

CHAPTER IV: FARMLAND PRESERVATION AS A PUBLIC PURPOSE



OVERVIEW

It is in the public interest to preserve farmland. In order to develop a preservation strategy that regulates land use, it is important to first clearly define the need for such a strategy in terms of the public purpose. The definition of the public purpose provides the basis for future government action and makes those actions more defensible and understandable.

Farmland preservation not only involves the preservation of individual farms, productive soils, and a way of life, but it meets a variety of national, regional, state, and local objectives.²⁶ The need to preserve farmland in a County that already provides for a balanced series of growth alternatives can be justified in seven broad public purpose areas. These areas are not necessarily in a priority listing:

- A. Control of Public Costs and Prevention of Urban Sprawl
- B. Adherence to County Growth Management Systems
- C. Preservation of Regional Food Supplies
- D. Energy Conservation
- E. Protection of the Environment
- F. Maintenance of Open Space
- G. Preservation of Rural Life-Styles.

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Stanley D. Schiff, Agricultural Research Consultant, "The Issues of Farmland Preservation," a paper presented at the First American Land Forum, Cosmos Club, Washington, D.C. December 20, 1978.

PUBLIC PURPOSE ELEMENTS

A. Control of Public Costs and Prevention of Urban Sprawl

Studies conducted by the Montgomery County Planning Board,²⁷ the Council of Governments, and other planning bodies suggest that there is substantial benefit in the compact form of growth encouraged by the General Plan. Specifically, the Metropolitan Growth Policy Statement, published by the Metropolitan Washington Council of Governments in 1977, as a regional policy document intended to provide a basis for regional growth decisions, it calls for a compact growth pattern that will conserve the region's air, water, land, and energy resources by promoting development in specified growth centers with particular emphasis on areas served by mass transit.

The prevention of urban encroachment into the Study Area promotes compact urban development in designated growth areas, as called for in the Metropolitan Growth Policy Statement. The energy and fiscal implications of urban sprawl have been well documented.²⁸ Sprawl costs money and with limited fiscal resources, it is important that non-renewable land resources be preserved, thereby encouraging orderly development and growth. This is especially true in an era of cost consciousness and in-depth examinations of government services and related costs. If development in the Study Area can be partly guided in terms of location and timing through a farmland and open space preservation program, the County could maintain additional control of public costs and urban sprawl, while preserving a viable industry.

B. Adherence to County Growth Management System

The Growth Management System, detailed in Chapter I, makes it possible for officials and the public to understand the relationships that exist between growth and facilities, and the consequences of each on the General Plan's proposed development pattern. One element of this system, the Comprehensive Staging Plan (CSP), places interim limits on growth that are keyed to the provision of additional public facilities, so that a relatively constant level of public service can be maintained over time. Since the CSP is consistent with General Plan recommendations, no new major development is planned in the Agricultural Preservation Study Area with the exception of Clarksburg. This Functional Master Plan, then, carries out the intent of the General Plan, the Montgomery County Growth Management System, and more specifically the recommendations of the Comprehensive Water Supply and Sewerage System Plan.

C. Preservation of Regional Food Supplies

Preserving farmland plays a significant role in food production in the State. Montgomery County's contribution is necessary for the State to maintain its current level of producing 55 percent of the food needed by State residents. The

²⁷ The Second Annual Growth Policy Report, Fiscal Impact Analysis, MCPB, 1975.

²⁸ Real Estate Research Corporation, The Cost of Sprawl, Washington, D. C., 1974.

importance of agriculture within the state is well documented in "Breadbasket of the Revolution, Maryland Agriculture 1776-1976," written by the Maryland Agriculture Week Committee, January, 1976.

Also, the significance of Montgomery County agriculture increases, when viewed as part of a larger regional agricultural community.²⁹ For example, the dairy economy and the dairyland itself of Montgomery County helps support the dairy community in Frederick County, which is the top milk producing County in the area. Because most of the supply dealers are now located there and because the agricultural community is stronger, the Montgomery County farming establishment relies upon, and is an integral part of, the dairy community of the neighboring jurisdiction. The demise of farmland here will affect neighboring farm areas by reducing the number of productive acres and by pushing the urbanizing fringe further and further out, thereby threatening productive farmland in Howard and Frederick Counties. The loss of agriculture in Montgomery County will increase development pressures in Howard County and Frederick County at a time when citizens, farmers, and decision makers there are struggling to retain a viable farm community.

D. Energy Conservation

When farming is located in proximity to primary markets, urban centers or international ports (Baltimore), energy is conserved by reducing transportation cost to the marketplace, and, in turn, can influence the cost of the product to the consumer.

