommodate continued efforts to enhance and revitalize the VGP. The proposal is consistent with the City's Comprehensive Plan, Future Land Use Element (FLUE) Local Activity Center Land Use category its purpose to encourage mixed -use development comprised of commercial, office, employment, civic, recreation, hotel and residential. The changes support FLUE Objective 1.8, the City should encourage compact development that includes a mixture of community-serving uses including recreation. The proposed change is also consistent with the Development Order and Development Agreement for the VGP as discussed under Comprehensive Plan Considerations.

**Staff Recommendation:**

Staff recommends the Planning and Zoning Board consider the proposed Ordinance and provide a recommendation to the City Commission.

**Attachment(s):**

- Exhibit 1- Proposed Ordinance
- Exhibit 2- Applicant's Letter
- Exhibit 3- PLAC District Boundaries