

CASE 014-AT-21

SUPPLEMENTAL MEMORANDUM #1
July 29, 2021

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance to establish beekeeping requirements as summarized in the full legal advertisement and summarized as follows:

1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.
2. Add footnotes 29 to Section 5.2 Table of Authorized Principal Uses.
3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses.
4. Add new Section 7.8 Beekeeping in the R-1, R-2, and R-3 Districts, with new requirements for beekeeping.
5. Amend Section 9.3.1 G.6. by adding a \$33 Change of Use Permit Application Fee to establish beekeeping in the R-1, R-2, and R-3 Districts.

Location: Unincorporated Champaign County

Time Schedule for Development: As soon as possible

Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator

STATUS

The P&Z Department received an email from Chris Harmon on July 28, 2021 (Attachment B).

The News Gazette had a front-page article about the proposed amendment in today’s paper (Attachment C).

P&Z Staff will make a short presentation tonight about the proposed amendment; slides can be found in Attachment D.

ATTACHMENTS

- A Legal advertisement
- B Email from Chris Harmon received July 28, 2021
- C News Gazette article dated July 29, 2021
- D PowerPoint slides created by P&Z Staff for ZBA presentation dated July 29, 2021

LEGAL PUBLICATION: WEDNESDAY, JULY 14, 2021

CASE: 014-AT-21

NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF THE CHAMPAIGN COUNTY ZONING ORDINANCE

CASE 014-AT-21

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to amend the text of the Champaign County Zoning Ordinance. The petition is on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, July 29, 2021 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows:

1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.
2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-1, R-2, and R-3 Districts, that indicates that beekeeping shall be authorized per the requirements of Section 7.8.
3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-4 and R-5 Districts, that indicates that beekeeping is not an authorized USE in the R-4 and R-5 DISTRICTS.
4. Add new Section 7.8 Beekeeping in the R-1, R-2, and R-3 Districts, with new requirements including but not limited to the following:
 - A. Beekeeping shall be authorized only as a home occupation and subject to the requirements of Section 7.1.1 except where the requirements of this Section are in addition to or exceed the requirements of Section 7.1.1, and shall be authorized by a Zoning Use Permit in accordance with Section 9.1.2 of the Zoning Ordinance prior to establishment.
 - B. All beekeeping shall be in compliance with the State of Illinois Bees and Apiaries Act and all beehives and/ or nucleus colony shall be registered with the Illinois Department of Agriculture.
 - C. Beekeeping shall be in compliance with the Champaign County Nuisance Ordinance.
 - D. Add a limit on the number of beehives that may be kept on a lot based on the area of the lot as follows:
 - (1) On a lot with no more than 10,000 square feet of area there shall be no more than three beehives and for each additional 10,000 square feet of lot area there may be one additional beehive; and

- (2) One nucleus colony shall be allowed for each authorized beehive provided that the nucleus colony is moved or combined with an authorized colony within 30 days; and
 - (3) Allow temporary housing of one swarm of honey bees for no more than 3 months from the date acquired, subject to notifying the Zoning Administrator.
- E. Add a minimum required separation between any beehive and/or nucleus colony and a lot line of 10 feet and 30 feet to any street right of way, improved alley, or access easement, and 30 feet to any structure on any adjacent lot.
- F. Add requirements for management practices as follows:
- (1) Add a requirement that any beehive and/or nucleus colony on any lot with 40,000 square feet or less lot area to be enclosed by a four-foot high fence or wall with a self-latching gate.
 - (2) Add a requirement for a minimum six-foot high flyway barrier for any beehive and/or nucleus colony located less than 16 feet from a lot line and require the flyway barrier to extend a minimum of 10 feet on each side of the beehive and/or nucleus colony.
 - (3) Add a requirement for a minimum of two sources of water to be continuously available in the apiary when honey bees are active outside a beehive. Each required water source shall be no further from a beehive or nucleus colony than one-half the distance to any other possible water source on any adjacent lot and shall allow honey bee access to water by landing on a hard surface.
- G. Add a requirement that any BEEKEEPING that exceeds any of the standards in paragraphs 7.8 D. through F. may be authorized by SPECIAL USE Permit.
5. Amend Section 9.3.1 G.6. by adding a \$33 Change of Use Permit Application Fee to establish beekeeping in the R-1, R-2, and R-3 Districts.

