



Text Amendment #2026-00002 ***Beekeeping Zoning Regulations***

<p>Issue: A) Initiation of a Zoning Text Amendment; and B) Public Hearing and consideration of text amendments to Zoning Ordinance Articles II (Definitions) and VII (Supplemental Zone Regulations) to define beekeeping and beekeeping equipment, allow beekeeping as an accessory use, allow beekeeping equipment as permitted accessory structures, and establish requirements for beekeeping and beekeeping equipment.</p>	<p>Planning Commission Hearing:</p>	<p>May 5, 2026</p>
	<p>City Council Hearing:</p>	<p>May 16, 2025</p>
<p>Staff: Tony LaColla, AICP, Division Chief anthony.lacolla@alexandriava.gov Sam Shelby, Principal Planner sam.shelby@alexandriava.gov Catherine McDonald, Urban Planner catherine.mcdonald@alexandriava.gov</p>		
<p>Staff recommendation: Staff recommends that the Planning Commission INITIATE and recommend APPROVAL of the text amendment.</p>		
<p><u>PLANNING COMMISSION ACTION, MAY 5, 2026:</u> On a motion by Vice Chair Koenig, seconded by Commissioner Lenihan, the Planning Commission voted to defer ZTA #2026-00002. The motion carried on a vote of 7 to 0.</p>		
<p><u>Reason:</u> The Planning Commission found that additional outreach and research was needed to establish effective and safe beekeeping regulations in the City. They questioned whether the Zoning Ordinance would be the right tool to regulate beekeeping, finding that the proposed setbacks and hive limitations may not be nuanced enough to encourage safe beekeeping.</p>		
<p><u>Discussion:</u> Commissioner Harris asked staff about what prompted staff to recommend the text changes. Staff replied that City Council added it to Planning and Zoning interdepartmental work plan after a resident raised issues with a neighbor’s beekeeping at a public hearing. Commissioner Harris also asked staff to clarify how the Code of Virginia’s rules and recommendations apply. She also asked whether the City has the authority to regulate beekeeping. Deputy City Attorney Zechman-Brown explained that the City has authority to regulate the location and number of structures under its Zoning Ordinance.</p> <p>Commissioners Lenihan and Dube asked staff about enforcement and whether special training or protective equipment would be necessary. Staff explained that the proposed regulations would not require additional training or equipment as compliance would be easily observable.</p>		

Chair McMahon asked staff why Arlington County did not have beekeeping regulations. Staff did not research why Arlington County does not regulate beekeeping. Chair McMahon recognized the uniqueness of the proposal, finding that staff generally does not recommend updates to the Zoning Ordinance after an isolated incident. She suggested that staff gather more information about the resident complaint.

Speakers:

John Scott, 116 East Randolph Avenue, expressed reservations with the proposed regulations. He found that they would be difficult to enforce without additional staff training.

Joshua Byrnes, 5324 Taney Avenue, acknowledged a potential need for beekeeping regulations but suggested staff conduct additional outreach.

Antoinette Burnham, DC Beekeepers Alliance, suggested that zoning might not be the best way to regulate beekeeping. She also encouraged staff to conduct further outreach with beekeepers and suggested a regulation based on neighbor consent.

Jennifer Penoso spoke in opposition to the proposal. She thought the rules might inhibit safe swarm management and found the community outreach to be inadequate. She raised questions about how the rules would apply to hives kept on nonresidential properties and also suggested staff conduct additional outreach.

Robert Yochem mentioned that Washington, DC and Maryland's beekeeping regulations are not enforced by planning staff. He also answered questions from the Planning Commission about these jurisdictions' beekeeping rules and enforcement.

I. SUMMARY

Staff propose a Zoning Text Amendment to create beekeeping regulations. These changes include definitions of beekeeping and associated equipment, setbacks for beehives, and rules establishing the maximum number of beehives permitted on a property. The proposed text changes are included in Section VI of this report.

II. BACKGROUND

City Council asked staff to include beekeeping regulations on the interdepartmental workplan in June 2025.

