

**ORDINANCE NO. 26-2344**

**BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL AMENDING SECTION 7.04.010 (DEFINITIONS) AND CHAPTER 7.28 (BEEKEEPING). FILE PLN-2025-148.**

**WHEREAS**, after notification and public hearing, as specified by law and after presentation by the Community Development Director, proponents and opponents, the hearing was closed.

**WHEREAS**, the subject Ordinance will remove definitions related to bees from Section 7.04.010 (Definitions) and amend Chapter 7.28 (Beekeeping) to establish new policies and standards intended to relax standards which effectively prohibit beekeeping within the City.

**WHEREAS**, the proposed amendments, would be consistent with the 2040 General Plan of the City of Campbell including, but not limited to, the following:

CHW-1.1 Support urban agriculture and encourage local restaurants and retailers to locally source fresh food to expand the range of fresh fruits and vegetables available to residents.

CHW-1.2 Secure the health of community members by ensuring that residents have access to healthy and nutritional food options.

CHW-1.3 Promote the availability of locally grown and locally sourced food, including fresh fruits, vegetables, and dairy.

CHW-1.4 Recognize that small-scale community agriculture programs, including but not limited to community gardens and urban farms have the potential to supplement the availability of fresh fruits, vegetables, and other food resources in the community, provide economic opportunities to Campbell residents, lower food costs, reduce overall energy consumption and build social cohesion.

**WHEREAS**, federal policy has recognized pollinator health, including honey bees and other pollinators, as a matter of broad public concern and has articulated a national strategy to promote pollinator health (Pollinator Health Task Force, [\*National Strategy to Promote the Health of Honey Bees and Other Pollinators \(2015\)\*](#));

**WHEREAS**, the City Council finds that encouraging responsible beekeeping and pollinator-supportive practices may advance the public welfare by supporting ecosystem services that contribute to food systems, environmental health, and community sustainability.

**WHEREAS**, adoption of the proposed Ordinance is considered a "project" under Section 15378(a)(1) of the California Environmental Quality Act (CEQA).

**WHEREAS**, the proposed Ordinance may be found exempt from environmental review under CEQA Guidelines Sections 15307 and 15308, as a regulatory action intended to

protect natural resources and the environment, and pursuant to Section 15061(b)(3), because it can be seen with certainty that the Ordinance will not have a significant effect on the environment.

**WHEREAS**, the legislature of the State of California has, Article XI, Section 7 of the California Constitution, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry.

**WHEREAS**, the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or general welfare of the city.

**WHEREAS**, the proposed amendments are internally consistent with other applicable provisions of the Campbell Municipal Code and Zoning Code.

**WHEREAS**, in consideration of the adoption of the subject Ordinance, the City Council provided due consideration of all evidence presented and provided in the entire administrative record.

**THEREFORE**, the City Council of the City of Campbell does ordain as follows:

**Section 1.** Section 7.04.010 (Definitions.) of the Campbell Municipal Code is hereby amended by removing the definitions of “Apiary.” and “Bees.”

**Section 2.** Chapter 7.28 (Beekeeping) of the Campbell Municipal Code is hereby amended in its entirety to read as set forth in **Exhibit A**.

**Section 3.** If any section, sentence, clause, phrase, word, or other provision of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this Ordinance, or the validity of this Ordinance, shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 4.** The proposed Ordinance is exempt under CEQA Guidelines Sections 15307 and 15308, as a regulatory action intended to protect natural resources and the environment, and pursuant to Section 15061(b)(3), because it can be seen with certainty that the Ordinance will not have a significant effect on the environment.

**Section 5.** The City Council further finds and determines that the proposed Ordinance is consistent with the goals, policies, and actions of the 2040 General Plan and the 2023-2031 Housing Element.