All persons interested are invited to attend said hearing and be heard. Please wear a mask if you are not vaccinated. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, JULY 14, 2021, ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept.
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802
Phone: 384-3708

Susan Burgstrom

From: Chris Harmon <ctmharmon@gmail.com>
Sent: Tuesday, July 27, 2021 9:29 PM
To: John Hall
Cc: Susan Burgstrom
Subject: Re: Apiary zoning

RECEIVED

JUL 28 2021

CHAMPAIGN CO. P & Z DEPARTMENT

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening Mr. Hall,

After reviewing the purposed changes, talking to local beekeepers, and local entomologists I don't believe that these changes are in the best interests of the community. The purposed changes are over restricting to those who keep honey bees. Such alterations to the rules would remove most beekeepers from our community, and in turn, our pollinators. This strictly counteracts the actions of those who are trying to preserve and replenish the pollinators, and more specifically the honey bee population. These insects have seen an incredible decline in recent years and considering our type of community, these new restrictions would not reflect kindly. I understand that some individuals claim that honey bees are a nuisance. Though, I purpose that "step 1" should involve education, to better understand that trickledown effect. Any further changes should involve both entomologists and beekeepers to create reasonable rules. One does not simply build a house without a carpenter. Thank you for your time!

Sincerely,
Christopher Harmon

On Thu, Jul 15, 2021 at 12:10 PM John Hall <jhall@co.champaign.il.us> wrote:

Chris, I do not know if any of the ZBA members have beekeeping experience.

Sincerely,

John Hall
Director
Zoning Administrator
Champaign County Department of Planning and Zoning

From: Chris Harmon <ctmharmon@gmail.com>
Sent: Thursday, July 15, 2021 11:49 AM
To: John Hall <jhall@co.champaign.il.us>
Cc: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Subject: Re: Apiary zoning

Good morning John,

Thank you for your timely response. It would be good to have some clearer rules to improve safety and quality. Though, after reading over the proposed changes, I was concerned if these changes would prevent some backyard beekeepers from keeping colonies. I wonder if anyone voting has any experience as a beekeeper, which would be able to provide inside knowledge as far as practicality?

Sincerely,

Christopher Harmon

On Thu, Jul 15, 2021 at 10:35 AM John Hall <jhall@co.champaign.il.us> wrote:

Dear Chris Harmon:

Thanks for your questions. See my replies below after each question.

Sincerely,

John Hall
Director
Zoning Administrator

Champaign County Department of Planning and Zoning
Brookens Administrative Center
1776 East Washington Street
Urbana IL 61802
Tel (217) 384-3708
Fax (217) (819-4021)

From: Chris Harmon <ctmharmon@gmail.com>
Sent: Wednesday, July 14, 2021 4:42:40 PM
To: zoningdept <zoningdept@co.champaign.il.us>
Subject: Apiary zoning

To whom this may concern,

I do have a few questions regarding the upcoming apiary zoning ordinance meeting. What problems with the previous ordinances do these changes correct?

REPLY: The Champaign County Board's Environment and Land Use Committee has received complaints about beekeeping from residents in residential zoning districts and neither the Champaign County Zoning Ordinance nor the Champaign County Nuisance Ordinance contain requirements or guidelines for operation of beekeeping in residential zoning districts so the proposed amendments will add regulations to minimize incompatibilities between beekeeping and residential neighbors.

How do these changes help increase the honeybee population?

REPLY: By minimizing the incompatibilities between beekeeping and residential neighbors the proposed amendments may facilitate the continued growth of beekeeping in the residential zoning districts.

In which ways do these changes increase the likelihood of someone picking up beekeeping?

REPLY: Unknown.

In what ways do these changes improve the pollination of crops?

REPLY: By minimizing incompatibilities between beekeeping and residential neighbors and thereby facilitating the continued growth of beekeeping in the residential zoning districts, the amendments may contribute in some small way to the pollination of crops.

Thank you for your time.

