

October 1, 2024
Via Email

Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92626
citycouncil@costamesaca.gov

Dear Members of the City Council:

I was a member of the Animal Services Committee's Beekeeping Subcommittee. While I am happy to see backyard beekeeping come before the City Council, I have concerns about the way the proposed ordinance works and, unfortunately, I would not support it as written.

First, I was surprised that the letter, draft ordinance and attachments originally submitted by the Subcommittee to the City Council were not made part of the public record for this meeting. Accordingly I have attached them to this letter. There were also a number of changes made between the draft ordinance submitted by the Subcommittee and the draft ordinance before you today. Therefore, I am also attaching a redline of the two ordinances showing the changes.

From the Subcommittee's perspective, the purpose of a beekeeping permit is to allow residents to use their own properties to pursue a socially beneficial hobby, while providing neighbors and the city avenues of redress if that hobby became a nuisance. Based on our research, we found that the City of Fullerton's approach best matched that purpose. However, although the agenda report states that the proposed ordinance is modeled after Fullerton's ordinance, I don't think certain changes are in that spirit. Fullerton's ordinance establishes a hands-off, complaint-based permitting regime. Here, the changes by the Costa Mesa Police Department (CMPD) take a more proactive stance, where the City takes on responsibility for ensuring compliance. [I'm not sure this is the right approach](#). In particular, the following provisions concern me:

- **Requiring signed notification forms from adjacent "neighbors" prior to application approval.** This requirement presents a number of practical problems. First, it gives adjacent residents a veto over the permit simply by withholding their signatures (for any reason or no reason). An applicant could also be frustrated if an adjacent property's residents cannot be located. And finally, who are the "neighbors"? Some residences house multiple households – will a signature from each household be required? Each adult? How will the CMPD know if all relevant "neighbors" have signed?

It would make more sense to require the applicant to only provide proof of notification to adjacent property owners (who can be discerned from the City's property records). In my view this would not undermine public safety, because anyone with a *bona fide* concern about a neighbor keeping bees could still present evidence under Section 3.18.4(e)(1)(b), (d), (e) or (g), which would then cause the bees to be declared a nuisance and the permit revoked.

- **Requiring the permit holder to *reapply* every two years.** A special animal permit only requires the payment of an annual fee, not a full blown re-application. So why does a beekeeper have to *reapply* every two years? Reapplication would be cumbersome, as it would, on its face, require the beekeeper to restart neighbor notification/certification process discussed above in addition to complying with the other application requirements. The requirement that staff do an onsite inspection *every two years* is especially burdensome, both to the city and to the beekeeper.

Instead, requiring a simple annual renewal fee, which would allow staff to track active beekeepers in the city, would make more sense. The purpose of the beekeeping permit is *not* to ensure perfect beekeeping, as bees are already endemic to Costa Mesa. It is simply to ensure one neighbor's hobby does not place undue burdens on the quiet enjoyment of others' property. To do that, the city needs to know which houses maintain bees in the event of a complaint. An annual fee is all that would be needed to do that.

- **Requiring completion of registration and beekeeping course within 60 days of permit issuance.** How would this be enforced? Does staff want to take on the responsibility of following up with permit holders to confirm timely completion? Recall that, pursuant to Section 3.18.4(e)(1)(e), failure to comply with the requirements of the beekeeping ordinance is grounds for revoking the permit. Therefore, it is unnecessary to enforce the registration and education requirements *proactively*. If a hive receives a complaint, at *that time* these matters could be checked, and the permit revoked if the applicant is noncompliant. And if a hive receives no complaints, the risks of operating outside the permit requirements and without proper registration and education are fully internalized by the beekeeper herself.
- **Requiring beekeeping signage.** This requirement strikes me as unnecessary and possibly misleading. I'm guessing that hobby beekeepers are liable to their invitees if they do not warn them of the potential dangers of active hives on the property, such that the city shouldn't necessarily need to regulate how a beekeeper provides such a warning. Such signs could also confuse the public: bees can fly for miles and they are common throughout Costa Mesa, not just near active hives. However, signage could imply that every bee encountered in the vicinity was from a particular backyard hive, which is very unlikely to be true.

I would also point out that, to my knowledge, there is no Costa Mesa Residential Beekeeping Best Practices guide. Therefore, I would expect the City Council will need to instruct staff to create this guide and allocate appropriate resources to do so.

Best,
Jenn Tanaka
321 Broadway
Costa Mesa, CA 92627

ORDINANCE NO. 24-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA 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, AND FINDING CATEGORICALLY EXEMPT FROM CEQA REVIEW

WHEREAS, the keeping of domesticated bees allows for preservation of domesticated bees which are essential to agriculture, preservation of habitat, cultivation of native plants and amelioration of climate change; and

WHEREAS, the City's Animal Services Committee has carefully considered potential rules and regulations relating to beekeeping and permit requirements with the input of the Police Department and has recommended a draft ordinance to the City Council for adoption; and

WHEREAS, the appeal procedure for appeals relating to special animal permits was revised in 2023, but clarification of the notice and hearing requirements is needed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter I (IN GENERAL) of Title 3 (ANIMAL REGULATIONS), SECTION 3-18 (BEEKEEPING) of the Costa Mesa Municipal Code is hereby amended by read as follows:

3-18 Residential Beekeeping

3-18.1 Definitions:

Bee: Any insect of the superfamily ~~apoidea~~Apoidea in the order ~~hymenoptera~~Hymenoptera characterized by sucking and chewing mouthparts for gathering nectar and pollen, including domesticated bees.

~~Hive~~

Beehive: Any structure housing a bee colony or other colony of swarming ~~insect~~insects, including domesticated hives.

Domesticated bee: Any stage of life of the common domesticated ~~honey-bee~~honeybee, but not including feral bees.

Domesticated hive: An artificial structure for the housing of domesticated bees that is manufactured for that purpose, containing up to ten (10) standard sized frames.

Requeen:— The act of replacing the queen bee in a hive with a younger queen, a common practice in beekeeping to prevent bee swarming.

Swarm: A group of bees in a transitional state leaving their original hive, clustering and then leaving again to establish a new hive in a new cavity.

3-18.2 Intent

The intent and purpose of this section is to authorize backyard beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with backyard beekeeping in populated areas.-

3-18.3 Regulation and Permitting of Beekeeping

(a) It is unlawful for any person to have, keep or maintain any hive or swarm of wasps, hornets, bees, or other swarming insects within the city.

(b) Subsection (a) shall not apply to ~~(1)~~:

~~(b)(1)~~ the keeping of flying insects within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes, provided they are not permitted to fly at large, or ~~(2) the keeping of domesticated bees on properties developed with a single family residence consistent with subsection (c) below.~~

(2) Backyard beekeeping: general the keeping of domesticated bees after obtaining a permit from the Chief of Police or their designee as hereinafter provided.

