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February 27, 2017

Via E-Mail

David Morrison
Director
Napa County
Planning, Building and Environmental Services
1195 Third Street, 2nd Floor
Napa, California 94559

Minh C. Tran
County Counsel
Napa County
1195 Third Street, Suite 301
Napa, California 94559

Re: Proposed Amendment to the Definition of Agriculture

Dear Director Morrison and County Counsel Tran:

I submit this letter on behalf of the Napa County Farm Bureau to address its concerns regarding the County's proposal to amend the definition of agriculture in the County Code. The Farm Bureau is concerned that proposed revisions to the definition of agriculture could undermine existing ordinances and codes intended to protect agriculture in the future.

The Napa County Code already reflects the intent of Napa County General Plan in its definition of agriculture. And, in fact, the County codes were amended after the 2008 General Plan was adopted to reflect the direction in the General Plan regarding permitted uses in agricultural areas. The only use not expressly permitted as a conditional use in agricultural areas is the sale of non-wine agricultural products processed on site at a winery. However, allowing sale of an agricultural non-wine item at a winery does not require a change to the definition of agriculture itself. Instead, these uses could be allowed by amending the list of conditionally permitted uses in the agricultural zones.

Any inclusion of non-farming activities in the actual definition of agriculture would naturally result in inconsistencies with the General Plan and additional inconsistencies in related County codes. Such revision would also conflict with the intent of Napa County's Right to Farm ordinance.

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If the County *is* choosing to expound on its definition of agriculture, Farm Bureau recommends the adoption of the definition used by the state in its right to farm legislation, which defines agriculture as:

the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with those farming operations, including preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market.

An attempt to directly include permitted activities which must remain related, subordinate, and incidental with the *main* farming operations within the core definition of agriculture will erode the County's stated goal and mission of supporting agriculture as the primary use in agriculturally-designated areas.

Thank you for your consideration of these points and the opportunity to comment on the County's examination of the definition of agriculture.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "Ellison Folk", written in a cursive style.

Ellison Folk

cc: Napa County Board of Supervisors

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