



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

**CITY PLANNING COMMISSION**

DATE: May 14, 2015
TIME: after 8:30 a.m.*
PLACE: Los Angeles City Hall
200 North Spring Street
Room 350
Los Angeles, CA 90012

CASE NO: CPC-2015-578-CA
COUNCIL FILES: 12-0785
CEQA: ENV-2015-579-CE
LOCATION: Citywide
COUNCIL DISTRICT: All
PLAN AREAS: All

PUBLIC HEARING HELD ON: March 19, 2015

SUMMARY: A proposed ordinance (Appendix A) amending Sections 12.03, 12.07, 12.07.01, 12.07.1, and 12.08 of the Los Angeles Municipal Code (LAMC) to establish new regulations for backyard beekeeping on single-family residential zoned properties (RA, RE, RS, R1).

RECOMMENDED ACTIONS:

- Adopt** the staff report as its report on the subject.
- Approve and Recommend that the City Council Adopt** the amendments to the LAMC as detailed in the proposed Ordinance (Appendix A).
- Find** that the Project is Categorically Exempt from CEQA pursuant to Section 15061(b)(2), and 15303 (Class 3), New Construction or Conversion of Small Structures and 15308 (Class 8), Actions by Regulatory Agencies for Protection of the Environment (Exhibit B).
- Adopt** the attached Findings.

MICHAEL J. LOGRANDE
Director of Planning

TOM ROTHMANN, Senior City Planner

KATHERINE PETERSON, Planning Associate
(213) 978-1445

ERICK LOPEZ, City Planner

JAIME ESPINOZA
Student Professional Worker

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the Commission Secretariat, 200 North Main Street, Room 272, Los Angeles, CA 90012 (Phone No. 213/978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at 213/978-1300.

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Appendix:

A – Proposed Ordinance Provisions (as revised after 3/19/2015)

Exhibits:

A – Notice of Exemption & CEQA Narrative ENV-2015-579-CE

B – Council Motion, CF No. 12-0785

C – Map: Where Beekeeping is Currently Allowed

D – Map: Areas Affected by Proposed Ordinance

E – Map: All Areas Where Beekeeping Would be Allowed

F – Other Cities’ Beekeeping Regulations

Attachment:

A – The Great Sunflower Project Data Chart

PROJECT ANALYSIS

Project Summary

To promote Los Angeles' green and healthy community goals, and to support the backyard beekeeping movement, the proposed ordinance (Appendix A) amends the LAMC to define terms and set forth regulations for beekeeping on single-family lots. The intent of the LAMC to allow beekeeping in certain zones is clear in its listing of "Apiary" as an allowed use in three zones (A1, A2, MR1), but not in others. The proposed ordinance includes definitions for "Apiary" and "Backyard Beekeeping" to differentiate between the existing beekeeping (Apiary) that is allowed in A1, A2, and MR1 zones from the proposed beekeeping in single-family zones (RA, RE, RS, R1 zones). Exhibit D illustrates the single-family zoned neighborhoods, in which this proposed ordinance would allow Backyard Beekeeping. While the proposed ordinance maintains the current Apiary use in the A1, A2, and MR1 zones (as shown in Exhibit C), new standards for Backyard Beekeeping in single-family zones would apply due to the smaller lot sizes and different set of allowed uses in order to minimize bee/human conflicts. The proposed ordinance also includes definitions for "Bee" and "Hive" for clarity in reference to beekeeping terms.

Currently, the City allows Apiaries (beekeeping) by-right, including larger-scale commercial beekeeping in A1, A2, and MR1 Zones for research purposes (Exhibit C). However, the LAMC does not define "Apiary", and apiaries are not allowed in residential zones, which comprise a significant portion of the land area of the City, where vegetation and gardens need pollination, and where there is an interest among residents to keep bees.

Background

Initiation

With a growing interest in supporting the dwindling bee population and in the by-products of beekeeping, community members in support of allowing small-scale, "hobby" beekeeping in residential zones requested City Council members to initiate beekeeping as an allowed use in residential zones. The Mar Vista Community Council (Council District 11) demonstrated interest in legalizing beekeeping in Los Angeles, evident in the completion of an Urban Beekeeping Feasibility Study for Mar Vista. Included in that study is a suggested City Council motion toward that end.

Council members Rosendahl and LaBonge introduced a Motion at City Council on May 25, 2012 (CF 12-0785) directing Department of City Planning (DCP) staff to report, in consultation with the Department of Animal Services, on the feasibility of allowing beekeeping in R1 zones as a practice to foster a healthier bee population. On December 14, 2013, the Planning and Land Use Management Committee of City Council referred this Motion to City Council. On February 12, 2014, City Council adopted the Motion, as amended, to include all residential zones, rather than the initially-proposed R1 zones. DCP staff shared the proposed ordinance with Departments of Building and Safety and Animal Services.

Bee Biology Basics

Some questions and concerns by the public focused on potential for bee “overpopulation”, resulting in more bees in the environment and an increase in visits by bees to neighbors’ yards to forage for food. Other questions and concerns were focused on potential for aggression by bees with neighbors, especially during swarming and foraging for food, resulting in stings. There were also concerns raised about Africanized bees and the increased danger of stings. This proposed ordinance, like many other cities’ ordinances, defines “Bee” as *Apis Mellifera* species, which are non-aggressive honey bees, including subspecies of European honey bees and Africanized honey bees. The difference between European honey bees and Africanized honey bees of the *Apis Mellifera* species, in terms of potential for increased risk of bee stings, is that European honey bees allow a closer proximity to their hives before acting in defense by stinging than Africanized honey bees, although both are non-aggressive (Donaldson-Matasci¹).



Apis Mellifera – Honey Bee

Worker bees typically travel in about a mile radius around the hive several times each day to forage for food. With 8-10 feral hives per square mile already in our environment, some have been concerned that any additional bee population through backyard beekeeping will result in more encounters between bees and humans. A shortage of forage for bees is not a concern with backyard beekeeping (Donaldson-Matasci¹). Three points are important in understanding why food shortage and bee aggression are not a concern with backyard beekeeping: 1) feral bees relocate, as necessary, to find adequate food, so that the overall bee population essentially self-regulates according to food supply (Donaldson-Matasci¹); 2) honey bees may sting in self-defense of their hive if it is approached, and do not become defensive or aggressive or have reason to sting while collecting food; and 3) Los Angeles has an abundance of forage available year-round due to our climate, as opposed to other cities that have more severe seasons and periods of the year with very limited or no forage available. According to The Great Sunflower Project², cited by biologist Wilson-Rich, frequency of visits by bees to specific plants indicated that there actually is an abundance of food. If anything, there is a shortage of bees, based on the limited number of times bees visited any given flower within a set period of time in different locations (Wilson-Rich³).

Another main concern raised by some was “swarming”. Comments regarding swarming seem to come from the understanding that swarming is when a crowd of bees is traveling or has located in a particular location and seem to be feared for potential of an attack with stings. Beekeepers and biologists consulted, alike, clarify that swarming is the mechanism by which a beehive that has grown too big in population splits into two, when a new queen emerges, leaving with approximately half of the worker bee population. The “swarming” is the split-off group of bees that

temporarily rest in an intermediate location, such as a tree, for usually a day or two while locating a new hive. During this time, as they do not have a home/hive to defend, they do not act in self-defense by stinging. The only problem swarms can present is when they move into a house (Donaldson-Matasci¹). According to beekeepers and bee scientists, having more beekeepers provides a resource in addressing any potential issues that may arise with both backyard bees and feral bees, as they can respond to relocate or calm bees.

Discussion

Staff researched model backyard beekeeping regulations and guidelines in other cities, including two in southern California, as well as an interview with a city planner in one of those cities (Santa Monica, where housing density and lot sizes in their single-family zones are 5,000 square feet, the minimum lot size for the R1 zone in Los Angeles), consulted with the Los Angeles County Agricultural Commissioner, and with two biologists specializing in bee research. Staff also conducted two meetings with stakeholders (more details included in “Community Outreach” section of this report) to present preliminary conceptual regulations and guidelines, and subsequently incorporated some changes to those concepts based on feedback received.

The proposed ordinance (Appendix A) creates two new definitions, and a set of regulations for Backyard Beekeeping. Proposed definitions for “Apiary” and “Backyard Beekeeping” serve the purpose of differentiating between the existing allowed Apiary use in A1, A2, and MR1 zones, and the proposed allowable accessory Backyard Beekeeping in single-family zones. Leaving the existing Apiary term and allowed use applicable to A1, A2, and MR1 zones, the proposed ordinance provides a set of standards for Backyard Beekeeping in the single-family residential zones (RA, RE, RS, R1.) The initial proposed ordinance presented at the Staff Hearing referred to a set of two Guidelines which has been eliminated, and included a standard regarding defensive bee behavior. The proposed ordinance has been revised, as presented in this report (as shown on page 5 and Appendix A), to include: 1) provision of a water source in the regulatory standards of the ordinance rather than in the initially proposed Guidelines, and 2) removal of the standard regarding defensive or aggressive bee behavior. The second guideline, regarding storage of beekeeping equipment, was removed altogether.

