



## **CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL**

### **AGENDA ITEM**

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Report: Potential initiation of a Glendale Municipal Code, 1995, amendment related to urban beekeeping in residential zones.

1. Motion to initiate code amendment related to urban beekeeping;
2. Motion to note and file report.

### **COUNCIL ACTION**

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**Item Type:** Action Item

**Approved for** June 29, 2021 **Calendar**

### **ADMINISTRATIVE ACTION**

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**Approved by:**

Roubik R. Golanian, P.E., City Manager

## **RECOMMENDATION**

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Staff recommends that Council review this report and provide direction regarding urban beekeeping.

## **BACKGROUND/ANALYSIS**

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In late July 2020, the Council inquired about urban beekeeping and asked staff to return with additional information for potential Glendale Municipal Code revisions to permit residential beekeeping. This was prompted by a request from a resident in the R1R zone who was keeping bees in her backyard and received a Notice of Violation following complaint by her next door neighbor; the neighbor claimed she was experiencing a nuisance from the bees leaving and returning to the hive and contacted Code Enforcement.

City Council asked staff to gather information regarding beekeeping in residential zones, which are not a permitted use and on January 19, 2021, presented a background about bees and beekeeping, as well as an initial research on backyard beekeeping regulations and guidelines from other cities and counties.

Upon review of the report at the January 19, 2021 meeting, City Council directed staff to present this report to the Sustainability Commission for their review and feedback.

### *Sustainability Commission*

On May 6, 2021, the Sustainability Commission reviewed this report and unanimously recommended an initiation of a code amendment related to urban beekeeping. The comments from the Sustainability Commission are outlined in their motion, attached as Exhibit 1, and generally include the best practices and similar regulations from other cities and counties summarized in this report.

There was discussion from Commissioners about the number of hives allowed per lot. They agreed on two hives per lot, but suggested consideration of an additional hive if a lot was over 10,000 square feet in size. Additionally, there was discussion to consider allowing beekeeping on smaller, low-density multi-family properties and not just in single family zones. During this discussion it was also suggested that the City look to expand sites on city-owned properties in the SR zoned hillsides to offer more opportunities to interested parties to keep apiaries.

### Zoning Rules

Currently, the City only allows Apiaries, the keeping of bees and beehives, in the Special Recreation (SR) Zoning district. The SR Zone is intended as a zone for public and private open space and recreational uses and is intended to provide and protect open space, natural physical features and scenic resources. The SR zone includes City

parks, Oakmont and Chevy Chase golf courses and the vast majority of the City's open space hillsides from the Verdugo Mountains to Glenoaks and Chevy Chase Canyons.

#### Apiaries currently located on City-owned property

Community Services and Parks Department makes some City-owned SR zoned properties available for beekeeping. Currently there are three locations: Freeway Site A, next to the Sports Complex; Freeway Site C, adjacent to the Mayor's Bicentennial Park; and an open space area off of Camino San Rafael. These sites were identified using basic criteria:

- be away from residential areas;
- be away from active/passive developed park areas and trails;
- be limited to authorized personnel and vehicles only; and
- have vehicular access away from trails.

Each site currently has a licensed tenant (through Los Angeles County, as well as an agreement with Glendale Community Services and Parks). Each tenant is allowed up to 100 hives with the number fluctuating throughout the year as hives are rotated around to other locations outside Glendale. The tenants are local beekeepers, not commercial operators. Requests for additional City-owned open space locations to place more bee hives have been made from time to time from the public, but Community Services and Parks has indicated that meeting the siting and access criteria described above have not been feasible. There is currently a waiting list of five people wishing to utilize the space for beekeeping. It should be noted that there is no time limit on how long tenants can use the space once they are admitted.

#### Urban Beekeeping

Bees are found almost everywhere in our environment busy foraging for food. They feed on nectar for energy and pollen to feed their young. There are thousands of bee species in North America and about 1,500 of them are found in California.

