



CITY OF COSTA MESA

77 Fair Drive
Costa Mesa, CA 92626

Agenda Report

File #: 25-132

Meeting Date: 1/21/2025

TITLE:

SECOND READING OF AN ORDINANCE AMENDING TITLE 3 (ANIMAL REGULATIONS) OF THE COSTA MESA MUNICIPAL CODE BY AMENDING CHAPTER I (IN GENERAL) AND CHAPTER VI (SPECIAL ANIMAL PERMIT) TO PROVIDE FOR BEEKEEPING AND TO CLARIFY APPEAL PROCEDURES FOR SPECIAL ANIMAL PERMITS

DEPARTMENT: POLICE DEPARTMENT

PRESENTED BY: STEPHANIE A. SELINSKE, LIEUTENANT

CONTACT INFORMATION: STEPHANIE A. SELINSKE, LIEUTENANT; 714-754-5293

RECOMMENDATION:

1. Staff recommends the City Council give a second reading and adopt Ordinance No. 2025-XX amending Title 3 (Animal Regulations) of the Costa Mesa Municipal Code by amending Chapter I (In General) and Chapter VI (Special Animal Permit) to allow for the lawful keeping of bees and/or hives within the city and to clarify appeal procedures for special animal permits.
2. Adopt a Resolution of the City Council of the City of Costa Mesa, California, establishing a beekeeping permit user fee to be added to the City's Consolidated Schedule of User and Regulatory Fees.

BACKGROUND:

The City of Costa Mesa Municipal Code (CMMC) 3-18, currently states it is unlawful for any person to have, keep or maintain any hive or swarm of bees within the city.

On November 19, 2024, a first reading of proposed amendments to CMMC 3-18 were presented to City Council. Council members provided feedback and discussed proposed amendments. City Council approved moving the ordinance forward by a vote of 7-0 with three council member amendments.

ANALYSIS:

This ordinance is being presented for second reading and final adoption.

The proposed ordinance allows for the keeping of domesticated bees with a permit issued through the Police Department's Animal Services Unit. Permits would only be issued for residential properties that allow for adequate spacing from neighboring residences so as not to interfere with the free use of neighboring properties. Distance limits have been established to define adequate spacing. Beehives must be secured from unauthorized access and not be visible from the public right of way. Applicants wishing to obtain a beekeeping permit would be required to complete an application form,

which includes a property map indicating where the hive(s) would reside and pay the applicable permit fee. Upon receipt of the application, staff would send written notices to abutting properties to allow those residents an opportunity to provide feedback (support or concerns) and to identify if any neighbors have a severe allergy to bees that could endanger their health and safety. Staff would review the application and any resident letters to determine if approval or denial was appropriate. A permit would be issued if it is determined the beehive(s) and bees would be kept and maintained without menacing the safety of any person or property.

Upon approval of the permit, residents would be required to register their hives with the Agricultural Commissioner of Orange County as required by law and abide by the Costa Mesa Residential Beekeeping Best Practices guide. Control measures have been established in the ordinance to allow for the revocation of a permit if the bees or hive(s) become a public nuisance. This would include a complaint from a person residing on a neighboring property with proof of a medically certified allergy to the sting of bees. Additionally, permits are only valid for two years, allowing for reoccurring review and inspections by staff. During the creation of this new ordinance, updates were recommended to the appeal procedures. To ensure that the beekeeping permit and special animal permit appeal procedures are in congruence, staff recommend that the special animal permit code be amended as well.

Sixty days prior to a permit term expiring, applicants would apply to renew the permit by submitting a renewal request and fee. This renewal process allows animal control services to keep accurate and timely records on beehives in the community, confirm that residents comply with best practices and to update neighbors on beekeeping activities if new residents have moved nearby. If a permit is allowed to expire, a new application and fee will be required.

The following list highlights the changes made to this ordinance from the November 17, 2024, City Council meeting:

- 3-18.4 (b)(1) - Wording added for permit fees set by resolution.
- 3-18.4 (c)(1)(c) - Property and Hive requirements - Beehives will be prohibited within 500' from the following parks/preserves in order to limit disruption of the local ecology:
 - Fairview Park
 - Talbert Park
 - Upper Newport Bay Nature Preserve (Back Bay)
 - Frank and Joan Randall Preserve
- 3-18.4 (c)(3) Two (2) production hives are permitted, with additional temporary expansion hives allowed as needed to manage swarming.
- 3-18.5 and 3-18.7 have been modified in non-substantive ways to delete redundant language and move revocation language from section 3-18.5 to 3-18.7.

The proposed resolution will establish the beekeeping permit as a new user fee to be added to the

City's Consolidated Master fee schedule. This is a fee-related service since the cost of providing these services will directly benefit those obtaining the permit. A financial analysis of the cost of service was conducted and staff recommends the fee be established at \$75 for both an initial and renewal permit. This amount proposes a 17% cost recovery for both an initial and renewal beekeeping permit.

ENVIRONMENTAL ANALYSIS:

This ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is exempt from CEQA because there is no possibility that the ordinance or its implementation would have a significant negative effect on the environment. (14 Cal. Code Regs. § 15061(b)(3).) A Notice of Exemption should be filed as authorized by CEQA and the State CEQA Guidelines.

ALTERNATIVES:

The City Council could elect to increase cost recovery and increase the beekeeping permit fee or elect to not approve the beekeeping ordinance and the City would continue with not allowing beekeeping within City limits.

FISCAL REVIEW:

The resolution establishing the new user fee of \$75 is considered additional revenue and be part of General fund revenue. Potential beekeeping permits is estimated at 10 which would be \$750 additional revenue to the City.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report, the proposed Ordinance and Resolution and approved them as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Strengthen public safety and improve the quality of life

CONCLUSION:

1. Staff recommends the City Council give a second reading and adopt Ordinance No. 2025-XX amending Title 3 (Animal Regulations) of the Costa Mesa Municipal Code by amending Chapter I (In General) and Chapter VI (Special Animal Permit) to allow for the lawful keeping of bees and/or hives within city and to clarify appeal procedures for special animal permits.
2. Adopt a Resolution of the City Council of the City of Costa Mesa, California, establishing a beekeeping permit user fee and added to the City's Consolidated Schedule of User and Regulatory Fees.