The proposed zoning regulations are designed to minimize encounters between bees and humans. Fence or hedge barriers or grade difference, and hive entrance orientation away from lot lines would serve to generally direct bees, in their flight pattern, up and out to forage, rather than at human-level (Donaldson-Matasci¹). The regulation about providing a water source on-site, especially in Los Angeles where water sources are not as frequent as some other cities and areas of the country, for the beehive similarly discourages bees from seeking out water sources in neighbors’ yards. According to biologist Wilson-Rich³, the risk of getting stung is limited to the beekeeper, who is actually touching the hive. A five-foot setback from the neighboring lot lines is commonly suggested to minimize any risk, but functionally, he asserts, that is adequate space to keep neighbors safe from bee stings.

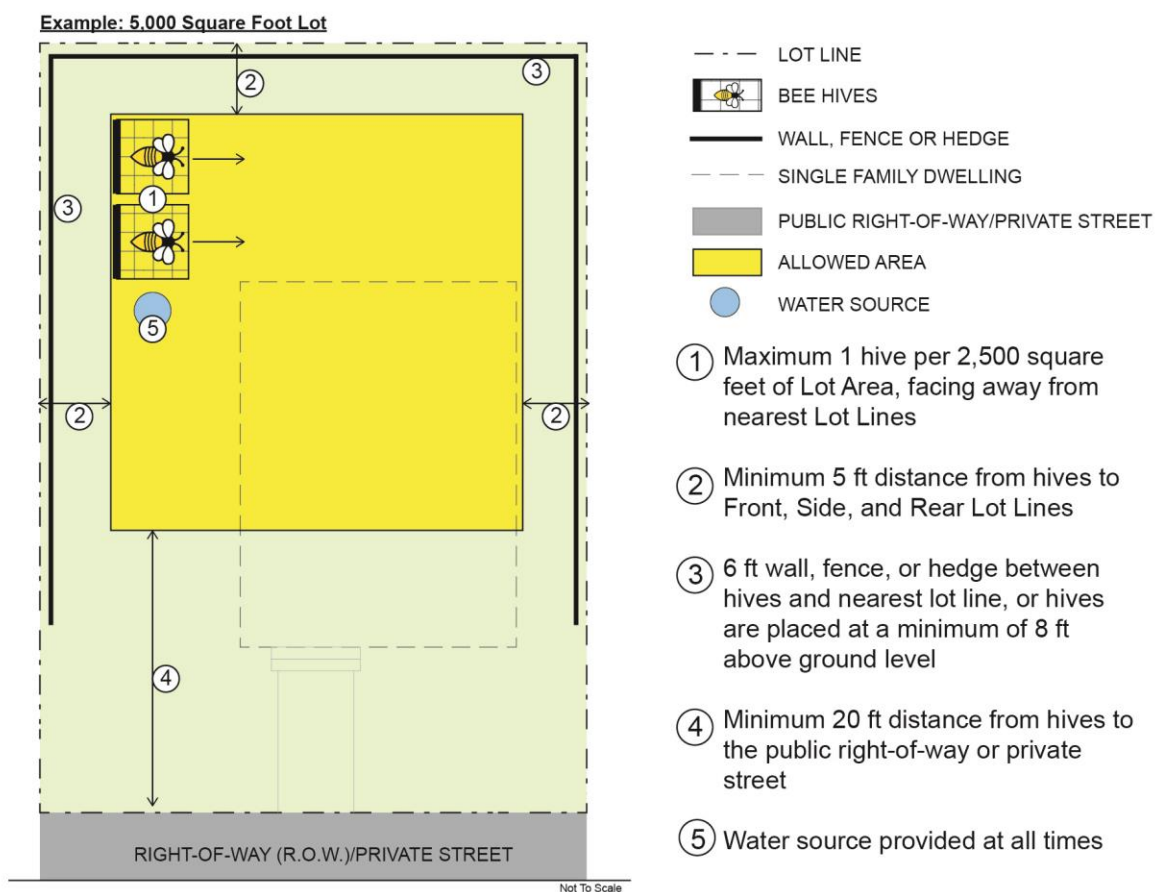


Figure 1: Diagram of Proposed Regulations

Issues

The proposed ordinance includes changes to the preliminary proposal, following input from stakeholders that was received during the two meetings staff held in January of 2015, at the Staff Hearing on March 19, 2015 and during the Public Comment period (see Public Hearings and Communications section for more details). Public comments submitted to staff during the Staff Hearing and through email and mail since the public hearing, were generally positive and in support of the proposed ordinance as it is. Some comments were supportive, but included suggestions for changes. A minority of comments submitted were in opposition. The following summary of issues raised in public comments focuses specifically on the questions, concerns, and suggestions about the proposed ordinance, and includes staff responses.

Requirements of Beekeepers

“There should be requirements of backyard beekeeping applicants, including, for example, completing a background check, educational and training requirements or written test and meeting literacy, financial responsibility, physical and mental capacity, insurance, and minimum age requirements.”

(There were also comments both in favor of land use entitlements for backyard beekeeping and against it.)

Such requirements of backyard beekeepers fall outside the purview of Planning, both in topic and regulation. The County of Los Angeles Agricultural Commissioner requires all beekeepers within the County to register as such. Zoning is limited to the use of the land and physical features on-site related to the accessory use. The proposed regulations address features such as a barrier, orientation of the hive and setbacks from lot lines and public rights-of-way (as shown in Figure 1 and Appendix A), and the provision of a water source, which could be enforced by Department of Building and Safety. The proposed ordinance adds Backyard Beekeeping as an allowed accessory use on single-family lots, which would not require any review or entitlement process.

Bees and Bee Behavior

Food Source and Bee “Population”

“Backyard beekeeping could create an overpopulation of bees, leading to more bee interactions with humans and inadequate food source for both backyard and feral bees. A food source for bees should be required.”

Bee foraging behavior and needs are covered under the “Bee Biology Basics” section of this report. The proposed ordinance does not recommend providing a food source, based on consultations with biologists, Donaldson-Matasci¹ and Wilson-Rich³, as an abundance of forage is available in southern California. Bees forage within a wide radius, and bees tend to self-regulate their population, by relocating, as necessary, for food.

Human and Animal Safety/Health and Bee Allergies

“Backyard beekeeping will lead to an increase in bee sting risk, especially dangerous to those with allergies to bees, and allowing Africanized bees. Definition of objectionable or defensive behavior should be more clearly defined.”

Bee behavior facts provided in the “Bee Biology Basics” section of this report, informed by biologists specializing in bees and bee behavior, and the proposed regulations (as shown in Figure 1 and Appendix A) intended to minimize bee-human interactions, serve to alleviate concerns about risk of bee stings with the proposed Backyard Beekeeping on single-family lots.

Type of Bees

“Africanized bees should not be allowed due to increased risk of stings.”

and

“Africanized honey bees and other non-aggressive bees should be included in the definition of “Bee”.

The proposed ordinance includes a definition of “Bee” as *Apis Mellifera*, which is the species of bee that is commonly allowed for backyard beekeeping in many other cities. This species is a non-aggressive honey bee, which includes both European and

Africanized honey bees. More information about these bees and their defensive behavior is discussed in the “Bee Biology Basics” section of this report.

“Does storage of queen bees before distribution fall under ordinance?”

Any bee being kept on a single-family lot would be considered beekeeping.

Hives

Number of Hives

“There should be a maximum number of hives allowed on a lot, where, under the proposed regulations, larger lots would allow a significant number of hives.”

The proposed number of Hives allowed is one per 2,500 square-feet (as shown in Figure 1 and Appendix A), and is based on regulations typical of other cities’ single-family lot regulations for backyard beekeeping, which allow two Hives per lot on what are typically 5,000 square foot lots. In the City of Los Angeles, the minimum lot size for R1 is 5,000 square feet, with more variable lot sizes than the cities researched (i.e. Santa Monica, where single-family lots are 5,000 square feet).

Hive Distancing/Location

“Distance from lot lines could be reduced or eliminated if a barrier is present, and from right-of-way it is not important with an elevation difference; elevation difference requirement should be eliminated; allow the hive entrance to face adjacent lot lines if a barrier is present. Minimum distance from schools, parks, churches should be considered.”

The proposed minimum distance/setbacks from lot lines (as shown in Figure 1 and Appendix A) are based on best practices of other cities with similar ordinances that have been in place for several years and in consultation with biologists regarding bee behavior and likely flight patterns. These measures serve to direct bee flight away from a neighbor’s property (and overhead) and to impose a minimum distance of hives from adjacent properties (to implement a distance from the hives as a means of reducing potential for defensive behavior on the part of bees of their hives).

Hive Maintenance

“Beekeepers should be required to maintain healthy and non-aggressive gene stock and to prevent infectious diseases by purchasing queens from other areas, and beekeeping associations should educate beekeepers about keeping good Hives.”

and

“Beekeepers should not be required to purchase bees or queens, as this would be cost prohibitive and a financial burden to many.”

Requiring the purchase of bees is not a land use and zoning issue.

Barrier

“A barrier is not important if the lot is large or if there is an elevation difference to the adjacent lot or right-of-way.”

Based on best practices of other cities with similar ordinances that have been in place for several years, and in consultation with biologists regarding bee behavior and likely flight patterns, staff recommend the proposed barrier with minimum height or eight-foot grade difference (as shown in Figure 1 and Appendix A).

Regulations vs. Guidelines

“Guidelines should be regulations, or adopted concurrently with/as part of the ordinance, to ensure that they are enforced and do not face the risk of changing with little or no community input.”

