

ORDINANCE No. 4606

COUNTY OF VENTURA INITIATED TEXT AMENDMENTS TO ARTICLES 2, 5, 6, 7, AND 19 OF THE NON-COASTAL ZONING ORDINANCE (VENTURA COUNTY ORDINANCE CODE DIVISION 8, CHAPTER 1), REGARDING THE REQUIREMENTS FOR BEEKEEPING, SETBACK AND HEIGHT REQUIREMENTS FOR FENCES AND RETAINING WALLS, AND PERMIT EXEMPTION FOR HEATING AND COOLING EQUIPMENT AND SIMILAR STRUCTURES

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

**ARTICLE 2:
DEFINITIONS**

Article 2, Sec. 8102-0 of the Ventura County Ordinance Code is hereby amended by the addition of the following definitions in their appropriate alphabetical order:

Apiary – Shall have the same definition as set forth in the State Food and Agricultural Code, Division 13, Chapter 1, section 29002, as may be amended, which states: "[An] "Apiary" includes bees, comb, hives, appliances, or colonies, wherever they are kept, located, or found."

Bee – For purposes of Section 8107-2.6 of this Chapter, any stage of life of the common domestic honey bee (*Apis mellifera*).

Bee, Aggressive Behavior – For purposes of Section 8107-2.6 of this Chapter, aggressive bee behavior means a situation where two or more *bees* repeatedly strike, but not necessarily sting, any *person* or *domestic animal* at a distance of 15 feet or more from the front of the *beehive* entrance or a distance of 5 feet or more from the side or rear of the *beehive*. *Bee* foraging on flowering vegetation is not considered aggressive bee behavior.

Bee Colony – An aggregate of worker *bees*, drones, and a queen(s) (or "laying worker" in the absence of a queen) living together in a *beehive* as a social unit, including the comb, and appliances.

Beehive – A structure that houses a *bee colony*.

Beekeeper – A *person* who owns, operates, maintains, possesses, or otherwise controls one or more hives of bees.

Beekeeping, Backyard – A hobbyist beekeeping operation that consists of the keeping or maintenance of four or fewer hives, as verified by the Agricultural

Commissioner’s Office, and is accessory to a *single-family dwelling* for personal consumption of *bee* products or enjoyment.

Beekeeping Flyaway Barrier – For purposes of Section 8107-2.6.2 of this Chapter, a solid wall, fence, or dense vegetation or combination thereof that provides an obstruction through which *bees* cannot readily fly.

Beekeeping Sensitive Sites – For purposes of Section 8107-2.6.2 of this Chapter, a land use that requires a greater safety buffer from an *apiary*. Beekeeping sensitive sites are public and private schools, medical facilities, and hospitals.

Article 2, Sec. 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by revising the following existing definitions to read as follows:

Apiculture – Apiculture means the keeping or maintenance of one or more *beehives*, but does not include honey houses, extraction houses, or warehouses. Also see definition of *Beekeeping, Backyard*.

Section 2

ARTICLE 5:

USES AND STRUCTURES BY ZONE

Article 5, Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses relating to apiculture (i.e., beekeeping) and heating and cooling equipment and similar structures:

Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
AGRICULTURE AND AGRICULTURAL OPERATIONS											
<i>Animal Husbandry</i>											
<i>Domestic Animals Per Art. 7</i>	E	E	E	E	E						
more <i>domestic animals</i> than are permitted by Art. 7 (excluding the keeping of <i>roosters</i> – see sec. 8107-2.3.7) (3, 19, 53)	CUP	CUP	CUP	CUP	CUP						
Reduced <i>Setbacks for Animals</i> (Excluding the Keeping of <i>Roosters</i>) Per Table 2, Sec. 8107-2.5.1 (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW						

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<i>Apiculture (Other than Backyard Beekeeping) See Sec. 8107-2.6.1 * (2, 15)</i>	E	E	E							E	
<i>Aquaculture/Aquiculture (15)</i>	CUP	CUP	CUP	CUP							

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
ACCESSORY USES AND STRUCTURES * (15)											
Accessory Structures Related to Agriculture and Animal Husbandry/Keeping * (e.g. Barns, Storage Buildings, Sheds; Cumulative GFA Per Lot) (15, 25)											
up to 2,000 sq. ft. (15, 25)	ZC	ZC	ZC	ZC	ZC	ZC		ZC		ZC	
over 2,000 sq. ft. to 5,000 sq. ft. (15, 25)	ZC	ZC	CUP	CUP	CUP	CUP		CUP		CUP	
over 5,000 sq. ft. to 20,000 sq. ft. (25)	ZC	ZC	CUP								
over 20,000 sq. ft. to 100,000 sq. ft. (25)	CUP	CUP									
over 100,000 sq. ft. (25)	CUP	CUP									
exceeding height limits (25)	CUP	CUP	CUP								
Offices * (7, 19, 25)	See Article 7										
Accessory bathrooms * (See Sec. 8107-1.9) (25)	ZC	ZC	ZC								
Agricultural Sales Facilities * (16, 19)											
Small facilities: up to 500 sq. ft., meeting standards established by Section 8107-6.2 (25)	ZC	ZC	ZC							ZC	
Meeting standards of Sections 8107-6.2.1, 8107-6.2.2, and 8107-6.3.4 (25)	CUP	CUP	CUP								
Large facilities: over 500 to 2,000 sq. ft. (25)	CUP	CUP	CUP								
Large facilities: over 2,000 to 5,000 sq. ft. (25)	CUP	CUP	CUP								
Wholesale nurseries for propagation: with sales facilities up to 500 sq. ft. (26, 34)	ZC	ZC	ZC								
with sales facilities of over 500 to 2,000 sq. ft. (26, 34)	CUP	CUP	CUP								
with sales facilities of over 2,000 to 5,000 sq. ft. (26, 34)	CUP	CUP	CUP								