Bees are a very important part of the environment. They pollinate about a third of all flowers and are the primary means by which many fruits, vegetables, and seeds are produced. Honey bees are responsible for the pollination of at least a third of all food crops and cotton crops. Other animals that pollinate include bats, butterflies and birds.

The best known bee is the European honey bee (*Apis mellifera*), yet the honey bee is not native to North America. These bees were brought here from Europe. Many native bee species are solitary and do not live in hives.

In 2006, a mysterious dying off of honey bees called Colony Collapse Disorder (CCD), caused heightened awareness of pollinator health nationwide. The cause of CCD is still unknown but may be a combination of stresses due to pathogens, parasites, pesticides, bee management practices, environmental conditions or immune-suppression caused by any of the factors above.

This decline in honey bees resulted in the development of the “National Strategy to Promote Pollinator Health” in May 2015 by the President Obama led interagency Task Force. Public awareness of pollinator decline has generated an interest in bees and an increase in urban beekeeping. Small-scale urban beekeeping allows bees to live in more natural conditions, which can significantly increase their survival rates.

### *Basic Hive Information*

Modern honey beehives consist of boxes with frames inside and a wax foundation, called the Langstroth movable frame hive. A honey-filled box can weigh 50 pounds or more. A strong hive in the spring or summer has 60,000 to 80,000 bees. Bees will travel three (3) to five (5) miles to collect food. On average, a hive makes about 25 pounds of honey a year.

### *Bee Keeping Best Practices*

- Careful hive placement - Easy hive access, water source, and adequate distance from the public. A six-foot barrier or hives placed a minimum of eight feet above ground level of the adjacent lot is recommended.
- Provide a water source - Providing ample water nearby will keep bees out of neighboring water sources.
- Provide Space in Hive Boxes - Overcrowded hives may cause bees to be more irritable with a tendency to swarm.
- Re-Queen regularly with known genetics - Prevent aggressive (Africanized) genetics by re-queening (replacing the queen bee in a colony with a younger and more productive queen, a common practice to prevent swarming) with queens of known genetic origin.
- Regular hive maintenance - Stress from lack of food resources, water, pests, space, or failure of a queen may be easily prevented by inspecting the hive regularly.

### *Urban Beekeeping Concerns*

Neighbors of urban beekeepers may have concerns over the potential for aggression by bees, especially swarming and an increase in stings. It is the case that unattended hives can lead to aggressive (Africanized) bees taking over European honey bee hives.

Unattended bee hives can also lead to swarms of bees foraging for food and water. Both of these circumstances could result in stings and nuisance complaints. However, a well maintained and well placed hive is not dangerous to its neighbors and European honey bees are not aggressive by nature. The site specifications and management practices required for urban beekeeping by cities such as San Diego and Santa Monica, along with information on the best practices, as listed above, are in place to prevent honey bees becoming a nuisance to neighbors. Reducing the chances that beekeeping becomes a nuisance to neighbors is largely dependent on following best practices such as barriers (fences and hedges) and appropriately locating hives with consideration of neighboring properties. Glendale in particular has many single family hillside properties that may complicate hive placement due to elevation or grade differences between properties. Six-foot fence or hedge barriers that are designed to direct bees in their flight pattern up and out to avoid interaction at the human-level may not be tall enough to keep bees from flying up and away from a neighboring properties. A regulation used by the City of Los Angeles that hives must be eight feet above the neighboring property to minimize interaction at human-level may address this concern. However, being able to locate hives eight feet higher than a neighboring property may not be attainable for the configuration of hillside properties or be enough to avoid the potential nuisance.

Local cities and counties require apiary/hive registration and conduct inspection of hives. An officer from Santa Monica Police Department Animal Control inspects every hive upon initial registration to ensure it conforms to their code. They also respond to urban beekeeping complaints when needed. They have not received a complaint for a few years. Likewise, the hive inspector for San Diego County, who oversees a mix of large commercial and small hobbyist apiaries, does not receive many complaints from neighbors.