~~(c)~~ **3-18.4 Beekeeping permit requirements-**

~~(i)~~(a) Permit Required.-

(1) A Residential Beekeeping Permit is required for all domesticated hives.-

(2) ~~The~~A property ~~owner or authorized agent of the property owner~~resident intending to keep, maintain and have in their possession and under their control a residential beehive is eligible to apply for a Residential Beekeeping Permit with the ~~[X] Department~~Police Department's Animal Services Unit.

A Residential Beekeeping Permit

(b) Application requirements.

~~(3)~~An application for a permit required pursuant to this chapter shall not be issued to the property owner or authorized agent unless such owner or agent submits a complete Residential Beekeeping Permit Application, signed by such owner or agent.

~~(4)~~(1) Prior made in writing to the issuance of a Residential Beekeeping Permit, the permit applicant police chief upon a form furnished by the city and shall pay to be accompanied by an application fee in the city a fee to be amount set by a resolution of the city council resolution.

(2) Applicant must provide proof of notification to adjacent property owners abutting the subject property regarding the submittal of a Residential Beekeeping Permit Application. Proof of notification shall include the following information:

- a) Copies of notification letter (provided by City with permit application)
- b) Neighbors signature acknowledging receipt of letter.
- c) Contact information (name, email address, and phone number); and
- d) Property address

~~(5)~~(3) A validly obtained Residential Beekeeping Permit may be revoked at any time if the ~~permitholder~~permit holder is found to be in violation of this Section or

the Costa Mesa Residential Beekeeping Best Practices. Such revocation shall be in addition to any other remedy that may be pursued by the city pursuant to subsection (e) below.

(4) Beehive Signage: The permittee shall comply with the following sign requirements:

- ~~(ii)~~a) Location:- All front yard gates/fences
- b) Sign text- "Warning: Active Beehive."
- c) Sign size: 12" x 24" minimum.

(c) Property and Hive Requirements.

(1) Domesticated hives ~~may are~~ only ~~be maintained~~permitted on properties designated within an R-1 Single Family Residential Zoning District.

(2) No domesticated hives may be maintained on a single-family residential property of ~~[less than three thousand (3,000)]~~ square feet ~~or less or, for the avoidance of doubt, on any single-family residential property of any size containing two or more separate dwelling units, including accessory dwelling units.~~

~~(3) No more than two (2) domesticated hives may be maintained on a~~
~~single~~Single-family residential ~~property of less than [seven thousand (7,000)]~~
~~square feet and greater than [properties three thousand (3,000)]~~ square
feet to seven thousand square feet.

~~(4)(3) On lots larger than [seven thousand (7,000)] square feet, the number of domesticated hives is~~ are ~~limited to one (1) domesticated hive for every [three thousand five hundred (3,500)] square feet of lot area, with a maximum of three (3) domesticated hives, whichever is less.~~

(4) Single-family residential properties over seven thousand (7,000) square feet may be authorized to have up to two (2) domesticated hives.

(5) All domesticated bees shall be kept in domesticated hives consisting of moveable frames which shall be kept and maintained in sound and usable condition.

(d) Registration, training and guidelines.

~~(iii)~~(1) Domesticated hives shall be validly registered with the Agricultural Commissioner of the County of Orange, in accordance with Section 20943 of the California Food and Agriculture Code.

~~(iv)~~(2) All operators of domesticated hives shall maintain evidence of completion of a beginning beekeeper course.

~~(v)(1) All domesticated bees shall be kept in domesticated hives consisting of moveable frames which shall be kept and maintained in sound and usable condition.~~

~~(d)~~(3) Domesticated hive management requirements. All domesticated hives must be maintained in conformity with the Costa Mesa Residential Beekeeping Best Practices guide.

(4) All above registration and training requirements must be completed within 60 days of permit issuance.

(e) Public nuisance.-

~~(i)~~(1) Bees or hives shall be considered a public nuisance subject to Title 20, Chapter 3 of this Code when any of the following occurs:

~~(1)~~a) Hives are placed on property without first obtaining a
Residential Beekeeping Permit;

~~(2)~~b) Bees exhibit defensive or aggressive behavior, or interfere with the
normal use of adjoining properties;

~~(3)~~c) Bees swarm due to failure to requeen or without response to contain

or relocate within three (3) days~~;~~.

~~(4)~~d) Bees swarm without response to contain or relocate within twenty-four (24) hours~~;~~.

~~(5)~~e) Bees or hives do not conform to the Costa Mesa Residential Beekeeping Best Practices or the requirements of this ~~Section~~section.

~~(6)~~f) Hives are abandoned by resident bees or by the owner; or

- g) A complaint is received from a person residing on a neighboring property with proof of a medically-certified allergy to the sting of bees.

3-18.5 Issuance of Beekeeping permit and renewal

(a) The Chief of Police or their designee may issue a permit for beekeeping if he determines such beehive(s) and bees, may be kept or maintained without menacing the safety of any person or property; provided, however, the Chief of Police may impose such conditions in granting a permit as they may deem necessary to protect the public.

(b) A residential beekeeping permit shall expire two (2) years from the date of issuance of the permit.

(c) The recipient of a residential beekeeping permit shall submit a new application to renew the permit prior to the expiration of the previous year's permit.

(d) Inspections: Subsequent to the approval of an initial residential beekeeping permit, City staff or their designee shall inspect the site to determine that the beehive(s) and bees comply with the permit requirements and zoning regulations.

3.18.6 Notice of action on permits

The applicant shall be notified in writing of the action of the Chief of Police or their designee in either granting or denying the permit, and if the application has been denied, the notice shall advise the applicant of their right to appeal as outlined in this ordinance. Service of the notice may be made by personal service or by registered mail. If service is made by mail, it shall be deemed complete upon deposit in the United States Mail directed to the applicant at their latest address shown on the application.

3.18.7 Revocation of Permit

The Chief of Police or their designee may for good cause, revoke any permit or modify any terms or provisions thereof, after an informal hearing, and may, in the event it is reasonably necessary to protect against an immediate threat to the public health or safety, suspend any permit or portion thereof without a hearing for a period not to exceed 30 days. The permittee shall be given at least three days' prior written notice of any such hearing.

3.18.8 Appeals from action of Police Chief

(a) If any person is aggrieved by any action of the Chief of Police or their designee taken pursuant to this chapter, such person may appeal to the city manager by filing with the city clerk a statement addressed to the city manager setting forth the facts and circumstances regarding the action or failure to act on the part of the Chief of Police or their designee. The city clerk shall notify the applicant in writing by registered mail of the time and place set for hearing the appeal. The city manager or their designee shall hold a hearing and determine the merits of the appeal, and may sustain, overrule or modify the action of the Chief of Police or their designee. The decision of the city manager or their designee shall be final.

