

ORDINANCE NO. 2024-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE TO AUTHORIZE BACKYARD BEEKEEPING FOR HONEYBEES ON NO MORE THAN TEN LOTS AT ANYTIME CITYWIDE WITHIN BOTH THE R-1 (SINGLE FAMILY RESIDENTIAL) AND R-A (RESIDENTIAL AGRICULTURE) ZONING DISTRICTS SUBJECT TO DEVELOPMENT STANDARDS

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. PURPOSE. The purpose of this ordinance is to allow no more than ten single-addressed residential lots at any time citywide to establish, operate and properly maintain backyard beekeeping operations for honeybees. Such operations shall be subject to restrictions as listed for lots within the R-1 (Single Family Residential) and R-A (Residential Agricultural) zoning districts and for such lots also have a portion zoned as OS (Open Space). Areas zoned as A (Agriculture) shall continue to have apiaries, as an allowed use. Currently, the Lakewood Municipal Code ("LMC") only allows beekeeping within apiaries established as an approved land use on properties within the A (Agricultural) zoning district, subject to the regulations of that district that limit the location of apiaries to be more than fifty (50) feet from the property boundary of any public park, school, street, or highway upon which the property fronts.

SECTION 2. INTENT. The City of Lakewood wants to enable resident hobbyists to have an opportunity to pursue backyard beekeeping safely and successfully in a manner that does not impact surrounding properties, and in such a manner that it promotes a pleasurable, economically, culturally, and agriculturally beneficial activity within the City of Lakewood. The City finds that the addition of a maximum of ten apiaries as an allowed use on lots within R-1 and R-A zone districts is a reasonable accommodation to allow such backyard beekeeping activities.

Honeybees are critical to humankind by providing agriculture, fruit, and garden pollination services, and by furnishing honey and other useful apicultural products. California is among the leading states in honey production and the use of honeybee pollination services. The city recognizes that the occasional swarming of honeybees is a normal, natural, and non-threatening occurrence within the lifecycle of a honeybee population. Such events reduce overpopulation of individual hives and allow healthy expansion of the honeybee population through the creation of new hives. However, the city still remains concerned about the public nuisance created by swarms of other flying insects and the colonization of all flying insects, including honeybees, when they are not in an approved, properly maintained, inspected, and annually permitted beehive.

Furthermore, the City Council wants to monitor the implementation of this ordinance for two full calendar years of operation. Therefore, the Community Development Director is instructed to prepare and present a report to the Council regarding any experiences implementing this ordinance both positive and negative, including the number of backyard beekeeping operations issued permits annually by the Los Angeles County Agricultural in January of both 2026 and 2027. City Council may choose to either continue, modify or terminate the ordinance as adopted.

SECTION 3. Subsection 4323. P. of the Lakewood Municipal Code regarding property nuisances being defined as public nuisances per se is hereby amended to read as follows:

P. BEES, WASPS, HORNETS, AND YELLOW JACKETS.

It is unlawful for any property owner to have, allow to remain, or maintain on any lot for more than 48 consecutive hours any group of the flying insects listed below in a cluster that exceeds a 12-inch circumference or 4-inch diameter (*e.g. softball size*) or collectively has more than 500 of such flying insects on a lot. This shall include any hive, comb, nest, swarm, colony, breeding ground or a group of flying insects commonly known as bees, wasps, hornets, or yellow jackets, except as allowed by this code for honeybees (*Apis mellifera*) within the R-1, R-A, A, and O-S zoning districts. Such unlawful activity is hereby declared to be a public nuisance per se.

Furthermore, except as authorized by this code, it is unlawful to maintain or fail to maintain such property in such a manner that it allows and encourages such insects to remain and thrive on the property in any life stage and/or to return to the property once removed or eliminated. The removal, collection, extraction, and relocation of honeybees to an approved location is an allowed and encouraged activity to be done by a professional beekeeper or beekeeping service. The following applies:

1. Regulated Species. Specifically regulated are those flying insects that are within the biological order of Hymenoptera and suborder *Apocrita* (bees, wasps, and ants) but shall not include any ant species and shall include the following and any similar types of insects, as determined appropriate by the Community Development Director:

- a) **Bees.** All *Apoidea* super family species including, but not limited to, Honeybees (*Apis mellifera*), except as allowed in the R-1, R-A, A, and O-S zoning districts.
- b) **Wasps, Hornets, and Yellow Jackets.** All *Vespula* family species, including but not limited to, *Vespula pensylvanica* (Western Yellowjacket) and *V. Mischoctytaru flavitarsus* (Common Paper Wasps.)