Regardless of whether the City Code or Zoning Ordinance has beekeeping regulations, Virginia requires all beekeepers to comply with the [Code of Virginia; Title 3.2 Agriculture, Animal Care, and Food; Subtitle III. Production and Sale of Agricultural; Chapter 44. Beekeeping](#). This chapter mainly focuses on five main topics: (1) the suppression of bee diseases; (2) apiary identification requirements; (3) colony strength standards for pollination services; (4) the promotion of the sale and distribution of bees and their products; and (5) administration and enforcement of the rules. These provisions include references to best management practices that, if followed, can limit beekeeper liability as follows:

A person who operates an apiary in a reasonable manner, in compliance with local zoning restrictions, and in conformance with the written best management practices as provided by regulation of the Department of Agriculture and Consumer Services shall not be liable for any personal injury or property damage that occurs in connection with his keeping and maintaining of bees, bee equipment, queen breeding equipment, apiaries, or appliances. The limitation of liability established by this section does not apply to intentional tortious conduct or acts or omissions constituting gross negligence or negligence.

The best management practices for beekeeping are established in the [Code of Virginia; Title 2. Agriculture; Agency 5. Department of Agriculture and Consumer Services; Chapter 319. Best Management Practice for the Operation of Apiaries in Order to Limit Liability](#). The best management practices cover a variety of items, including hive and water source maintenance, control techniques to reduce swarming, and the type of hives and bees maintained. Additionally, the best management practices require that colonies be at least 10 feet from all lot lines and limits the number of colonies – social units of bees that follow a queen – allowed on a lot depending on the lot size.

There are no existing provisions in the City Code or Zoning Ordinance that regulate beekeeping.

III. DISCUSSION OF PROPOSED TEXT CHANGES

Staff recommends changes to both Article II – Definitions and Article VII – Supplemental Zone Regulations to create beekeeping regulations. To inform the appropriate land use consideration, staff spoke with a representative from the Northern Virginia Beekeepers Association, reviewed the

Code of Virginia beekeeping regulations as well as those in other local ordinances including Fairfax City, Fairfax County, Fredericksburg, Prince William County, and Roanoke, and Washington, D.C.

Below is a discussion of the proposed text changes for beekeeping and beekeeping equipment. The proposed regulations establish beekeeping as an accessory use and establish appropriate land use controls. The proposed zoning text changes encourage compliance with the Code of Virginia's best management practices, while balancing the flexibility needed for safe beekeeping in urban and semi-urban environments.

A. Define beekeeping and beekeeping equipment.

Both the proposed definitions of beekeeping and beekeeping equipment are based on beekeeping regulations in the Code of Virginia and the other jurisdictions reviewed.

B. Allow beekeeping as an accessory use and beekeeping equipment as permitted accessory structures.

Staff propose beekeeping and beekeeping equipment to be permitted as an accessory use and as accessory structures, respectively.

The Zoning Ordinance currently defines an accessory use as follows:

A use which is clearly subordinate to and serves a permitted principal use; and is subordinate in area, extent and purpose to the principal use served. An accessory use occupies less than one-third of the gross floor area of the principal use and does not change the character of the principal use.

Accessory structures are defined as:

A structure, which is clearly subordinate to the principal building or structure. An accessory structure generally does not exceed the height of the principal building or structure.

C. Create accessory use and structure limitations for beekeeping and beekeeping equipment.

While the Code of Virginia's best management practices regulate the number of bee colonies allowed, colony numbers cannot be verified in the field. A single colony may occupy multiple hives, and there is no practical way for a City inspector to determine how many colonies exist on a given property at any given time. The number and location of hive structures, by contrast, are readily observable and enforceable. Limiting the number of hives is intended to reduce the likelihood that beekeeping activities will create impacts on the surrounding community. Staff proposes the following hive limits:

- No more than two beehives on lots having 5,000 square feet or less of lot area

- Lots larger than 5,000 square feet allowed to have an additional hive for every additional 2,500 square feet

All the surrounding jurisdictions staff reviewed have similar limitations in their beekeeping regulations. Staff also recommend that beehives be permitted only in side and rear yards. Prohibiting hives in front yards is intended to keep hives away from public sidewalks and streets.

Staff proposes a 10-foot setback requirement for hives based on the Code of Virginia’s best management practices, as well as beekeeping regulations in surrounding jurisdictions. Because the City contains many lots, especially townhouse lots, where it would not be possible to meet the 10 feet setback due to dimensional constraints, staff also recommends allowing a lesser setback of five feet if there is some sort of flyway barrier installed between the hive and the lot line. Other nearby jurisdictions, such as Fairfax City, Fairfax County, and Prince William County, all provide a similar reduced setback in their own beekeeping regulations.