Sincerely,
Christopher Harmon

CORONAVIRUS PANDEMIC



Updates 24/

BY THE NUMBERS

Illinois
1,415,572 cases (+2,082) / 23,420 deaths (+6)
Seven-day positivity rate: 4.0% (+0.3%)
Fully vaccinated (total population): 50.6% (+0.1%)

Champaign Co.
21,618 (+44) / 159
3.7% (-0.1%)
49.2% (+0.1%)

Douglas
2,730(+10) / 44
4.9% (—)
35.5% (—)

Ford
1,947 (+27/wk) / 48
4.3% (-0.2%)
40.9% (+0.1%)

Iroquois
2,783 (+10) / 15
5.5% (+0.1%)
35.4% (+0.1%)

More inside ■ Area superintendents weigh in on mask debate. **B-1.** ■ Pritzker 'looking at all possible

CHAMPAIGN COUNTY GOVERNMENT

STING OPERATION



Anthony Zilis/The News-Gazette

Bees crawl on the honeycomb they built in hives kept by University of Illinois Professor Charles 'Stretch' Ledford just west of Champaign.

Honeybees vs. neighbors: Proposed rules for beekeepers have zoning board buzzing

By **DEBRA PRESSEY**
dpressey@news-gazette.com

CHAMPAIGN — Honeybees — way too many of them to count — fly around Charles “Stretch” Ledford’s five beehives nestled in a clearing along a stream just west of Champaign.

A University of Illinois College of Media professor, Ledford said he first got interested in beekeeping at a photo shoot in 1999.

He got stung back then, but was nonetheless fascinated by what he saw. He now has, in ad-

dition to the five hives west of Champaign, three others just south of Urbana.

“It’s a labor of love, that’s what it is,” Ledford said. “It’s cool. Bees are just cool.”

Please see **BEES, A-6**

At **news-gazette.com**



What say you about limiting beehives? Let

us know by submitting a Letter to the Editor online.

BEES: 'This ordinance is using a sledgehammer to swat away a few honeybees'

Continued from A-1

What's not so cool for him are proposed amendments in Champaign County's zoning and nuisance ordinances that would impact some local beekeepers.

Ledford and many others are poised to speak before the county's Zoning Board of Appeals tonight about the proposed new requirements, some of which include placing a limit on beehives per lot in residentially zoned unincorporated areas of the county and requiring fencing around the hives.

The rules would apply only to beehives in the county's residential zoning areas and wouldn't impact hives in agricultural or other zoning categories, said County Zoning Administrator John Hall.

Hall said tonight's session on beekeeping regulations will likely be followed up with at least one more before the zoning board, and it would be at least October before the issue could land before the full county board.

"We think it's going to be at the ZBA for two or three meetings at least, given the amount of people who want to talk," he said.

Lined up against hobbyist beekeepers and others with an avid interest in seeing honeybees thrive are some county residents with a list of grievances about living near beehives.

Such as: kids and grandkids getting stung; bee feces on their homes and vehicles; bees swarming around swimming pools, bird baths, hummingbird feeders and dog water bowls; and outdoor gatherings being disrupted.

"We have been told by the beekeeper how to dress, how to bathe and what lotions we should not wear and not to wear cologne," said a letter attached to a petition signed by residents of the Prairieview Subdivision and Mary Lou Drive at the northeast edge of Urbana.

Hall said a dispute between beekeepers and neighbors dates to 2018 and came back in 2020 before the county board's Environment and Land Use committee, which declined to forward it to the full board for action. The same committee heard complaints from Prairieview neighbors again this April.

What's being proposed now is an attempt to minimize the incompatibilities and still allow for a minimal amount of beekeeping in residential areas, Hall said.

At stake

Under proposed zoning ordinance changes, beekeeping would be authorized only as an accessory use conducted by the immediate family on the premises, and it would be authorized only with a permit.

While that would appear to impact Ledford, who keeps his



Anthony Ziis photos/The News-Gazette

ABOVE: University of Illinois Professor Charles 'Stretch' Ledford removes a section of one of the beehives he maintains west of Champaign. **BELOW:** A bee perches on one of the hives.

hives on two host properties because his own yard is too small, it needn't, Hall said. The ordinance would treat beekeeping in residential areas as a home occupation and allow for one non-resident employee, which could be the beekeeper, though the paperwork would need to be in the name of the host resident.