In addition, greater utilization of public transportation is made possible if a compact growth pattern is implemented. According to the Metropolitan Growth Policy Statement, overall energy conservation is negatively impacted without a compact form of growth. A dispersed pattern of growth decreases reliance upon public transportation and encourages automobile travel. The Statement concludes that "automobile travel demand. . . would increase beyond the capacity of existing and currently programmed highways, and the facilities required to satisfy such a demand would cost far more than can currently be expected. . . per capita energy consumption would continue to climb, as would overall regional energy consumption."

E. Protection of the Environment

Farmland preservation protects the rural environment--especially, sensitive headwater areas, conservation areas, wildlife habitats, floodplains, etc., from the impact of development. It also serves as a "clean air shed" to clean the atmosphere, as well as a mechanism to protect the quantity and quality of water resources. A large share of urban flood problems stems from a decrease in area-wide infiltration and retention due to paving and building development with the resulting increase in stormwater runoff. Urbanization with its alteration of natural contours and permeability of the earth also increases the irregularity of

²⁹ A case for farmland preservation in the Washington Metropolitan Area was made very strongly in a report entitled, Farmland Retention in the Washington Metropolitan Area, Dallas Miner, June 1976.

the surface water flow, lessening its reliability as a water supply source. While properly managed farmland is not as effective³⁰ as thickly forested land, it is superior to dense and extensively paved suburban areas. A detailed explanation of the effect of farmland preservation upon the environment can be found in Chapter VI.

F. Maintenance of Open Space

The open space qualities of farmland preservation are significant. It provides productive, privately maintained agricultural open space with environmental benefits that include rural aesthetics and air and water quality.

Similarly, the significance of open space, as a result of large lot residential clustered development, cannot be underestimated. These open space areas are vital to the buffering of the agricultural preservation areas and can also provide leaseback arrangements for interested farmers.

G. Preservation of Rural Life-Styles

The County has a rich agricultural heritage, a blend of two cultural traditions, one stemming from English planters who arrived in the 18th Century, the other from Pennsylvania German and Quaker farmers of the 19th Century. These two farming and cultural traditions are reflected in the blend of building materials and types evident in the County. The entire agricultural scene describes a culture and is as instructive as a museum. Preservation encourages and fosters a rural lifestyle important to Montgomery County. It is still possible today to see vestiges of Montgomery County's agrarian heritage in the rural villages as well as in parts of the Study Area. It is a viable land use alternative for those who desire such a life style.

In order to meet the objectives expressed in this Chapter, Montgomery County must provide a wide range of housing and employment opportunities so that a demonstrated development potential provides adequate development alternatives without the need to extend utilities beyond those already planned. Montgomery County offers a full range of residential, commercial, and industrial development alternatives within the water and sewer envelope. More than 15 separate zones permit a variety of residential densities in excess of two units per acre. There is sufficient vacant and/or easily redevelopable land for approximately 140,000 additional dwelling units exclusive of the Study Area. Even using the high forecast for the County, total dwelling unit capacity is enough for the next 35 years of growth. Employment opportunities within the water and sewer envelope could easily double without exceeding the total zoned capacity. In addition, if a Transfer of Development Rights Program (TDR) is utilized additional housing resources will become available as a result of the residential density bonuses.

³⁰ The Functional Master Plan for Seneca and Muddy Branch Basins, MCPB, 1975.

TOWARD A BALANCED PUBLIC POLICY

Fairness in public policy deals not only with equity among similar individuals, but between the interests of private property owners and those of the public. This section shows that there is a very important public interest that is served in the preservation of land suitable for agriculture and open space in the county. The proposed regulations, expressed in Chapter V, are designed to protect that public interest. If there were no public interests being served, a preservation program with limitations upon the density of development, as expressed in Chapter V, could not be implemented.

The Courts have consistently upheld regulations that diminish property values so long as a reasonable use of the property remains. This Plan demonstrates, and its recommendations reflect, that agriculture is a reasonable use in appropriate areas of Montgomery County. The inquiry as to the proper preservation technique should not stop here, however. As this Plan has shown, excessive development potential raises the value of land beyond its agricultural worth, thereby contributing to the decline of farming. Yet, farmers rely upon their land as a source of cash in bad times, as a retirement income, and as a needed source of collateral; and, consequently, the economic liability of the farming activity is very much a function of the value of farmland itself. A successful preservation strategy, therefore, must strike a balance which will limit the economic return available from subdivision and development while retaining the value essential to the survival of successful farming operations.

A PUBLIC POLICY COMMITMENT

Since farmland preservation serves a series of public purposes, Montgomery County must commit itself to the preservation of farmland and adopt a plan which supports that goal. In the absence of a specific preservation effort, farmland will continue to be converted to residential, commercial, and industrial uses.

Without a County farmland preservation program, the future of farming in Montgomery County is bleak. Recent trends indicate that in five years, we will lose approximately 6,700 acres of farmland, and in ten years 13,300 acres will be lost to suburban growth. Given the current trends, in seventy years no farmland of any significant size will remain in the County; this will probably occur much sooner since the industry will collapse well before the last cow dies!