(b) The right to appeal to the city manager from any action or decision of the Chief of Police under this chapter shall terminate upon the expiration of 15 days following the giving of notice to the applicant advising him of the action of the Chief of Police or their designee.

SECTION 2. Chapter VI (SPECIAL ANIMAL PERMIT) OF Title 3 (ANIMAL REGULATIONS), SECTIONS 3-148, 3-149 and 3-151 of the Costa Mesa Municipal Code are hereby amended to read as follows:

3-148. Notice of Action on Permit.

The applicant shall be notified in writing of the action of the Chief of Police or their designee in either granting or denying the permit, and if the application has been denied, the notice shall advise the applicant of their right to appeal to the city manager. Service of the notice may be made by personal service or by registered mail. If service is made by mail, it shall be deemed complete upon deposit in the United States Mail directed to the applicant at his latest address shown on the application.

3-149 Revocation, suspension of permit.

The Chief of Police or their designee may, for good cause, revoke any permit or modify any terms or provisions thereof, after informal hearing, and may, in the event it is reasonably necessary to protect against an immediate threat to the public health or safety, suspend any permit or portion thereof without hearing for a period not to exceed 30 days. The permittee shall be given at least three days' prior written notice of any such hearing.

3-151 Appeals from action of Police Chief

(a) If any person is aggrieved by any action of the Chief of Police or their designee taken pursuant to this chapter, such person may appeal to the city manager by filing with the city clerk a statement addressed to the city manager setting forth the facts and circumstances regarding the action or failure to act on the part of the police chief. The city clerk shall notify the applicant in writing by registered mail of the time and place set for hearing the appeal. The city manager or their designee shall hold a hearing and determine the merits of the appeal, and may sustain, overrule or modify the action of the Chief of Police or their designee. The decision of the city manager or their designee shall be final.

(b) The right to appeal to the city manager from any action or decision of the Chief of Police under this chapter shall terminate upon the expiration of 15 days following the giving of notice to the applicant advising him of the action of the Chief of Police or their designee.

SECTION 3. CEQA. 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).) The City Clerk may cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

SECTION 4. SEVERABILITY. The City Council declares that should any provision, section; paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this ordinance shall remain in full force and effect.

SECTION 5. This ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 6. The City Clerk of the City of Costa Mesa shall certify the passage of the ordinance and shall cause the same to be posted in the manner required by law.

PASSED AND ADOPTED this day of 2024, by the following called vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Mayor

ATTEST:

City Clerk

I, _____, City Clerk of the City of Costa Mesa, California, do hereby certify that the foregoing ordinance was regularly introduced at a regular meeting of the City Council held on the _____ day of _____, 2024, and adopted by the City Council of the City of Costa Mesa, California, at a regular meeting thereof held on the _____ day of _____, 2024, by the following vote of the City Council:

(7) City Clerk

September __, 2023

Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92626
citycouncil@costamesaca.gov

Dear Members of the City Council:

We, the Animal Services Committee (the “ASC”, “we”, “us” or “our”), are pleased to present to you a draft beekeeping ordinance for your consideration (the “Draft Ordinance”, attached hereto as Attachment 1) as prepared by the Beekeeping Subcommittee of the ASC (the “Subcommittee”). The Draft Ordinance follows a report from the Subcommittee to us regarding beekeeping in the City of Costa Mesa and surrounding cities (the “Report”, attached as Attachment 2). After reviewing the Report and hearing testimony from members of the public, we instructed the Subcommittee to create the Draft Ordinance.

The Draft Ordinance was modeled on the ordinance adopted by the City of Fullerton. Not only is the City of Fullerton the preferred ordinance of the OC Beekeepers Association, it also struck what the Subcommittee viewed as the appropriate balance among ease of administration, flexibility for beekeepers and avenues for enforcement to address complaints from neighbors or property owners. The Subcommittee particularly admired that the standards for beekeeping were not reduced to the text of the ordinance, but rather maintained in a separate “handbook” that is much easier to update or adjust based on enforcement experience and current best practices. A copy of Fullerton’s beekeeping handbook is also attached as Attachment 3.

However, we do not believe we have enough information to recommend advancing a beekeeping ordinance for adoption at this time. First, after discussing a potential ordinance with the Costa Mesa Police Department, the Subcommittee learned that there are no current investigations into alleged backyard beekeeping operations, and that the only calls to the CMPD regarding bees in the past few years have been related to swarms of wild bees, not backyard beekeeping. Additionally, while there are a number of very dedicated beekeepers in the City who would welcome legalization, and the nascent effort thus far has attracted attention in the local media (see Attachment 4), we haven’t seen evidence of sufficiently broad popular support to recommend expending the Staff time and attention that legalization would require.

Therefore, taking all our findings into account, we recommend that you receive and file the Draft Ordinance and this letter’s attachments until such time either conflict over backyard beekeeping increases or popular support becomes evident.

As the Draft Ordinance completes the Subcommittee’s work, we have dissolved the Subcommittee following the authorization to provide this letter and its attachments to you. We also understand that future investigations into beekeeping in Costa Mesa are likely to fall outside of the purview of the ASC once the pending updates to the committees are adopted by the City Council. That said, if the City Council directs, the former members of the Subcommittee, Jennifer Tanaka and Christina Poulos, have communicated that they would be willing to continue investigating the matter in their individual capacities.

Sincerely,

The Members of the Animal Services Committee

Bee: Any insect of the superfamily *apoidea* in the order *hymenoptera* characterized by sucking and chewing mouthparts for gathering nectar and pollen, including domesticated bees.

Hive: Any structure housing a bee colony or other colony of swarming insect, including domesticated hives.

Domesticated bee: Any stage of life of the common domesticated honey bee, but not including feral bees.

Domesticated hive: An artificial structure for the housing of domesticated bees that is manufactured for that purpose, containing up to ten (10) standard sized frames.

Requeen: The act of replacing the queen bee in a hive with a younger queen, a common practice in beekeeping to prevent bee swarming.

Swarm: A group of bees in a transitional state leaving their original hive, clustering and then leaving again to establish a new hive in a new cavity.

The purpose of this section is to authorize backyard beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with backyard beekeeping in populated areas.