Also proposed is limiting beehives on lots up to 10,000 square feet to three, plus one nucleus (smaller) colony per authorized hive. One more hive and nucleus colony would be allowed for each additional 10,000 square feet.

Regulations also would call for beehives to be at least 30 feet from streets, at least 10 feet from other property lot lines and at least 30 feet from neighboring homes and some other structures on adjacent lots such as patios and pools. Plus, beekeepers would be required to place a 4-foot-high fence or wall with a self-latching gate around any beehive or nucleus colony on lots 40,000 square feet or less. And for any hives less than 16 feet from a lot line, there would have to be a 6-foot-high flyway barrier.

Ledford said the fencing requirement alone would be cost prohibitive for him, and he contended that the proposed regulations are "government overreach."

"This ordinance is using a sledgehammer to swat away a



few honeybees," he said.

Marc Roderic said he became a willing host for some of Ledford's beehives at his home on West Kirby Avenue just outside Champaign city limits, because bees are important to agriculture. They don't pose any nuisance, he said, and he can even mow around the hives. "They're fun to watch," Roderic said.

Nuisance issues

Prairieview Subdivision resident Derald Seeds and his family have had a different experience. He said his kids and grandchildren have been stung by bees from a neigh-

bor's hives and there has been bee manure all over the house, cars and boats.

"When you see your grandkids get stung, you get mad," he said.

He and his family have been in this subdivision for 40 years, Seeds said, and his neighbors have had similar problems in recent years.

"I understand everybody needs bees," he said. "We need them to pollinate, but not in a residential area."

Seeds' beekeeping neighbor Rena Wilson-Jones said she has 40 beehives but has moved them to several other locations in the county, all in agricultural zoning.

She got into beekeeping originally to do her part for honeybees, she said.

"My primary objective was just to raise healthy honeybees, because I knew several years ago we were in serious need of raising them," she said.

The proposed regulations stand to make it more difficult and potentially unaffordable for people to start or continue being beekeepers, she and Ledford contended.

"Bees are responsible for pollinating a third of our food," Wilson-Jones said. "That's significant."

And honeybees need beekeepers' help, she said, because they're being affected by farm chemicals, disease and a lack of forage.

Since Wilson-Jones has relocated her beehives, Hall said issues neighbors had with her honeybees have ended. If neighbors are still experiencing bee issues, he said, it may be from bees flying into their neighborhood from nearby agricultural areas because they're attracted to bodies of water, such as swimming pools.

"The local beekeepers say we are going to kill beekeeping," Hall said. "That's not our intent. We don't think it's going to do that."

The county zoning board is set to meet at 6:30 tonight at the Brookens Administrative Center, 1776 E. Washington St., U.

Zoning Case 014-AT-21 Draft Ordinance Amendment for Regulating Honey Bees in Residential Areas