### *Beekeeping rules from other jurisdictions*

#### City of Burbank

The City of Burbank does not expressly ban urban beekeeping in residential zones, but the space constraints in the code make it impossible to locate a hive in any of the average size lots. The City allows bee keeping if the hives are more than 200 feet away from any residence, hospital, sanitarium, public eating place, school, church, office building, store, hotel, apartment house, rooming house, or any other place of habitation. Beekeepers must register with the Los Angeles County Agricultural Commissioner.

#### City of La Canada Flintridge

The City of La Canada Flintridge does not allow bee keeping in residential zones. Otherwise, the City is governed by Los Angeles County Animals Title Ten (10).

### City of Pasadena

The City of Pasadena does not have an ordinance but the City expects beekeepers to register with County of Los Angeles Department of Agriculture. Beehives should also abide by the Zoning Code's setbacks.

### City of Los Angeles

In October, 2015, the City of Los Angeles approved Ordinance No. 183920 establishing new regulations for backyard beekeeping on single-family residential zoned properties. The ordinance specifies that one hive is allowed for every 2,500 square feet. Hives must be located a minimum of five feet from front, side, and rear lot lines, and a minimum 20 feet from public rights-of-way or private streets. Hives are not allowed in the front yard. A six-foot wall, fence or hedge must be located between hives and adjacent lots, or hives must be placed at a minimum of eight feet above ground level of the adjacent lot. Hive entrances must face away from, or parallel to, the nearest lot line adjacent to another lot. A water source must be provided for bees at all times. Beekeepers must register with the County of Los Angeles Department of Agriculture.

### City of Santa Monica

The City of Santa Monica started to allow backyard bee keeping of up to two hives in single family residences throughout the City in 2011. Any person intending to maintain a bee hive on any single-family residential property within the City must first register with the City's Animal Control Office. The ordinance allows urban beekeeping under a robust set of rules that include hive type, placement, food and water source availability, and maintenance of hives. Placement rules include: hives shall be located at least five feet from all property lines, hive entrances shall face away from or parallel to the nearest property line(s), and hives must either be screened so that the bees must fly over a six-foot barrier, or be placed at least eight feet above the adjacent ground level. Bee Keepers must also register with the County of Los Angeles Department of Agriculture.

The Animal Control office inspects the hives of all new applicants, as well as responds to nuisance calls. Santa Monica indicated they currently have approximately seven registered hives and that the City had not received a nuisance call for a few years.

### Los Angeles County

In unincorporated areas of Los Angeles County, raising of bees is not allowed in the residential zone. However, it has no limitation in the agricultural, open space, resort and recreation, watershed, commercial recreation, and light and heavy manufacturing

zones. All buildings or structures used in conjunction with animal raising must be located not less than 50 feet from any street or highway or any habitable structure.

The primary mission of the Los Angeles County Apiary Program is to safeguard the California honey bee industry and to gather statistics for the annual Crop Report. In Los Angeles County, all beekeepers are required to:

- Follow California Food and Agricultural Code (FAC) Division 13: Bee Management and Honey Production.
- Register their hives annually with the County Agricultural Commissioner / Weights & Measures office by completing the Annual Apiary Registration form. There is a \$10 registration fee.
- Contact the City or County in which their apiaries are located regarding ordinances and restrictions.

### City of San Diego

In January 2012 the City of San Diego amended its Municipal Code to allow residents of single family homes, community gardens, and retail farms to keep and maintain two beehives. An apiary of one or two hives must be located outside of all setbacks, or fifteen feet from the property line and twenty feet from the public right-of way, whichever is greater. An apiary of one or two hives must do the following:

- Locate the beehive in a secured area.
- Re-queen the beehive every two years.
- Locate the beehive so that it is not visible from the public right-of way.
- Surround the beehive with a six-foot tall barrier unless it is at least eight feet above the ground.