Based on further consideration after feedback from the public, staff recommend requiring a water source on-site as a regulation, rather than the previously proposed guideline. Mandating the water provision helps prevent visitation of bees seeking out other water sources in neighboring properties. Staff removed the guideline about storage of beekeeping equipment because beekeepers suggested the provision would be unnecessary, was not a significant concern among other members of the public, and enforcement would be too onerous.

Feral Bees

“How will the City respond to problems with feral bees and swarms; how will the City regulate or address issues related to feral bees; and would it be considered beekeeping if bees establish a colony in a roof, wall, attic, shed, etc.?”

This proposed ordinance regulates backyard beekeeping in Hives managed by beekeepers, as opposed to feral bees. The City is addressing humane, non-lethal treatment of nuisance feral bees, including rescue and relocation practices, through another Council Motion (CF 13-1660) involving the Bureau of Street Services, Urban Forestry Division. Response to emergencies related to bee stings falls outside of the purview of Planning and is currently handled by other City Departments. In response to questions about problems with bee swarming (as explained in the “Bee Biology Basics” section of this report), staff refer to biologist and beekeeper assertions that having more backyard beekeepers will help to manage the feral bee population, as many beekeepers serve as resources in the community in responding to concerns and problems with feral bees.

Enforcement

“Which department will enforce these regulations and what will the recourse be in the case of violations?”

The City Council Motion (CF 12-0785) directed the Departments of City Planning and Animal Services to report back on the feasibility of an ordinance allowing beekeeping in residential zones. The Department of Building and Safety would enforce regulations regarding distancing, barriers, water source and hive orientation. Planning staff designed the proposed regulations (as shown in Figure 1 and Appendix A) with a consideration for the types of standards that Building and Safety

can enforce. As this would be a by-right accessory use on single-family lots, enforcement would be complaint-based and violation would result in loss of the right to this accessory use.

Research and Consultation with other Departments and Experts

“Perform a study on zone areas to allocate permits; consult with professionals, undertake environmental and financial impact statements; consult with City Departments, Los Angeles Food Policy Council, third-party experts; implement a pilot program; and limit the scope to R zones that about A or Industrial Zones.”

Staff conducted research on other cities’ beekeeping regulations (see Exhibit F), and interviewed the city planner in Santa Monica who prepared their beekeeping ordinance, interviewed two biologists specializing in bees to gather facts about bee behavior and flight patterns in order to inform our standards, and consulted with the two departments that could possibly handle enforcement—Animal Services and Building and Safety. Staff also contacted the Los Angeles Food Policy Council, and were referred to their Urban Agriculture Working Group, which organized a focus group to meet with us. While the Council Motion (CF 12-0785) directed staff to look into the feasibility of beekeeping in all residential areas, staff are proposing an ordinance to allow it only on single-family residential areas at this time, as an ordinance for higher density areas would require additional consideration and research.

Notification of Neighbors and Schools

“Include notification requirement to neighbors and schools.”

The proposed ordinance is for Backyard Beekeeping to be allowed as a by-right accessory use on single-family lots. As such, there would be no permit required, and any reporting of problems or potential violations of the Zoning Code would result in denial of Backyard Beekeeping as a use on the given lot.

Conclusion

This proposed ordinance allows beekeeping in single-family zones with regulations to minimize conflict between bees and neighbors. By adding definitions for the existing “Apiary” use already allowed in A1, A2, and MR1 zones, and for “Backyard Beekeeping”, “Bee”, and “Hive”, the proposed ordinance both clarifies relevant terms referenced and differentiates the proposed Backyard Beekeeping use from the existing, larger-scale, commercial beekeeping that is allowed with the Apiary use. Apiaries in A1, A2, and MR1 zones will continue to be allowed as they have been, with no changes. The proposed Backyard Beekeeping ordinance includes standards to make beekeeping compatible as an accessory use in the single-family neighborhood context, which is generally characterized by smaller lot sizes and decreased distance between neighbors.

Removing obstacles to beekeeping meets the City’s goals. Benefits of backyard beekeeping include improved health and size of the bee population, and resulting pollination of plants, trees, and gardens, including food producing gardens. Beekeeping, therefore, helps promote availability of local, healthy food. It is in the best interest of the City to create clear definitions of “Apiary”, “Backyard Beekeeping”, “Bee”, and “Hive”, as well as basic Backyard Beekeeping standards intended to minimize any potential nuisances or threats to the health and safety of neighbors.

Findings

General Plan/Charter Findings

General Plan Consistency Findings

1. In accordance with **Charter Section 556**, the proposed Code amendment is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would permit beekeeping as an accessory use in single-family zoned neighborhoods, and establishes regulations on maximum hive number, distancing, barrier, water source, and hive positioning in order to minimize encounters between humans and bees while supporting a healthy bee population for the purpose of plant pollination.

General Plan Framework

Resource Conservation and Management

Objective 6.1 *Protect the City's natural settings from the encroachment of urban development, allowing for the development, use, management, and maintenance of each component of the City's natural resources to contribute to the sustainability of the region.*

The proposed Backyard Beekeeping ordinance would support a healthy bee population, which fosters increased pollination of the City's plants and trees, thereby supporting the environmental sustainability of the City and region.

Outdoor Recreation

Objective 6.2 *Maximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from targeted growth areas, to the existing regional and community open space system.*

Policy: *Establish, where feasible, the linear open space system represented in the Citywide Greenways Network map, to provide additional open space for active and passive recreational uses and to connect adjoining neighborhoods to one another and to regional open space resources (see Figure 6-1). This Citywide Greenways Network is hierarchical and is composed of three levels: regional, community, and local/ neighborhood. While these levels are of equal importance, they vary in scale and the degree to which they impact the City at large. Additionally, while these levels overlap one another, they can still be differentiated and broken down as follows:*

c. The local/neighborhood components include pedestrian-supporting streets, open space associated with public facilities such as schools, small parks, and community gardens.

The proposed Backyard Beekeeping ordinance would support a healthy bee population, which fosters increased pollination of the City's plants and trees, thereby supporting the City's Greenways Network and enhancing the aesthetic qualities of the open space areas.

Health and Wellness Element

The proposed code amendment is also consistent with, and helps further accomplish the following goals and objectives that make up the Health and Wellness Element of the General Plan:

Goal 4 *Food that Nourishes the Body, Soul, and Environment*

Objective 4.1 *Land for urban agriculture and healthy food*

Policy: *Encourage and preserve land for urban agriculture in the city to ensure a long-term supply of locally produced healthy food, promote resiliency, green spaces, and healthy food access; increase the number of urban agriculture sites including but not limited to: community gardens, parkway gardens, urban farms and rooftop gardens in low-income and underserved areas.*

Currently, beekeeping is only allowed in A1, A2, and MR1 zones; the proposed ordinance would expand beekeeping to single-family zoned neighborhoods. The proposed regulations would ensure the health of bees and provide for the enhancement of local gardens through pollination of local trees, vines, and other plants. The healthy growth of bee colonies, and resulting pollination, would increase the production of fruits, vegetables, and flowers in home and community gardens. Consequently, communities may see increased availability of local, affordable, fresh, and healthy food.

Community Plans

The Code Amendment will promote the objectives, policies and goals of various community plans in support of access to local and healthy food, community gardens, and abundant landscaping, by supporting a healthy bee population in the pollination of plants, trees, and vines.

2. In accordance with **Charter Section 558(b)(2)**, the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because the ordinance allowing beekeeping in more areas of the City supports environmental sustainability and our local food system, while imposing standards to help ensure the safety of residents in the smaller lot size context of single-family areas.

CEQA Findings

The Department of City Planning, determined that the proposed Code amendments would not have a significant impact on the environment. A Notice of Exemption (ENV-2015-579-CE, Exhibit A) was prepared for the proposed ordinance after a review for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a negative effect on the environment. The attached Notice of Exemption reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Department of City Planning in Automated Records, 200 North Spring Street.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

Public Hearings and Communications

Two preliminary outreach meetings were held in January 2015 to obtain input on an initial proposal. The materials and presentations for meetings were distributed and made available to the general public. The outreach efforts included an extended comment period to allow those individuals who could not attend to provide their input. On March 19, 2015, the Department conducted a Public Hearing for this project. Upon request, staff also attended a Pacific Palisades Community Council meeting on April 23, 2015 and provided a brief presentation and answered questions about the proposed ordinance.

Project staff has taken every measure possible to make themselves available to the public, and have had conversations with several individuals over the last several months explaining the Backyard Beekeeping regulations and guidelines and going over their specific concerns. A public interest list was created for this project, from the Planning Department's beekeeping interest list had and contacts provided by City Council offices. This list has grown to over 100 email addresses (and still growing) which contains individual residents, Neighborhood Councils, Community Councils, representatives from the Los Angeles Food Policy Council, as well as beekeeping organizations such as HoneyLove and the Los Angeles County Beekeepers Association. Each of these various organizations have distributed information to their memberships as it became available.

The interest list will remain open until the completion of this project. Anyone who wants to obtain updates directly from the Department can email katherine.peterson@lacity.org. Please type "Add Me to Backyard Beekeeping Notification List" in the subject line and provide contact information (or at least a ZIP Code) and, if applicable, group/organization/company affiliations.

Official documents for the proposed Backyard Beekeeping Ordinance have been available for download in our Department's website in Proposed Ordinance section; this is where information is available about changes to the Code that are in the works.