**Section 6.** That this Ordinance shall become effective thirty (30) days following its passage and adoption and shall be published, or summary thereof, one time within fifteen (15) days upon passage and adoption in the Metro Silicon Valley, a newspaper of general circulation for the City of Campbell, County of Santa Clara.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by the following roll call vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

APPROVED: \_\_\_\_\_  
Daniel E. Furtado, Mayor

ATTEST: \_\_\_\_\_  
Andrea Sanders, City Clerk

## Chapter 7.28 BEEKEEPING

### 7.28.010 Findings and Purpose.

The City Council finds and declares that:

1. Beekeeping can provide community and environmental benefits when conducted in a manner that protects public health and safety.
2. The placement of beehives in proximity to adjoining properties or public rights-of-way may result in safety concerns and nuisance impacts.
3. Reasonable standards related to hive placement, fencing and/or flight-path dispersal, provision of water, and hive density are necessary to minimize potential conflicts and ensure neighborhood compatibility.
4. Many aspects of beekeeping, including registration, hive identification, disease and pest management, and movement of apiaries, are already subject to state requirements under the California Food and Agricultural Code.

The purpose of this Chapter is to allow beekeeping as a regulated use within the City of Campbell in a manner that recognizes its potential community and environmental benefits while protecting public health, safety, and neighborhood compatibility.

### 7.28.020 Applicability.

No person shall keep or maintain an apiary, bees, or hives except in compliance with the requirements of this Chapter.

### 7.28.030 Definitions.

As used in this Chapter, the following terms shall have the meanings set forth below:

“Agricultural Commissioner” or “Commissioner” means the County Agricultural Commissioner of Santa Clara County, or the Commissioner’s authorized representative, responsible for administering and enforcing state laws related to apiaries within the County of Santa Clara, including registration, inspection, and other requirements set forth in California Food and Agricultural Code Sections 29040–29046.

“Apiary” means bees, hives, and related appliances wherever the same are kept, located or found, including a fresh water source.

“Bee” or “Bees” means any living insect, at any stage of the life cycle, that is commonly understood, classified, or represented as a bee and is intentionally kept, housed, or maintained by a person in a hive, apiary, or similar enclosure, including but not limited to honey-producing bees and other social or solitary bee species.

“Beekeeping” means the keeping, maintaining, or raising of bees, including the placement, management, or care of any hive or colony.

“Colony” means a community of bees, typically inhabiting a hive.

“European honey bee” means any bee or bees of species *Apis mellifera*.

“Flight-dispersing barrier” means a solid fence, wall, or other equivalent solid barrier, at least six (6) feet in height, intended to direct the flight of bees upward and away from adjacent properties and public areas. Dense shrubs, hedges, trees, or other plant materials do not qualify as a flight-dispersing barrier and shall not be used as a substitute for a solid barrier.

“Fresh water source” means a clean and uncontaminated supply of water, sufficient in quantity and accessibility to meet the needs of the bees it serves and maintained to avoid stagnation that could promote mosquito breeding, excessive moss, or algae growth.

“Hive” or “Hives” means any structure intended for the housing of a colony, including any box, skep, or other receptacle, whether occupied or unoccupied by bees.

“Obstructed by” means when a flight-dispersing barrier is located along the edge of the setback area required by Section 7.28.060 (Location standards.) in a manner that directs the flight of bees upward and over the barrier, thereby reducing the likelihood of bees flying directly toward the adjacent feature.

"Public right-of-way" has the same meaning as set forth in Section 11.14.020 (Definitions) of this Code.

