



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT
FROM THE LINCOLN/LANCASTER COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?
Text Amendment #26001	No
PLANNING COMMISSION HEARING DATE	RELATED APPLICATIONS
February 18, 2026	None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

The application is to amend the Lincoln Municipal Code (LMC) Chapter 27.63.810 provisions for a Farm Winery which is allowed by Special Permit in the AG Agriculture zoning district. These revisions will allow alcohol and food that is not produced on site to be sold for on-site consumption accessory to the winery. It also allows more options for food prepared on site to be sold. The amendment also includes changes to allow a residential dwelling on a farm winery to be rented or operated as a short-term rental and would allow a farm winery to hold an additional special permit for a social hall if the site is a minimum of 20 acres in size.

JUSTIFICATION FOR RECOMMENDATION

The proposed amendment to the special permit is justified as it will allow flexibility for accessory uses to a farm winery but still consistent with the AG zoning district. The allowance to sell both food and alcohol not produced on site will be permitted but limited based on revenue to ensure the farm winery remains the main use and operation. Removing limitations for occupancy of the dwelling and allowance for the premise to also have a special permit for a social hall align with activity that would commonly be found with a farm winery for events, food and drink options, or a short-term rental.

APPLICATION CONTACT

Lorenzo Ball, (201) 362-3744

STAFF CONTACT

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is in conformance with the Comprehensive Plan by allowing additional flexibility to a farm winery use which is permitted only in AG zoning. The amended language still ensures the main use as a farm winery, remains agricultural in nature and compatible with surrounding agricultural properties and uses. The amendment would still require a minimum for agriculture to be grown and processed on site which aligns with the AG zoning district.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Policies Section

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

6. Explore additional opportunities for streamlining the zoning and building permitting processes.

CLIMATE ACTION PLAN SPECIFICATIONS:

- p. 19 Key Initiative – Improve Protections for and with Lincoln Residents
- Continue to encourage installation of green infrastructure strategies where appropriate, to include grants and incentives. Examples of green infrastructure strategies include rain gardens, bioswales, and permeable pavement to reduce stormwater runoff.
- p. 25 Key Initiative – Maximize Natural Climate Solutions
- Continue to support prairie restoration and protection of natural resources.
 - Continue to use a Rain-to-Recreation model to utilize floodplain for appropriate recreational activities.

ANALYSIS

1. This is a request to amend the Lincoln Municipal Code (LMC) 27.63.810 for a Farm Winery. A Farm Winery is an allowed use by special permit in the AG Agricultural zoning district only. A farm winery is defined in the LMC as, “any enterprise which produces and sells wines produced from grapes, other fruit, or suitable agricultural products of which seventy-five percent (75%) is grown in the State of Nebraska, or which has received a waiver of the 75% requirement from the Nebraska Liquor Control Commission.”
2. The amendment, is an effort to provide additional flexibility for associated uses and business options within a farm winery. The applicant’s property is located outside of the city limits, but within the 3-mile zoning jurisdiction. This amendment modifies the existing farm winery text, primarily to amend three different aspects related to onsite food and alcohol sales, how the residential dwelling on the property can be used, and allowing a farm winery to have a special permit approved for a social hall on 20 acres. This amendment was submitted by the owner of a local farm winery but would update the LMC provisions for all current and future farm wineries within the City’s zoning jurisdiction.
3. Currently within LMC 27.63.810 the special permit has limitations prohibiting the sale of alcohol that was not produced on site, and limits food sales to only food prepared off site by a Health Department licensed establishment in associated with wine tasting or consumption. The amendment to (g) within the provisions would permit a farm winery to sell alcohol produced off site and food produced on or off site for consumption at the winery. To ensure the main use of a farm winery and on-site production continues, the revenue from off-site alcohol and all food sales shall not exceed 25% of the revenue from wine produced at the farm winery. This added provision is compatible with allowing a wider range of alcoholic drink choices and food options for customers but will still remain accessory to the overall use on site for growing and producing wine. Item (i) has related clarification added to note a farm winery can hold additional licenses required by the Nebraska Liquor Control Act (NLCA), as operating as a farm winery and selling alcohol not produced on site requires separate licenses by the NLCA to be approved. Amendments to the allowed alcohol sales would not permit a Class C license, allowing alcohol made off site to be sold for off site consumption, similar to a grocery or convenience store.