Public Outreach

Below is a summary of the Department's public outreach efforts:

Focus Group Meeting

In January 2015, the Department of City Planning met with the Los Angeles Food Policy Council's Urban Agriculture Working Group in a meeting arranged by the Chair of the Urban Agriculture Working Group. The meeting provided staff with feedback on the initial conceptual Backyard Beekeeping Ordinance.

Wednesday, January 7, 2015

Metabolic Studio

1745 North Spring Street, Unit 4
Los Angeles, California 90012

PlanCheck NC Los Angeles Meeting

A preliminary proposal was drafted, and in January 2015, the DCP held a meeting through PlanCheck NCLA (an alliance of Neighborhood Councils) in order to hear public comments and suggestions for changes to the preliminary proposals. The project team notified interest lists from City Council offices and DCP, and through PlanCheck NCLA to certified neighborhood councils. The meeting was attended by approximately 50 people.

Saturday, January 10, 2015

Hollenbeck Community Police Station

2111 East 1st Street

Los Angeles, California 90033

The intent of this meeting was to introduce the public to the concepts being explored by staff, as well as hear public comments about and suggestions for changes to the preliminary proposals. Prior to the meeting, DCP staff developed and shared a conceptual summary, Question & Answer sheet, and a summary of other cities' beekeeping regulations, and made them available to the public. A brief presentation was given at the meeting which provided more details. In order to ensure a collaborative environment, questions and comments were accepted during these presentations resulting in a very constructive public discussion.

The majority of those who attended indicated a general agreement with the concepts of the preliminary proposal. There were those who agreed with the concepts, but wanted to wait until proposed Code language was released before they gave their support. A majority of those who expressed concerns mentioned public safety issues. Staff incorporated as many of the actionable suggestions for changes as possible, but there were some that were inconsistent with the goals and objective for, and beyond the scope of the project.

The handouts and presentation for the workshops were distributed and made available to the general public, and an extended comment period was also provided to allow those individuals who could not attend to provide their input. The input given at these meetings ultimately resulted in the proposed Backyard Beekeeping regulations shown in Appendix A. A summary of the issues raised in the public comments received during the comment period can be found in Issues section of this report.

Public Hearings

In March 2015, the Department of City Planning conducted a Public Hearing preceded by a brief presentation and Question & Answer Session. Interest lists from City Council offices and City Planning and all certified Neighborhood Councils were notified. The Public Hearing was attended by 24 people.

Thursday, March 19, 2015

Los Angeles City Hall

200 North Spring Street, Room 1010

Los Angeles, California, 90012

Presentation and Q & A: 2:00 – 2:30PM

Public Hearing: 2:30 – 3:20PM

Below is a summary of the public testimony received at the Public Hearings conducted for the proposed Backyard Beekeeping Ordinance:

Total Attendance (based on sign-in sheets): 24	
Provided Testimony:	17
Supported Proposed Ordinance:	16
Opposed Proposed Ordinance:	1

Support

Of those individuals who provided testimony at the Public Hearings, nearly all of them were in support of the proposed Backyard Beekeeping Ordinance. However, a good number of them had suggestions for changes or outstanding concerns they would like to see addressed. The issues raised in the comments are included in the Issues section of this report.

Opposed

Of those individuals who provided testimony at the Public Hearings, one speaker clearly opposed the proposed Backyard Beekeeping Ordinance. The issues raised in the comments are included in the Issues section of this report.

Post Hearing Outreach

In addition, staff provided a brief summary presentation of the proposed ordinance and answered questions at a meeting of the Pacific Palisades Community Council, on request, on April 23, 2015. A majority of those who expressed concern echoed public safety issues mentioned in previous meetings. The issues raised in the comments are included in the Issues section of this report.

Comments Received by Mail and Email

The Hearing Officer left the public comment period open to any written communication received prior to the hearing and up until Thursday, April 14, 2015. By request, the public comment period was extended to April 17, 2015. A total of 81 email and one hand-delivered messages were received from the general public regarding the proposed ordinance. 10 of those comments stated that they were in support, 5 stated that they were in opposition. Another 63 comments were generally positive, with specific suggestions for changes to the proposed ordinance, and 3 comments were generally negative. In addition, the nonprofit organization HoneyLove submitted a petition from the website change.org including over 8,000 signatures in support of legalizing backyard beekeeping in the City of Los Angeles. Below is a summary of the public comments received during the Public Hearings for the proposed Backyard Beekeeping Ordinance and during the comment period following it (April 17, 2015 deadline).

Total Correspondence: 82		
	Email: 81	Hand-Delivered: 1
<i>General Positive Remarks:</i>	63	0
<i>Supported Proposed Ordinance:</i>	10	0
<i>Opposed Proposed Ordinance:</i>	5	1
<i>General Negative Remarks:</i>	3	0

References

1. Matina Donaldson-Matasci, Ph.D., Assistant Professor of Biology, Harvey Mudd College.
2. The Great Sunflower Project. <http://www.greatsunflower.org/>
3. Noah Wilson-Rich, Ph.D. (Biology), Founder and Chief Scientific Officer, Best Bees.

APPENDIX A**PROPOSED ORDINANCE PROVISIONS****ORDINANCE NO.** _____

An ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, and 12.08 of the Los Angeles Municipal Code to establish new regulations for backyard beekeeping on single-family residential zoned properties (RA, RE, RS, R1).

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 12.03 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended by adding the definitions of “Apiary”, “Backyard Beekeeping”, “Bee”, and “Hive” in proper alphabetical order to read:

APIARY. The keeping or maintenance of Bees in a collection of Hives or colonies.

BEE. Any stage of the common domestic honey bee (*Apis Mellifera*).

BEEKEEPING, BACKYARD. The keeping or maintenance of an Apiary in a Hive as an accessory use.

HIVE. A structure for the housing of a Bee colony.

Sec. 2. Subdivision 13 of Subsection A of Section 12.07 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

13. Backyard Beekeeping, as an accessory use, provided that:

- (a) Applicant is registered as a beekeeper with the County of Los Angeles Agricultural Commission.**
- (b) Number of Hives is limited to one for every 2,500 square feet of Lot Area.**
- (c) Not located in the required Front Yard of a Lot, including Through Lots.**
- (d) Hives are located a minimum of five feet from the Front, Side, and Rear Lot Lines and a minimum of 20 feet from public rights-of-way or private street.**
- (e) Hive entrances face away from, or parallel to, the nearest Lot Line adjacent to another Lot.**

- (f) A six-foot wall, fence, or hedge located between hives and adjacent lots, or hives are placed at a minimum of eight feet above ground level of the adjacent lot. The purpose of this provision is to provide a solid barrier to help direct bees over six feet above ground level when departing the Lot to minimize interactions between bees and individuals in the vicinity.
- (g) 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.

Sec. 3. Add a Subdivision 10 to Subsection A of Section 12.07.01 of Article 2 or Chapter 1 of the Los Angeles Municipal Code to read as follows:

10. Backyard Beekeeping, as an accessory use, provided that the activity complies with the performance standards established in Section 12.07 A.13. of this Code.

Sec. 4. Add a Subdivision 10 to Subsection A of Section 12.07.1 of Article 2 or Chapter 1 of the Los Angeles Municipal Code to read as follows:

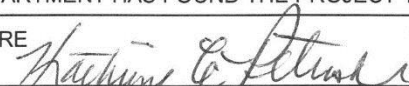
10. Backyard Beekeeping, as an accessory use, provided that the activity complies with the performance standards established in Section 12.07 A.13. of this Code.

Sec. 5. Add a Subdivision 10 to Subsection A of Section 12.08 of Article 2 or Chapter 1 of the Los Angeles Municipal Code to read as follows:

10. Backyard Beekeeping, as an accessory use, provided that the activity complies with the performance standards established in Section 12.07 A.13. of this Code.

Sec. 6. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

EXHIBIT A

COUNTY CLERK'S USE	CITY OF LOS ANGELES OFFICE OF THE CITY CLERK 200 NORTH SPRING STREET, ROOM 360 LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT <h2 style="margin: 0;">NOTICE OF EXEMPTION</h2> (California Environmental Quality Act Section 15062)	CITY CLERK'S USE
Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.		
LEAD CITY AGENCY City Council/Department of City Planning		COUNCIL DISTRICT ALL
PROJECT TITLE Backyard Beekeeping in Single Family Residential Zones		LOG REFERENCE CPC-2015-578-CA
PROJECT LOCATION Single-family residential zones (RA, RE, RS, R1)		
DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: An amendment to Chapter 1 of the Los Angeles Municipal Code to allow beekeeping as an accessory use in single-family zones.		
NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:		
CONTACT PERSON Katherine Peterson	AREA CODE 213	TELEPHONE NUMBER 978-1445
EXT. _____		
This is to advise that on _____ the City of Los Angeles has made the following determinations: EXEMPT STATUS: (Check One)		
<input type="checkbox"/> MINISTERIAL <input type="checkbox"/> DECLARED EMERGENCY <input type="checkbox"/> EMERGENCY PROJECT <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION <input type="checkbox"/> OTHER	STATE CEQA GUIDELINES Sec. 15268 Sec. 15269 Sec. 15269 (b) & (c) Sec. 15300 <i>et seq.</i> Class 3, 8 Category 15303, 15308 (State CEQA Guidelines)	CITY CEQA GUIDELINES Art. II, Sec. 2b Art. II, Sec. 2a (1) Art. II, Sec. 2a (2) & (3) Art. III, Sec. 1
JUSTIFICATION FOR PROJECT EXEMPTION: The adoption of this ordinance would permit beekeeping as an accessory use in single-family zones. The Project would require a barrier between the hives and all adjacent lots, considered to be small structure structures pursuant to City of Los Angeles Environmental Act Guidelines, Article III, Class 3. The Project includes regulations, as outlined in the ordinance, that would ensure the health of bees and provide for the enhancement of local gardens and the environment.		
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.		
SIGNATURE 	TITLE City Planning Associate	DATE 4/30/15
FEE:	RECEIPT NO.	REC'D. BY
		DATE

