

ORDINANCE NO. 6674

AN ORDINANCE TO AMEND CHAPTER 15.16 C-3/COMMERCIAL DISTRICT BY AMENDING SECTION 15.16.030 "CONDITIONAL USES" TO INCLUDE "COMMERCIAL RECREATION (OUTDOOR)"

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 15.16 C-3/Commercial District by amending Section 15.16.030 "Conditional Uses" to read as follows:

15.16.030 Conditional Uses

The following conditional uses shall be permitted in a C-3 district in accordance with the requirements set forth in CBMC 15.27:

1. Commercial recreation (outdoor);
2. Communication towers;
3. Day care service.

(Ord. 5469 § 1 (part), 1999)

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as provided for by law.

PASSED

AND

May 4, 2026.

APPROVED


JILL K. ALMONTE

Mayor

Attest: 
AMANDA KOPERA Deputy City Clerk

First Consideration: 4-20-26
Second Consideration: 5-4-26
Public Hearing: 5-4-26
Third Consideration: Waived

AFFIDAVIT OF PUBLICATION

The Daily Nonpareil

State of Florida, County of Orange, ss:

Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Daily Nonpareil, a newspaper printed and published three (3) days a week at Council Bluffs, in said County and State, and that the notice herto attached was published in said newspaper once each day for the period on the dates below listed.

PUBLICATION DATES:

Apr. 28, 2026

NOTICE ID: 16GxH3gpd96926W4YPpj

PUBLISHER ID: COL-9103438

NOTICE NAME: ZT-26-001

Anjana Bhadoriya

(Signed)

VERIFICATION

State of Florida
County of Orange



JESSICA GORDON-THOMPSON
Notary Public - State of Florida

Commission # HH301656
Expires on August 17, 2026

Subscribed in my presence and sworn to before me on this: 04/29/2026

J. T. A.

Notary Public

PUBLICATION FEE: \$16.27

Notarized remotely online using communication technology via Proof.

Notice of Public Hearing

TO WHOM IT MAY CONCERN:

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for May 4, 2026 at 7:00 p.m. in the City Council Chambers, 2 nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time all persons interested in this matter will be given an opportunity to be heard on the request from Brooke Hubbard, represented by Michael Blatchford, to amend Title 15: Zoning of the Council Bluffs Municipal Code by adding 'commercial recreation (outdoor),' as defined in CBMC Section 15.03.157, as a conditional use in Chapter 15.16, C-3/Commercial District and Chapter 15.17, C-4/Commercial District.

Jodi Quakenbush, City Clerk

April 28, 2026 COL-9103438

Council Communication

Department: Community Development

Case/Project No.: ZT-26-001

Subject/Title

Ordinances 6674 and 6675

Ordinance 6674 to amend Chapter 15.16 C-3/Commercial District by amending Section 15.16.030 "Conditional Uses" to include "Commercial Recreation (Outdoor)".

Ordinance 6675 to amend Chapter 15.17 C-4/Commercial District by amending Section 15.17.030 "Conditional Uses" to include "Commercial Recreation (Outdoor)".

Background/Discussion

See attached staff report.

Staff Recommendation

Attachments

Staff Report

Attachment 'A' - PROPOSED Section 15.16.030 - Conditional Uses in C-3 District

Attachment 'B' - PROPOSED Section 15.17.030 - Conditional Uses in C-4 District

Notice of Public Hearing

6674.docx

6675.docx

Prepared by: Moises Monrroy, Planner, Community Development Department

Approved by: Christopher N. Gibbons, AICP, Director, Community Development Department

6.A

City Council Communication

Department: Community Development CASE #ZT-26-001 Applicant: Brooke Hubbard 7 South 4 th Street Council Bluffs, IA 51503 Representative: Michael Blatchford 14445 West Center Road, Suite 101 Omaha, NE 68144	Ordinance No. _____	<u>City Council</u> 1 st Consideration: 4/20/2026 2 nd Consideration: 5/4/2026 3 rd Consideration: 5/18/2026 Planning Commission: 4/14/2026
Subject/Title Request: Public hearing on the request of Brooke Hubbard, represented by Michael Blatchford, to amend Sections 15.16.030 and 15.17.030 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'commercial recreation (outdoor),' as defined in CBMC Section 15.03.157, as a conditional use in the C-3/Commercial District and in the C-4/Commercial District.		
Background The Community Development Department has received a request from Brooke Hubbard, represented by Michael Blatchford, to amend Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code as follows: A. Amend Section 15.16.030, <u>Conditional Uses</u> , C-3/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'commercial recreation (outdoor)' as conditional use in the C-3 District. B. Amend Section 15.17.030, <u>Conditional Uses</u> , C-4/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'commercial recreation (outdoor)' as conditional use in the C-4 District. As per Section 15.03.157 of the Council Bluffs Municipal Code (Zoning Ordinance), a 'commercial recreation (outdoor)' refers to " <i>businesses and organizations engaged in the provision of sports, entertainment, or recreation in an open or partially enclosed or screened facility.</i> " Typical uses include skating rinks, outdoor swimming pools, tennis courts, athletic fields, driving ranges, miniature golf, and golf courses. 'Commercial recreation (outdoor)' is allowed in the following zoning districts: A. <u>As a Principal Use:</u> 1. A-3/Riverboat Docking District; and 2. C-2/Commercial District. B. <u>As a Conditional Use:</u>		

1. A-1/Open Space Conservation District;
2. A-2/Parks, Estates and Agricultural District;
3. R-3/Low Density Multifamily Residential District;
4. R-4/High Density Multifamily Residential District; and
5. A-P/Administrative-Professional District.