- (a) It is unlawful for any person to have, keep or maintain any hive or swarm of wasps, hornets, bees, or other swarming insects within the city.
- (b) Subsection (a) shall not apply to (1) the keeping of flying insects within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes, provided they are not permitted to fly at large, or (2) the keeping of domesticated bees on properties developed with a single family residence consistent with subsection (c) below.
- (c) Backyard beekeeping: general requirements.
 - (i) **Permit Required.**
 - (1) A Residential Beekeeping Permit is required for all domesticated hives.
 - (2) The property owner or authorized agent of the property owner is eligible to apply for a Residential Beekeeping Permit with the [X] Department.
 - (3) A Residential Beekeeping Permit shall not be issued to the property owner or authorized agent unless such owner or agent submits a complete Residential Beekeeping Permit Application, signed by such owner or agent.
 - (4) Prior to the issuance of a Residential Beekeeping Permit, the permit applicant shall pay to the city a fee to be set by a resolution of the city council.
 - (5) A validly obtained Residential Beekeeping Permit may be revoked at any time if the permitholder is found to be in violation of this Section or the Costa Mesa Residential Beekeeping Best Practices. Such revocation

Subcommittee [1]: Recommend distinguishing between varieties of bees to ensure only the safest, most domesticated bees are permitted. Africanized bees are especially invasive, aggressive and competitive with native pollinators, so they should be singled out. Additionally, the public benefit of allowing backyard beekeeping is to introduce docile, commercial bees to the gene pool to help "tone down" the africanized genetics of our wild bees.

Subcommittee [2]: We have made a distinction between "hive", a general catch-all term that would also apply to hives occurring in the wild, and "domesticated hive", to specifically refer to commercial beehives used for cultivating commercial, domesticated bees. We are indifferent to the specific terms used but believe the distinction between these two kinds of bees/hives to be important, so that code enforcement can still enforce the public nuisance laws against individuals who may want to keep wild bees in their backyards.

Subcommittee [3]: Section generally adapted from Santa Ana's ordinance, with significant influence from the Fullerton ordinance. Please note that the setback and other placement requirements detailed in the Santa Ana ordinance are covered more broadly in the Fullerton Beekeeping Best Practices, which we propose to be adapted to create the "Costa Mesa Beekeeping Best Practices". We recommend consulting with the city attorney, but we believe this approach of keeping the "best practices" document separate from the ordinance will provide more flexibility to the City as well as strike a balance in terms of liability.

Subcommittee [4]: The exclusion of multifamily residences is almost universal among local backyard beekeeping ordinances. Further below the ordinance clarifies it will not permit beekeeping on small lots or on lots with ADUs being used as dwelling units.

Subcommittee [5]: The permit requirement is generally modeled after Fullerton's approach, which requires a one-time permit and fee and then relies on a nuisance/report based model. In contrast, Irvine requires yearly permitting and the process is extremely comprehensive. Given our limited staff resources, this doesn't seem like a workable approach.

Subcommittee [6]: We would recommend adopting the residential beekeeping permit application of the City of Fullerton, which is simple but sufficiently binding and informative to allow the city to enforce these provisions effectively.

shall be in addition to any other remedy that may be pursued by the city pursuant to subsection (e) below.

(ii) **Location.**

- (1) Domesticated hives may only be maintained on properties designated within an R-1 Single Family Residential Zoning District.
- (2) No domesticated hives may be maintained on a single-family residential property of [three thousand (3,000)] square feet or less or, for the avoidance of doubt, on any single-family residential property of any size containing two or more separate dwelling units, including accessory dwelling units.
- (3) No more than two (2) domesticated hives may be maintained on a single-family residential property of less than [seven thousand (7,000)] square feet and greater than [three thousand (3,000)] square feet.
- (4) On lots larger than [seven thousand (7,000)] square feet, the number of domesticated hives is limited to one (1) domesticated hive for every [three thousand five hundred (3,500)] square feet of lot area, with a maximum of three (3) domesticated hives, whichever is less.

Subcommittee [7]: Limitations on location are intended to be tailored to the Costa Mesa context. City Staff to comment on whether these distinctions are feasible given average SFR lot sizes and any other relevant considerations.

(iii) Domesticated hives shall be validly registered with the Agricultural Commissioner of the County of Orange, in accordance with Section 20943 of the California Food and Agriculture Code.

Subcommittee [8]: This is a state law requirement.

(iv) All operators of domesticated hives shall maintain evidence of completion of a beginning beekeeper course.

Subcommittee [9]: The city of Irvine requires a basic course in beekeeping. All beekeepers we have spoken with have encouraged education as a requirement. However, this requirement could also be included in the application rather than the ordinance. To provide flexibility, we would not recommend requiring a specific course or a number of hours.

(v) All domesticated bees shall be kept in domesticated hives consisting of moveable frames which shall be kept and maintained in sound and usable condition.

(d) Domesticated hive management requirements. All domesticated hives must be maintained in conformity with the Costa Mesa Residential Beekeeping Best Practices.

Subcommittee [10]: The City of Fullerton maintains, in association with the OC Beekeeper Association, a detailed set of best practices. We believe we could adopt these verbatim as they speak to general best practices and they have been reviewed/approved by professional beekeepers.

(e) **Public nuisance.**

(i) Bees or hives shall be considered a public nuisance subject to Title 20, Chapter 3 of this Code when any of the following occurs:

- (1) Hives are placed on property without first obtaining a Residential Beekeeping Permit;
- (2) Bees exhibit defensive or aggressive behavior, or interfere with the normal use of adjoining properties;
- (3) Bees swarm due to failure to requeen or without response to contain or relocate within three (3) days;
- (4) Bees swarm without response to contain or relocate within twenty-four (24) hours;
- (5) Bees or hives do not conform to the Costa Mesa Residential Beekeeping Best Practices or the requirements of this Section;
- (6) Hives are abandoned by resident bees or by the owner; or
- (7) A complaint is received from a person residing on a neighboring property with proof of a medically-certified allergy to the sting of bees.

Subcommittee [11]: This approach (and language) adopted from the City of Fullerton. Fullerton's provision was vetted by the Orange County Beekeepers Association and is endorsed by them. In this structure, the City is responsible for issuing a one-time permit, but then enforcement is done on a complaint basis. The intent of this language is to dovetail/refer to our existing public nuisance ordinances.

SUBJECT: DRAFT REPORT TO COSTA MESA ANIMAL CONTROL
RE: CHANGE IN COSTA MESA MUNICIPAL CODE 3-18 TO ALLOW THE KEEPING OF BEES
DATE: MARCH 20, 2023
PREPARED BY: ANIMAL SERVICES BEEKEEPING SUBCOMMITTEE

OVERVIEW:

The objective of this report is to provide Costa Mesa Animal Control with information gathered by the Animal Services Committee with the intent to propose the changing of Code 3-18 to allow the keeping of bees in Costa Mesa. Input from the Animal Control Department would be helpful in constructing a new ordinance.

Bees play a vital role in our environment and responsible, permitted beekeeping should be allowed in our city. Beekeeping is of particular importance now as there has been a worldwide decline in domesticated honeybee populations in recent years. This decline is referred to as Colony Collapse Disorder (CCD). Backyard beehives contribute to the bee population, help address the adverse effects of CCD, and contribute to making the city greener.

It is first important to distinguish the difference between honey bees and feral bees. Most feral bees in Southern California have been Africanized resulting in a more aggressive bee. Apiaries managed by beekeepers are founded on a commercial queen bred in Northern California where the climate has prevented the introduction of Africanized bees. The commercial queens are bred for their docile nature which translates to the hive.