D. Allow beekeeping equipment as a permitted obstruction.

In most residential zones, the proposed setbacks for beekeeping equipment are larger than the existing side and rear setback requirements. For instance, in the R-8 zone, the required minimum side and rear yard setbacks are 8 feet and, therefore, a beehive 10 feet from side or rear lot line would meet that setback. However, this is not the case in some instances. For example, if a lot is zoned R-20, the required minimum side and rear yard setbacks are 12 feet and a beehive 10 feet from a side or rear lot line would be within that setback. In another scenario, a lot zoned R-2-5 has required minimum side and rear yard setbacks of seven feet; if a beekeeper chose the closer setback option of five feet with a flyway barrier, the hive would be within the required setback. Therefore, staff recommends beekeeping equipment be allowed as a permitted obstruction in required side and rear yards.

IV. Community Outreach

Staff met with a representative on the board of directors for Northern Virginia Beekeeping Association on April 10, 2026, to learn about the general standards for beekeeping and their experience keeping bees.

V. Recommendation

Staff recommends initiation and approval of the proposed text amendments in Section VI, below.

VI. Recommended Text Changes

ARTICLE II. – DEFINITIONS

2-121.06 – Beekeeping.

The production of, care, and management of colonies of bees.

2-121.07 – Beekeeping equipment.

Structures associated with beekeeping, including but not limited to hives, hive stands, and flyway barriers.

ARTICLE VII. – SUPPLEMENTAL ZONE REGULATIONS

7-101 – Permitted accessory buildings, uses and structures.

Permitted accessory buildings, uses and structures shall be limited to the following and any additional building, use or structure which the director finds is similar to those listed in scope, size and impact, is associated with a permitted building, use or structure, and is otherwise in compliance with this ordinance:

(P) Beekeeping and beekeeping equipment in accordance with section 7-103(F).

7-103 – Accessory building, use and structure limitations.

The following limitations apply to accessory buildings, uses and structures:

(F) Beekeeping and beekeeping equipment shall only be permitted subject to the following:

- (1) No more than two beehives shall be permitted on any lot, except lots larger than 5,000 square feet shall be permitted one additional hive for every additional 2,500 square feet of lot area above 5,000 square feet.
- (2) No hive shall be located forward of a front building wall or in any required front yard.
- (3) Except as provided in subsection (4) below, no hive shall be permitted within 10 feet of any side or rear lot line.
- (4) A hive may be located 5 feet from a side or rear lot line, if a flyway barrier that prevents the passage of bees is installed and maintained between the hive and the lot line. The flyway barrier shall consist of a solid wall or fence measuring 4 to 6 feet in height or a vegetative hedge measuring at least 6 feet in height.

7-202 – Permitted obstructions.

The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:

(C) In any yard except a front yard.

(6) Beekeeping equipment in accordance with section 7-103(F)(3)

Zoning Text Amendment #2026-00002
Beekeeping Zoning Regulations

Staff: Tony LaColla, AICP, Division Chief
Sam Shelby, Principal Planner
Catherine McDonald, Urban Planner



DEPARTMENT OF
PLANNING & ZONING

DATE: April 30, 2026

TO: Chair McMahon and Members of the Planning Commission

FROM: Paul Stoddard, Planning & Zoning Director

SUBJECT: Docket Item #6 – Zoning Text Amendment #2026-00002 – Beekeeping

The purpose of this memo is to update the existing proposal with new language that aligns with best management practices and provides limited additional hive density allowances to reduce the risk of swarming events.

The current proposed language limits the number of beehives permitted based on the size of the lot. However, this limit, in some cases, may inadvertently prevent the safest method for hive management and swarm control. Specifically, the time of year for queen mating can create a high-pressure environment within a single hive, which can cause increased swarming behavior among the colony. To limit this occurrence, beekeepers tend to split a colony between two hives.

The Virginia Code's Best Management Practices permit hive numbers to be doubled for no more than 60 consecutive days per year for the purpose of queen mating and swarm control. Other Virginia jurisdictions, such as Roanoke, also give additional allowances during certain periods of the year.

Therefore, based on further research and feedback received from community members, staff recommends the following addition to the proposed text amendment (new text underlined):

- (F) Beekeeping and beekeeping equipment shall only be permitted subject to the following:
 - (1) No more than two beehives shall be permitted on any lot, except that:

- (a) Lots larger than 5,000 square feet shall be permitted one additional hive for every additional 2,500 square feet of lot area above 5,000 square feet.
- (b) Regardless of the number of hives permitted by 7-103(F)(1)(a), two additional hives shall be permitted on any lot for not more than 60 consecutive days per year.



[EXTERNAL]Input on Proposed Beekeeping Zoning Changes

From Jessica <jessicawinesett@gmail.com>
Date Sat 4/25/2026 4:27 PM
To PlanComm <PlanComm@alexandriava.gov>

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Hello,

I'm a local beekeeper and I'm writing regarding the proposed zoning changes for backyard beekeeping.