The purpose of this request is to allow the applicant to convert the existing parking garage at 8 South 4th Street, which is currently zoned C-4/Commercial District, into a multipurpose recreation complex. Proposed amenities include a go-kart racetrack, a pickleball court, and an outdoor recreation area. If the proposed text amendment is approved, the applicant will be required to obtain a conditional use permit from the Zoning Board of Adjustment to allow the proposed outdoor recreation area.

All City Departments and local utilities were notified of the proposed text amendment. No adverse comments have been received.

Discussion

- A. As per Section 15.16.060, Statement of Intent, C-3/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance), the C-3 District *"is intended to accommodate office, retail and related activities in the traditional commercial center of the city as well as other appropriate commercial sites."*
- B. As per Section 15.17.060, Statement of Intent, C-4/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance), the C-4 District *"is intended to provide an intensive business zone which will accommodate large office concentrations and other similar uses."*
- C. Since the vast majority of properties currently zoned in the C-3 and C-4 Districts are located in Downtown Council Bluffs and its surrounding areas, the proposed text amendment will primarily affect that area of the city.
- D. Although 'commercial recreation (outdoor)' is not typically associated with intensive business/office areas, it is not a land use that would be incompatible with the purpose and intent of the C-3 and C-4 Districts. Furthermore, such use would be compatible with the character and future vision of Downtown Council Bluffs as a vibrant center for civic life that provides a variety of entertainment options for the residents of the city.
- E. If the proposed text amendment is approved, a conditional use permit issued by the Zoning Board of Adjustment will be required for any requests to allow 'commercial recreation (outdoor)' in the C-3 and C-4 Districts. Conditional use permit requests are reviewed on a case-by-case basis, which allows the City to determine whether a land use is appropriate for a specific property. If a conditional use permit request is approved, the proposed use is subject to a set of conditions imposed by the Zoning Board of Adjustment. The applicant intends to submit a conditional use permit application to the City of Council Bluffs to allow the proposed conversion of the parking garage at 8 South 4th Street into a multipurpose recreation complex, if this text amendment request is approved.

Recommendation

The Community Development Department recommends approval of the request to amend Sections 15.16.030 and 15.17.030 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'commercial recreation (outdoor),' as defined in CBMC Section 15.03.157, as a conditional use in the C-3/Commercial District and in the C-4/Commercial District, as shown in Attachments 'A' and 'B.'

Public Hearing

Staff speakers for the request:

- A. Moises Monrroy, Planner, City of Council Bluffs, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.
- B. Christopher Gibbons, Planning and Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.

Speakers in favor:

- A. Doug Dreessen, TD2, 10836 Old Mill Road, Omaha, NE 68154.
- B. Brooke Hubbard, 7 South 4th Street, Council Bluffs, IA 51503.

Speakers against: None.

The City Planning Commission recommended approval of the request to amend Sections 15.16.030 and 15.17.030 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'commercial recreation (outdoor),' as defined in CBMC Section 15.03.157, as a conditional use in the C-3/Commercial District and in the C-4/Commercial District, as shown in Attachments 'A' and 'B.'

VOTE: AYE – Dew, Hutcheson, McAtee, Rater, Stroebele, Van Houten, Waggoner, and Watson.
NAY – None. ABSTAIN – None. ABSENT – Behrens and Epley. VACANT – One. Motion: Carried.

Attachments

Attachment A: Proposed Section 15.16.030, Conditional Uses, C-3/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance)

Attachment B: Proposed Section 15.17.030, Conditional Uses, C-4/Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance)

Prepared by: Moises Monrroy, Planner, Community Development Department

15.16.030 Conditional Uses

The following conditional uses shall be permitted in a C-3 district, in accordance with the requirements set forth in CBMC 15.27:

A. Commercial recreation (outdoor);

B. Communication towers;

C. Day care services.

(Ord. 5469 § 1 (part), 1999)

DRAFT

15.17.030 Conditional Uses

The following conditional uses shall be permitted in a C-4 district, in accordance with the requirements set forth in CBMC 15.27:

A. Commercial recreation (outdoor);

B. Communication towers;

C. Day care services.

(Ord. 5469 § 3 (part), 1999)

DRAFT

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

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Jodi Quakenbush

City Clerk