2. Prohibited Actions. Except as allowed by this code on properties zoned R-1, R-A, A, or O-S this prohibition includes:

- a) The intentional possession and maintenance of such insects in any life stage in any comb, hive, swarm, colony, or any structure or device containing therein a group of such insects in any life stage, and any material deposited by such insects.
- b) The unintentional possession of such insects inside a building, other device, or vegetation on the property and/or the failure to remove any such nest, hive, colony or swarm within ten (10) days of notification of such in writing or by email by the City.
- c) Furthermore, this prohibition includes honeybees (*Apis mellifera*) that are located on any lots zoned R-1, R-A, A, or O-S, but that are not located or maintained in compliance with the required development standards for beehive location and operation. All such honeybee colonies shall be housed in an approved properly maintained beehive that is validly permitted annually by the Los Angeles County Agricultural Commissioner in January of every calendar year. This prohibition includes bee colonies that are:
 - 1) Occupying beehives that are not validly permitted,
 - 2) Not complying with development standards for location and operation,
 - 3) Improperly maintained or are abandoned,
 - 4) Interfering with the normal and peaceful use of any residential property,
 - 5) Required to be relocated or exterminated as determined by a professional bee service due to observed colony behaviors that are overly aggressive, hostile or defensive, or

- 6) Required to be destroyed by a bee specialist in order to protect other bee populations from extensive disease or damage caused by pestilences, pests and/or pesticides.

SECTION 4. Subsection 9320 A.8 of the Lakewood Municipal Code, regarding adding apiaries as an allowed land use in the R-1 (Single Family Residential) zoning district is added to read as follows:

9320. USES PERMITTED.

- A. One or two single-family dwelling units of a permanent character placed in permanent locations, including the following accessory uses and buildings:

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8. Apiaries. An apiary for private backyard beekeeping of honeybees (*Apis mellifera*) with no more than four (4) hives is allowed on a lot at the rate of not more than one hive per 1,500 square feet of lot area, provided the lot has only one addressed dwelling unit. A lot with a beekeeping operation may not also have an ADU, JADU or second primary dwelling unit as otherwise allowed by state law. A site plan approved by the Community Development Director or designee is required to indicate the location and number of hives proposed and to inform a potential residential backyard beekeeper that the proposed beekeeping activities comply with all of the following:

- a) Registration and Identification. The beekeeper shall register each hive with the Los Angeles County Agriculture Commissioner within 30 days of establishing a hive and reregister each hive annually in January of every year thereafter, pursuant to California Food and Agricultural Code Sections 29040-29056. Each beehive shall be identified with the beehive owner's name, phone number, address, and email address that is stenciled or otherwise marked permanently and attached to the hive. There shall not be more than ten (10) such registrations allowed annually citywide in any zone district.

- b) Hive Location. No hive shall be located within fifty (50) feet of any public street or highway, any public park, or any school (public or private). The following beehive locational standards shall apply:

- i) No hive shall be located in the front, side or rear yard setback areas of a lot.

- ii) No hive shall be located within four (4) feet of any property line.

- iii) Hives shall not be readily visible from a public right-of-way.

- iv) Hives shall be located between any residence and the rear property line.

- v) Hives shall be in a secure quiet location that is dark during nighttime hours.

- vi) Hive entrances shall be oriented to the south or west and a minimum ten (10) feet away from any entrance to a structure located on neighboring properties.

- vi) Multiple hives may be located together.

- c) Flight Paths. Honeybees shall be encouraged to fly up and away from the property by locating beehives as follows:

- i) A minimum of eight (8) feet above the adjacent ground level, or

- ii) A minimum four (4) feet away from a minimum six (6) foot tall perimeter solid wall, fence or dense hedge located on or adjacent to the property line.