I understand the goal is to reduce potential impacts on neighbors and create clear, enforceable guidelines. I appreciate the city taking initiative on this.

However, I have a concern that limiting hive numbers—particularly to two on smaller lots—may unintentionally create conditions that are less safe for both bees and the surrounding community.

Responsible beekeeping often requires maintaining multiple colonies in order to:

- Prevent overcrowding and swarming
- Manage disease and pests
- Split strong colonies safely

Restricting hive numbers can increase swarm pressure, which may actually lead to more visible bee activity and neighbor concerns.

I would love to better understand:

- What types of issues or complaints the city is currently seeing related to beekeeping
- Whether those issues are tied to hive numbers or to management practices

I believe there may be alternative approaches that address community concerns while also supporting healthy pollinator management, such as:

- Education or registration-based guidelines
- Performance-based standards (e.g., swarm prevention, water sources, flyway management)
- Tiered allowances based on beekeeper experience

I would welcome the opportunity to contribute constructively to this discussion and support a solution that works for both residents and pollinators.

Thank you for your time and consideration.

Jessica Winesett

757-761-6869

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[EXTERNAL]Zoning Text Amendment #2026-00002

From Alex E. Crawford-Batt <aecraw@yahoo.com>

Date Sun 5/3/2026 11:32 PM

To PlanComm <PlanComm@alexandriava.gov>

Cc CouncilComment@alexandriava.gov <CouncilComment@alexandriava.gov>

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Members of the Planning Commission,

I am writing in reference to docket item 6 for Tuesday's public hearing. I do not support the proposed regulation of beekeeping in our City. Honeybees are pollinators and beneficial to the landscaping of our City. The 2019 City Landscaping Guidelines encouraged pollinator-friendly landscapes, so needlessly discouraging pollinators, domesticated or native, is contradictory to the spirit as an Eco-City. I must ask what demonstrated problem is this proposal seeking to solve? How does the City intend to enforce reported violations so as to come to a humane and amicable resolution for a filed complaint?

As a beekeeper in this City previously, I understand the challenges of urban beekeeping. But the challenge of urban beekeeping requires adaptability and working with the unique configurations of one's lot, the immediate surroundings including neighbors, and hive needs, which can vary over the seasons. Most concerning in this language, capping a hard 2 hive limit for lots at or under 5000 feet gives no flexibility for responsible management of healthy colonies that need to be split to avoid swarming. Certain times of the year, primarily spring and summer, one often needs to expand the number of hives to accommodate the bees' natural growth.

The proposed language also doesn't really address the differing configurations of yards that could in some cases make the front yard ideal, if set back and not facing the property line or sidewalk. And what of corner lots?

There are multiple styles of hives that would additionally complicate enforcement and regulation, which reads like it is intended for the common Langstroth hive, but how would the City "count" the number of active colonies in a Slovenian-style AZ hive or warre hive? Do 5 frame langstroth "nuc" hives count as a full hive like a 8- or 10- frame langstroth hive? What if they are using Deeps instead of medium sized woodenware for their frames, giving more space for more bees?

Does the City really want its employees spending time counting hives, measuring setbacks, determining what is and isn't an active colony? To what end?

Again I would like the City to clearly articulate what problem is in need of solving. If a neighbor living next door to a beekeeper complains to the city, what constitutes a valid complaint? The noise of buzzing? The scent of honey and wax? The free pollination for their gardens? A sting which could have come from any honeybee resident within several miles or a yellowjacket or native bee.

If the city finds a beekeeper in violation by exceeding the number of hives, what is the resolution? The beekeeper cannot legally sell a hive without inspection by the State, which is a time consuming process. They can't responsibly abandon the hive, which could either doom the domesticated bees to eventual death or they will could find a crevice in a neighbor's house/tree/car to seek refuge, leading to structural challenges to remove them. And moving a hive that is deemed to be misplaced is also an arduous process, as bees' sense of navigation and orientation is very acutely mapped to their exact location, so moving a very heavy hive more than 3 feet per day can disorient them from finding their way home.

I don't believe the zoning code should be changed at all to regulate honeybees, but if a change is deemed necessary, much more thought and research should be put into both the language of restrictions, method of enforcement, and problem needing to be addressed.

Thank you for the consideration of my perspectives. I'm happy to answer any additional questions.

Regards,
Alex Crawford-Batt
300 Aspen Street

ALEX E. CRAWFORD-BATT aecraw@yahoo.com

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