



STAFF REPORT

Board of Trustees

Meeting Date: June 10, 2026

Time: 5:30 p.m.

Case #: ZC-2026-065

Applicant: Danbury Township

Request: **Request for Text Amendments.** Add new definition in Section 2.2 for “Bandstand”. Add new section reference to definition for “Bar, Saloon, Tavern/Night Club” and “Restaurant” concerning outdoor music. Add new language to Section 5.2 “Accessory Structures” regarding outdoor music at “Bars, Saloons, Taverns/Night Clubs” and “Restaurants”. **Danbury Township, Applicant.**

DESCRIPTION:

In 2007, the Township passed a noise ordinance in response to a restaurant that was repeatedly being reported for disturbances near a residential neighborhood for loud music and outdoor entertainment. The Township at that time also tried to utilize the zoning resolution as an added layer of protection by prohibiting any outdoor music or entertainment by requiring that all Bars & Restaurant’s could only provide for live entertainment “within a fully enclosed building”. Over the last 20 years since this language was adopted, the requirement and enforcement have gradually relaxed. In the past 5 years, there have only been 20 complaints made (avg. 4 per year) to the police regarding loud music, some of those complaints were found to be unwarranted. In order to remove a conflict from what the Township is allowing vs. what the zoning code stipulates, we’re proposing to allow outdoor entertainment, but with some reasonable controls in place to lessen any impact on residential properties.

Regulations proposed will define what a bandstand is, treat the bandstand like an accessory structure to the Bars & Restaurants, will only allow the outdoor entertainment in conjunction with an established Bar & Restaurant in commercial zoning district, the band or entertainment, including speakers and amplifiers will have to be within a roofed structure with a permanent back/rear wall, the size of the entertainment area will be limited, the structure will be required to be near the primary establishment, and a minimum of 50’ from any residential property line. Any legally established pre-existing set-up currently in existence for summer entertainment will all already meet these proposed requirements or have the ability to conform. No existing establishment will become nonconforming as a result of the new language. The noise ordinance is still in place as an added layer of protection but enforced by the Danbury Police Department.

AGENCY REVIEWS:

Ottawa County Regional Planning Commission (OCRPC) was forwarded the proposed amendments on April 2, 2026, and held a hearing on April 21, 2026. Attached is OCRPC’s decision letter recommending **Approval as Presented**. The Danbury Township Zoning Commission held a public hearing on May 6, 2026, and made a motion to approve the request, citing that the decision standards ‘b’ and ‘c’ of Section 7.7.3.E.i. were satisfied, resulting in a 5-0 vote for **Approval**. The Commission did make a slight modification to ensure that the reference to “outdoor music and/or entertainment” was consistent throughout the new Section 5.2.6 Accessory Structures language.

A proposed amendment may be approved if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

7.7.3.E.i. Text Amendments:

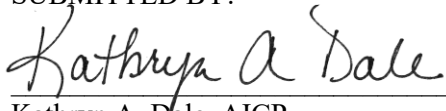
- a. The proposed amendment will make the Resolution conform more closely with the Land Use Plan.
- b. The proposed amendment will improve the public health, safety, or general welfare of Danbury Township.
- c. The proposed amendment will clarify the intent of the Resolution.

- d. The proposed amendment will better implement the intent of the Resolution.
- e. The proposed amendment will improve enforcement of the Resolution.

STAFF RECOMMENDATION:

None.

SUBMITTED BY:



Kathryn A. Dale, AICP
Danbury Township Zoning Inspector

Date Prepared: May 13, 2026



OTTAWA REGIONAL PLANNING COMMISSION

COUNTY COURTHOUSE - ROOM 107 • 315 MADISON STREET • PORT CLINTON, OHIO 43452
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April 22, 2026

Susan Dress
179 Elizabeth Drive
Marblehead, Ohio 43440

RE: Danbury Township Text Amendments

Dear Ms. Dress:

At the regular meeting of the Ottawa Regional Planning Commission held on April 21, 2026 text amendments that were initiated by the Danbury Township Zoning Commission were heard. The Commission considered the following items in reaching its recommendation.