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
with sales of non-agricultural items or materials not propagated on site. (26, 34)	CUP	CUP	CUP								
Agricultural Shade/Mist Structures * (16, 25, 34)											
up to 1,000 sq. ft. (25)	ZC	ZC	ZC	ZC						ZC	
over 1,000 sq. ft. to 20,000 sq. ft. (25)	ZC	ZC	ZC	CUP							
over 20,000 sq. ft. or 15% of lot area (whichever is greater) (25)	ZC	ZC	CUP								
over 15% of lot area (25)	CUP	CUP									
Agricultural Worker Housing (55)	See Sec. 8107-41										
Farmworker Dwelling Units* (15, 25, 55)											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	
Animal Caretaker Dwelling Units (26, 55)											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	
Farmworker and Animal Caretaker Temporary Trailers (55)	ZC	ZC									
Animal Shade Structures (26)											
Up to 500 sq. ft. (26)	ZC	ZC	ZC	ZC						ZC	
Over 500 sq. ft. to 1,000 sq. ft. (26)	ZC	ZC	ZC	CUP						CUP	
Over 1,000 sq. ft. to 10,000 sq. ft. (26)	ZC	ZC	ZC	CUP							
Over 10,000 sq. ft. or up to 7.5% of lot area (whichever is greater) (26)	ZC	ZC	CUP	CUP							
Over 20,000 sq. ft. or up to 15% of lot area (whichever is greater), Permeable Structures only (26)	CUP	CUP	CUP								
Over 15% of lot area, Permeable Structures only (26)	CUP	CUP									
Over 7.5% of lot area, Impermeable Structures only (26)	CUP	CUP	CUP	CUP						CUP	
Open Storage Per Art. 7 (6, 15, 25)	E	E	E	E						E	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Fuel Storage (6, 25)	ZC	ZC	ZC							ZC	
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5)	E	E	E	E	E	E	E	E	E	E	
Underground Fuel Storage Permitted By Other County Agencies (25)	E	E	E	E						E	
Agricultural Promotional Uses (26)	CUP	CUP	CUP							CUP	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Dwellings, Accessory Structures To											
Buildings For Human Habitation: (3, 19)											
temporary housing during construction/prior to reconstruction* (19, 42, 50)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
accessory dwelling unit * (2, 11, 15, 33, 47)	Pursuant to Article 7 Sec. 8107-1.7										
Buildings Not For Human Habitation Or Agricultural And Animal Husbandry/Keeping Purposes (E. G. Garage, Storage Building): (3, 15, 19, 27)											
up to 2,000 sq. ft. GFA per lot (3, 6, 19, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
over 2,000 sq. ft. GFA per lot (3, 6, 15, 19, 42)	PD	PD	PD	PD	PD	PD	PD	PD	ZC		
exceeding height limits of main structure (18, 42)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	PD	PD	CUP	
accessory bathrooms *(18, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Other Structures (18)											
heating and cooling equipment, <i>emergency</i> backup generators, backup battery packs, and the like (see sec. 8106-5.5)	E	E	E	E	E	E	E	E	E	E	
freestanding light fixtures per sec. 8106-8.6*	PD	PD	PD	PD	PD	PD	PD	PD		PD	
nonmotorized wheeled conveyances, within standards * (19, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
which exceed standards (42)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Non-Commercial Antennas, Ground-Mounted* (46)	See Communication Facilities										

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Dwellings, Accessory Uses To											
Keeping Of Animals; Nonhusbandry *											
<i>apiculture (backyard beekeeping) see sec. 8107-2.6.2 *</i>	E	E	E	E	E	E		E		E	
<i>equines and other domestic animals per art. 7 (19)</i>	E	E	E	E	E	CUP		E		E	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
USES AND STRUCTURES, ACCESSORY (OTHER THAN TO AGRICULTURE, ANIMALS OR DWELLINGS) (42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	CUP	
Heating and Cooling Equipment, Emergency Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5)	E	E	E	E	E	E	E	E	E	E	

Article 5, Sec. 8105-5 – Permitted Uses in Commercial and Industrial Zones, of the Ventura County Ordinance Code is hereby amended to read as follows relating to heating and cooling equipment and similar structures:

	CO	C1	CPD	M1	M2	M3
USES AND STRUCTURES, ACCESSORY, OTHER THAN LISTED ABOVE (19)						
Animals, Security, Per Art. 7 (See Sec. 8107-2.4.4)	E	E	E	E	E	E
More Animals Than Permitted	CUP	CUP	CUP	CUP	CUP	CUP
Dwelling, For Superintendent Or Owner (2, 6)		CUP	CUP	CUP	CUP	CUP
Dwelling, Caretaker (3, 6)				CUP	CUP	CUP
Game Machines; Three Or Fewer		ZC	ZC			
Organics Processing Operations (24)						
On-Site Composting Operations (24)						
Small-Scale (up to 10 cubic yards on-site) (24)	E	E	E	E	E	E
Medium-Scale (over 10 cubic yards to 200 cubic yards on-site) (24)	CUP	CUP	CUP	ZC	ZC	ZC

	CO	C1	CPD	M1	M2	M3
Large-Scale (over 200 cubic yards on-site) (24)				CUP	CUP	CUP
Waste Handling, Waste Disposal and Recycling Facilities (24)						
Recyclable Household/CESQG Hazardous Waste Collection Facilities(24)		E	E	E	E	E
not meeting standards established by Sec. 8107-36.3.7 (24)		CUP	CUP	CUP	CUP	CUP
Patios, Paving, And Decks Not More Than 30" Above Finished Grade Per Article 6 (19)	E	E	E	E	E	E
Recreational Facilities, Restaurants And Cafes; For Employees Only				PD	PD	PD
Retail Sale Of Products Manufactured On-Site				ZC	ZC	ZC
Soil And Geologic Testing For Water Wells, Foundations, Septic Systems, And Similar Construction	E	E	E	E	E	E
Swimming, Wading, And Ornamental Pools Less Than 18" Depth Capacity (19)	E	E	E	E	E	E
Temporary Buildings During Construction * (2)			ZC	ZC	ZC	ZC
Vaccination Clinics, Temporary, For Pet Animals * (5)		ZC	ZC			
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5)	E	E	E	E	E	E

Section 3

ARTICLE 6: LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND RELATED PROVISIONS

Article 6, Sec. 8106-5.5 – Heating and Cooling Equipment and the Like, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-5.5 - Heating and Cooling Equipment and the Like

Accessory equipment such as heating, cooling, filtering and circulation pumps, *emergency* backup generators, backup battery packs, and other necessary appurtenances may be located to within 3 feet of any side or rear *lot* line. Such equipment is exempt from a Planning Division *entitlement* pursuant to Sections 8105-4 and 8105-5 of this Chapter. Unless otherwise determined by the *Planning Director*, equipment that is accessory to a *use* with an underlying discretionary *entitlement* will require a permit adjustment or modification to the approved *entitlement*.

Article 6, Sec. 8106-7.6 – Retaining Walls, of the Ventura County Ordinance Code is hereby added to read as follows:

Sec. 8106-7.6 – Retaining Walls

Structural retaining walls may be installed above the *fence* height limits prescribed in Section 8106-8.1 of this Chapter, provided that no retaining walls shall be installed above 3 feet in height within a 10-foot by 10-foot right triangle on each side of a *driveway* adjacent to a street. See Section 8106-8.1.7 of this Chapter regarding retaining walls.

Article 6, Section 8106-8.1 – Fences, Walls and Hedges of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1 - Fences, Gates, and Retaining Walls

Article 6, Section 8106-8.1.1 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.1

- a. A maximum 7-foot-tall solid *fence* may be located on *lots*, including in the locations listed in Section 8106-8.1.1(b)(3) below, except that no solid *fence* over 3 feet tall may be placed in a:
 - (1) Required *sight triangle*,
 - (2) Required *setback* adjacent to a street, or
 - (3) 10-foot by 10-foot right triangle on each side of a *driveway* on a side property line. (See Sec. 8106-8.4.)
- b. Notwithstanding subsection (a) above, the following standards apply to the specified situations:
 - (1) A *see-through fence* of up to 5 feet tall may be located in a *front setback* or a required *setback* adjacent to a street.
 - (2) A *see-through fence* of up to 7 feet tall may be located anywhere on a *lot* of 20,000 square feet or more.
 - (3) A maximum 7-foot-tall solid *fence* may also be located:
 - i. In a *rear setback* adjacent to a street on a *through lot* (see Section 8106-4.4).
 - ii. In a *rear setback*, when a *lot* is bounded on three sides by a street, one of which is a *rear lot line*.
 - iii. In a *side setback* adjacent to a street of a *corner lot*.
 - iv. On a *reverse corner lot* within a *side setback* adjacent to a street provided that, at the street-*side setback* at the rear corner of the lot within a 10-foot by 10-foot – 45-degree triangle, a maximum 3 feet tall solid *fence* or 5 feet tall *see-through fence* is allowed.

v. In a *rear setback* adjacent to a street, when the *lot* is a *flag lot* or irregularly shaped *lot* that has no street frontage along the *front lot line*.

