

One-rdg. _____
P. Hrngs. 05-27-14
Pgs. 4
Filed: 05-20-14

Sponsored by: Compton

First Reading: July 7, 2014
AMENDED SUBSTITUTE NO. 2
COUNCIL BILL NO. 2014 - 115

Second Reading: July 21, 2014
GENERAL ORDINANCE NO. 6128

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Article I, Zoning Ordinance,
2 Subsection 1-1331, Agricultural Uses, to allow beekeeping as an
3 accessory use in any district under certain conditions. (Both Planning and
4 Zoning Commission and staff recommend approval.)
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7 WHEREAS, Planning and Zoning Commission initiated amendments to the
8 Zoning Ordinance, at its February 20, 2014 meeting, to modify the requirements for
9 beekeeping so that it can occur on properties of less than 20 acres; and
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11 WHEREAS, the proposed amendment will permit a sustainable practice that will
12 benefit the community as recommended in Field Guide 2030, more specifically its
13 chapter on Natural Environment; and
14

15 WHEREAS, following proper notice, a public hearing was held before the
16 Planning and Zoning Commission on May 1, 2014, and the Commission has given its
17 approval with respect to such amendments.
18

19 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
20 SPRINGFIELD, MISSOURI, as follows, that:
21

22 NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.
23

24 Section 1 – The Springfield Land Development Code, Article I, Zoning
25 Ordinance, Subsection 1-1331, Agricultural Uses, is hereby amended as set forth in
26 “Exhibit A,” incorporated herein by reference as though fully set forth. This section shall
27 be numbered in accordance with “Exhibit A” unless the codifier of such Zoning
28 Ordinance shall assign to it a different Section number.
29

30 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to
31 affect any suit or proceeding now pending in any court or any rights acquired or liability
32 incurred nor any cause or causes of action occurred or existing, under any act or
33 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,

34 impaired, or affected by this ordinance.

35
36 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
37 phrase of this ordinance is for any reason held to be invalid, such decision shall not
38 affect the validity of the remaining portions of this ordinance. The Council hereby
39 declares that it would have adopted the ordinance and each section, subsection,
40 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
41 sections, subsections, sentences, clauses, or phrases be declared invalid.

42
43 Section 4 – This ordinance shall be in full force and effect from and after
44 passage.

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46 Passed at meeting: July 21, 2014

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49 Robert L. Stephen
Mayor

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51 Attest: Brenda M. Cuito
52 Brenda M. Cuito, City Clerk

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55 Filed as Ordinance: July 21, 2014

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57 Approved as to form: , City Attorney

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60 Approved for Council action: , City Manager

**EXPLANATION TO AMENDED, SUBSTITUTE NO. 2
COUNCIL BILL NO: 2014-115**

FILED: 07-15-14

ORIGINATING DEPARTMENT: LAW

PURPOSE: To amend *Subsection 1-1331, Agricultural Uses*, in the *Springfield Zoning Ordinance* to allow beekeeping as an accessory use in any district under certain conditions. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – BEEKEEPING AMENDMENTS

Councilman Burlison requested an amendment to Council Bill 2014-115, Substitute No. 2, reducing the minimum lot square footage for beehives from 10,000 square feet to 5,000 square feet. The Substitute No. 2 allowed two hives on lots of 10,000 square feet or larger. The Amended Substitute No. 2 allowed two hives on lots of 5,000 square feet or larger. The original bill allows two hives on 10,000 square feet or less.

Submitted by:

Approved by:



Dan Wichmer, City Attorney



Greg Burris, City Manager

EXHIBIT A
BEEKEEPING AMENDMENTS

Note: Language to be added is underlined. Language to be deleted is ~~stricken~~

1-1331 **Agricultural Uses.** Agricultural uses, as defined in this Article, shall be permitted in any district provided:

- A. The uses are located on at least twenty (20) acres of land; and
- B. No structure, other than a residence, that is accessory to or used in connection with an agricultural use, is located closer than three hundred (300) feet to the lot boundary of a church, a school or a property zoned residential and used for residential purposes or platted for a residential subdivision; and
- C. No agricultural use other than growing crops in the open is located closer than three hundred (300) feet to the lot boundary of a church, a school or a property zoned residential and used for residential purposes or platted for a residential subdivision.
- D. Exemptions. The following uses are exempt from this Subsection provided such use is in compliance with other City Codes and State and Federal laws:
 - 1. The keeping or raising of six (6) or less chicken hens as an accessory use.
 - 2. Beekeeping (domestic honey bees, Apis Mellifera) as an accessory use in any district provided:
 - a. No more than two (2) hives, with only one (1) colony in each hive, are allowed on lots of five thousand (5,000) square feet or larger. One (1) additional hive is permitted on each additional five thousand (5,000) square feet.
 - b. Hives shall only be located in the rear yard. Hives shall be located at least five (5) feet from all property lines.
 - c. Hives shall be located within a fenced enclosure. Said fence shall be at least forty-two (42) inches high.
 - d. Hives that are located within twenty (20) feet of a property line shall be screened at the property line by a six (6) foot solid fence, wall or other barrier, which may be vegetative. The screen shall extend at least twenty (20) feet in both directions from the point on the property line, or lines, where the hive is the closest to the property line. Vegetative screening shall be planted or maintained so as to form a continuous, unbroken, solid screen prior to the establishment of the hive.