City of Bennington
Planning Commission Meeting Agenda
Wednesday, August 26, 2026; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

1. Call to Order – Open Meeting Act – Roll Call

2. Approval of July 29, 2026 Meeting Minutes

3. Consideration of a Text Amendment adding "Distillery, Micro" as a permitted use in a C-4 Flex Business Zoning District located on 2.2 acres at 16205 Pawnee Road north of Highway 36 and south of Pawnee Road
    A. Presentation, Staff and Applicant
    B. Public Hearing
    C. Motion

4. Consideration of a Change of Zoning from a TA Transitional Agricultural Zoning District to a C-4 Flex Business Zoning District located on 2.2 acres at 16205 Pawnee Road north of Highway 36 and south of Pawnee Road
    A. Presentation, Staff and Applicant
    B. Public Hearing
    C. Motion

5. Adjourn

City of Bennington
Planning Commission Meeting Minutes
Wednesday, July 29, 2026; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

Call to Order – Open Meeting Act – Roll Call

Planning Commission Chair James Bartles called the meeting to order at 6:00 p.m. The following members were present: James Bartles, Haimes Dias, Mike Valasek, and Bob Zaruba. Members Karen Hohman, Anita Ortiz and Clydell White Jr. were absent. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of May 27, 2026 Meeting Minutes

Motion by Zaruba, second by Valasek to approve the minutes as presented. With Dias abstaining, all voted in favor and the motion carried.

Consideration of an Amendment to a Conditional Use Permit for a Business-Commercial Flex Facility in a C-1 Highway Commercial Zoning District with lot addressed as: 12602 and 12704 N. 158th Street and located west of 156th Street near Lockbox Storage

City Engineer Julie Ogden, Kyle Haase with E & A Consulting and Property Owner Geoff McGregor presented the amended Conditional Use Permit including a split of the property to two owners.

Bartles opened a public hearing and comments were made regarding traffic flow and emergency vehicle access and the lighting and landscaping plans.

Motion by Dias, second by Zaruba to recommend approval subject to the requirements in the City Engineer's comment letter except the replacement of a parking lot connection with a hammerhead turnaround if it is a viable alternative for traffic flow and emergency vehicle access. All voted in favor and the motion carried.

Adjourn

Motion by Bartles, second by Dias to adjourn the meeting at 6:45 p.m. All voted in favor and the motion carried.

APPLICATION FOR A TEXT AMENDMENT TO ZONING REGULATIONS

City of Bennington, NE

NOTE: Form must be filled out completely and appropriate attachments provided, before the city will accept this application for processing, please print or type.

Date: 7/28/2026 Applicant Email Address: ryan.lynch@prevaildistillery.com

Applicant's Name: Ryan Lynch Phone Number: 402-230-5602

Applicant's Address: 1309 S. 204th St. Ste 223 Elkhorn, NE 68022

Section(s) of the Zoning Regulations to be Amended: Section 5.13 C-4 Flex Business District

Proposed Use of Subject Property: Distillery

Current Zoning: TA Proposed Zoning: C-4

Summary of Text Amendment(s) proposed: (please use this space to provide detailed information on the zoning text amendment(s) you are proposing, proposed language to be added and/or deleted and why you believe the changes are necessary. Attach additional pages as needed.)

I would like to request a change to Section 5.13 C-4 Flex Business District to add a "Distillery, mirco" to the permitted use under 5.13.02 with the ability to have outdoor storage with appropriate screening provisions. This addition would place it in the same zoning as the "Brewery, micro". Our property is also in the "Highway Corridor Overlay" so I am not sure if there is an additional adjustment required for that.

Text amendment process:

1. The Zoning Administrator & Engineer will coordinate a review of the request with City Staff and other appropriate departments or agencies to prepare/provide a recommendation report to the Planning Commission and City Council.
2. The Planning Commission will hold a public hearing and make a recommendation to the City Council.
3. The City Council will hold a public hearing and make a final decision on the proposed zoning text amendment(s) application.