(4) A maximum 8-foot-tall *fence* may be located in the following locations except within a required *sight triangle* or *setback* adjacent to a street:

i. Anywhere on a vacant or developed *lot* zoned OS, AE, or RA, or on any vacant or developed *lot* in a commercial or industrial zone; or

ii. On any vacant or developed *lot* zoned RE, RO, R1, R2 or RPD that *abuts* or is across the street from a *lot* in a commercial or industrial zone or a *lot* zoned OS, AE or RA, provided that such *fence* is located at or near the boundary line separating such *lots*.

(AM. ORD. 4377 – 1/29/08)

(5) Pilasters, columns, and support structures and the decorative elements thereon associated with a *fence* or gate located on or within required setbacks may exceed the height limit provided that they meet the following criteria:

i. They do not exceed 8 feet in height, and

ii. They are not located closer than 16 feet on center, and

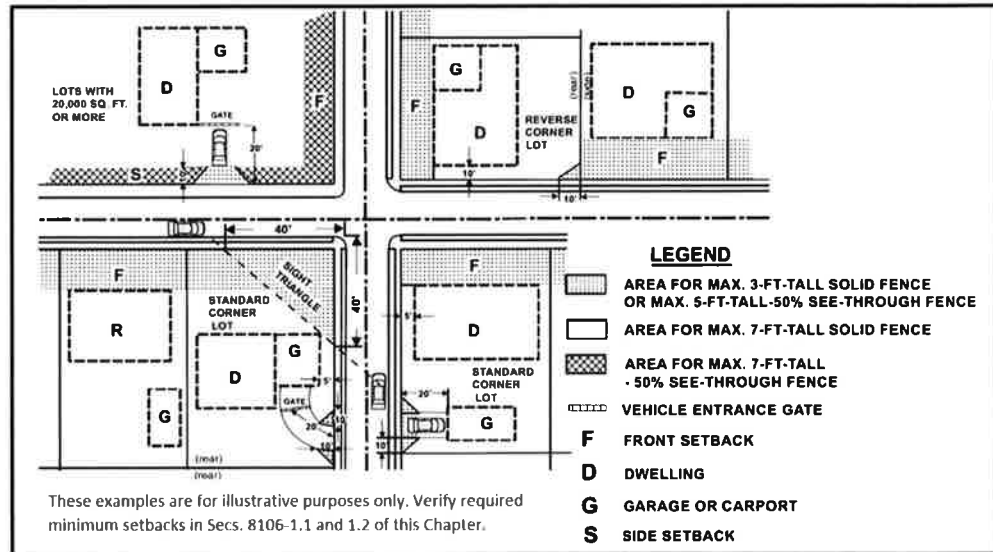
iii. The *fencing* materials do not cumulatively exceed the *see-through fence* standard, and

iv. They do not interfere with the *sight triangle* associated with any *driveway* or intersections with no traffic controls.

(ADD. ORD. 4216 - 10/24/00)

(6) A maximum 12-foot-tall *see-through fence* may be located around a sport's court (e.g., tennis, basketball, volleyball, or similar ball sport) accessory to a dwelling anywhere on a *lot*, except in a required *setback* adjacent to a street.

c. Vehicle entrance gates (whether automatic or manual) shall be located a minimum of 20 feet from the front or street-side property line to minimize sidewalk blockage and interference with traffic flow. For sloped or angled vehicle entrances, the 20-foot *setback* may be measured at an angle from the front or street-side property line to the closest gate opening. Such vehicle entrance gates shall not swing within the 20-foot *setback*.



Example of Typical Fences and Walls

Article 6, Section 8106-8.1.2 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.2 – Required Permits

- a. Prior to the construction of any of the following, a Zoning Clearance is required:
 - (1) *Fences* that are over 7 feet in height measured from grade to the top of *fence*.
 - (2) Any *fence* that requires electricity for *light fixtures* and/or to power an entry gate.
 - (3) Any retaining wall that is over 3 feet in height measured from grade on the lower side, to the top of the wall, and/or supporting a surcharge.
- b. A separate Tree Permit may be required for the construction of a *fence* or gate that *alters* any *protected tree* pursuant to Section 8107-25 of this Chapter.
- c. All *fencing* within the HCWC Overlay Zone must be installed in compliance with the standards of Section 8109-4.8 of this Chapter.
- d. All *fencing* within the CWPA Overlay Zone must be installed in compliance with the standards of Section 8109-4.9 of this Chapter.

Article 6, Section 8106-8.1.3 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.3 – Prohibited Fencing

No barbed wire, razor-edge wire, electric wire or similar type of *fencing* (see photographic examples below) is permitted in urban residential zones or commercial zones (See Article 4), or on properties in industrial zones which *abut* or are across the street from urban residential zoned properties, if such *fencing* would be visible from the urban residential zoned property or properties.



