

Zoning Ordinance Amendment – Keeping of Urban Honeybees



- Define:
 - Beehive
 - Colony
 - Flyway
 - Swarm
- Establish new Article FF. – Urban Honeybees
- Modify Section 10-3-190 associated with Business Gardens

Background

- Currently, the ZO prohibits keeping of honeybees in the City. Considered an agricultural use.
- Following community requests, in 2023, City staff initiated an interdepartmental working group.
- Group recommended to regulate keeping of honeybees in the Zoning Ordinance.

Beehive: A man-made accessory structure constructed and maintained to house a single colony of honeybees for the purpose of promoting pollination of plants and harvesting of honey.

Colony: A community of honeybees, which includes a queen with worker bees and drone bees.

Flyway: The flight path honeybees take, entering and exiting a beehive.

Swarm: Honeybee colony that has outgrown its beehive, becomes too congested or too populated; therefore, a portion of the honeybees leave to form a new colony.

Enact new Article FF - Urban honeybees.

Sec. 10-3-219.- Construction, number, placement, and maintenance of beehives.

- (1) Construction and maintenance of beehives for the purpose of keeping honeybees is allowed as an **accessory use**, subject to the regulations set forth in this Article, on any property:
- a) Occupied by a **single-family detached dwelling**; or
 - b) Determined to have a **nonconforming agricultural use**.

(2) Density requirements for keeping beehives.

- a) The following limits on the number of **beehives permitted on a property** shall apply:

PROPERTY in Sq. Ft.	BEEHIVES
10,000 or less	2
Greater than 10,000 up to 30,000	4
Greater than 30,000 up to 50,000	6
Greater than 50,000 up to 90,000	8
Greater than 90,000	No restriction

- b) For the purposes of subsection (a), the persons keeping honeybees may have two additional beehives above the minimum allowed for not more than 60 consecutive days for the purpose of queen mating and swarm control.

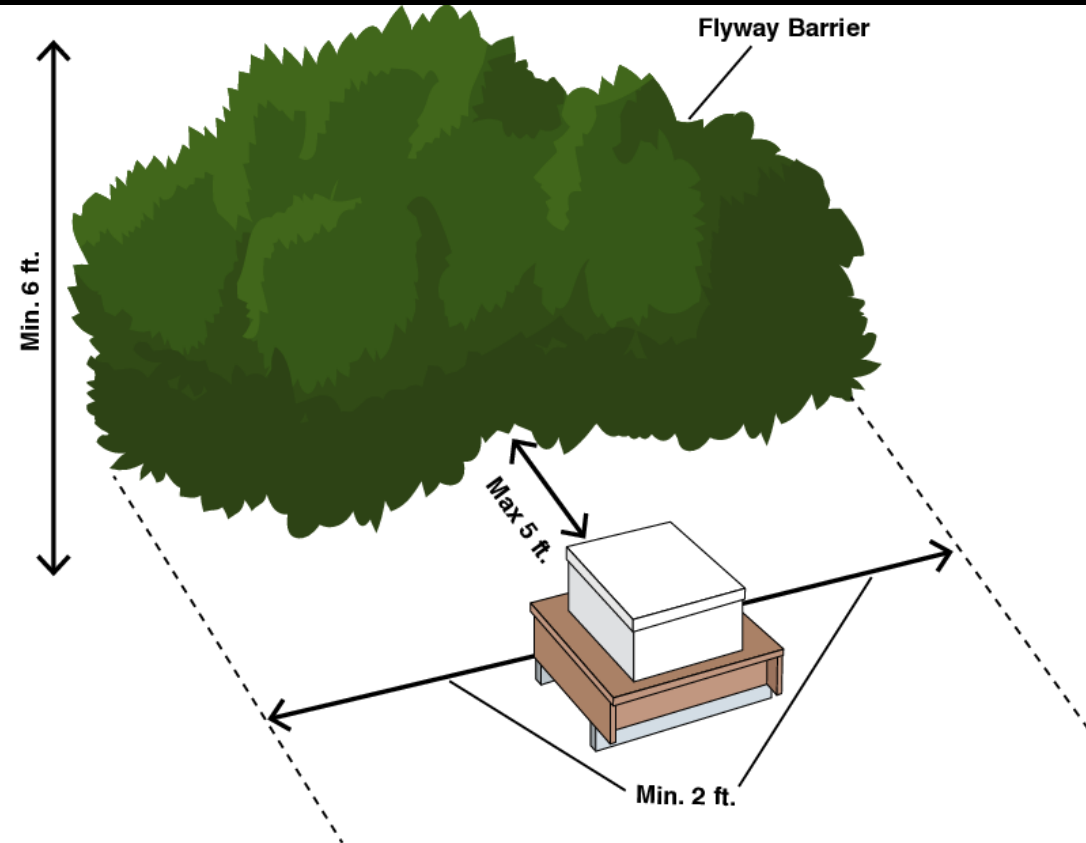
(3) Requirements for the location and maintenance of beehives.