Signature of Owner or Agent: Ryan Lynch

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 350.00 Check No. Cash 7-29-26 mjl

Date _____ Approved ☐ Denied ☐ _____ Chair, Bennington Planning Commission

Date _____ Approved ☐ Denied ☐ _____ Mayor, City of Bennington

DISTILLERY *shall mean a facility which produces by distillation spirits for consumption, the sales and distribution of which are subject to regulation by the Nebraska State Liquor Control Commission. Uses that are incidental to the production of spirits, such as tasting rooms, gift shops, and grain production are allowed accessory uses to a distillery.*

DISTILLERY, MICRO *shall mean a facility for the production, distillation, blending, bottling, aging, storage, packaging, and distribution of distilled spirits for retail or wholesale sale, on or off the premises, with a production capacity of not more than 100,000 gallons of distilled spirits per year. The development may include accessory uses such as barrel storage, bonded warehouses, bottling operations, tasting rooms, cocktail lounges, gift shops, merchandise sales, educational tours, private events, live entertainment and food service.*

APPLICATION FOR A CHANGE OF ZONING

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type.

Date: 07/27/2026 Email Address: ryan,lynch@prevaildistillery.com

Applicant's Name: Ryan Lynch Phone Number: (402) 230 5602

Applicant's Address: 1309 S 204th St. Ste. 223 Elkhorn, NE 68022

Present Use of Subject Property: Commercial landscaping company

Proposed Use of Subject Property: Distillery and barrel storage

Current Zoning: TA Proposed Zoning: C 4

Legal Description of Property Requested to be Rezoned: 16205 Pawnee Rd

Area of Subject Property (square feet or acres): 2.2 acres

How are Adjoining Properties used (actual use):

North: Pawnee Rd. / Farm land East: Executive Outdoor Living

South: Highway 36 West: Residential

If exhibits are furnished, please describe and number on attached page.

- furnish site plan showing existing and proposed structures, easements, water courses, curb cuts, etc.

JUSTIFICATION:

The rezoning request must be justified. Please answer questions 1 to 4 on a separate page and attach to this application.

1. What is the general character of the area?
2. Can soil conditions support the types of development in the proposed zoning district? What is the soil classification of the area?
3. What type of sewer and water system will be used?
4. How will the proposed zoning district affect traffic in the area? Will streets or roads need to be updated for access to the area? If yes, what will the requirements be?

The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Signature of Owner or Agent: Ryan Lynch