The text amendments have been initiated by Danbury Township Zoning Commission:

- Adding a new definition to define a "Bandstand"
- Amend the definition of Bar, Saloon, Tavern/Night Club, and Restaurant removing requirement stating live music must be in an enclosed building and referencing section 5.2.6 "Accessory Structures"
- Add bandstand language and regulations including structure type, setbacks, size limitations etc. to the accessory structure section of the zoning resolution. (Section 5.2.6)

After considering the above listed items, the Commission voted to recommend approval of the text amendments as submitted. Should you have any questions, please feel free to contact my office.

Sincerely,

Mark Messa
Director

Cc: Stacy Stetler
Kathryn Dale
Paul Lockwood
file

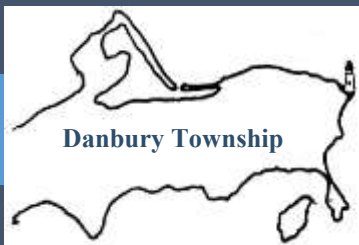


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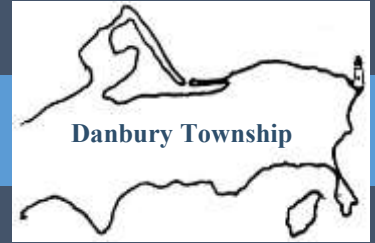
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Adult Oriented Sexual Business

Any business or establishment which provides goods or services meeting the definition of adult material.

Agriculture

The use of land for farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to, the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Airport

Any runway, land area, or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage, and tie-down areas, hangers, and other necessary buildings and open spaces.

Alley

A public or private thoroughfare designed to provide access to the rear or side of property or lots.

Alteration, Structural

Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Automotive Repair

The repair, rebuilding, or reconditioning of motor vehicles or parts thereof including collision service, painting, and steam cleaning of vehicles.

Automotive Salvage or Wrecking

The dismantling or wrecking of vehicles at a facility as defined and regulated in [ORC Section 4738](#). Such uses may include the storage, keeping, buying, or sale of junk vehicles, inoperable vehicles, or parts.

Automotive Service Station

Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for motor vehicles.

Automotive, Manufactured Home, Recreational Vehicle, Marine, and Farm Implement Sales and Service

The sale, service or rental of new and used motor vehicles, manufactured homes, recreational vehicles, marine equipment, boats and recreational watercraft or farm implements, including accessory parts and supplies or repair work of such vehicles.

Banquet Hall

A facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the general public without an invitation and/or outdoor gardens, decks, or reception facilities.

Bandstand

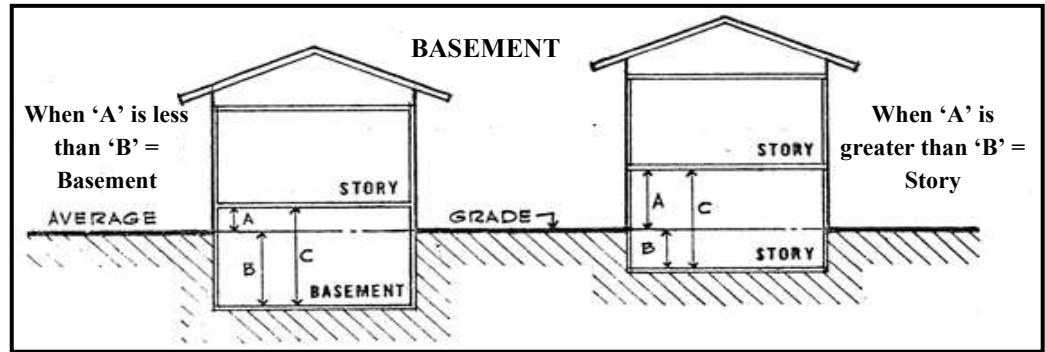
An accessory structure similar to a pavilion or gazebo that is outdoors and separate from the principal use that consists of a platform and possibly an elevated stage for musicians, singers, bands, orchestras, speakers or actors to perform. A bandstand is not the same as an amphitheater, arena, auditorium, stadium, or concert hall. Refer also to [Section 5.2.6 Accessory Structures](#).