#### **7.28.040 State requirements.**

Pursuant to California Food and Agricultural Code Sections 29040–29057, persons who own, possess, or control an apiary in the State of California are subject to certain state requirements, including:

- A. Annual registration. Each apiary must be registered annually by January 1 with the county agricultural commissioner, including the owner’s name, the number of colonies, and the location of each apiary.
- B. Movement notification. Any person who moves an apiary into Santa Clara County or acquires an apiary within Santa Clara County after January 1 of any calendar year must register the new or relocated apiary with the county agricultural commissioner within 30 days, including the owner’s name, the number of colonies, and the location of the apiary.
- C. Signage. Apiaries located on property other than the owner’s residence must display identification showing the name of the owner or person responsible for the apiary, along with their address and telephone number (or a statement if no telephone is available). This information may be posted on a sign at the entrance of the apiary or stenciled directly on the hive itself, with letters at least one inch high on a contrasting background.
- D. Health and safety compliance. Compliance with state regulations for the protection of bees, including disease and pest management, as enforced by the State or county agricultural commissioner.
- E. Location requirements. Complying with state rules regarding placement of apiaries, including:

1. Obtaining approval from the landowner or their agent before placing an apiary on private land not owned or leased by the beekeeper.
  2. Obtaining express written or oral approval from the entity that owns or controls public land before placing an apiary there.
  3. Ensuring that written permission is available for public land placement during certain times, such as citrus bloom periods.
- F. Other rules. Beekeepers and brokers should be aware that additional state requirements or county rules may apply, including registration fees and equipment identification.

This section is provided for informational purposes only. Failure to comply with state apiary requirements shall not constitute a violation of this Chapter and shall not be subject to enforcement by the City.

**7.28.050 General operating standards.**

All beekeeping shall comply with the following:

- A. Water supply required. A maintained water supply shall be provided on the property at all times that hives are present. The water supply shall be located and maintained so as to reduce bee congregations on neighboring properties and in the public right-of-way and provide a safe access point for bees to drink without significant risk of drowning.
- B. Maintenance. Hives shall be maintained in a clean, sanitary condition, and beekeeping shall be conducted to minimize aggressive behavior, swarming, or nuisance impacts.
- C. Permitted species. The only species of bee that may be kept, housed, or maintained within the City is the European honey bee. The keeping, housing, or maintenance of any other bee species, including native bees, stingless bees, bumblebees, or any non-*Apis mellifera* species, is prohibited.

**7.28.060 Location standards.**

Hives shall be located no closer to the adjacent features listed in Table 7.28.060-1 than the minimum setbacks specified.

Table 7.28.060-1 - Hive Location Standards

Adjacent Feature	Minimum Setback Requirement	
	When Obstructed by a Flight Dispersing Barrier	When Not Obstructed by a Flight-Dispersing Barrier
Property Lines	6 feet	12 feet
Public Right-of-Way	20 feet	40 feet

- A. Measurement of setbacks. Setbacks established in Table 7.28.060-1 shall be measured as follows:

1. Minimum setbacks shall be measured in a straight line from the outermost edge of the hive to the nearest point of the adjacent feature.
2. Where a hive is located near multiple adjacent features (e.g., a property line on one side and a public right-of-way on another), the minimum setback applies independently to each feature.

**7.28.070 Maximum number of hives.**

Each property may have one hive, with one additional hive allowed for every 5,000 square feet of lot area.

**7.28.080 Request for plans or inspection.**

At the request of the City Manager or their designee, the City may require the property owner or beekeeper to submit plans, diagrams, or other information, or may conduct an inspection of the property, as reasonably necessary to verify compliance with the requirements of this Chapter. The requested materials shall be submitted, or the inspection shall be scheduled, within 30 calendar days of the written request, unless a longer timeframe is approved by the City Manager or their designee upon finding that special circumstances exist that would make it unreasonably difficult to comply within the 30 calendar day period.

**7.28.090 Applicability of zoning requirements.**

Nothing contained in this Chapter shall be deemed to authorize any agricultural or similar use not otherwise permitted under the provisions of Title 21 (Zoning). Conversely, nothing in Title 21 (Zoning) shall be construed to prohibit the keeping of bees when conducted in compliance with this Chapter.

**7.28.100 Severability.**

If any provision or clause of this Chapter or the application thereof is held to be invalid, such invalidity shall not affect the other provisions or applications of this Chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this Chapter are declared to be severable.