While the keeping of bees is not currently allowed in Costa Mesa, the honey bees are already here. The Orange County Fairgrounds allows apiaries, as do the neighboring cities of Huntington Beach and Santa Ana. Bees fly 3-5 miles to forage, so the honey bee is already present in a good portion of our city.

RESEARCH:

The committee contacted all neighboring cities that allow beekeeping as well as some others throughout Orange and Riverside Counties. We found that each city contacted managed beekeeping differently, with their respective municipal codes addressing the issue with a wide range of detail.

SPECIFICS:

Tustin does not have a specific beekeeping ordinance. Beekeeping is addressed under section 4221-General Prohibitions: It will be unlawful to keep more than one beehive or colony. No beehive shall be closer than one hundred feet from any residential structure, street, or highway.

Huntington Beach is similar to Tustin, No person shall keep or maintain any hive bees within 200 feet of any dwelling house of the owner or person in control of such bees.

Westminster requires a permit from Animal Control. The permit will not be issued unless the keeping of bees will not be detrimental to the health, safety, and welfare of the neighborhood; and the bees will be housed not less than 200 feet from any dwelling unit other than the bee owner.

Laguna Beach requires a permit from Animal Control. Apiaries are limited to 9 or fewer colonies. Prior to issuing a permit the animal services manager is to inspect the proposed location and insure it will not jeopardize, endanger, or otherwise constitute a menace to the public health or safety.

Santa Ana allows beekeeping on single-family residential property subject to a set of detailed conditions: The number of hives allowed is based on the lot size, with a maximum of 5 hives. All colonies must be kept in hives consisting of movable frames and located in the back yard of the property. Hives must be a minimum of 20 feet from streets or public rights-of-way, and 5 feet from lot lines. Hives must face away from the nearest lot line and must be screened so that bees must fly over a six-foot barrier to leave the property. A water source must be provided for the bees at all times. The colonies must be maintained so as to not interfere with the quiet enjoyment of surrounding properties. The code also specifies when a hive will be considered a public nuisance and allows for issuing violations which may be cited as a misdemeanor or infraction.

ADDITIONAL INFORMATION AND RESOURCES:

Orange County Beekeeping Association. Liz Savage, President (ocbeekeepers.org)

Headquartered at the O.C. Fairgrounds, The Orange County Beekeepers Association has a wealth of local knowledge regarding beekeeping. President Savage reports the association recently helped beekeeping ordinances get passed in the cities of Irvine, Fullerton, and Norco.

Officer John Thompson, Laguna Beach Animal Control (949 464-6601)

Officer Thompson provided information and practical experience regarding beekeeping in Laguna Beach. He reports there are currently 8-10 permitted apiaries in the city. He is aware of only one complaint about bees, and that was in regards to an unpermitted hive.

City of Fullerton Best Management Practices: Residential Beekeeping (cityoffullerton.com)

Developed by Cal Poly Pomona and the City of Fullerton. This is a great resource on the practices and standards for residential beekeeping. It is provided to all permitted beekeepers.



Best Management Practices

Residential Beekeeping

Good Neighbor Practices

You are planning to bring several thousand stinging insects into close proximity of your neighbors' backyards. Being a good neighbor would include letting them know your intentions. It may take some explaining and educating, but once people understand more about honey bees, their minds can be changed. Conflicts with neighbors are not good for you or other beekeepers and could result in strict regulation or prohibition in more confined locations.

Education

Any resident considering taking up beekeeping should first educate themselves on basic principles and guidelines. A basic understanding of honey bee biology, foraging habits, and hive management is essential.

- ***Take a class.***
Cal Poly Pomona – Extended University
Girl Next Door (girlnextdoorhoney.com)
Beekeeping organizations (all listed below offer courses)
- ***Join a local beekeeping club or group.***
Beekeepers Association of Southern CA (basbbees.org)
The Orange County Beekeepers Association (ocbeekeepers.org)
Los Angeles County Beekeepers Association (losangelescountybeekeepers.com)
OC Backyard Bees (backyardbees.net)
- ***Seek out additional on-line knowledge.***
Scientificbeekeeping.com
American Beekeeping Federation (abfnet.org)
American Bee Journal (americanbeejournal.com)
- ***Read a book.***
The Beekeeper's Handbook by Alphonse Avitabile & Diana Sammataro (2006)
First Lessons in Beekeeping by Keith S. Delaplane (2007)
Natural Beekeeping: Organic Approaches to Modern Apiculture by Ross Conrad (2007)
The Hive and the Honey Bee by L.L. Langstroth (1853)
The Backyard Beekeeper: An Absolute Beginner's Guide by Kim Flottum (2010)
The ABC & XYZ of Bee Culture: An Encyclopedia Pertaining to the Scientific and Practical Culture of Honey Bees
Beekeeping: A Practical Guide by Richard E. Bonney (1993)
Biology of the Honey Bee by Mark L. Winston (1991)
- ***Find an experienced beekeeping mentor.***
- ***Follow City of Fullerton Best Management Practices for Residential Beekeeping.***

Considerate Hive Management

Beekeepers should take into account that weather conditions influence bee behavior and should work bees when conditions are favorable. Beekeepers should open their hives when their neighbors are not working or playing outdoors. Beekeepers should also be mindful to perform hive manipulations as quickly as possible with minimum disturbance to the bees.

Extended hive manipulations, particularly when removing honey, should be carefully planned to accommodate neighbors' activities. Smoke should be used when working bees. Hive entrances should be smoked before mowing or trimming in the hive area. Clippings and exhaust should be directed away from hive entrances.

Recommended Standards

- a. Registration Encouraged. To protect your bees when Orange County Vector Control conducts pesticide spraying, the beekeeper should register with the County of Orange Department of Agriculture Commissioner within 30 days of establishing an apiary, and reregister January of every year thereafter while in possession of the apiary pursuant to California Food and Agricultural Code Sections 29040-29056.
- b. Permission of landowners. Any person wishing to place or keep an apiary, or cause or allow an apiary to remain on land not owned or possessed by such person should first obtain the permission to do so from the owner or person lawfully in possession of such land.
- c. Maximum hives. The number of hives will depend on the size of the property, the buffer space you have between you and your neighbor, the size of hives you have and the types of bees you keep. Beekeepers using proper management skills will split hives to prevent swarming and combine hives when they naturally shrink over the course of a year varying the number of hives they have in an apiary. Be a good neighbor and limit the number of hives to a reasonable and manageable amount.
- d. Hive type: All bee colonies should be kept in inspectable hives consisting of moveable frames. Removable frame hives allow inspection for size, brood, food, disease and queen. Two common examples of removable frame hives are the Langstroth hive and a Top Bar hive. Hives should not be kept in trees, walls, attics or meter boxes where they cannot be managed. Hives in those places should be removed by the property owner or a bee removal company.
- e. Hive color: Using a light color to paint the hive components will result in less heat being absorbed during the summer months. This will ensure bees are kept in a cooler environment and will reduce swarming tendencies.