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NARRATIVE:**Backyard Beekeeping Ordinance**

CPC-2015-578-CA

ENV-2015-579-CE

I. PROJECT DESCRIPTION

The proposed Backyard Beekeeping Ordinance, or “Project,” amends the Los Angeles Municipal Code (LAMC) to permit beekeeping as an accessory use in single-family neighborhoods, and includes basic maximum hive number, distancing, barrier, and hive positioning, and water provision requirements. The proposed regulations are listed below:

- Regulations
 - Register as a beekeeper with the County of Los Angeles.
 - Maximum of one hive per 2,500 square feet of Lot area.
 - Hives must be placed a minimum 5 feet from lot lines, and 20 feet from public right-of-way/private street.
 - Hive entrances face away from or parallel to nearest lot line.
 - 6-foot wall or vegetative barrier between hives and adjacent lots, or placement of hives minimum of 8 feet above ground level of adjacent lot.
 - 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.

II. PROJECT BACKGROUND

With increasing concern for the health of our bee population, and the impact on plant pollination, and therefore on our food system, there has been an increase in interest locally and across the country in “backyard beekeeping”. While beekeeping (apiaries) is allowed by-right in A1, A2, and MR1 zones in the City of Los Angeles, it is currently not allowed in residential zones. Allowing backyard beekeeping in residential zones would help support the bee population and our food system, while ensuring, through regulations, the health of bee colonies in the hives, as well as the safety and health of neighboring residents.

The City Council Motion (Council File No. 12-0785) directed the Department of City Planning and the Department of Animal Services to report back on the feasibility of beekeeping in R zones. Since introduction of the Council Motion, the Planning Department has been in communication with Animal Services and Building and Safety Departments, as well as Council offices, and has prepared a draft ordinance proposing to allow beekeeping in single-family residential zones (R1, RS, RE9, RE11, RE15, RA, RE20, and RE40). The proposed ordinance is considered the Project in review in this document.

Planning staff have researched beekeeping ordinances in Southern California and several cities in other states for model regulations of beekeeping in single-family neighborhoods. Staff have consulted with biologists specializing in bees to verify that requirements function to

minimize conflict between bees and human neighbors. Staff has also consulted with planning staff at the City of Santa Monica about the success of their beekeeping ordinance, and reviewed beekeeping ordinances in several other cities, including those that Santa Monica's ordinance is based upon. This proposed ordinance is drawn from other cities' adopted and successful ordinances, consultations with biologists, and on suggestions from beekeeping stakeholders gathered during public outreach.

III. ENVIRONMENTAL REVIEW UNDER CEQA

The proposed Beekeeping Ordinance is exempt from the California Environmental Quality Act of 1970 (CEQA). Staff has concluded that the following CEQA exemptions are appropriate for the proposed Project:

- A. *State CEQA Guidelines, Article 19, Section 15303, **Class 3** consists of “construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.”*

City of Los Angeles Environmental Quality Act Guidelines, Article III, Class 3 includes accessory structures, such as fences, as part of this exemption. The proposed Project would require a wall or vegetative barrier of a height of 6 feet between the hives and all adjacent lots. While most properties in Los Angeles already meet the minimum fence requirement set forth in the proposed Project, it is feasible that, in some cases, property owners may need to construct a wall or plant a vegetative barrier. The purpose of the required barrier is to ensure that bees assume a flight pattern at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the apiary in order to limit bee interactions with neighboring residents. The physical form of the barrier is consistent with the exemption per 15303.

- B. *State CEQA Guidelines, Article 19, Section 15308, **Class 8** consists of “actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption”; and*

City of Los Angeles Environmental Quality Act Guidelines, Article III, Class 8 consists of “actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.”

The proposed Project would permit beekeeping as an accessory use in single-family zoned neighborhoods with basic limits on the maximum hive number, and requirements for distancing, barrier, water source and hive positioning; the regulations are set forth in

the Project Description section. The proposed regulations would ensure the health of bees and provide for the enhancement of local gardens through pollination of local trees, vines, and other plants. The healthy growth of bee colonies would increase the production and quality of fruits, vegetables, and flowers in home gardens.

IV. EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS

CEQA Section 15300.2: Exceptions to Categorical Exemptions

As explained below, the Project does not satisfy the criteria for exceptions to the application of Section 15300, Class 3 or Class 8 of the State CEQA Guidelines:

- A. *Location: Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

This exception applies to Class 3 Categorical Exemptions where the Project is located in a particularly sensitive environment. The City of Los Angeles precisely designates maps and officially adopted areas of special resources and hazards in the Safety Element of the General Plan in 1996. The proposed Project expands backyard beekeeping to single-family zoned neighborhoods; there are zones within the boundaries of the sensitive environments illustrated in the Safety Element. Per Los Angeles CEQA Thresholds Guide, Chapter 4, Section F Hazards, which identifies the thresholds at which there is a significant impact, each designated and adopted map of the Safety Element has been reviewed. The resulting analysis per each map is as follows:

Alquist-Priolo Special Study Zones and Fault Rupture Study Areas: It is plausible that backyard beekeeping may occur in areas currently assumed to be along an active or potentially active fault line as illustrated in Exhibit A of the Safety Element, however, backyard beekeeping will not have any impact on the fault lines. This is because the proposed Project merely permits beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected to alter the existing conditions and expose people to further risk.

Areas Susceptible to Liquefaction: Exhibit B of the Safety Element identifies liquefiable areas with ground water at less than 30 feet deep, and potentially liquefiable areas with ground water between 30 and 50 feet deep. It is plausible that backyard beekeeping may occur in areas susceptible to liquefaction, however, backyard beekeeping will not have any impact on liquefiable ground or potentially liquefiable ground. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase

the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected to alter the existing conditions and expose people to further risk.

Landslide Inventory and Hillside Areas: It is plausible that backyard beekeeping may occur in hillside areas and areas susceptible to landslides, however, backyard beekeeping will not have a significant impact on the identified areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected to alter the existing conditions and expose people to further risk.

Selected Wildfire Hazard Areas: Exhibit D of the Safety Element identifies selected wildland fire hazards and selected urban fire and secondary hazards. It is plausible that backyard beekeeping may occur in areas near wildfire hazard areas, however, backyard beekeeping will not have a significant impact on the hazards or hazard areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected alter the existing conditions and expose individuals to further risk of wildfires.

Oil Field and Oil Drilling Areas: It is plausible that backyard beekeeping may occur above an oil field and near oil drilling areas, however, beekeeping will not have an impact on the identified areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The project will not restrict access to oil drilling areas and will not impact existing maintenance and operation facilities on the oil fields or oil drilling areas.

100-Year and 500 Year Flood Plains: It is plausible that backyard beekeeping may occur on or near the flood plains, however, backyard beekeeping will not have an impact on the identified areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected to alter the existing conditions and expose individuals to further risk of floods.

Inundation and Tsunami Hazard Areas: It is plausible that backyard beekeeping may occur in or near the hazard areas, however, backyard beekeeping will not have an impact on the identified areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the Project is not expected to alter the existing conditions and expose individuals to further risk of inundation and tsunamis.

Critical Facilities and Lifeline Systems: It is plausible that backyard beekeeping may occur near dependent care and emergency facilities, other major lifeline facilities, and transportation routes, however, backyard beekeeping will not have a significant impact on the identified areas. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance. Therefore, the proposed Project will not have a significant impact on critical facilities and lifeline systems.

- B. *Cumulative Impact: The exception applies when, although a particular Project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

There are no successive projects of the same type, in the same place, planned for the City of Los Angeles, therefore, the Project will not have a significant impact over time. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

- C. *Significant Effect Due to Unusual Circumstances: This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

There is no reasonable possibility that the proposed Project will have a significant effect due to unusual circumstances. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. The proposed Project would allow for the protection of the environment by ensuring the health of bees and providing for the enhancement of local gardens through pollination of local trees, vines, and other plants.

Additionally, as set forth in the Additional Factual Support section, any impact from the proposed Project is less than significant.

- D. *Scenic Highways: This exception applies when, although the project may otherwise be exempt, there may be damage to scenic resources, including but not limited to, trees historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only designated State Scenic Highway in Los Angeles County is Route 2 from 2.7 miles north of State Route 210 at La Canada to the San Bernardino County Line. The designated State Scenic Highway is not located within Los Angeles City Boundaries;

therefore, the proposed Project does not impact any State Scenic Highway. It is plausible that backyard beekeeping may occur near designated City Scenic Highways as illustrated in Map E of the Transportation Element of the Los Angeles General Plan. However, any beehives and barriers installed as a result of the Project would not obstruct Scenic Highway vistas, as they are similar to other accessory uses in single-family zoned neighborhoods found near Scenic Highways. The Project will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources due to regulations.