Apiaries must register with the City and the County of San Diego.

### San Diego County

Bee colonies located in the unincorporated area of San Diego County are allowed in residential areas. Colony owners submit the Best Management Practice Checklist Tier A (1-2 colonies), Tier B (3-20 colonies), or Tier C (21 or more colonies), in addition to a registration form. First time registrants complete an online beekeeping course as well. Placement standards for apiaries vary by tier, with the least being twenty feet from a property line and roads, thirty feet from a neighboring dwelling, and one hundred and fifty feet from a sensitive site. Apiaries in Tier A or B with twenty or fewer colonies in a residential area within three hundred feet of a neighboring dwelling shall maintain a six-foot vertical flyover barrier. Each year, all beekeepers with honey bee colonies in San Diego County must register with the County.

The following tables summarize the rules related to urban beekeeping:

<b>Jurisdiction</b>	<b>Zone/Use</b>	<b>Lot Size / Spacing Required</b>	<b>Setback</b>
<b>City of Burbank</b>	None specified	Must be more than 200 feet away from any residence, hospital, sanitarium, public eating place, school, church, office building, store, hotel, apartment house, rooming house, or any other place of habitation.	None specified.
<b>City of Los Angeles</b>	Single family residence	1 hive for every 2,500 sq. ft.	Hives located at minimum 5 feet from front, side, and rear lot lines, and minimum 20 feet from public rights-of-way or private streets. None in front yard.
<b>City of Pasadena</b>	Single family residences	None specified	Zoning Code setbacks applicable to accessory structures in the applicable zoning district.
<b>City of San Diego</b>	Single family residence, community gardens, and retail farms	Apiary consisting of three or more beehives shall be located no closer than 600 feet from a building used as a residence, other than the residence located on the same premises, and a minimum of 100 feet from the public right-of-way.	Apiary consisting of 2 or fewer beehives must be located outside of all setbacks, or 15 feet from the property line and 20 feet from the public right-of way, whichever is greater.
<b>City of Santa Monica</b>	Single family residences	No more than 2 hives may be maintained on any single-family residential property.	Hives shall be located at least 5 feet from all property lines.
<b>La Canada Flintridge</b>	Not allowed in residential zones	N/A	N/A
<b>Los Angeles County</b>	Not allowed in residential zones	Not less than 50 feet from any street or highway or any habitable structure.	None specified
<b>San Diego County</b>	None prohibited or specified	None specified	Tier A: 25 feet; Tier B: 50 feet; Tier C: 100 feet.