Operational Standards

- a. Any production of honey, wax, or related product shall be subject to the Home Occupation requirements of Section 15.17.030M of the Fullerton Municipal Code and all applicable County of Orange Health Department Cottage Food or Certified Farmers Market permitting process and requirements.
- b. Hives should be continually managed to provide adequate living space for their resident bees to prevent swarming.

- c. Hives should be requeened at least once every two years to prevent swarming OR in any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it should be the duty of the beekeeper to requeen the colony. Queens should be selected from stock bred for gentleness and non-swarming characteristics
- d. Water source: Bees use large amounts of water to hydrate and cool their hive. A fresh, shallow, and consistent water source for bees should be provided at all times on the property where the bees are kept to discourage bee visitation at swimming pools, fountains, hose bibs and other water sources on adjacent public or private property. The water should be kept fresh and clean so as not to become a breeding ground for mosquitoes.
- e. Hive maintenance materials or equipment must be stored in a sealed container or placed within a building or other bee-proof enclosure.

Location Criteria

Hives should be placed in a quiet area and not directly against a neighboring property unless a solid fence or dense plant barrier of six feet or higher forms the property boundary. Hives should be kept as far away as possible from roads, sidewalks, and rights of way.

Flight paths into the hive (generally six-ten feet in front of the hive entrance) should remain within the owner's lot, although barriers (e.g., fencing and tall shrubs) can sometimes be used to redirect the bees' flight pattern. Care should be taken so this flight pattern does not cross sidewalks, driveways, playgrounds, or other public areas.

- a. Hives should be located between the residence and the rear property line.
- b. Hives should not be visible from a public right-of-way.
- c. Hives should be in a dark location when the sun goes down as bees are attracted to light. Avoid placing a hive where a light will attract the bees to create a nuisance.
- d. Hive location should be secured from unauthorized access.
- e. Hives must either be screened so that the bees must fly over a six-foot barrier, which may be vegetative, before leaving the property, or be placed at least eight feet above the adjacent ground level.

Swarm Prevention

Swarming is natural honeybee behavior, but it should be prevented or minimized. Two primary causes of swarming are overcrowding and/or overheating in the hive. To avoid these conditions, and reduce tendency to swarms, beekeepers should consider:

- a. Replacement of old or failing queens
 - As queen bees age, their queen pheromone fades triggering the hive to swarm
- b. Appropriately timed addition of supers for brood rearing and honey storage
- c. Colony division (splitting a hive)
- d. Brood chamber manipulation
- e. Use of screened bottom board

When a swarm occurs, efforts should be made to collect the swarm or call a bee removal company to do the collection. Swarms captured from areas where the origin of the bees may be questionable should be monitored frequently for abnormal defensiveness.

Queens

Queens should only be obtained from reliable sources. Queen breeders are preferred to reduce the chances of introducing Africanized honeybees and to ensure the queen is well suited to the climate. Beekeepers should ensure their queens are young (less than two years recommended) and vigorous layers. Each beekeeper must evaluate their queens on a regular basis for performance and hive gentleness. Desirable genetic characteristics for a queen include:

- Gentle Disposition
- Quick Colony Build Up
- Good Honey and Pollen Collectors
- Low Swarming Instinct

Any colony exhibiting unusually defensive behavior or an excessive swarming tendency should be re-queened as soon as possible.

Robbing Behavior

When nectar is scarce, honeybees may rob from other hives. When they do, they tend to appear more defensive. Under such conditions, beekeepers should work hives for only short periods of time and only if really necessary. Exposing honey can encourage robbing. Open hives can entice robbing thus stirring up the hive. Be a thoughtful conscientious neighbor. All honey and sugar water spills should be cleaned up immediately. Areas used for honey extraction should be bee-proofed to prevent robbing situations.

Disease Control

Any hive found to be diseased should be dealt with in the appropriate manner. There are a number of honeybee diseases and pests. It is critical that beekeepers be educated to recognize and respond to disease. A disease like American Foulbrood has spores which can remain viable for three or more decades and is extremely contagious. The only recourse with this disease is burning the equipment or placing it in a sealed bag to be taken to a landfill. When evidence of disease is found, the hive should be treated and or the equipment removed promptly to avoid spreading the disease to neighboring hives. For this reason, beekeepers should be extremely cautious about mixing hive equipment and purchasing used equipment. It is incumbent on beekeepers to manage all disease and pests, including parasitic mites, to ensure colony health and honey quality.

Recordkeeping and Time Management

The keeping of bees requires time to inspect and manage a hive properly, keep it healthy and keep it at an optimum size for honey production without swarming. Ideally, hives should generally be inspected once a week for food, queen behavior, disease and pests, and spacing.

Good recordkeeping should be a priority for all beekeepers. For those just starting to keep bees, keeping a written record of colony manipulation and observation for each hive would be helpful. As a bee hobbyist, your colony management log could include a catalog of the equipment used, a record of inspections and findings, and a history of actions (e.g., adding / removing honey supers), and any relevant observations regarding the hive.

Glossary

Residential Beekeeping Best Management Practices

Apiary: Single location where one or more beehives are kept.

Bee: Any stage of the common domestic honey bee (*Apis Mellifera* species).

Bee Box, Brood Box or Honey Supers: Boxes typically used in a Langstroth hive with removable frames that have no top or bottom which allow the beekeeper to expand or condense the hive depending on the strength of the hive.

Bee Hive: Structure for the housing of a bee colony.

Beekeeper: A person who keeps honey bees and manages bee hives

Beekeeping (Residential): The keeping or maintenance of an apiary in a hive as an accessory use.

Brood: The eggs, larvae and pupa of the honey bee prior to emerging as an adult bee

Colony Collapse Disorder (CCD): The phenomenon that occurs when the majority of worker bees in a colony disappear and leave behind a queen, plenty of food and a few nurse bees to care for the remaining immature bees and the queen.

Frame: A hive component where bees build their honeycomb

Hive: A collection of bees with one queen. This can be from a few hundred bees to many thousand bees.

Honeycomb: Beeswax cells where honey pollen and brood are stored

Langstroth Hive: A type of hive which was designed to be expandable or contractible with frames that can be removed for inspection

Pollination: The process of collecting pollen from one flower and depositing it on another flower.

Removable Frame: A frame designed to be removed from a hive for inspection purposes.

Requeen: To replace the queen bee in a colony with a new, younger queen, a common practice in beekeeping to prevent bee swarming, increase brood and honey production or reduce hive defensiveness.

Robbing: Bees trying to steal honey from a hive that is not their own.

Smoker: A tool used by a beekeeper to produce smoke to calm the bees

Swarm: Group of bees in a transitional state leaving their original hive, clustering and then leaving again to establish a new hive in a new cavity.