E. Hazardous Waste Sites: Projects located on a site or facility listed pursuant to California Government Code 65962.5.

The Department of Toxic Substances Control (DTSC) has not listed any single-family zoned parcel within the Project area as a hazardous material site (Envirostor Database); therefore, the exception does not apply.

F. Historical Resources: Projects that may cause a substantial adverse change in the significance of an historical resource.

The proposed Project would not cause an adverse change in the significance of a historical resource as defined in Section CEQA 15064.5. Hives associated with Backyard Beekeeping are not alterations or additions to historic resources; they are small, stand alone, moveable structures. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning. Therefore, the Project would not cause a substantial change in the significance of historical resources, including but not limited to, historical buildings, landmarks, monuments, or similar resources.

V. ADDITIONAL FACTUAL SUPPORT

Below is a consideration of all categories on the Initial Study Checklist to demonstrate further that no exceptions apply to the exemptions:

Aesthetics

The proposed Project will have zero to minimal aesthetic environmental effects. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

Due to regulations, the proposed Project will not degrade the existing visual character or quality of the Project site and its surroundings in either natural or urban areas. The Project will not introduce contrasting features into- nor result in the loss of aesthetically valued natural or urban areas, eliminate context or associations with history, nor create visual discord where there have been apparent conservation efforts in natural or urban areas.

Agriculture and Forestry Resources

According to the Farmland Mapping and Monitoring Program for Los Angeles County (2012), there exists a small amount of designated farmland of statewide importance, unique farmland, and farmland of local importance in the vicinity of the Project area. A significant impact would occur if the proposed Project were to result in conversion of farmland to another non-agricultural use, or indicated as agricultural under a Williamson Act contract. The scope of the Project, however, does not include farmland or agricultural zones. The proposed Project would merely regulate beekeeping as an accessory use in single-family zoned neighborhoods. It is plausible that the proposed Project would enhance the quality of fruits, vegetables and flowers through the resulting pollination in home gardens, farmland, or agricultural land. Therefore, the proposed Project will not have a negative impact on agricultural uses.

Air Quality

The Project is located in the South Coast Air Basin, within the South Coast Air Quality Management District (SCAQMD). The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources, and has established standards for air quality constituents generated by construction and by operational activities. The 2012 Air Quality Management Plan (AQMP) was prepared to comply with federal and state air quality standards. Projects consistent with forecasts identified in the Regional Comprehensive Plan and Guide (RCPG) -prepared by the Southern California Association of Governments (SCAG) - are considered consistent with the AQMP, since the Growth Management Chapter of the AQMP is based on forecasts identified in the RCPG. Moreover, a project consistent with a City's land use designations is considered consistent with the RCPG and is, ultimately, consistent with the AQMP. The proposed Project would be inconsistent or conflict with the

AQMP if it exceeded population or employment growth forecasts in the AQMP. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and will not introduce new population or increase development. Therefore, the proposed Project does not conflict with or obstruct the implementation of the AQMP, violate any air quality standard, or contribute to a net increase of any criteria pollutant.

Biological Resources

The proposed Project will not create changes in conditions that could yield an incremental increase in potential impacts to any species identified as a candidate, sensitive, or special status species. There are no biological resources, including riparian habitat, or other sensitive natural community or federally protected wetlands, native resident or migratory fish/wildlife species that would be negatively impacted. The proposed Project would not result in direct removal, filling, or hydrological interruption to any resources. Moreover, the proposed Project does not conflict with any local protection of biological resources. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The proposed Project will not introduce new population or increase the likelihood of new development as a result of this ordinance.

Cultural Resources

The proposed Project would not cause an adverse change of historical resource as defined in CEQA 15064.5. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. It does not supersede any existing regulation or protection of historic resources, such as nationally designated monuments or buildings in a historic preservation overlay zone.

The proposed Project does not disturb, damage, or degrade unique archaeological sites, paleontological resources, or geologic features. This is because the proposed Project will not generate any construction or operation activities which may impact the surface or subsurface of the ground at or near archaeological sites, paleontological resources, or geologic features.

Geology/Soils

The proposed Project in and of itself will not pose any risks to humans or property damage due to potential regional earthquakes. As is common in the Southern California region, there will be continued risks of human injury and property damage because of potential regional earthquakes. While generally the potential exists for geologic hazards due to geologic and seismic conditions throughout the City, this specific Project proposes no changes that would alter these conditions because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. The Project proposes no land use

changes and thus there would be no changes in topography or surface relief features beyond what would otherwise occur. The proposed Project does not supersede any existing regulation related to geology and soils.

Greenhouse Gas Emissions

An increase of backyard beekeeping may reduce greenhouse gas emissions due to pollination of plants in gardens and other open space throughout the city. Ultimately, the pollination would also support local food sources, which reduces long distance transport of produce and a decrease of greenhouse gas emissions. The proposed Project would not generate greenhouse gas emissions nor conflict with regulations adopted for the purpose of reducing the emissions of greenhouse gas emissions. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods through basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

Hazards & Hazardous Materials

The proposed Project would not result in the routine transport, use, production or disposal of hazardous materials. The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods through basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. The proposed Project would not involve the use of potentially hazardous materials that could create a significant public hazard through the accidental release of hazardous materials into the environment. Backyard beekeeping does not involve the transport or use of hazardous materials. Therefore, adoption of the proposed Project would not result in any change from the baseline conditions.

Hydrology/Water Quality

The proposed Project does not involve any change in density or incentives for increased construction activity; therefore, it would not violate any water quality standards or waste discharge requirements, nor would it have a significant impact on groundwater supplies or groundwater recharge. This is because the proposed Project would not substantially alter existing drainage patterns of a site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion on- or off-site.

The proposed Project would not create or contribute to runoff water or substantially degrade water quality. The proposed Project is not a physical project, does not impact levees or dams, and thus would not threaten to expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

The proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for

distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

Land/Planning

The proposed Project is an amendment to the LAMC. The proposed Project would permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. In accordance with Charter Section 556, the proposed Project is in substantial conformance with the purposes, intent, and provisions of the General Plan.

The Project would not conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding mitigating an environmental effect and does not conflict with any conservation plan.

Mineral Resources

It is plausible that the Project may occur on or near areas identified by the State Mining and Geology Board (SMGB) as containing significant mineral deposits, or where it is judged that a high likelihood exists for their presence. Major mineral deposits are located in the Big Tujunga Wash and the Los Angeles River flood plain. However, the only available extraction site is in the Tujunga alluvial fan, which is not within the Project area. Much of the areas identified as significant mineral deposits have already been developed with structures and is inaccessible for mining extraction. The proposed Project would not involve digging or extraction of minerals that would result in the loss of availability of a known mineral resource or locally important mineral source recovery site. The Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods.

Noise

The proposed Project would not result in the exposure of persons or generation of noise levels in excess of standard levels. Any noise levels deriving from activities associated to backyard beekeeping would not result in the exposure of people to, or generation of excessive ground borne noise levels or create a substantial periodic or permanent increase in ambient noise levels. The proposed Project would not cause a substantial increase in ambient noise levels above the existing because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

Population/Housing

The proposed Project would not impact the distribution of population and housing citywide. This is because the proposed Project would merely permit beekeeping as an accessory use

in single-family zoned neighborhoods through basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section. Residential uses can continue operating in the same fashion as they did prior to adoption of the proposed Project.

Public Services

The City of Los Angeles Fire Department (LAFD) and the Los Angeles Police Department (LAPD) have fire and police stations strategically located throughout the City. The proposed project would not result in an increase in population and, thus, would not generate a need for new or altered protection facilities. The proposed Project is not proposing to use, manufacture, or store toxic, readily combustible, or otherwise hazardous material; the proposed Project merely permits beekeeping as an accessory use in single-family zoned neighborhoods. Therefore, the proposed Project and any associated activities would not create hazards that would increase the need for protection or exceed the capacity of the LAFD or LAPD to serve any Project area.

The proposed project does not result in any local or regional population increase or in the construction of new housing. Therefore, the Project would not require the construction of new schools, or result in schools exceeding their capacities.

Recreation

Pursuant to Los Angeles Municipal Code Section 17.12, the City requires land dedication or payment of fees for park or recreational purposes for projects involving residential subdivisions. The fees are used to acquire land or develop new parks or recreational facilities to serve the residential developments. However, the proposed Project does not affect recreational facilities because the Project is not proposing the construction or expansion of housing units; the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods. The Project will not result an increase in population that would cause or accelerate a substantial physical deterioration of recreational resources. Public recreational facilities will continue operating in the same fashion as they did prior to adoption of the proposed Project.

Transportation/Traffic

The proposed Project applies only to single-family zones and it does not involve any zone changes which would increase population density in single-family neighborhoods. No direct or indirect impacts are expected on existing traffic patterns and road capacity.