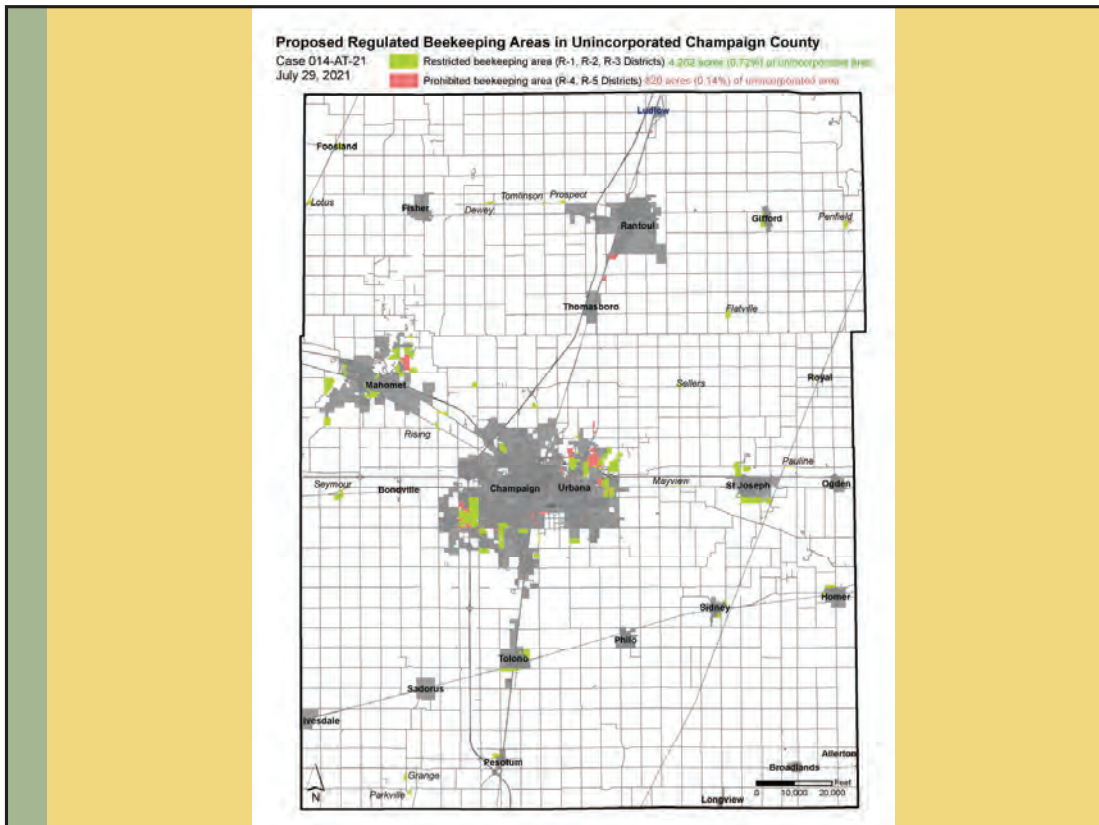
July 29, 2021

Proposal

- Establishes minimum requirements for beekeepers in Residential Zoning Districts in unincorporated Champaign County
- Does not affect beekeeping in Agricultural, Conservation-Recreation, Business, or Industrial Zoning Districts
- Once the amendment is adopted, enforcement will be on a complaint basis

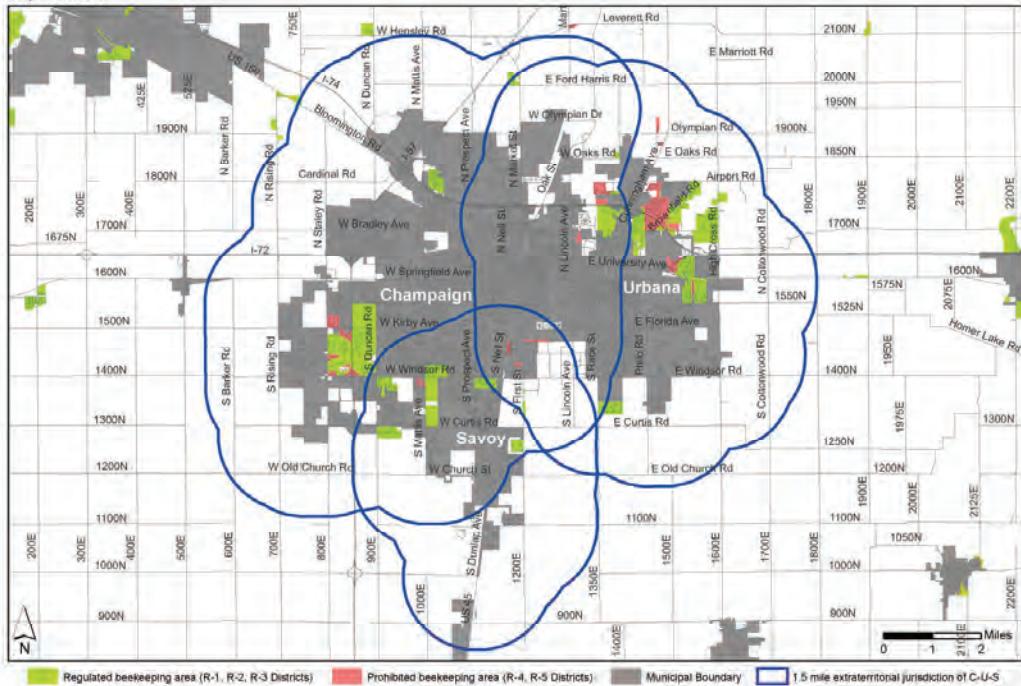
Affected geography

- Beekeeping would be regulated in R-1, R-2, and R-3 Zoning Districts
 - Single family and two-family dwellings
 - 4,262 acres, or 0.72% of unincorporated Champaign County
- Beekeeping would be prohibited in R-4 and R-5 Zoning Districts
 - R-4: Single family, two-family, and multiple family dwellings
 - R-5: Manufactured Home Parks
 - 820 acres, or 0.14% of unincorporated Champaign County



Proposed Regulated Beekeeping Areas in 1.5 mile ETJ of Champaign, Urbana & Savoy

Case 014-AT-21
July 29, 2021



Why?