4. Within the amendment item (j) is being revised related to the allowed use of a dwelling on site. The current LMC provision requires that if the farm winery has a single family dwelling, it can only be occupied by the owner or by an employee of the farm winery. The amendment would remove this condition, allowing a residential dwelling to follow the same provisions within the AG Agricultural District for a single family home. This would allow the dwelling to be owner occupied, rented, or approved as a Short-Term Rental. The amendment would still limit the site to one single family residential dwelling, as a two-family dwelling is not allowed in AG. This change is not expected to have a negative impact on a farm winery use or surrounding AG properties as a single family home associated with a farm winery is already a permitted use. This change would not allow additional dwelling units, only more flexibility on who is allowed to occupy the home, whether it is rented or lived in by the owner.
5. Lastly, item (k) is being amended to allow for a permitted farm winery to also obtain a special permit for a social hall and share the same 20-acre property or permit boundary. This provision is being added as prior interpretation of the LMC required 20 acres of property for each special permit boundary in AG. This would require a property of 40 acres or more to have a special permit for a farm winery and one for a social hall, not allowing the same permit area to be used. These two uses can be compatible, as a farm winery may offer rented space for events. The revision would allow the two special permits to share the same minimum 20-acre property. This amendment does not change the current requirements for a social hall in AG zoning, as a property owner would still need a separate special permit approval and compliance with the social hall provisions.
6. The amendment to LMC 27.63.810 is compatible with the existing special permit provisions by providing greater flexibility for farm wineries to offer a wider range of retail and revenue options or experiences on site. The added revenue limitations allowing alcohol produced off site and food sales will provide wineries with additional retail options that are compatible with the winery business. Removing provisions restricting occupancy of the single family dwelling and options for a subsequent special permit for a social hall are consistent with the operation of a farm winery. The modifications and new allowances are aligned with the 2050 Comprehensive Plan. The provisions keep the intent of the special permit and overall AG land use but ensuring the main operation on the site remains agricultural in nature and consistent with the surrounding AG properties.

Prepared by Ben Callahan, Planner
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Date: February 5, 2026

Applicant/
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<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/TX/26000/TX26001 Farm Winery.bmc.docx>

27.63.810 Farm Winery.

Farm wineries may be allowed by special permit in the AG Agriculture District under the following conditions:

- a. No farm winery shall manufacture wine in excess of 50,000 gallons per year;
- b. A farm winery must produce a minimum of fifteen percent (15%) of its product from fruit or other agricultural products harvested from the premises following five (5) years of business;
- c. Wines produced at the farm winery may be sold on site at wholesale and retail;
- d. Wines produced at the farm winery may be sold at retail for consumption on the premises;
- e. Sampling of wine at the farm winery shall be permitted in reasonable amounts;
- f. A farm winery may sell retail items as an accessory to wine sales through a tasting or wine sales room;
- g. A farm winery may ~~only serve food prepared off site by a Health Department licensed establishment in association with sampling and/or on premises consumption of wine. A farm winery shall not act in the capacity of a retail food establishment;~~ sell alcohol produced off site and food produced on or off site for on site consumption. However, revenue from alcohol produced off site and food shall not exceed 25% of revenue from wine produced on site. Upon request by the City, the license holder/operator shall provide sales receipts for the most recent (12) months to demonstrate compliance with this condition.
- h. Unless waived by the City Council, parking shall be in conformance with [Chapter 27.67](#);
- i. The farm winery shall be licensed under the Nebraska Liquor Control Act as a farm winery. The Farm Winery may also hold additional licenses required by the Nebraska Liquor Control Act.
- j. A dwelling ~~for the owner or employee of the farm winery~~ may be on the same premises as the farm winery. Revenue from renting the dwelling or from a Short Term Rental is not counted in (g) above.
- k. A single premises of at least 20 acres may have special permits for both a farm winery and a social hall.
(Ord. [20663](#) §2; May 7, 2018; prior Ord. [19624](#) §5; September 26, 2011).

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Date: January 20, 2026

Lincoln–Lancaster County Planning Department
Attn: Ben Callahan
555 S 10th Street, Suite 304
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RE: Letter of Purpose, Farm Winery Special Permit Amendment

To the Planning Department,

This letter is submitted in support of the application to amend the existing Farm Winery special permit, subtype 27.63.810.

Purpose of the Application

The purpose of this application is to clarify the special permit language related to the on-site sale of beer and spirits as an accessory to the farm winery use. These clarifications are required to align the special permit with applicable state liquor licensing requirements and to allow the pending liquor license application to proceed.

Wine production and wine sales remain the primary use of the property and the core product of the operation. All other activities are accessory and subordinate to the winery use, consistent with the intent of the zoning code and the draft permit language under review.

Associated Applications

This application is directly associated with a pending liquor license application before the Nebraska Liquor Control Commission. Approval of the amended special permit is necessary to resolve zoning consistency items identified during the liquor license review.

Waivers

No waivers are requested as part of this application.

Respectfully submitted,

Lorenzo Ball Jr.