- d) Water. Beehives shall have an adequate on-site continually clean, fresh, and circulating water source that does not become a breeding ground for mosquitoes.

e) Hive Maintenance. Beekeepers shall maintain apiaries in compliance with the guidelines titled “Best Management Practices for Backyard Beekeeping in Lakewood.” The Community Development Director is hereby authorized to maintain and update the guidelines from time to time, as necessary. The guidelines include recommendations regarding regular inspections, proper record keeping, swarm prevention, overcrowding reduction, disease control, deterrents to bee nectar robbing, and the need for periodic queen replacement.

f) Beehive Design/Storage. Hives shall be painted a light color to assist in keeping hive cooler in the hot sun. Hives shall have removable frames to facilitate maintenance, regular inspections, and transfers and expansions. Hive maintenance materials and equipment shall be stored in a sealed container or placed within an enclosed building.

g) Food Production. Apiary food production (*e.g., honey, etc.*) for sale shall be subject to regulations regarding cottage food enterprises and home-based businesses, and in compliance with Los Angeles County Public Health Department regulations.

SECTION 5. Subsection 9326 A.8. of the Lakewood Municipal Code, regarding beekeeping as an allowed land use in the Residential Agricultural (R-A) zoning district is added to read as follows:

9326. USES PERMITTED.

A. One or two single-family dwelling units of a permanent character placed in permanent locations, including the following accessory uses and buildings:

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8. Apiaries. An apiary for private backyard beekeeping of honeybees (*Apis mellifera*) with no more than four (4) hives is allowed on a lot at the rate of not more than one hive per 1,500 square feet of lot area, provided the lot has only one addressed dwelling unit. A lot with a beekeeping operation may not also have an ADU, JADU or second primary dwelling unit as otherwise allowed by state law. A site plan approved by the Community Development Director or designee is required to indicate the location and number of hives proposed and to inform a potential residential backyard beekeeper that the proposed beekeeping activities comply with all the R-1 zone provisions listed in Section 9320. A.8., related to the location and operation of beekeeping activities.

SECTION 6. Subsections 9338 A and D.2. of the Lakewood Municipal Code, regarding apiaries as an allowed land use in the Agricultural (A) zoning district is amended to read as follows:

A (AGRICULTURE) ZONE REGULATIONS

9338. USES PERMITTED.

A. Any use permitted in the R-A zone subject to the same conditions except as hereinafter provided. The number of animals that may be maintained in an A zone in connection with agricultural pursuits shall be as follows. However, it shall be unlawful to keep or maintain in any A zone any hog, pig, goat, or sheep, unless otherwise permitted by this code.

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D. Property in an A zone may be used for the following light agricultural uses in addition to the uses herein specified, provided that any accessory building, outhouse, corral, coop, hatch, pen, beehive, private shop, garage, stable, storage shed, or structure used or to be used in connection therewith be located not closer than 50 feet from any public park or any school (public or private) or any street or highway upon which such property fronts, or any area in any residential zone, unless such residentially zoned property is allowed to have an apiary:

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2. **Commercial Greenhouses, Aviaries, and Apiaries.** All operated in compliance with state and local laws and any local regulations, standards and administrative procedures including those of the Los Angeles County Agricultural Commissioner regarding the design, operation, location, number, density, and any required annual registration of such commercial agricultural facilities.

SECTION 7. Subsection 9441. J. of the Lakewood Municipal Code, regarding uses permitted in the Open Space (OS) zoning district is hereby added to read as follows:

J. Commercial Greenhouses, Aviaries, and Apiaries. All operated in compliance with state and local laws and any local regulations, standards and administrative procedures including those of the Los Angeles County Agricultural Commissioner regarding the design, operation, location, number, density, and any required annual registration of such commercial agricultural facilities. Apiaries shall only be allowed on a lot with an OS zone district that is split with a R-1 or R-A zoning district and that has a single addressed dwelling unit with an approved backyard beekeeping operation, which complies with all the R-1 zone provisions listed in Section 9320. A.8., related to the location and operation of beekeeping activities.

SECTION 8. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b) (3). This Ordinance has no impact on the physical environment as it will only modify administrative procedures.

SECTION 9. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent authority, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 10. CONTINUITY. To the extent the provisions of the Lakewood Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 11. CERTIFICATION. The City Clerk shall certify the adoption of this Ordinance and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause the ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

SECTION 12. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.

ADOPTED AND APPROVED this ____ day of _____, 2024, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Wood	_____	_____	_____
Council Member Croft	_____	_____	_____
Council Member Arellano	_____	_____	_____
Vice Mayor Chase	_____	_____	_____
Mayor Rogers	_____	_____	_____

Mayor

ATTEST:

City Clerk