Top Bar Hive: A trapezoidal box with slats of wood which the bees will make comb along. These slats can be pulled out with the comb for inspection.

NEWS

Buzz over legalizing backyard beehives in Costa Mesa grows



Corrine Powell, of the Orange County Beekeepers Assn., watches a new honeybee walk on her glove Wednesday at the Centennial Farms beehive center at Costa Mesa's O.C. fairgrounds. (Don Leach / Staff Photographer)

BY SARA CARDINE | STAFF WRITER

MAY 27, 2023 4:58 PM PT

Costa Mesa resident Alberta Mirisciotti has a thing for bees.

Her fascination began 13 years ago, when she saw a swarm on her property and had to call someone out to rescue them. Soon after she started learning more about the practice, then became a rescuer herself.

“We need the bees,” she says of the prolific pollinators. “Every three bites of food we eat has been touched by a bee.”

Today, Mirisciotti runs Hey Honey, a rescue and relocation business that offers raw, natural honey and education about the essential role bees play in the production of flowers and food crops.



A frame of honeybees from a hive on display at the O.C. fairgrounds, one of the few places in Costa Mesa where apiaries are allowed. (Don Leach / Staff Photographer)

The bottom of her business card reads: “Give Bees a Chance.” It’s a relevant message, she says, because, despite the fanfare the humble insect receives from farmers, science teachers and conservationists, many still view them as potentially harmful due to their capacity to sting.

This includes the city of Costa Mesa, where it is [illegal to keep bees](#) outside of

educational or scientific settings. Any errant beekeeping is a code violation that could incur penalties, including costly fines.

Despite Orange County's historic ties to agriculture, fewer than half of its cities permit residential beekeeping, including Huntington Beach, Laguna Beach, Santa Ana and Irvine. That's something Mirisciotti and other apiarists would like to see change in Costa Mesa.

And perhaps it may. For the past year, there's been a growing buzz around crafting an ordinance to allow residents to legally keep bees.

In 2022, the city's [Animal Services Committee](#) — an advisory panel that promotes pet licensing and animal-related events and services — included among its annual goals exploring existing Orange County beekeeping ordinances.



Corrine Powell of the Orange County Beekeepers Assn. prepares to enter a beehive Wednesday at the O.C. fairgrounds' Centennial Farms. Local bee enthusiasts are asking to be allowed to keep hives on residential lots, a practice currently outlawed. (Don Leach / Staff Photographer)

Members Wednesday [reviewed a report](#) from an ad hoc subcommittee on how cities regulate the practice through permitting, zoning and distancing requirements, inspections and limiting hive numbers.

“Beekeeping is of particular importance now, as there has been a worldwide decline in domesticated honeybee populations,” reads the report, describing a trend of Colony Collapse Disorder due, in part, to a rise in deadly mites and parasites.

“Backyard beehives contribute to the bee population, help address the adverse effects of CCD and contribute to making the city greener.”

Subcommittee member Jenn Tanaka noted in 2010, New York City allowed residents to maintain hives, even on apartment balconies.





An interest in beekeeping has been growing, as more people understand the important role bees play in pollinating food crops. (Courtesy of EQ Office)

“It can be done, even in an incredibly dense area,” she said. “We’ve been having a lot of trouble in Southern California with maintaining our pollinator population. I think it would be good to keep the conversation open.”

Some committee members seemed hesitant to move forward with an ordinance. Chair Becca Walls maintained it falls outside the group’s purview, which should focus primarily on pets. Vice Chair Angela Minjares agreed.

“I just think our effort could be put to better use on other things,” Minjares said. “I’m a little concerned about how it would be maintained. It’s easy to call about a barking dog, but how do you maintain this?”

Costa Mesa Deputy Police Chief Joyce LaPointe said although some residents have shared concerns about the safety of children and animals, allowances might be made for open spaces.

“We do have some areas in town with pretty large properties. Maybe there are certain areas that would allow for it,” she said. “But at this time we have no information to really even speak to how that would work.”





Orange County Beekeepers Assn. President Liz Savage with backyard beehives in Fullerton, where beekeeping was legalized in 2018. (Courtesy of Liz Savage)

Most beekeepers distinguish between European honeybees and feral colonies of “Africanized” bees, known to attack animal and human intruders with great force.

Looking to increase honey yields in the 1850s, Brazilian farmers bred the two species together, not knowing African bees, which faced more natural predators, were also more aggressive in defending hives.

Hybrid strains eventually reached the U.S. and are now thought to be behind reports of “killer bee” attacks, in which unwitting victims receive hundreds of stings.

Corrine Powell is treasurer of the [Orange County Beekeepers Assn.](#), a volunteer organization focused on education and best practices that maintains a permitted beehive at [Centennial Farm](#) at Costa Mesa’s Orange County fairgrounds. She attested to the gentleness of colonies bred in Northern California, where harmful hybrids do not live.





Bee enthusiast Corrine Powell is the treasurer of the Orange County Beekeeper's Assn. and helps maintain an apiary at the county fairgrounds' Centennial Farm. (Don Leach/ Staff Photographer)

“I’ve been beekeeping for six years. I’ve been stung maybe three or four times,” Powell said. “I don’t suit up when I’m just walking around in my backyard, and the bees don’t bother me at all.”

OCBA President Liz Savage said consuming local honey reduces allergic reactions to stings. She claimed breeding honeybees could ameliorate the prevalence of feral colonies.

“We want to have more common bees than Africanized bees, so we can tone down the genetics,” she said. “If we don’t have backyard beekeepers managing colonies, then all that’s going to be out there is feral bees.”

Mirisciotti, who came under the scrutiny of city code enforcers after a neighbor reported being stung by a bee from a hive she’d been relocating, urged some kind of compromise.

“We just want them to thrive in our communities because we need them. So why

don't we educate and do things to keep them in safe environments, for them and for our communities?" she reasoned.

Committee members agreed to allow for the continued study of an ordinance. Any recommendations would have to be approved by the Costa Mesa City Council.



Sara Cardine

Sara Cardine covers the city of Costa Mesa for the Daily Pilot. She comes from the La Cañada Valley Sun, where she spent six years as the news reporter covering La Cañada Flintridge and recently received a first-place Public Service Journalism award from the California News Publishers Assn. She's also worked at the Pasadena Weekly, Stockton Record and Lodi-News Sentinel, which instilled in her a love for community news. (714) 966-4627

GONZALEZ, GLADYS

Subject: RE: The Need for a Beekeeping Ordinance

From: Amelia Painter <amelia.painter@gmail.com>

Sent: Tuesday, September 24, 2024 11:10 AM

To: CONSTITUENT SERVICES <constituentservices@costamesaca.gov>

Subject: The Need for a Beekeeping Ordinance

Dear City Council Members,

I am writing in full support of the proposal Beekeeping ordinance being discussed this week.