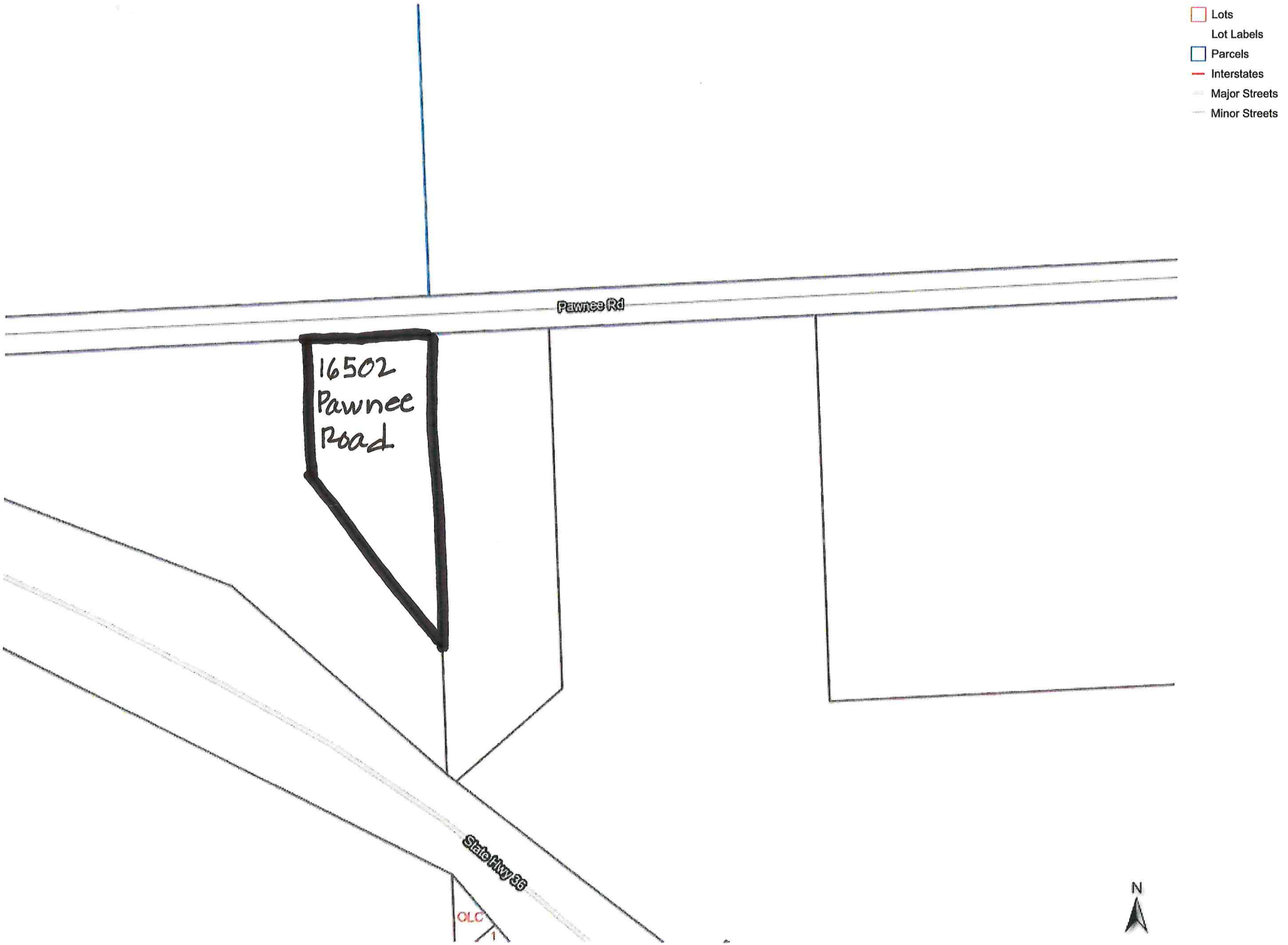
OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 500.00 Check No. cash 7-29-26 mjl

Date _____ Approved ☐ Denied ☐ _____ Chair, Bennington Planning Commission

Date _____ Approved ☐ Denied ☐ _____ Mayor, City of Bennington

Beacon™ Douglas County, NE



MEMO

To: *Bennington Planning Commission & City Council*

From: *Julie Ogden, City Engineer*

Cc: *Jeff Miller, City Attorney, Kevin Hand, City Administrator & Mindi Laaker, City Clerk*

Date: *August 17, 2026*

Subject: *Application to add Distillery to the definitions and as a use in applicable zones*

An application for a text amendment has been submitted to the City to add "Distillery" and "Distillery, Micro" to the Definitions. The application also requests to add these two uses to the C-4 zoning district as a conditional use. They do ask for consideration of outdoor storage with screening. The property they have a purchase option on is along Pawnee Road near the Executive Landscape/Pools property, and they are asking for a rezoning of the property upon acquisition. The applications are included with this memo and each request will be looked at independently.

Text Amendment:

Engineers/Planners Review:

In review of the application, it was determined that the current regulations do not address distillery at all. The closest use type is a brewery or micro brewery and this request is using that as a guideline for their application on addition of the (micro-distillery) use. After review of the application, below is a list of the definitions that staff recommends be added to the regulations. Some of the staff recommendations differ from the application request (noted with highlights). A redline mark up of the appropriate regulation sections are also attached for reference.