Examples of Prohibited Fencing

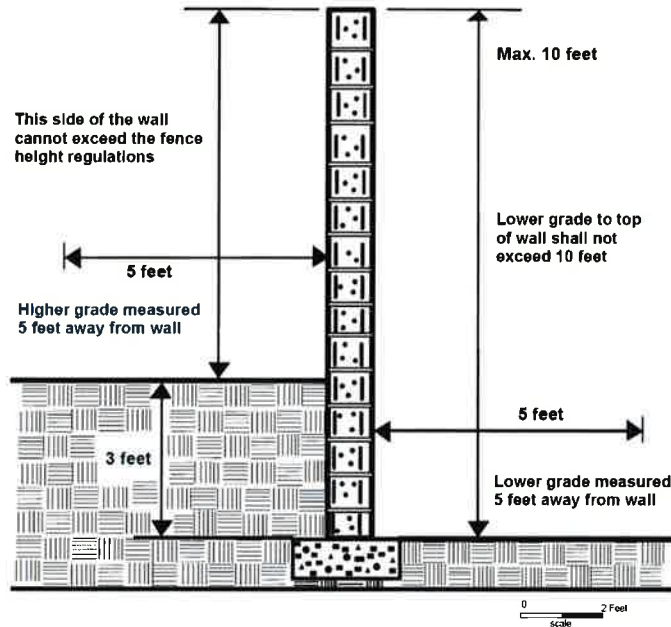
Article 6, Section 8106-8.1.4 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.4 – Fence and Retaining Wall Height Measurements

The height of *fences* and retaining walls shall be measured in accordance with the following subsections and as illustrated in Figure 1 below:

- a. For purposes of this section, "grade" shall be the lowest level parallel to and 5 feet from the *fence* or retaining wall.
- b. Height of a *fence* or retaining wall shall be measured from grade to the highest point of the *fence* or retaining wall.
- c. Where there is a difference in grade levels on the two sides of a *fence*, the height of such *fence* shall be measured from the higher grade, provided that the distance from the lower grade to the top of the *fence* shall not exceed 10 feet, and further provided that in a required *setback* adjacent to a street, the *fence* height shall be measured from adjacent grade of the street side of the *fence*. See Section 8106-8.1.7 below for additional regulations pertaining to structural retaining walls.

Figure 1



Article 6, Section 8106-8.1.5 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.5 – Fences Required by Law

The provisions of Section 8106-8.1 et seq. shall not apply to a *fence* required by any law or regulation of a federal, state or local governmental entity.

Article 6, Section 8106-8.1.6 of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8106-8.1.6 – Protected Trees

For purposes of this Section 8106-8.1 et seq., *protected trees* (listed in Table 1 of Section 8107-25) do not constitute a *fence*. Any alterations to a *protected tree* shall be in compliance with the tree protection regulations of Section 8107-25 et seq. of this Chapter.

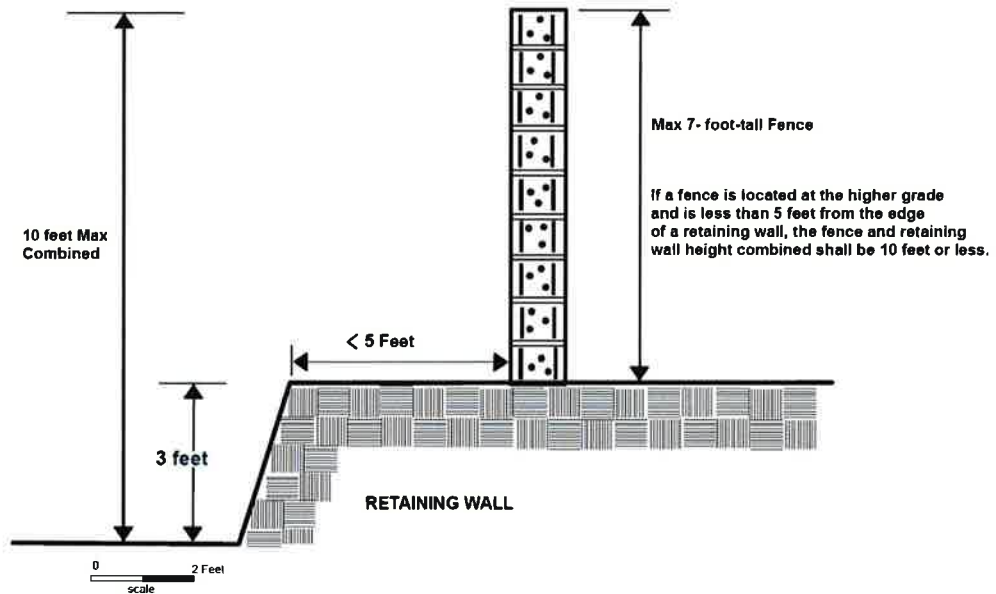
Article 6, Section 8106-8.1.7 of the Ventura County Ordinance Code, is hereby added to read as follows:

Sec. 8106-8.1.7 - Retaining Walls

Structural retaining walls to stabilize a bank or protect a cut below grade do not have a height limit, unless the walls are located within a 10-foot by 10-foot right triangle on each side of a *driveway* adjacent to a street, in which case the retaining wall cannot exceed 3 feet tall as measured in accordance with Section 8106-8.1.4 of this Chapter. Notwithstanding the foregoing, structural retaining walls are not subject to the setback regulations of

Sections 8106-1.1 and 8106-1.2 of this Chapter. Where a *fence* is installed on top of a retaining wall, the total combined height of the retaining wall and the *fence* shall not exceed 10 feet tall as measured from the side of the *fence* with the lower grade to the top of the *fence*. *Fences* installed on top of retaining walls shall meet the setback regulations of Sections 8106-1.1 and 8106-1.2 and the fence regulations of Section 8106-8.1 of this Article. See photographic examples and Figure 2 below.

