



CITY OF  
**FARMERS BRANCH**  
TEXAS

# Ordinance 3858: Card Rooms

CITY OF FARMERS BRANCH | MAY 7, 2024



# Proposed Use and Definition

**Card Room:** A privately owned, profit-oriented enterprise located within a structure or premises housing one or more card tables at which members play card games.

Card rooms typically refer to establishments where individuals can play various forms of poker, such as Texas Hold 'em, Omaha, and Seven Card Stud, for stakes.

Texas Penal Code, Chapter 47 "Gambling." Under this section, it is an affirmative defense to prosecution that:

1. *The gambling occurred in a private place;*
2. *No person received any economic benefit other than personal winnings and*
3. *Except for the advantage of skill or luck, the risks of losing and the chances of winning were the same for all participants.*



# Entertainment Overlay District (EOD):

*Allow for the development of property as destination venues that will be used to promote a vibrant and active East Side, thereby providing residents and employees opportunities to socialize and be entertained within the City.*

*The EOD is designed to encourage economic development through infill and redevelopment of underutilized properties and adaptive reuse of existing buildings to assist in the ongoing revitalization efforts.*

*The balance of land uses for working, living, shopping, and entertainment will increase quality of life for residents of Farmers Branch and create a unique identity for the East Side.*



# Use Table

If a Card Room use is added to the CZO, staff recommends the proposed use only be permitted with the approval of a SUP within the Entertainment Overlay District.

Use	R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	MF-1	MF-2	MF-3	MF-4	IRU	O	LR-1	LR-2	C	LI	HI	Use Stds
KEY: X=Permitted S=Specific Use Permit Required T=Temporary Blank Cell=Use Not Permitted																				
Retail and Service Type Uses																				
Card Room	Entertainment Overlay District Only with Specific Use Permit																			2.5

*An SUP can ensure construction and use align with the goals and regulations of the City.*

# Parking and Traffic Impacts

Use	Minimum Parking Spaces Required
Card Room	One space per 400 square feet (sf) GFA

Increased traffic volumes, congestion, and parking concerns can impact the area's quality of life for residents and businesses.

A traffic impact analysis (TIA) would be required.



# Special Performance Standards

01

**Development Standards:** Card room properties must meet specific development standards, in addition to the base zoning district's standards.

02

**Permit Required:** No person shall operate a card room located without first obtaining a Card Room Operation Permit. Permit applications shall be made on an annual basis

03

Permit application fee set forth in Appendix A of this Code

04

**Revocation:** A Card Room Operation Permit shall be subject to revocation.

1. Card games must be held in a private venue, not accessible to the public.
2. No one can be paid for running the game, except for their own winnings as a player.
3. No house bank is allowed.
4. Dealers and staff cannot be paid with gambling currency.
5. Games must not favor a house or any player.
6. Card rooms cannot be near schools or properties with specific use permits (**other card rooms**).
7. If a card room shuts down, changes its name, or ownership, it needs a new permit to reopen.
8. City officials have the right to inspect card room premises for compliance. Refusing access can lead to permit revocation.



# Comprehensive Plan

The Plan does address the industrial area on the east side as an older area that will largely remain industrial and desires opportunities for creative reuse, such as that envisioned with the creation of the Entertainment Overlay District.

*Local interpretations of Texas gambling laws shape the legality and regulation of gambling within municipalities.*

*Card rooms often operate as membership clubs or private venues to navigate these complexities, ensuring compliance with regulations while providing a space for poker enthusiasts to socialize and play within the bounds of the law.*



On April 8, 2024, the Planning & Zoning Commission considered this request and unanimously recommended denial.



# Questions