2.03.70 **BREWERY, MICRO** shall mean a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on or off premises, with a capacity of not more than 10,000 barrels per year. The development may include other uses such as tasting room, gift shop, merchandise sales, educational tours, standard restaurant, bar, or live entertainment as otherwise permitted in the zoning district.

2.03.128A **DISTILLERY** shall mean a facility for the production, distillation, blending, bottling, aging, storage, packaging and distribution of distilled spirits for retail or wholesale sale on or off the premises, with a production capacity of 100,000 gallons or more of distilled spirits per year which are subject to regulation by the Nebraska State Liquor Control Commission. Uses that are incidental to the production of spirits, such as tasting rooms, gift shops, merchandise sales, educational tours, bar, restaurant, and grain production are allowed accessory uses to a distillery as otherwise permitted in the zoning district.

2.03.128B **DISTILLERY, MICRO** shall mean a facility for the production, distillation, blending, bottling, aging, storage, packaging and distribution of distilled spirits for retail or wholesale sale on or off the premises, with a production capacity of not more than 100,000 gallons of distilled spirits per year which are subject to regulation by the Nebraska State Liquor Control Commission. The development may include accessory uses such as ~~barrel storage, bonded warehouses, bottling operations~~, tasting rooms, bar, ~~cocktail lounges,~~ gift shops,

merchandise sales, educational tours, private events, live entertainment and ~~food service~~ restaurant, as otherwise permitted in the zoning district.

2.03.477A **TASTING ROOM** shall mean an area associated with a winery, micro-brewery, or micro-distillery devoted to the sampling and sales for consumption on or off site of the products produced. Sale of food is not allowed as part of the tasting room.

Applicant also requested that Micro-Distillery be added to the C-4 Flex Business District as a permitted use. Staff recommends that it be added as a conditional use under (5.13.02) and that we also move Micro-Brewery (which currently is a permitted use) to be a conditional use within the C-4 zoning with the proposed accessory uses.

I would recommend that Micro-Distillery could also be allowed this within a Business-Commercial Flex (7.19.05.C) under a conditional use permit, but with no tasting room or gift shop/merchandise sales or other retail type accessory uses allowed.

Parking considerations:
Parking regulations for the specific use (distillery) is not provided but depending on the site plan/floor plan and uses for the building, we would use the following as applicable: winery (for the production areas), warehouse (for storage areas), bar/tavern/restaurant (for food/drink service areas), offices and retail sales.

Rezoning Request:

Engineers/Planners Review:
The rezoning request is for the property addressed as 16205 Pawnee Road (parcel 0121450004) which the applicant currently has under contract to purchase. The rezoning would only take effect upon acquisition of the property by the applicant. The property is 2.2 acres and currently zoned transitional agriculture (TA) where is it considered a non-conforming lot due to its size of less than 3 acres. The property has one existing building with access from Highway 36 via the shared driveway (Bennington Farms development and the residential property to the west) and from Pawnee Road. It is not known if the site is currently served by water or septic systems.

The rezoning request to change from TA to C-4 zoning is appropriate based on the future land use for this area being noted as Commercial and the property to the east (Lot 2 Bennington Farms) also being zoned C-4. I would recommend approving the rezoning to C-4 zoning for this property.

BENNINGTON, NE

Zoning Ordinance

Ordinance No. 460
Adopted June 9, 2018

As Amended by Ordinance No. 463 of September 10, 2018, Ordinance No. 473 of May 13, 2019, Ordinance No. 486 of June 8, 2020, Ordinance No. 510 of March 14, 2022, Ordinance No. 507 of April 11, 2022, Ordinance No. 511 of May 9, 2022, Ordinance 514 of November 14, 2022, Ordinance 516 of December 12, 2022, Ordinance 520 of July 10, 2023, Ordinance 530 of April 8, 2024, Ordinance 531 of June 10, 2024, Ordinance 535 of October 15, 2024, Ordinance 536 of December 9, 2024, Ordinance 539 of March 10, 2025, Ordinance 542 of June 9, 2025, ~~&~~ Ordinance 544 of September 8, 2025 & Ordinance XXX of September 14, 2026.