Bar, Saloon, Tavern/Night Club

An establishment used primarily for the serving of liquor, including beer and wine, by the drink to the general public and where food may be served or sold only as necessary or secondary to the primary use. Refer to [Section 5.2.6 Accessory Structures regarding outdoor music](#). All activities and music shall be within a fully enclosed building.

Basement

A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.



Beach

A nearly level stretch of pebbles and/or sand beside a body of water that may be artificially created or created by the action of water.

Bed and Breakfast Inn

An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an overnight basis and one (1) meal only is provided; the entire service to be included in one (1) stated price.

Brewery

A large-scale facility for the brewing of beer and ale for sale on the premises, as well as for off-site sales and distribution, that produces more than 10,000 barrels annually and may include restaurant/bar space, tasking, or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverages. See also [“Microbrewery”](#).

Brokerage

A company or agent that negotiates contracts of purchase and sale to buy or sell goods or assets for clients. Typically facilitates the sale of any brand or type of good or product and not a specific brand or type otherwise covered by a dealer license.

Bottling Works

A manufacturing or processing facility where materials are placed within a container and sealed for purposes of sale or distribution.

Buildable Area

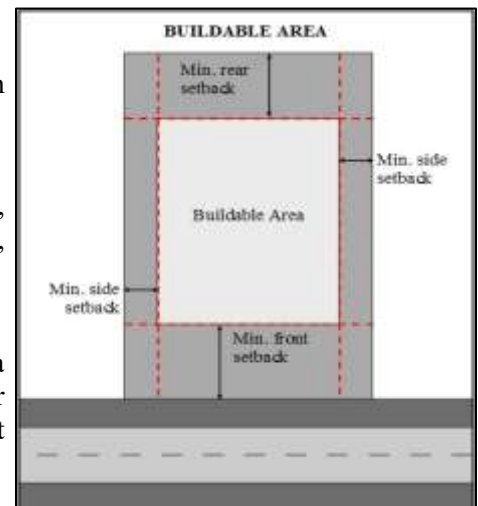
The area of a lot remaining after the minimum required yards and open space requirements of the zoning resolution have been met.

Building

Any structure consisting of foundations, walls, columns, girders, beams, floors, and roofs, or any combination thereof, designed for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Community

A building for social, educational, and recreational activities of a neighborhood or community provided such building is not operated for commercial gain. Designation as a community building shall not permit any use, structure, or activity not otherwise permitted in the District.



Research Laboratories

An establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.

Resort

A mixed-used facility for transient guests where the primary attraction is recreational features and activities, but which offers lodging accommodations through cabins, cottages, recreational vehicles, tents, and the like.

Restaurant

An establishment where food and drink for sale to the general public is prepared, served, and consumed on the premises. ~~Any entertainment or music, associated with the restaurant, must be within a fully enclosed building.~~ Refer to [Section 5.2.6 Accessory Structures regarding outdoor music.](#)

Riding Stable

Any land or structure used for the care and grooming of horses or ponies for which consideration is offered or received.

Right-of-Way

A strip of land taken or dedicated for use as a public or private street or road. Right-of-ways normally incorporate the physical street or roadway, shoulders, lawn strips, bridges, culverts, above-ground and underground public utilities, telephone or power poles, sidewalks, on-street parking and drainage ditches. Typically measured as a width from the centerline of a physical street to either side. Platted rights-of-way must meet the Ohio Department of Transportation or Ottawa County Engineer's standards prior to being recorded.

Roadside Stand

A structure designed or used for the display or sale of agricultural and related products provided some of the products are raised by the owner or person farming the property on which the stand is located.

Rock Crusher

Any piece of equipment used to pulverize or reduce to smaller particles rocks or stones.

