

ORDINANCE NO. 1057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING PROPOSED TEXT AMENDMENTS TO SEASIDE MUNICIPAL CODE SECTIONS 6.04.165 AND 17.52.020, ENACTING BEEKEEPING AS PERMITTED BY-RIGHT CITYWIDE.

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

SECTION 1. GENERAL PURPOSE AND FINDINGS.

The purpose of this Ordinance is to consider the following text amendments to the Seaside Municipal Code:

Proposed text amendments to Seaside Municipal Code Sections 6.04.165 and 17.52.020, enacting beekeeping as permitted by-right citywide.

FINDINGS

- A. At a regularly scheduled meeting of the Environmental Committee on November 13, 2018, the committee voted to sign a memorandum of support for the proposed text amendments, as the committee considers beekeeping to be an opportunity that will positively impact the City of Seaside by contributing to a healthier, more sustainable, and resilient environment.
- B. At a special meeting held on December 17, 2018, the Planning Commission of the City of Seaside held a duly noticed public hearing to consider the adoption of the amendments described under Section 1. Following the closure of the public hearing, the Planning Commission adopted a Resolution recommending approval of this Ordinance to the City Council.
- C. At a duly noticed public hearing held on January 3, 2019, the City Council considered both oral comments and written information and introduced the first reading of the text amendments.
- D. At a duly noticed public hearing held on January 3, 2019, the City Council adopted the following findings in support of its action to adopt the first reading of the proposed text amendments:
 - a. The proposed text amendments to Sections 6.04.165 and 17.52.020 of the Seaside Municipal Code are consistent with the goals and policies of elements of the General Plan.

- b. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- c. The proposed amendments are internally consistent with other applicable provisions of the Seaside Municipal Code.

E. The Seaside City Council may initiate an amendment to the Seaside Municipal Code in accordance with SMC Section 2.02.380.

SECTION 2. ENVIRONMENTAL COMPLIANCE

The enactment of this ordinance is not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378 because it has no potential for resulting in physical change to the environment directly or indirectly. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, directly or indirectly as the placement of beehives would not interfere with views and or cause any noise, odors, air quality impacts or traffic related impacts. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as project pursuant to CEQA Guidelines section 15061(B)(3), this ordinance is not subject to CEQA review.

SECTION 3. PROPOSED TEXT AMENDMENTS

This ordinance incorporates the following text amendments into Seaside Municipal Code Section 06.04.165 (Permit Required for Bees) and Section 17.52.020 (Animal Keeping) of the Seaside Municipal Code. Text proposed to be deleted is listed with strikethrough (~~Strikethrough~~) and text proposed to be added is listed in **bold** with an underline (Underline)

6.04.165 ~~Permit required for bees.~~ **Beekeeping Nuisances**

~~A. Any person desiring to maintain bees or bee swarms in boxes or hives within the city limits must first obtain a permit from the city council after a finding by the city council that the maintenance thereof will not be a public or private nuisance, nor detrimental to property values or human health or safety.~~

~~B. Any permit issued by the city council may be subject to such conditions and time limitations as the council deems appropriate, and is subject to revocation or modification after public hearing on ten days' written notice to the permittee. (Ord. ~~709~~ § 1, 1986)~~

A. Honeybees or beehives shall be considered a public nuisance when any of the following occur:

- 1. Honeybees exhibit unprovoked defensive behavior against humans or animals.**
- 2. Honeybees interfere with the normal use of neighboring properties, including detrimental impacts to property values or human health or safety.**
- 3. Hives become abandoned by the property owner.**

17.52.020 Animal Keeping

E. Beekeeping Standards. Refer to Municipal Code Section 6.04.165 **for beekeeping nuisance regulations.**

- 1. No more than three beehives may be maintained on any site.**
- 2. Beehives shall not be considered structures or accessory structures.**
- 3. Beehives shall be kept in sound usable conditions at all times.**
- 4. Beehives shall be placed in a location on the subject property such that beekeeping activities do not adversely impact neighboring properties.**


SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

INTRODUCED AND PASSED TO PRINT at a regular meeting of the City Council of the City of Seaside, State of California, on the 3rd day of January, 2019.

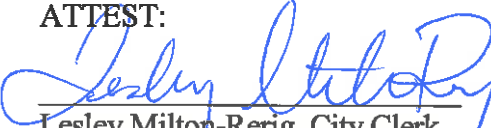
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 17th day of January by the following vote:

AYES:	4	COUNCIL MEMBERS:	Campbell, Pacheco, Wizard, Oglesby
NOES:	0	COUNCIL MEMBERS:	None
ABSENT:	0	COUNCIL MEMBERS:	None
ABSTAIN:	0	COUNCIL MEMBERS:	None



Ian N. Olgesby, Mayor

ATTEST:



Lesley Milton-Rerig, City Clerk