The proposed Project would not exceed a level of service standard established by the county congestion management agency for designated roads and highways nor result in a change in air traffic patterns. Since the proposed Project applies only to single-family zoned properties, it would not affect street design. The proposed Project does not regulate any public thoroughfare and does not include any regulations that would conflict with adopted

policies, plans, or programs supporting alternative transportation. This is because the Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

Utilities/Service Systems

The proposed Project would not encourage nor limit construction, but rather permit beekeeping as an accessory in single-family zoned neighborhoods. Furthermore, the proposed Project will not result in increased density or population growth. Therefore, the proposed Project would not impact utilities and service systems. The proposed Project would not exceed wastewater treatment requirements of the applicable regional water quality control board, nor require construction of new water or wastewater treatment facilities. The proposed Project would not require the construction of new storm water drainage facilities or expansion of existing facilities. The proposed Project would not have an effect on water supplies, nor affect wastewater treatment. Moreover, the proposed Project would not have any solid waste disposal needs or generate solid waste disposal itself.

Mandatory Findings of Significance

As noted previously, the proposed Project would not degrade the quality of the environment, substantially reduce fish or wildlife population, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory. This is because the proposed Project would merely permit beekeeping as an accessory use in single-family zoned neighborhoods and include basic maximum hive number, and requirements for distancing, barrier, water source, and hive positioning; the regulations are outlined in the Project Description section.

The proposed Project would not have environmental effects which could cause substantial adverse effects on human beings, either directly or indirectly as outlined in previous sections. As noted in the Exceptions to the Use of Categorical Exemptions section, the proposed Project would not have a cumulatively considerable impact.

EXHIBIT B
COUNCIL MOTION, CF NO. 12-0785

13-1660

DEC 10 2013
PUBLIC WORKS & GANG REDUCTIONS

MOTION

Although bees can sometimes pose a nuisance or a potential threat, it is in the City's best interest to support a healthy bee population. Bees have been reported to be in steep decline and there is great concern because of the important role of bees as pollinators of California's substantial agricultural industry and the local economy.

While the County of Los Angeles is the appropriate governmental agency to respond to concerns regarding unwanted bee colonies, various City Departments respond to nuisance, unwanted or aggressive bees, including: Bureau of Street Services, Urban Forestry Division; Department of Water and Power; Department of Animal Services; Department of Building and Safety; and Recreation and Parks Department.

Private groups, such as Backward Beekeeping, offer bee rescue and relocation services at little or no cost. In addition, the growing interest in urban beekeeping offers a constructive outlet for the relocation of otherwise unwanted bees.

As an example, the City of Austin's website, which provides bee relocation information, could be ported to the City's website to educate the public and advocate for the rescue and relocation of bees as preferable to extermination.

Given the usefulness of bees to California's agricultural industry and the growing popularity of urban beekeeping, the City should implement and promote the humane and non-lethal treatment of bee colonies.

I THEREFORE MOVE the Bureau of Street Services, Urban Forestry Division, with the assistance and cooperation of other affected departments, to report on best practices with respect to the humane, non-lethal treatment of nuisance bee colonies, including rescue and relocation practices, as an alternative to colony extermination, and to promote such alternatives on the Bureau's website and in their published materials.

I FURTHER MOVE that the Bureau of Street Services be instructed to work with the County of Los Angeles to encourage the County's prioritization of humane and non-lethal bee treatment/removal practices.

PRESENTED BY: 
JOSE HUIZAR
Councilmember, 14th District

SECONDED BY: 