- a) Beehives shall be no closer than ten (10) feet from property lines, unless the property is determined to be a nonconforming agricultural use that does not contain a single-family detached dwelling, then thirty (30) feet from property lines.
- b) Beehives and all related materials shall be located only in the rear yard, unless the property is determined to be a nonconforming agricultural use that does not contain a single-family detached dwelling, then any yard is allowed.
- c) A flyway barrier shall be required when beehives are twenty-five (25) feet or closer to a property line. Required flyway barriers shall comply with the following:
 1. The flyway barrier shall be constructed of solid fencing or dense evergreen vegetation or a combination of the two.
 2. The flyway barrier shall be at least six (6) feet in height at time of installation, measured from grade and maintained during the life of the beehive.
 3. The flyway barrier shall be located no more than 5 feet from the beehive, on the entrance side.
 4. The flyway barrier shall extend at least 3 feet beyond either side of the beehive entrance.
- d) A water source for the honeybees must be provided on the property, within 20 feet of any beehive. A water source shall consist of an accessible and usable supply of water for the bees and maintained so as not to harbor mosquitoes. Examples may include bird baths, trickling fountains, hummingbird feeders, or gravity fed pet feeders.

Sec. 10-3-220. – **Permit Requirements.**

- (1) Persons wishing to keep honeybees pursuant to this subsection must file an application with the Department of Community Development, which application shall include:
 - a. Completed application form.
 - b. A site layout showing the location of the beehives, water source, flyway barrier (if required), and single-family detached dwelling (or other appropriate structures if the property is determined to be a nonconforming agricultural use) in proximity to the property lines. The sketch must show dimensions and setbacks.
 - c. Information or drawing(s) of flyway barrier (if required) and water source, including dimensions.
 - d. A twenty-five-dollar (\$25.00) application fee.
- (2) Once the application has been approved by the Department of Community Development a permit shall be issued and is valid for one (1) year.
- (3) Each existing permit shall be renewed annually by filing a renewal application with the Department of Community Development along with the payment of a twenty-five dollar (\$25.00) annual fee.

Figure 2. An example of a flyway barrier in front of a colony, which forces the foragers to fly up, minimizing their access to neighboring yards.



Business Garden Amendment

That Section 10-3-190. – General use regulations and requirements is amended to add as shown:

(e) ~~Apiculture or other animal husbandry is prohibited.~~ Animal husbandry is prohibited, except keeping of honeybees is allowed in accordance with Article FF. – Urban honeybees.

Public Engagement/Notices

- March 18, 2024 – City staff shared the proposed ZO with Shenandoah Valley Beekeepers Association and requested comments.
- March 23, 2024 – City staff presented ZO at “Pollinators in Your Yard” event.
- Advertisement of public notice in local newspaper and on city website.
- Planning Commission public hearing on June 12, 2024.

Recommendation

Staff and Planning Commission (6-0) recommends approval of the Zoning Ordinance amendments.