2.03.64 **BOARD OF ADJUSTMENT** shall mean that board that has been appointed by the city and which has the statutory authority to hear and determine appeals, interpretations of, and variances to the zoning regulations.

2.03.65 **BOARDING OR ROOMING HOUSE** shall mean a building containing a single dwelling unit and provisions for not more than five guests, where lodging is provided with or without meals for compensation.

2.03.66 **BREW-ON PREMISES STORE** shall mean a facility that provides the ingredients and equipment for a customer to use to brew malt liquor at the store. Brew-on-premises stores do not include the sale of intoxicating liquor unless the owner of the brew-on-premises store holds the appropriate liquor license.

2.03.67 **BREW PUB** shall mean a restaurant or hotel which includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting. By definition, these establishments produce no more than 10,000 barrels of beer or ale annually. The area, by definition, used for brewing, including bottling and kegging, shall not exceed 25 percent of the total floor area of the commercial space.

2.03.68 **BREWERY** shall mean an industrial use that brews ales, beers, meads and/or similar beverages on site. Breweries are classified as a use that manufactures more than 10,000 barrels of beverage (all beverages combined) annually.

2.03.69 **BREWERY, CRAFT** shall mean a brew pub or a microbrewery.

2.03.70 **BREWERY, MICRO** shall mean a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on or off premises, with a capacity of not more than 10,000 barrels per year. The development may include other uses such as tasting room, gift shop, merchandise sales, educational tours, standard restaurant, bar, or live entertainment as otherwise permitted in the zoning district.

2.03.71 **BROADCASTING TOWER** shall mean a structure for the transmission or broadcast of radio, television, radar, or microwaves which exceed the maximum height permitted in the district in which it is located; provided, however, that noncommercial radio towers not exceeding fifty (50) feet in height shall not be considered broadcast towers.

2.03.72 **BUFFER** shall mean a strip of land established to protect one type of land use from another incompatible land use or between a land use and a private or public road. Also see "Screening."

2.03.73 **BUFFER ZONE** shall mean an area of land that separates two zoning districts and/or land uses that acts to soften or mitigate the effects of one use on the other.

2.03.74 **BUILDING** shall mean any structure built and maintained for the support, shelter or enclosure of persons, animals, chattels, or property of any kind, but shall not include temporary buildings as defined in "Structure, Temporary". Trailers, with wheels, shall not be considered as buildings.

2.03.75 **BUILDING, AREA OF** shall mean the sum in square feet of the ground areas occupied by all buildings and structures on a lot.

2.03.76 **BUILDING CODE** shall mean the various codes of the City that regulate construction and requires Building Permits, electrical permits, mechanical permits, plumbing permits, and other permits to do work regulated by the Uniform Building Code or International Building Code, and other codes adopted by the City that pertain to building construction.

2.03.124 **DEVELOPER** shall mean any person, corporation, partnership, or entity that is responsible for any undertaking that requires a building or zoning permit, conditional use permit or sign permit.

2.03.125 **DEVELOPMENT** shall mean any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations for which necessary permits may be required.

2.03.126 **DEVELOPMENT CONCEPT PLAN** see "Site Plan."

2.03.127 **DEVELOPMENT REVIEW** shall mean the review, by the county of subdivision plats, site plans, rezoning requests, or permit review.

2.03.128 **DISCOUNT CENTER** shall mean a single or group of stores, offering merchandise for sale at less than usual retail prices. Merchandise may be discounted due to either quantity price breaks or merchandise has been discontinued and discounted to another retailer.