- Illinois Bees and Apiaries Act (8 IAC 1/Part 60) requires only registration and inspections for beekeeping and safety issues related to “exotic strains of bees”; they do not address safety issues raised at the local level
- Complaints have been received about bees from undermanaged beekeepers’ hives stinging neighbors and their visitors and disrupting outdoor quality of life

Framework for proposed text amendment

- Two model ordinances:
 - Minnesota Hobby Beekeepers Model Ordinance
 - Prepared by the Minnesota Hobby Beekeepers Association
 - Ohio State Beekeepers Association Model Ordinance (2018)
 - Prepared by the Ohio State Beekeepers Association
- Also considered ordinances from:
 - Village of St. Charles, IL
 - Village of Whitewater, WI
 - Lake County, IL

Proposed text amendment

- Adds new definitions to Section 3
- Section 5.2 - Establishes where beekeeping is regulated, where it is not regulated, and where it is prohibited
- Adds new Section 7.8: Beekeeping in R-1, R-2 & R-3 Districts
 - Authorizes beekeeping only as a Home Occupation, which requires a Zoning Use Permit
 - A Home Occupation, per Section 7.1.1, allows one non-resident employee/volunteer, which can be a beekeeper who does not live on site

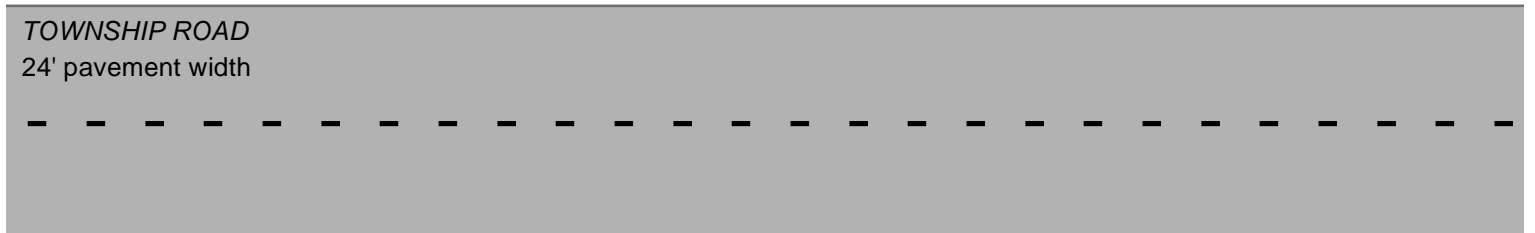
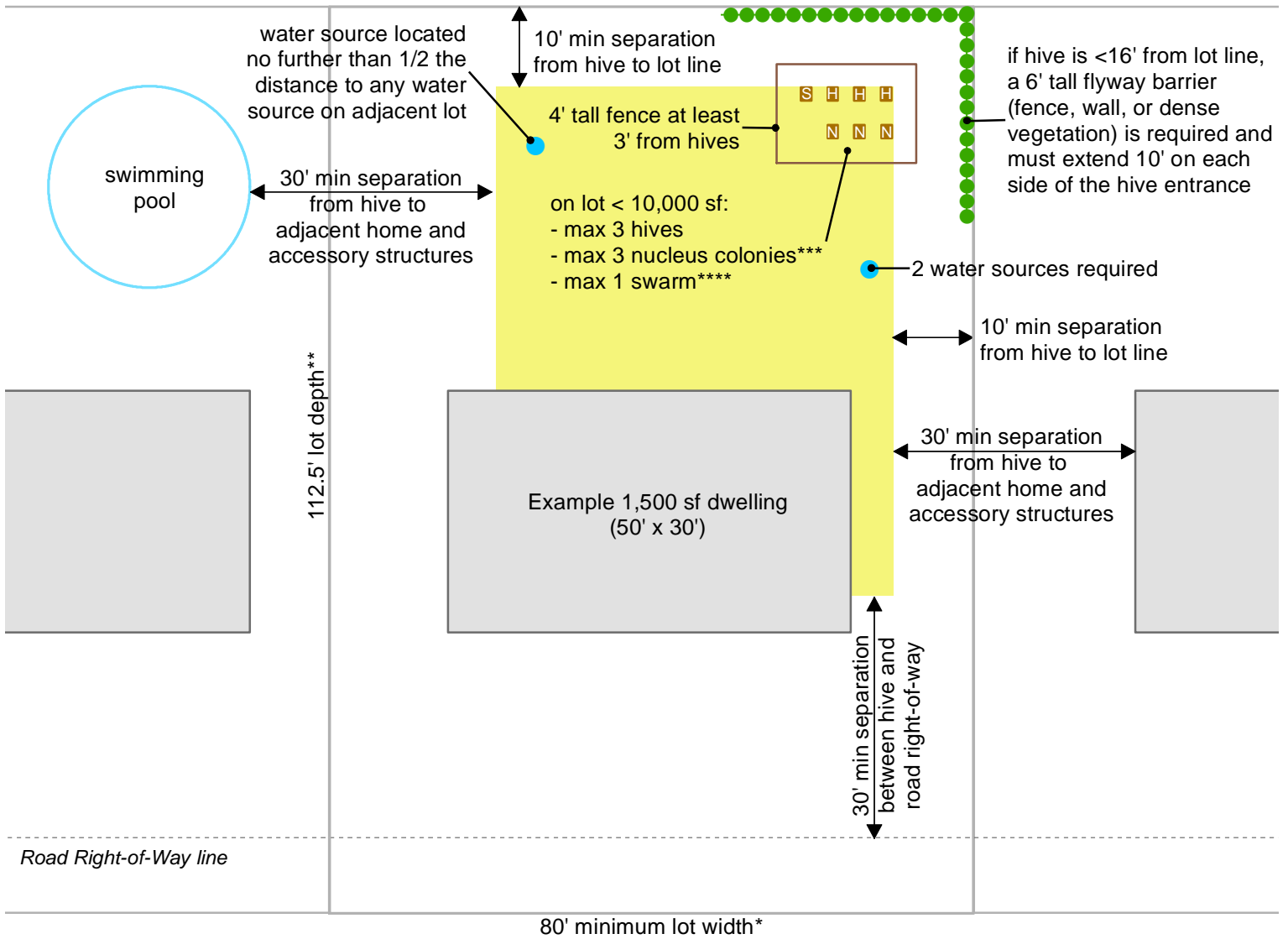
Proposed text amendment

- Adds new Section 7.8 *(continued)*