According to the Best Bees Organization, urban beekeeping helps to build local food systems by pollinating urban farms and gardens and providing city dwellers with locally produced honey. Honey bees play a critical role in our food system accounting for the pollination of over 85 different crops. Without honey bees, our agricultural system would collapse and the population of native pollinators would be unable to replace the capacity of honeybees. Local honey, derived from a host of local plants, can strengthen immune systems.

Honey bees have long been associated with the goodness of nature. When urban beehives are installed in city parks, as visible symbols of nature in the city, they help city residents and workers reconnect with their natural environment. So I not only support the current Beekeeping Ordinance, but also encourage the city to consider installing a bee colony in one of our parks. We have parks large enough to select a hive site where bee and human interaction could easily be minimized.

Loss of habitat is a problem everywhere for pollinators, real estate development in Costa Mesa is making the problem acute.

Bees are critically important pollinators, and yet they're dying. This is likely a small part of the larger "insect apocalypse" whereby human activity is likely playing a detrimental role.

Many people presumed there will be a problem with urban beekeeping since it will allow greater proximity of bees to people in our environment. This is based on a misperception that bees are aggressive insects that are dangerous to people. Cartoons featuring swarms of angry bees chasing picnickers haven't helped. Swarming bees, though, are actually the *least likely* to harm people—when they swarm, they've been sent out with their new queen, engorged with honey, to start a daughter colony, and are concerned with one thing only—finding a safe place to hive. Contrary to the cartoon image of angry bees, people needn't fear them as they have been bred by professional beekeepers for millennia, and one of the traits bees have been bred for is safety. If our local beehives are placed where human contact is minimal, the only places where city dwellers are likely to encounter honeybees is passing them pollinating flowers in window boxes, trees, and gardens—the same kind of harmless contact suburban and rural dwellers have with bees.

Five years ago "The Guardian" published a piece titled "Plummeting insect numbers 'threaten collapse of nature.' If this doesn't scare you, it should. The full article can be found here: <https://www.theguardian.com/environment/2019/feb/10/plummeting-insect-numbers-threaten-collapse-of-nature>

According to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, insects pollinate about 75% of California crops. Two driving causes of the marked fall off are climate change and habitat loss. County Supervisor, Katrina Foley, formed a committee last year in an effort to save the Monarch Butterfly from extinction. The committee educates the public and

passes out Milkweed and nectar flower seeds so that residents in District 5 can help save this important pollinator.

If the City of Costa passes a Beekeeping Ordinance, another extremely important pollinator can potentially be saved.

The California Monarch and bees are often listed as the most important pollinators in the state, however, hummingbirds, bats, flies, moths, and beetles are also important to our food chain.

I end this correspondence with a question: Knowing the information I've provided, along with research city staff has completed, WHY wouldn't the City Council members pass a Beekeeping Ordinance?

Yours Respectfully,

Amelia Painter, resident of 6 years

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From: [C.C. LaGrange](#)
To: [CITY CLERK](#)
Subject: Public comment (10/1) - Agenda Item #1 (Beekeeping Ordinance)
Date: Monday, September 30, 2024 8:33:34 PM

City Council,

Thank you for considering the ordinance to allow beekeeping in the City of Costa Mesa. I believe this ordinance is a step in the right direction and greatly appreciate your support of sustainability in Costa Mesa.

However, I think the ordinance could be improved by removing the restriction to only allow beekeeping on properties zoned R1. I encourage you to take a more expansive approach and allow beekeeping on all property types in the city, with the appropriate restrictions and requirements for each zone. On the Eastside, for example, many R2 properties (such as my own) have a single family home on them and are indistinguishable from R1 properties - why shouldn't these properties have the opportunity to support pollinators too? Likewise, it's easy to imagine a commercial property, such as a restaurant, wanting to add bees to their operations - these pollinators would increase productivity in kitchen gardens and make sustainable local honey! Similarly, community gardens and educational institutions, including Centennial Farm, might enjoy the opportunity to care for a beehive.

I thank you again for your support of beekeeping in the city and encourage you to make this ordinance more inclusive.

Thank you,

C.C. LaGrange

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From: [Cynthia McDonald](#)
To: [REYNOLDS, ARLIS](#); [Andrea Marr](#); [GAMEROS, LOREN](#); [CHAVEZ, MANUEL](#); [HARLAN, JEFFREY](#); [STEPHENS, JOHN](#); [HARPER, DON](#)
Cc: [GREEN, BRENDA](#); [CITY CLERK](#)
Subject: Public Hearing No. 1 - Ordinance Amending Costa Mesa Municipal Code to Provide for Beekeeping
Date: Tuesday, October 1, 2024 12:20:13 PM

Mr. Mayor and Council Members,

I suggest the following changes to the draft beekeeping ordinance:

The two subsections of Section 3.18.3 contradict each other and need clarification. Please consider modifying Section 3-18.3 to read as follows:

"3-18.3 Regulation and Permitting of Beekeeping

"It is unlawful for any person to have, keep or maintain any hive or swarm of wasps, hornets, bees, or other swarming insects within the city, with the exception of:

"(1) the keeping of flying insects within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes, provided they are not permitted to fly at large, or

"(2) the keeping of domesticated bees after obtaining a permit from the Chief of Police or their designee as hereinafter provided."

There have been lawsuits concerning bees invading neighbor's backyards for the purpose of obtaining water (I worked on one such case). Please consider adding the following language to Section 3-18.4(c) as new subsection (6): "A water source for bees shall be provided at all times on the property where the bees are kept to discourage bee visitation at swimming pools, hose bibs and other water sources on adjacent public or surrounding property." Source: Los Angeles Municipal Code.

While the draft ordinance states that the purpose "is to authorize backyard beekeeping," nowhere in the draft ordinance does it state that the hive(s) must be located in the backyard, and not side yards or front yards. In addition, there is no specification on how far from the property line hives may be placed. Please consider clarifying the overall location of hives.

What about existing hives? Are they being grandfathered in? Section 3-18.4(e)(1) of the proposed ordinance states that bees or hives are considered a public nuisance when "a) Hives are placed on property without first obtaining a Residential Beekeeping Permit." That means any existing hive can be subject to a fine of \$1,000 and abatement procedures, including foreclosure on the beekeeper's property. Do you intend to punish those who are currently doing a good job of maintaining hives, despite the lack of a permit?

In addition, what about bees that do not have a traditional hive? Not all bees live in colonies, have a single queen, or produce honey, but it is important for us to accommodate pollinators of all types so long as they are not aggressive. If there is a concern that these bees may be more aggressive than domesticated bees, please consider the use of a "flyway barrier" for these "hives" to assist in the protection of neighboring properties.

Thank you for your consideration. Please feel free to contact me with any questions.

Cynthia McDonald

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