2.03.128A **DISTILLERY** shall mean a facility for the production, distillation, blending, bottling, aging, storage, packaging and distribution of distilled spirits for retail or wholesale sale on or off the premises, with a production capacity of 100,000 gallons or more of distilled spirits per year which are subject to regulation by the Nebraska State Liquor Control Commission. Uses that are incidental to the production of spirits, such as tasting rooms, gift shops, merchandise sales, educational tours, and grain production are allowed accessory uses to a distillery as otherwise permitted in the zoning district.

2.03.128B **DISTILLERY, MICRO** shall mean a facility for the production, distillation, blending, bottling, aging, storage, packaging and distribution of distilled spirits for retail or wholesale sale on or off the premises, with a production capacity of not more than 100,000 gallons of distilled spirits per year which are subject to regulation by the Nebraska State Liquor Control Commission. The development may include accessory uses such as tasting rooms, bars, gift shops, merchandise sales, educational tours, private events, live entertainment and restaurant, as otherwise permitted in the zoning district.

2.03.129 **DOG KENNEL** see "Kennel, Commercial."

2.03.130 **DOMESTIC ANIMALS** see "Household Pet."

2.03.131 **DOWNZONING** shall mean a change in zoning classification of land to a less intensive or more restrictive district such as from commercial district to residential district or from a multiple family residential district to single family residential district.

2.03.132 **DRAINAGEWAY** shall mean any depression two feet or more below the surrounding land serving to give direction to a current of water less than nine months of the year, having a bed and well-defined banks; provided that in the event of doubt as to whether a depression is a watercourse or drainageway, it shall be presumed to be a watercourse.

2.03.133 **DRIVE-IN FACILITY** shall mean an establishment where customers can be served without leaving the confinement of their vehicle.

2.03.134 **DRIVEWAY** shall mean any vehicular access to an off-street parking or loading facility.

2.03.135 **DUMP** shall mean a place used for the disposal, abandonment, discarding by burial, incineration, or by any other means for any garbage, sewage, trash, refuse, rubble, waste material, offal or dead animals. Such use shall not involve any industrial or commercial process.

2.03.136 **DUPLEX** shall mean the same as "Dwelling, Two Family".

or future. The term shall also include the division of residential, commercial, industrial, agricultural, or other land whether by deed, metes, and bounds description, lease, map, plat, or another instrument.

2.03.476 **SURFACE WATERS** shall mean all waters within the jurisdiction of this state, including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, springs, canal systems, drainage systems, and all other bodies or accumulations of water, natural or artificial, public or private, situated wholly or partly within or bordering upon the state.

2.03.476A **SWIMMING POOL** shall mean a structure, and all appurtenant equipment, constructed either above or below grade with a depth of at least 18 inches, utilized for the purposes of swimming, diving, or wading.

2.03.477 **TANNING STUDIO** shall mean any business that uses artificial lighting systems to produce a tan on an individual's body. These facilities may be either a stand-alone business or as an accessory use in spas, gymnasiums, athletic clubs, health clubs, and styling salons. This use is not included with any type of adult establishment.

2.03.477A TASTING ROOM shall mean an area associated with a winery, micro-brewery, or micro-distillery devoted to the sampling and sales for consumption on or off site of the products produced. Sale of food is not allowed as part of the tasting room.

2.03.478 **TATOO PARLOR / BODY PIERCING STUDIO** shall mean an establishment whose principal business activity is the practice of tattooing and/or piercing the body of paying customers.

2.03.479 **TAVERN** see "Bar" or "Nightclub."

2.03.480 **TELECOMMUNICATIONS FACILITIES** shall mean any cables, wires, lines, waive guides, antennas, or any other equipment or facilities associated with the transmission or reception of communications which a person seeks to locate or has installed upon or near a tower or antenna support structure.