School

Any public or private educational facility, including, but not limited to, pre-schools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, colleges, junior colleges, and universities. School includes the school ground but does not include the facilities used primarily for another purpose and only incidentally as a school.

Setback Line

A line established on a lot, at a specified distance from and parallel to a side or rear lot line, or in the case of the front yard, parallel to the road right-of-way or the waters edge, to restrict the encroachment of buildings on the line, except as otherwise provided herein.

Sexual or Genital Area

Includes the genitalia, pubic area, anus, perineum of any person, and the breasts of a female.

Sexually Oriented Business

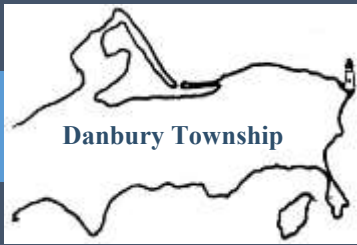
An adult arcade, adult bookstore, adult cabaret, adult health club, adult motion picture theater or any establishment providing goods or services related to adult material.

Sign

See [Section 2.3](#) for all Sign Definitions

Shop

A small retail establishment offering a specialized line of good and service or handicraft items including such facilities as hobby, bicycle, plumbing, etc.



Article 5: General Regulations

ARTICLE 5: GENERAL REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS

- 5.1 General Regulations Applicable to All Districts
- 5.2 **Accessory Buildings**
- 5.3 Breezeways and Attached Garage Standards for Lakeside
- 5.4 Corner Clearance
- 5.5 Fences
- 5.6 Floor Area Requirements for Residential Dwellings
- 5.7 Front Yard Requirements
- 5.8 Landscaping & Buffering
- 5.9 Lot Area, Lot Width and Building Setbacks for Dwellings in the C-1, C-2, and R-C Commercial Districts
- 5.10 Parking & Off-Street Loading Requirements
- 5.11 Storage of Recreational Vehicles
- 5.12 Swimming Pools

11. Pursuant to the authority of Ohio Revised Code [Section 3796.29](#) and [Section 519.21\(D\)](#) all medical marijuana cultivation, processing and/ or dispensary facilities are prohibited. See Danbury Township [Trustee Resolution 06-2017](#).
12. For residential uses, all building and structures must conform to the requirements of either the Ohio Basic Building Code or the [Manufactured Housing Construction and Safety Standards Act of 1974](#). For manufactured homes, the standards in [Section 4.14](#) of the Danbury Township Zoning Resolution shall also be met.
13. For non-residential uses, only buildings and structures that conform to the Ohio Basic Building Code may be occupied for commercial and industrial purposes.