Figure 2



Examples of Fences on top of Retaining Walls

Section 4

ARTICLE 7:

STANDARDS FOR SPECIFIC USES

Article 7, Section 8107-2.6 – Apiculture, of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8107-2.6 - Apiculture

The following standards apply to the keeping of bees.

- a. Definitions: Definitions for all italicized terms in this Section 8107-2.6 et seq. are set forth in Article 2 of this Chapter. If a term used in this section is not defined in Article 2 it shall have the meaning established for such word or phrase in Chapter 1 (commencing with Section 29000) of Division 13 of the Food and Agricultural Code as may be amended.
- b. Agricultural Commissioner Registration Requirement: Every *person* that is the owner or is in possession of an *apiary* that is located within the unincorporated area of the county shall register with the Agricultural Commissioner's Office the number of *bee colonies* in each *apiary* that is owned by the *person*, and provide the location of each *apiary*. Every *person* required to register under this section shall do so on the first day of January of each year in which they maintain or possess an *apiary* or within 30 days thereafter, as required in the California Food and Agricultural Code sections 29010-29056, as may be amended.
- c. Exempt Beekeeping Activities: The following beekeeping activities are exempt from the regulations of this Section 8107-2.6. et seq. Notwithstanding the following, *persons* conducting exempt beekeeping activities shall still comply with state and federal laws pertaining to *apiculture*, and shall register annually each *beehive* with the Agricultural Commissioner's Office pursuant to Section 8107-2.6(b), above.
 - (1) Keeping of *bees* within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes.
 - (2) In addition to the maximum number of *beehives* allowed pursuant to Section 8107-2.6.2(d), below, one additional *beehive* may be brought onto a property for a maximum of 30 consecutive calendar days for the purposes of swarm prevention.
- d. Prohibited Beekeeping Activities:
 - (1) *Beekeeping* is prohibited in *mobilehome* and *recreational vehicle parks*, all commercial and industrial zones, and the R2, RHD, and R/MU Zones. *Beekeeping* is also prohibited in the RES Zone when there are *two-family* or *multifamily* dwellings on the property.
 - (2) No *person* shall own or operate an *apiary* that has Africanized honeybees and/or *bees* that exhibit *aggressive bee behavior*, contains *apiary* pests, or is an abandoned *apiary*, as determined by the Agricultural Commissioner. Africanized honeybees are considered *inherently dangerous animals* (insects).

- (3) *Beehives* and beekeeping appurtenances shall not be located on a roof of a *structure* unless the roof is a permitted roof-top deck and/or is an area that is designed and permitted to be walked upon.
- e. Nuisance Abatement: Failure to comply with the following nuisance abatement procedures will result in formal enforcement procedures as set forth in Section 8107-2.6(f):
- (1) If a *bee colony* exhibits *aggressive bee behavior* in a *beehive* on a property or in/on a *structure* and has been determined by the Agricultural Commissioner to be a public nuisance, the property owner and/or the *beekeeper* of the *bee colony* shall abate and remove the *bee colony* in order to protect the health, safety, and welfare of the public.
- (2) *Bee colonies* determined by the Agricultural Commissioner to be neglected or abandoned, and/or are not maintained in accordance with the regulations of this Section 8107-2.6 et seq. are a public nuisance. The property owner and/or the *beekeeper* of the *bee colony* shall immediately remove the *bee colony* or abate the nuisance by immediately complying with the regulations of this section in order to protect the health, safety, and welfare of the public.
- f. Violation, Enforcement Procedures and Penalties: Failure to comply with the provisions of this Section 8107-2.6 et seq. may result in the issuance of a Notice of Violation and/or commencement of Civil Administrative Penalties in accordance with Article 14 of this Chapter, and/or criminal prosecution of a misdemeanor/infracton pursuant to Section 13-1 (Enforcement) of the Ventura County Ordinance Code.

Sec. 8107-2.6.1 –Beekeeping, Other than Backyard Beekeeping

In addition to the beekeeping standards in Section 8107-2.6 above, beekeeping that is not *backyard beekeeping* pursuant to Section 8107-2.6.2 and as defined in Article 2 of this Chapter shall be operated in accordance with the following standards:

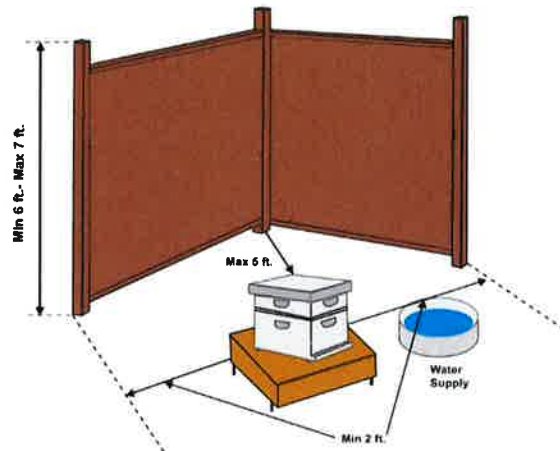
- a. This type of beekeeping is only allowed in the OS, AE, RA, and TP Zones.
- b. Occupied *apiaries* shall be located or maintained a safe distance from an urbanized area. For the purpose of this section, an urbanized area is defined as an area containing three or more *dwelling units* per acre. A "safe distance" shall be determined after investigation by the Agricultural Commissioner and shall be consistent with Section 8107-2.6.1(c) below. Decisions of the Agricultural Commissioner may be appealed pursuant to Section 8111-7.2(c) of this Chapter.
- c. Unless otherwise authorized in writing by the Agricultural Commissioner, no occupied *apiary* shall be located or maintained within:
- (1) 400 feet of any off-site dwelling,

- (2) 50 feet of any property line common to other property except that it may be adjoining the property line when such other property contains an *apiary*, or upon mutual agreement for such location with the adjoining property owner, and
 - (3) 150 feet of any public road, street, or highway.
- d. Adequate available and suitable water supplies shall be maintained on the property near the *apiary* at all times.

Sec. 8107-2.6.2 – Backyard Beekeeping

In addition to the beekeeping standards in Section 8107-2.6 above, *backyard beekeeping* shall be operated in accordance with the following standards:

- a. Purpose: The purpose of this section is to establish regulations for hobbyist beekeeping activities that are accessory to a *single-family dwelling*. Naturally occurring and uncontrolled *beehives* that have colonized on a residential property for less than 30 calendar days are not subject to the provisions of this Section 8107-2.6.2.
- b. Prohibited Activities: In addition to the prohibited beekeeping activities listed in Section 8107-2.6(d) above, no *person* shall keep, maintain, possess, or control any *apiary* in or upon any premises on lots less than 10,000 square feet in total *gross lot area*, except as exempted pursuant to Section 8107-2.6(c) above. *Backyard beekeeping* is limited to a maximum of four *beehives* pursuant to the standards set forth in Section 8107-2.6.2(d) below.
- c. Development Standards: Unless an activity is exempt pursuant to Section 8107-2.6(c) above, all *backyard beekeeping* shall be operated in accordance with the following standards:
 - (1) *Beehive* entrances shall face away from, or parallel to, the nearest *lot line* adjacent to another and shall face away from doors and/or windows.
 - (2) A *beehive* shall be sited so the general flight pattern of *bees* is in a direction that will deter *bee* contact with humans and *animals*. A solid wall, *fence*, or dense vegetation, known as a "*beekeeping flyaway barrier*," shall be located along the side of the *beehive* that contains the entrance to the hive, such that the *bees* are forced to fly to an elevation of at least 6 feet above ground level to exit and enter the *beehive*. A *backyard flyaway barrier* that consists of a wall or *fence* shall be no less than 6 feet in height and no taller than 7 feet. The *backyard flyaway barrier* shall be located a maximum of 5 feet from the *beehive* and shall extend at least 2 feet on either side of the hive. For the purposes of this Section 8107-2.6.2(c)(2), dense vegetation means trees or shrubs that are vigorous, compact, thick, and are at least 6 feet in height (e.g., tall hedge) prior to or at the time the *beehive(s)* are on the property. Property line *fences* do not constitute *beekeeping flyaway barriers*.



Example of a Beekeeping Flyaway Barrier

In lieu of a minimum 6-foot-tall *beekeeping flyaway barrier*, beehives shall be located:

- i. At least 100 feet from any off-site *dwelling* at all times, unless a more restrictive setback standard is required by Section 8107-2.6.2(d), below; or
- ii. On a *structure* that is a minimum of 8 feet above ground level, provided that the *beehive(s)* are not located on a roof as set forth in Section 8107-2.6(d)(3) above, measured from the lowest adjacent ground level parallel to and within 5 feet of the *structure*. Such *structure* shall comply with the most restrictive setback requirements as set forth in Sections 8106-1.1, or 8107-2.6.2(d) below. A Zoning Clearance is required for the construction of any *structure* over 7 feet tall to house *beehive(s)*.

d. Schedule of Specific Development Standards: The development standards set forth in the table below apply to all *backyard beekeeping* activities.

Max. No. of Beehives Per Legal Lot	Min. Lot Area (gross lot area)	Minimum Setback of Beehives from Property Lines ¹				Min. Setback of Beehives from Public Right-of-Way or Easement ²	Min. Setback of Beehives from Sensitive Sites ³
		Front	Side: Interior Lots	Street Side	Rear (not Adjacent to Street)		
2	10,000 sq. ft.	Not Allowed	10 ft.	20 ft.	10 ft.	20 ft.	150 ft.
3	20,000 sq. ft.		20 ft.	50 ft.	20 ft.	50 ft.	300 ft.
4	1 acre		50 ft.	100 ft.	50 ft.	100 ft.	450 ft.