2.03.481 **TEMPORARY USE** shall mean a use intended for limited duration to be located in a zoning district not permitting such use.

2.03.482 **THEATER** shall mean a building or structure used for dramatic, operatic, motion pictures, or other performance, for admission to which entrance money is received and no audience participation or meal service.

2.03.483 **TINY HOME** shall mean a residential structure of 900 square feet or less, either on wheels or a foundation. Considered an accessory use.

2.03.484 **TOWER** shall mean a structure situated on a site that is intended for transmitting or receiving television, radio, or telephone communications. Also see "Antenna."

2.03.485 **TOWER DEVELOPMENT PERMIT** shall mean a permit issued by the City upon approval by the City Council of an application to develop a tower within the zoning jurisdiction of the City, which permit shall continue in full force and effect for so long as the tower to which it applies conforms to regulations. Upon issuance, a Tower Development Permit shall be deemed to run with the land during the permit's duration and may be transferred, conveyed, and assigned by the applicant to assigns and successors-in-interest.

2.03.486 **TOWER OWNER** shall mean any person with an ownership interest of any nature in a proposed or existing tower following the issuance of a Tower Development Permit.

2.03.487 **TOWNHOUSE** See Dwelling, Townhouse

2.03.488 **TRAILER, AUTOMOBILE** shall mean a vehicle without motive power, designed and constructed to travel on the public thoroughfares and to be used for human habitation or for carrying property, including a trailer coach.

2.03.489 **TRUCK REPAIR** shall mean the repair, including major mechanical and body work, straightening of

Section 5.13 C-4 Flex Business District:

5.13.01 Intent:

It is the intent of the Flex Business District Regulations to create, preserve, and enhance areas containing establishments primarily engaged in light manufacturing, high technology product or commodity development, professional trades and construction services, commercial offices and limited retail uses providing support services or regional/bulk sales. Industrial-office uses are intended to be located in warehouse-like buildings with over 10% of floor space devoted to office use and minimal trucking distribution activities using small delivery trucks. Any applicable overlay district may impose additional regulations for this district. The purpose of the regulations for this district is to implement policies contained in the Bennington Comprehensive Plan, and Zoning Ordinance.

5.13.02 Permitted Uses:

The following uses are permitted in the C-4 Flex Business District provided the requirements of this Ordinance are met.

A. Assembly, fabrication and processing of products inside an enclosed building, except hazardous or combustible materials.
B. Laboratories.
C. Manufacture and assembly of electrical and electronic appliances.
D. Manufacturing, compounding, processing, packaging, or treatment of articles or merchandise from previously prepared materials.
E. Manufacture of light sheet metal products including heating and ventilation equipment.
F. Printing and publishing business.
G. Stone and Free Standing works.
H. Public local distribution and main transmission utilities.
I. Warehouses and wholesale businesses.
J. Building materials yards with enclosed and screened storage areas.
K. Outdoor storage with appropriate screening provisions.
L. Research and development activities.
M. Construction and general building contractors.
N. Landscape contractors.
O. Furniture and fixtures.
P. Cabinetry millwork.
Q. Big box retail store.
~~R. Brewery, micro.~~
~~S.~~R. Convenience store.
~~T.~~S. Home improvement center.
~~U.~~T. Self-service station.
~~V.~~U. Service station.
~~W.~~V. Wholesale trade.
~~X.~~W. Clothing and apparel services, including: dressmaking, millinery, shoe repair, furrier, and tailors.
~~Y.~~X. Business services including: banks, insurance, real estate, offices, postal stations, printing, credit services, security brokers, dealers and exchange, title abstracting, savings and loans, finance services and investment services.
~~Z.~~Y. Self-service cleaning establishments including: laundromats and laundries.
~~AA.~~Z. Personal services including: barber shops, beauty salons, reducing salons, and photographic studios.
~~BB.~~AA. Equipment sales and service including: radio or television shops, business machines, musical instrument shops, sewing machines, plumbing and heating, and electrical fixtures.
~~CC.~~BB. Office uses including: administrative, professional, and clerical uses.
~~DD.~~CC. Business-Commercial Flex subject to requirements in Section 7.19.