 - Must comply with State of Illinois Bees & Apiaries Act
 - Must comply with Champaign County Nuisance Ordinance
 - Establishes time constraints on nucleus hives and swarm rehoming
 - Establishes maximum number of hives, separations, fencing, flyway barriers, water supply on a lot
 - Special Use Permit requirement for exceeding any of the standards in Section 7.8 D. through F.
- Section 9 - Adds a \$33 Change of Use Permit fee

Example minimum requirements on a lot in the R-1 District

- Minimum lot size in the R-1 District is 9,000 square feet
- The following graphic includes proposed requirements:
 - Separation between hives and the lot line
 - Separation between hives and adjacent primary and accessory structures
 - Separation between hives from the road right-of-way line
 - Water sources and their separation from water sources on adjacent properties
 - Fencing around the hives
 - Number of hives, nucleus colonies, and swarms
 - Flyway barrier if hives are less than 16' from lot line

Example Beekeeping Regulations on a Typical 9,000 square feet Residential Lot in R-1



- Permissible area for beehives
- Fence around hives
- Flyway barrier
- 9,000 sf residential lot
- H Hive
- N Nucleus colony
- S Swarm

* minimum lot width in R-1 is 80'
 ** minimum lot size in R-1 is 9,000 sq ft
 *** nucleus colonies must be off site within 30 days
 **** swarms must be off site within 3 months