1. If the property line extends into a thoroughfare or road, the distance shall be measured from the nearest edge of the road.
2. The distance will be measured from the nearest edge of the public or private road easement pursuant to Section 8106-4.2 of this Chapter. For purposes of this section, a road also includes sidewalks, equestrian trails, and roadside paths where people travel either by foot, *animal*, or vehicle.
3. The distance shall be measured from the nearest edge of the property line of a *beekeeping sensitive site*, as defined in Article 2.

- e. Beekeeping Education Course: Beekeepers shall complete an education course on beekeeping approved by the Agricultural Commissioner's Office prior to establishing an *apiary* on the property. A copy of the current registration and evidence of completion of the education course shall be provided to the County upon request.
- f. Backyard Beekeeping Best Management Practices:
- (1) *Beekeepers* shall maintain compliance with all of the standards set forth in this section.
 - (2) A *beehive* shall be maintained through the provision of adequate space, and pest and disease control.
 - (3) Adequate and accessible forage habitat to feed and nourish *bees* shall be readily available. If necessary, the *beekeeper* shall provide supplemental nourishment to the *beehive(s)* to prevent starvation during times of reduced nectar production.
 - (4) *Beehives* shall be re-queened following any swarming or *aggressive bee behavior*.
 - (5) Each *beehive*, and all *bees* therein, shall at all times be under the control of the property owner on which the *beehive* is located or the *beekeeper* thereof, and shall not be a public nuisance.
 - (6) An adequate and accessible supply of fresh water shall be available at all times, including prior to introduction of a *beehive* to a new location. If the property on which the *apiary* is located does not contain sufficient natural water, the *beekeeper* shall provide one or more water containers or water sources within 2 feet of the *beehive*. The water supply shall provide landing sites for the *bees* to drink without drowning, undue competition, or overcrowding.
 - (7) *Beekeepers* shall inspect each *beehive* at least once a month to detect *aggressive bee behavior* and/or *apiary* pests in order to take corrective action(s) in a timely manner. *Beekeepers* shall practice swarm prevention techniques and provide additional space for *beehive* growth to minimize *bee* swarming.
 - (8) *Beekeepers* shall post identification and contact information in a prominently visible location on each *beehive*, including the name and phone number of the *beekeeper*.
 - (9) *Beekeepers* shall always have a shovel and an operable water hose or fire extinguisher available on the property for suppression of any accidental fire.
 - (10) *Bee smokers* shall contain a noncombustible container with a secure lid and be equipped with a fire-resistant smoker plug to prevent embers from escaping.

Section 5
ARTICLE 19:
SPECIFIC STANDARDS FOR AREA PLANS

Article 19, Section 8119-1.2 – Permitted Uses of the Ventura County Ordinance Code, is hereby amended to read as follows as it relates to apiculture (i.e., beekeeping) and heating and cooling equipment and similar structures:

PERMITTED USES IN OLD TOWN SATICOY, BY ZONE

	TC	R/MU	RES	IND
B] ACCESSORY USES AND STRUCTURES				
ACCESSORY USES AND STRUCTURES	ZC	ZC	ZC	ZC
Keeping of Animals				
<i>Apiculture (Backyard Beekeeping) See Sec. 8107-2.6.2.*</i>			E	
Pet animals <i>Per Sec. 8107-2.4</i>	E	E	E	
Security animals (<i>See Sec. 8107-2.4.4</i>)	E			E
More Animals Than Permitted	CUP			CUP
Youth projects *			ZC-W	
	TC	R/MU	RES	IND
B] ACCESSORY USES AND STRUCTURES				
Dwellings:				
Buildings For Human Habitation:				
<i>Live/Work Units</i>	PD			
For Caretaker (with or without pets)				CUP
For Superintendent or Owner	CUP	PD		CUP
Accessory Dwelling Unit* (AM.ORD. 4519 – 2/27/18)		<i>Pursuant to Sec. 8107-1.7</i>		
Buildings Not For Human Habitation Or Agricultural And Animal Husbandry/Keeping Purposes (e.g. Garage, Storage Building):				
up to 2,000 sq. ft. GFA per lot			ZC	
over 2,000 sq. ft. GFA per lot			PD	
Accessory bathrooms *			ZC	
Nonmotorized wheeled conveyances, within standards*			ZC	
which exceed standards			CUP	
Garage/yard sales		E	E	
Home occupations*	ZC	ZC	ZC	
Non Commercial Antennas, Ground-Mounted*	<i>See Communication Facilities</i>			
Freestanding Light Fixtures	<i>Pursuant to Sec. 8106-8.6</i>			
Heating and Cooling Equipment, <i>Emergency Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5)</i>	E	E	E	E
Open Storage *	<i>Pursuant to Sec. 8109-2.2</i>	<i>Pursuant to Sec. 8107-1.6</i>		CUP ⁴

Section 6

This ordinance shall become effective and operative 30 days after adoption.

PASSED AND ADOPTED this 1 day of November 2022, by the following vote:

AYES: Supervisors Long, Huber, Lopez, LaVere

NOES: Supervisors Parks

ABSENT: Supervisors None

Matt J. V.
Chair, Board of Supervisors
County of Ventura

ATTEST: DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California

By: Lon Key
Deputy Clerk of the Board