5.13.03 Conditional Uses:

The following uses may be allowed through the approval of a Conditional Use Permit, as established by this Ordinance, provide all noted, as well as any special conditions required by the City Council are met.

A. Radio, television and communication towers and transmitters, provided:
   i. The use shall comply with Section 7.08 of this Ordinance
   ii. The structure is within 1,500 feet of an identified major intersection.
   iii. Any proposed tower construction within 300 feet of the Highway 36 centerline shall be reviewed by the Property Management Division of the Nebraska Department of Transportation. This requirement is due to a potential corridor protection area being designated along Highway 36.
   iv. Consistent with section 7.08.05 of this Zoning Ordinances, the Planning Commission may recommend, and the City Council may approve the Tower Development Permit as requested in the pending application with any conditions or safeguards they deem reasonable based upon the application and / or input received at the public hearings.
   v. Notwithstanding the provision of any other ordinance governing separation between towers, if a permit is granted for a new tower within a district, the separation distance between such tower and any preexisting towers shall be the distance, determined by the City Council at the time such Tower Development Permit is granted. The minimum distance shall be based upon current engineering data submitted by the applicant for the tower. Engineering data, at a minimum, shall include the determined manufacturer's designed fall distance rate.
   vi. All other setbacks between the tower, residentially zoned districts and occupied structures as set forth in Section 7.08.06 of the Zoning Ordinance shall be set back the greater of (i) a distance equal to the tower manufacturer's designed fall distance rate, or (ii) the distances set forth in sections 7.08.06 (A) and (B).

B. Overhead and underground utility main transmission lines including but not limited to power, telephone, gas, fuel, or fertilizer lines, substations, terminal facilities, and reservoirs.
C. Auto repair.
D. Used car dealerships.
E. Industrial uses.
F. Bars.
G. Eating establishment.
H. Coffee kiosk.
I. Civic, public, and semipublic uses.
J. Recreation facilities.
K. Car wash.
L. Family child care I and II.
M. Outdoor storage containers.
N. Event Center
O. Farm Implement Sales and Service
P. Dance/Yoga/Cheer/Gymnastics/Martial Arts/Boxing Studio, not including those classified as an Adult Establishment.
Q. Indoor Youth Playground or Gym.
~~Q.~~R. Brewery, Micro and Distillery, Micro

5.13.04 Accessory Uses:

A. Signs as provided for in Article 8.
B. Parking as provided for in Article 7.
C. Buildings and uses customarily incidental to the permitted uses.
D. Outdoor storage with appropriate screening provisions.

xi. Vehicle Detailing
xii. Vehicle window tinting and wraps
xiii. Vehicle audio or security system installation

C. If allowed in the base zone, the following uses may be allowed with a Conditional Use Permit. Additional Parking or other improvements may be required as part of the Permit.
i. Personal services
ii. Business services
iii. Micro-brewery (no tasting room or other retail sales items)
~~iii.~~iv. Micro-distillery (no tasting rooms or other retail sales items)
~~iv.~~v. Veterinary or medical clinics
~~v.~~vi. Research and development activities
~~vi.~~vii. Self-service laundry services
~~vii.~~viii. Office uses include: administrative, professional and clerical

7.19.06 Access Requirements

All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt, or asphaltic concrete. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.

7.19.07 Landscape Buffers for the C-1 Zoning District only:

Facilities must maintain landscape buffer yards of 50 feet adjacent to any State Highway Right of Way, 25 feet adjacent to all other public roadways and 15 feet adjacent to other property lines with residential or transitional agriculture zoning, unless greater setbacks are required, a total of 35 percent of all buffers shall be landscaped.

The remainder of this page intentionally left blank.