<b>Jurisdiction</b>	<b>Wall/hedge</b>	<b>Placement</b>	<b>Registration</b>	<b>Other</b>
<b>City of Burbank</b>	None specified	None specified	Yearly registration with Los Angeles County	
<b>City of Los Angeles</b>	6-foot wall/fence/hedge located between hives and adjacent lots, or hives placed a minimum of 8 feet above ground level of the adjacent lot.	Hive entrances face away from, or parallel to, the nearest lot line adjacent to another lot.	Yearly registration with Los Angeles County	A water source for bees shall be provided at all times
<b>City of Pasadena</b>	None specified	None specified	Yearly registration with Los Angeles County	
<b>City of San Diego</b>	Two or fewer beehives must maintain a minimum 6-foot tall barrier shall surround the beehive leaving sufficient space to properly maintain the beehive, unless elevated 8 feet above grade.	Not visible from the public right-of-way. Secured location. Opening of the beehive faces most distant property line and away from entrances and walkways on the premises.	Yearly registration with San Diego County	Only Apis mellifera species. Maintain within 10 feet a water supply. Maintain firefighting supplies. Bee smoker regulations. The beehive is re-queened every 2 years.
<b>City of Santa Monica</b>	Hives must either be screened so that the bees must fly over a 6-foot barrier, which may be vegetative, before leaving the property, or be placed at least eight feet above the adjacent ground level.	Hive entrances shall face away from or parallel to the nearest property line(s).	City Animal Control Office and yearly registration with Los Angeles County.	Hives must have hive moveable frames, provide adequate living space, and re-queened at least once every 2 years. Water must be provided. Hive maintenance equipment stored in a sealed or enclosure.
<b>La Canada Flintridge</b>				Governed by Los Angeles County's Animals Title Ten.
<b>Los Angeles County</b>	None specified	None specified	None specified	
<b>San Diego County</b>	Apiaries in Tier A or B with 20 or fewer colonies in a residential area within 300 hundred feet of a neighboring dwelling shall maintain a 6-foot vertical flyover barrier.	From roads: Tier A -25 ft, Tier B - 50 ft, Tier C - 100 ft. From neighboring dwelling: Tier A-35 ft, Tier B - 100 ft, Tier C - 300 ft. From a sensitive site: Tier A - 150 ft, Tier B - 150 ft, or 300 ft, Tier C - 450 ft.	All colonies in the County must register yearly. Those located in unincorporated areas submit the Best Management Practice checklist for their Tier, along with registration form. First time registrants complete an online beekeeping course.	Hive will have movable-frames. Maintain water supply and firefighting supplies. Bee smoker regulations. Hives must have identification signs with beekeeper information.

## Potential Beekeeping revisions to the Glendale Municipal Code.

Any proposed regulations will be designed to minimize encounters between bees and humans and could include:

- Limit urban beekeeping to the single family residential zones (R1, R1R, and ROS). While the Sustainability Commission recommended expanding beekeeping to smaller multi-family properties, if the goal is to minimize encounters between bees and humans, expanding to more locations would increase encounters between humans and bees.
- Fence or hedge barriers or grade differences, including hive entrance orientation away from property lines to help generally direct bees in their flight pattern up and out to forage, and minimize interaction at human-level.
- Limit the maximum number and placement of hives, based on lot size and located out of all required setbacks.
- Hive maintenance shall include connection to food and water sources on site, re-queening every two (2) years and providing adequate space for bees to prevent swarming.
- Consideration should be given to an application or registration process with an initial inspection.
- As suggested by the Sustainability Commission, consideration should be given to expand beekeeping opportunities to other sites on city-owned SR properties to allow interested parties to keep apiaries with minimal interaction between bees and humans.

## Code Enforcement Considerations

Currently, staff does not have the capacity, resources or the expertise to administer, monitor and enforce an active urban beekeeping program compared to the other cities outlined in the report. If Council wishes to initiate a code change to allow for the keeping of bees in residential zones, staff recommends contracting with another agency more equipped to handle those duties such as the Pasadena Humane Society or the County of Los Angeles. Staff can research those options further and include them in a future ordinance for consideration.

Staff has confirmed that an annual inspection of hives is conducted with every apiary registration with the Los Angeles County Agricultural Commissioner. Upon passing inspection, the beekeeper is then issued a certificate. It should be pointed out that there is only one inspector for apiaries in all of Los Angeles County. And while they are able to revoke an apiary registration/certificate, they are unable to issue citations and rely on the local jurisdiction to enforce code and nuisance violations.

## **FISCAL IMPACT**

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If Council initiates amendments to the Municipal Code for urban beekeeping, potential costs to the City would depend on application/registration fees and staff training for inspections and response to nuisance calls and or the cost of contracting that service out to a third party.

## **ALTERNATIVES**

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**Alternative 1:** The City Council may review potential changes for urban beekeeping and consider initiation of a code amendment to the Glendale Municipal Code.

**Alternative 2:** The City Council may elect to note and file the report.

**Alternative 3:** The Council may consider any other alternative not presented by staff.

## **CAMPAIGN DISCLOSURE**

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Not applicable

## **EXHIBITS**

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1. Sustainability Commission's Motion dated May 6, 2021