DEC 10 2013

EXHIBIT C

WHERE BEEKEEPING IS CURRENTLY ALLOWED

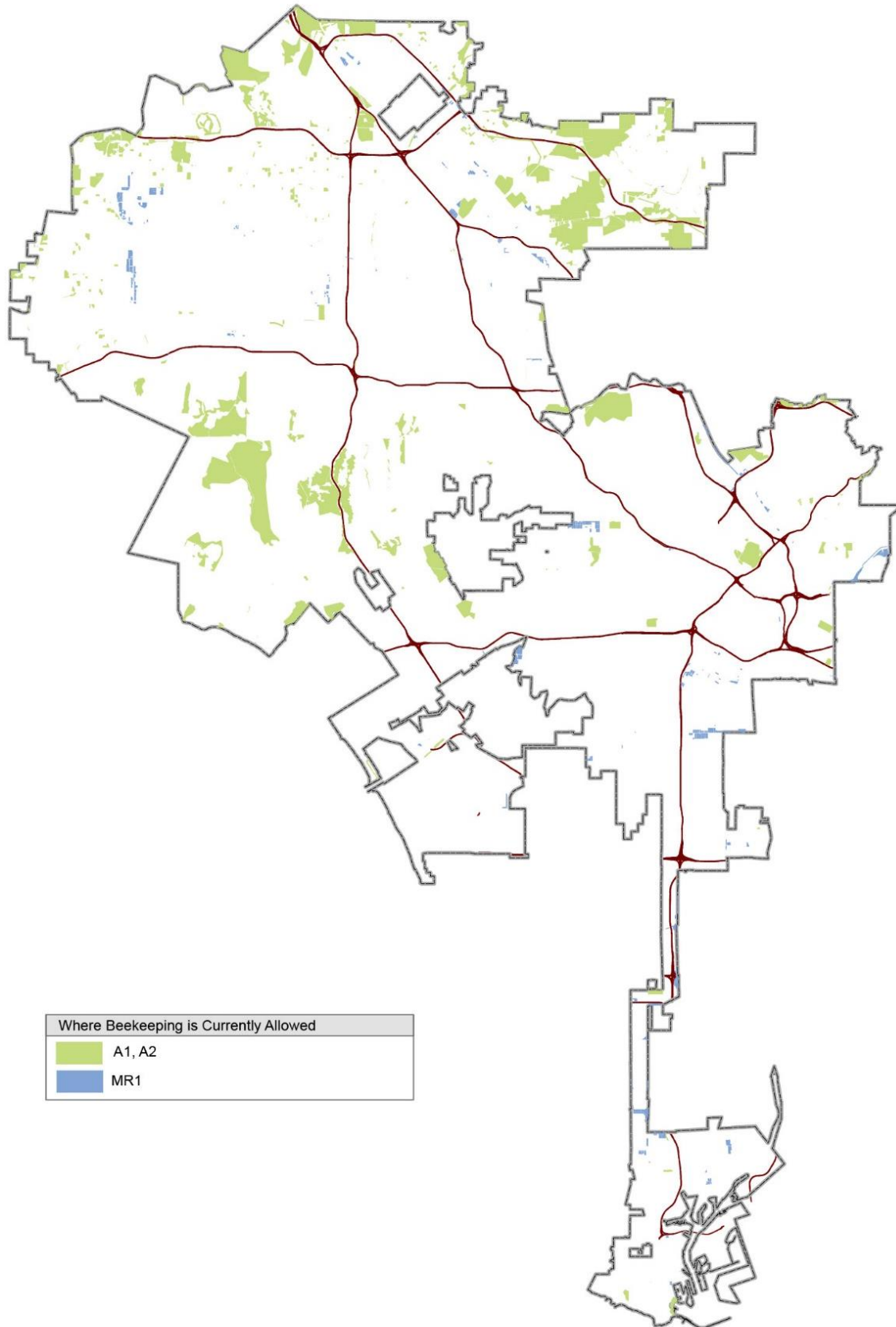


EXHIBIT D

AREAS AFFECTED BY PROPOSED ORDINANCE

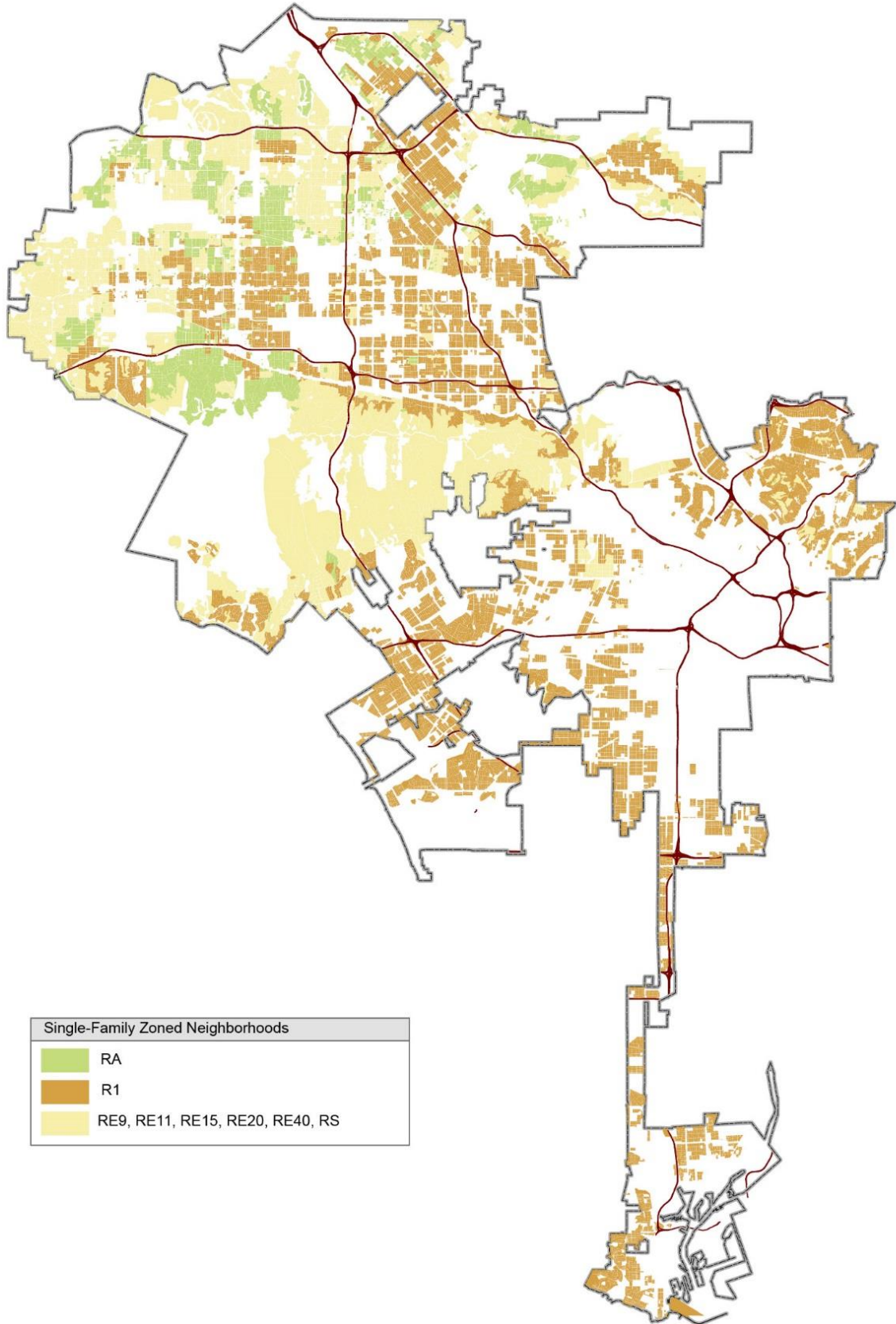


EXHIBIT E

ALL AREAS WHERE BEEKEEPING WOULD BE ALLOWED

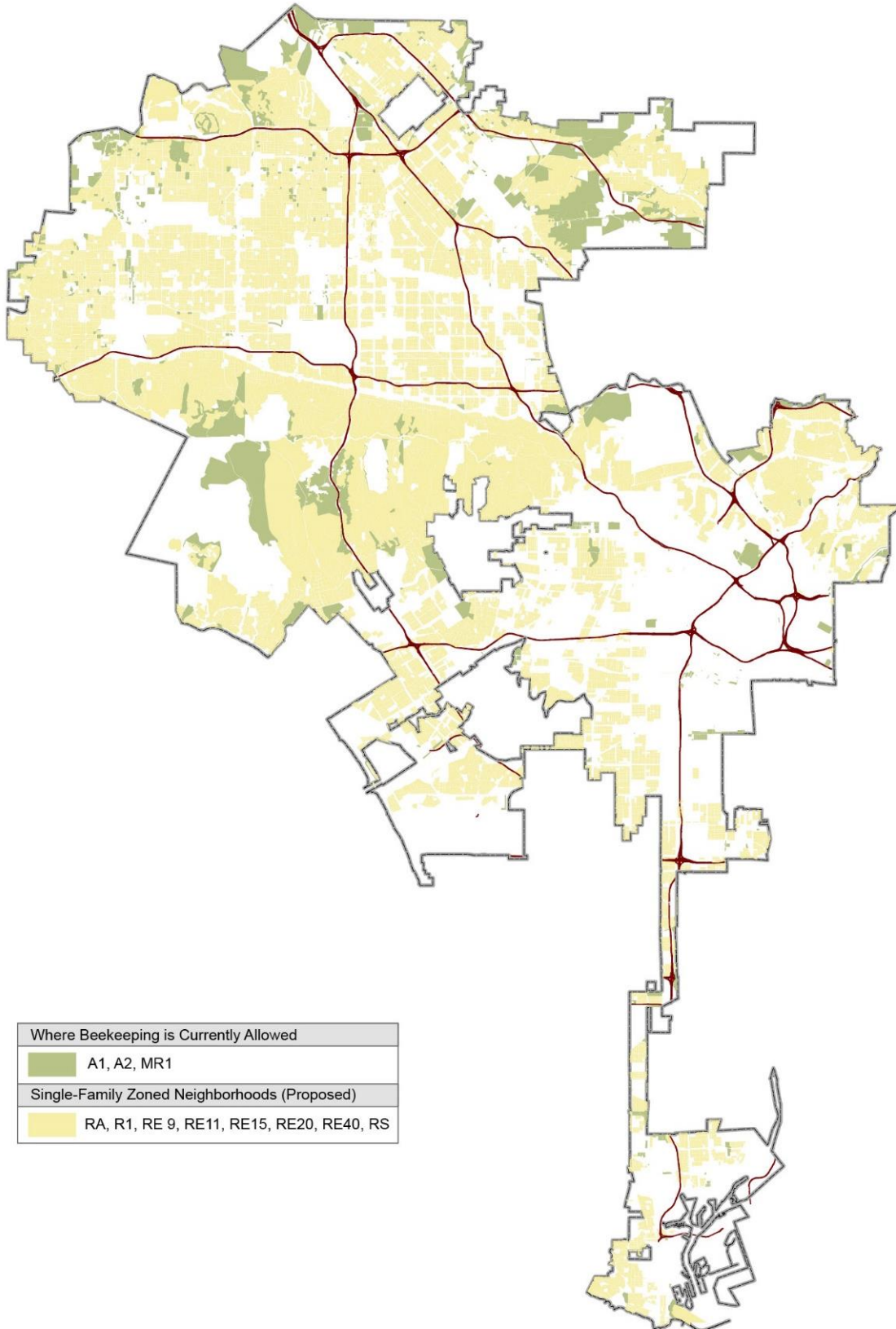


EXHIBIT F

SUMMARY OF BEEKEEPING REGULATIONS IN OTHER CITIES

City	Number of Hives	Distancing From:			Barriers	Hive Position
		ROW	Lot Lines	Buildings		
Santa Monica	2 hives maximum per lot	n/a	At least 5' from all property lines	n/a	6' tall barrier, unless hive is located 8' above grade.	Face away from or parallel to nearest property lines.
San Diego	See Distancing	1 or 2 hives: outside all setbacks or 20' from ROW (and distance from property lines); 3 or more hives: 100' from ROW. Distancing from residential buildings on lot other than where hives are located.	1 or 2 hives: outside of all setbacks or 15' from all property lines only (and distance from ROW).	1 or 2 hives: No distancing, only outside of all setbacks or 15' from all property lines and ROW. 3 or more hives: 600' + from residential buildings not on same lot as beehive(s).	6' tall barrier (may be vegetative) unless hive is 8' above adjacent groundlevel.	Faces most distant property line, away from entrances and walkways on premises to the extent possible while ensuring entrance faces most distant property line.
Aurora, CO	2 hives if lot one quarter acre or less; 4 hives if more than one-quarter acre but less than one-half acre ; six hives if more than one-half acre but less than one acre; regardless of lot size, no limit if all hives are located at least 200 feet in any direction from all property lines.	n/a	5' from any property line	n/a	Barrier at least 6' in height of a solid wall or fence parallel to property line, extending 10 feet beyond colony in each direction.	n/a
Salt Lake City, UT	5 hives on any residential lot; 10 hives if residential lot is larger than one half acre.	n/a	5' from any property line	n/a	A flyway barrier at least 6' in height if hives are located within 15' of property lines.	Placed so general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
Denver, CO	2 hives per lot	n/a	5' from rear and side lines	n/a	6' barrier, which may be vegetative.	n/a
Redondo Beach	1 colony per 3,370 square feet of lot are; no more than 2 colonies on any lot	15' from any public ROW	10' from any property line	15' from any public building and any residential building not belonging to the permittee	6' barrier extending at least 10 feet beyond the hives	Face away from or parallel to nearest property lines.
Seattle	No more than 4 hives on lots less than 10,000 square feet	n/a	25' from any property line, unless 8 feet above grade of adjacent lot or separated by 6' barrier	n/a	Optional	n/a
Chicago	5 hives per lot	n/a	n/a	n/a	n/a	n/a
New York City	Regulated by the Department of Health and Mental Hygiene, not the Department of City Planning					
Boston	2 hives per lot	10' from any public sidewalk; prohibited in front yard or side yard that abuts a street	No setback if barrier is present; 6' setback if no barrier is present	n/a	Optional	Face away from doors or windows if barrier is not present between hive and building
Vancouver	2 hives on lots less than 10,000 square feet; 4 hives on lots more than 10,000 square feet	n/a	25' from any property line, unless barrier is present, or beehive is placed 8' above ground level	n/a	6' barrier, unless beehive is placed 25' from any property line, or placed 8' above ground level	Face away from neighboring property, unless placed 8' above ground level, or 25' from any property line



ATTACHMENT A

Great Sunflower Project Data

Location	Plant Category	Plant Name	Year	Max Bee Per Hour	Pollinator Service
Eagle Rock Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2008	37.5	Excellent
Echo Park Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2008	23.78	Moderate
Mar Vista Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	0	Poor
Mt. Washington Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2010	2	Poor
Northridge Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	16	Excellent
Playa Vista Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	4	Moderate
San Pedro Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	2	Poor
Sylmar Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2008	8	Moderate
Tarzana Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	0	Poor
Tujunga Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2008	10.4	Moderate
Van Nuys Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2009	5.33	Moderate
Van Nuys Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2011	0	Poor
Westwood Area	California Subtropical Fruit, Truck, and Specialty Crop	Lemon Queen Sunflower	2010	0	Poor

Source: <https://www.greatsunflower.org/Map>