SECTION 5.2 ACCESSORY BUILDINGS

1. All accessory buildings in all zoning districts, and properties in the L district outside the gates of Lakeside, shall be subject to the following regulations and shall be permitted only on lots with a principal building already in existence except as noted in item 1.E below:
 - A. The cumulative square footage of all accessory buildings will be the lot coverage remaining after the square footage of the principal building (if applicable) is subtracted or the following, whichever is smaller:
 - i. Base cumulative square footage allowance for parcels under two (2) acres:
 - a. 2,000 square feet in the A, C-1, C-2, C-3, M-1 and M-2 district.
 - b. 1,200 square feet in the L, R-1, R-2, R-3 and R-C districts.
 - ii. Cumulative square footage allowance for parcels two (2) acres or more:
 - a. 400s.f. per total parcel acreage plus the base allowance [(Acreage x 400s.f.) + base allowance].
 - B. Accessory buildings shall be permitted in the side or rear yard.
 - C. Accessory structures 200s.f. or more are subject to Ottawa County Building Department Standards.
 - D. For lots with a principal building, the following shall apply:
 - i. Such buildings less than 3,200s.f. shall not exceed 20 feet in height,
 - ii. Such buildings containing 3,200s.f. or more shall not exceed 25 feet in height.
 - iii. Shall be no closer than five (5) feet to the principal building, no closer than five (5) feet to the side lot line and no closer than five (5) feet to the rear lot line.
 - E. For lots without a principal building, the following shall also apply:
 - i. The lot on which the principal structure is located must be within fifty (50) feet of the lot on which said accessory building is to be located and owned by the same party. The accessory building shall not exceed the height requirements in Section D. above, must meet the underlying zoning districts front-yard setback, must be located a minimum of five (5) feet from the rear lot line and a minimum of five (5) feet from the side lot lines.
 - ii. An affidavit shall be required retaining the two (2) parcels (principal structures and other lot within fifty [50] feet) under the same ownership until such time as a principal building can be constructed on the lot upon which the accessory structure is located, based upon existing health and sanitary codes. The affidavit shall be recorded in the Ottawa County Recorder's Office by the Township Zoning Inspector within thirty (30) days of submission. The applicant shall pay the cost of the recording fee.
 - F. For lots declaring the waters of Lake Erie or Sandusky Bay as their front yard, no accessory building may be located closer than twenty (20) feet from the rear lot line. In addition, docks, decks connected to the dock and other necessary appurtenances to the dock may be located in the required front yard but shall be no closer than five (5) feet to the side lot lines.
2. All Accessory buildings in the L, LBO, and LMO districts, within the gates of Lakeside, shall be permitted only on lots with a principal building already in existence and are permitted in the side or rear yard. The minimum setback shall be three (3) feet from the side and rear lot line. Such building shall not exceed 1,200 square feet, shall be no closer than five (5) feet to the principal building, and shall not exceed fifteen (15) feet in height .

3. No accessory building shall be converted into living quarters or inhabited for overnight stay, offered for rent or used by someone other than the property owner, unless otherwise permitted by this resolution.
4. Accessory buildings in the M-1 and M-2 districts shall be permitted only on lots with a principal building already in existence and are permitted only in the side or rear yard.
5. Accessory buildings and structures shall be permitted in certain zoning districts as indicated in the table, Accessory Buildings and Structures:

Accessory Buildings and Structures	Districts														
	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	PUD
Accessory Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pools	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	P
Signs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

P—Permitted NP—Not Permitted

6. Any outdoor music and/or entertainment for Bars, Saloons, Taverns/Night Clubs and Restaurants shall be subject to all of the following requirements:
 - A. Any outdoor music and/or entertainment offered that is not held inside the principal bar or restaurant shall be located in a bandstand-type structure which will be considered as an accessory structure for the purpose of this use.
 - B. Such structure shall only be permitted in the LBO, LMO, C-1, C-2 and R-C zoning districts and in conjunction with an operating Bar, Saloon, Tavern/ Night Club or Restaurant.
 - C. Said bandstand-type structure shall be subject to the following requirements:
 - i. Such structure shall be roofed.
 - ii. A back or rear wall shall be permanently constructed as part of the structure.
 - iii. Any speakers or amplifiers shall be located within the bandstand structure and not outside the roofed structure.
 - iv. The bandstand structure, including speakers or amplifiers, and the outdoor music, band or live entertainment shall not be directed so the sound is projected towards any neighboring residential structures. The intent is to have the live outdoor music and/or entertainment and sound directed and projected towards the establishment’s patrons.
 - v. A tent or other temporary material is not an acceptable structure for such bandstand.
 - D. Said bandstand structure shall meet the following requirements:
 - i. The structure shall be a minimum of 5’ from the principal structure but no further from the principal structure than 20’.
 - ii. The structure shall be located in the side or rear yard of the property and shall not exceed 20’ in height.
 - iii. The structure shall be a minimum of 50’ from any adjoining residential property line.
 - iv. The structure shall not exceed 200s.f.
 - E. If outdoor music and/or entertainment is provided in a legally permitted pre-existing roofed structure, detached or attached with the principal use, that is larger than 200s.f., then the performance area inside of that pre-existing structure should not exceed 200s.f. where the band or live entertainment is being staged.
 - F. All outdoor music and/or entertainment are subject to the Danbury Township Noise Resolution enforced by the Danbury Township Police Department.

