



Agricultural Land Preservation in Montgomery County

Jeremy V. Criss
Office of Agricultural Services Director

County Population 1 million people

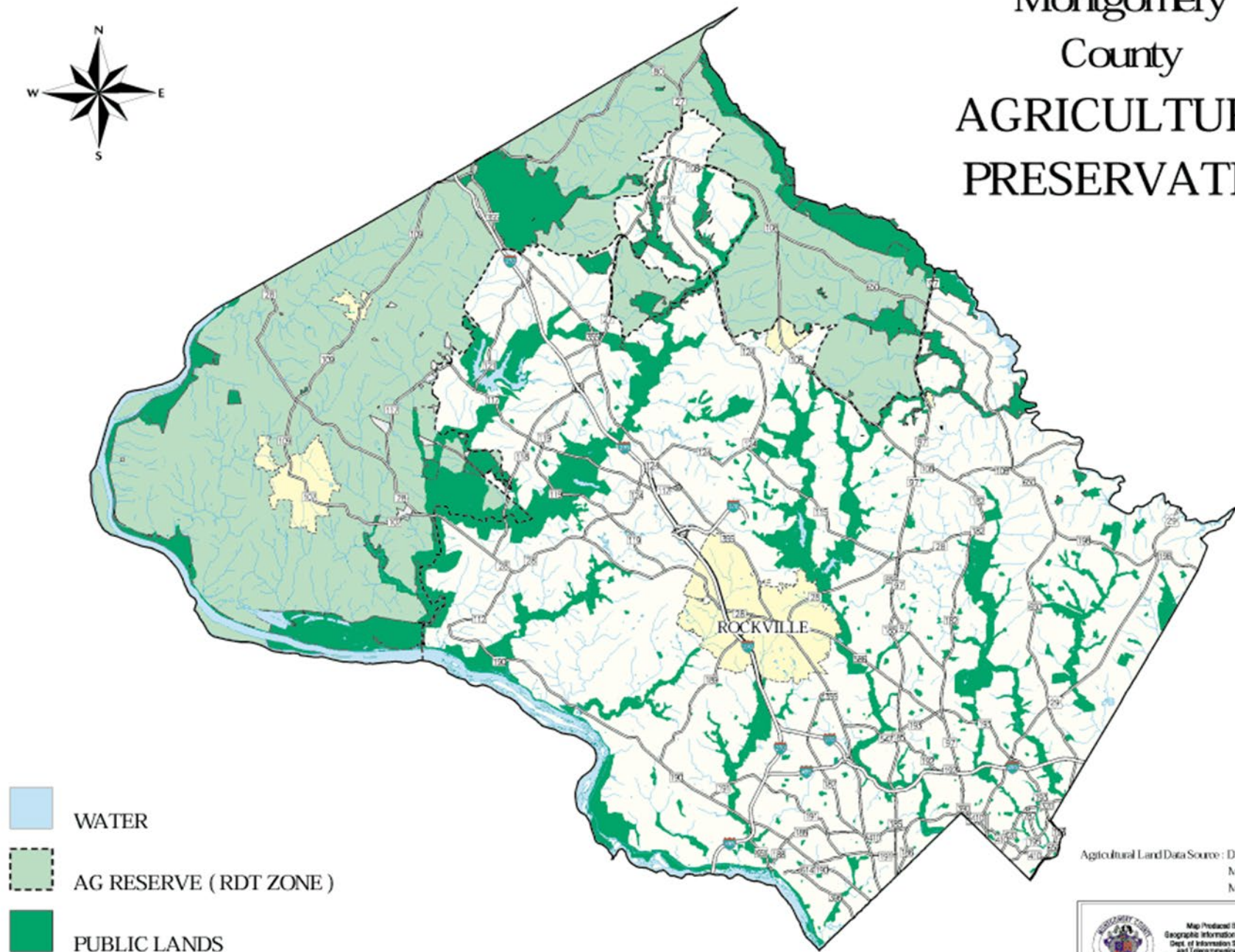
- Diverse
- Growing
- Built-out
- Redevelopment






Master Planning and Agriculture Zoning


- *Montgomery County is comprised of 21 policy-master planned areas*
- *Functional Master Plan for the Preservation of Agriculture and Rural Open Space (October 1980)*
- **Created a 93,000 acre agricultural reserve which reduced the threat of residential development from 1 unit per 5 acres to 1 unit per 25 acres**

Montgomery County AGRICULTURAL PRESERVATION



-  WATER
-  AG RESERVE (RDT ZONE)
-  PUBLIC LANDS

Agricultural Land Data Source : DED Agricultural Services
MNC& PC
MD Office of Planning



Map Produced by:
Geographic Information Systems
Dept. of Information Systems
and Telecommunications
Montgomery County, Maryland
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Agricultural Zoning

Agricultural Zoning –promotes Agricultural and Rural Landscapes

The Agricultural Reserve (AR) Zone reduces development from 1 unit per 5 acres to 1 unit per 25 acres

Agricultural zoning does not place long term protections to the land

Other preservation tools accomplish long term preservation - Perpetual Easements

Batchelors Purchase - RLP

Reserved through zoning, preserved by easements

Agricultural Reserve Zone (AR)
Transfer of Development Rights Programs (TDR)
Purchase of Development Rights Programs (PDR)
In Fee Acquisition (Public Parkland)

Alexander Gordon - AEP

Transferable Development Rights (TDR) Policies

**TDRs shift development from agricultural reserve
to designated growth areas closer to public services**

**The number of TDRs is based upon 1 TDR per 5 acres
of land in the agricultural reserve**

A TDR easement is recorded in the land records

**This easement ensures the property will not be developed
for residential use at densities which exceed
1 unit per 25 acres**

TDR Easement

Application in the form of a Preliminary Subdivision Plan Utilizing TDR's



Planning Board Approval



Site Plan



Planning Board Approval



Planning Board Approval



Record Plat recorded in Office of Land Records

Recorded Easement and Deed of Transfer indicating restriction on the sending area and the ownership of TDRs



TDR SENDING AREA

Prepared Subdivision Record Plat indicating use of TDRs in the receiving area



TDR RECEIVING AREA

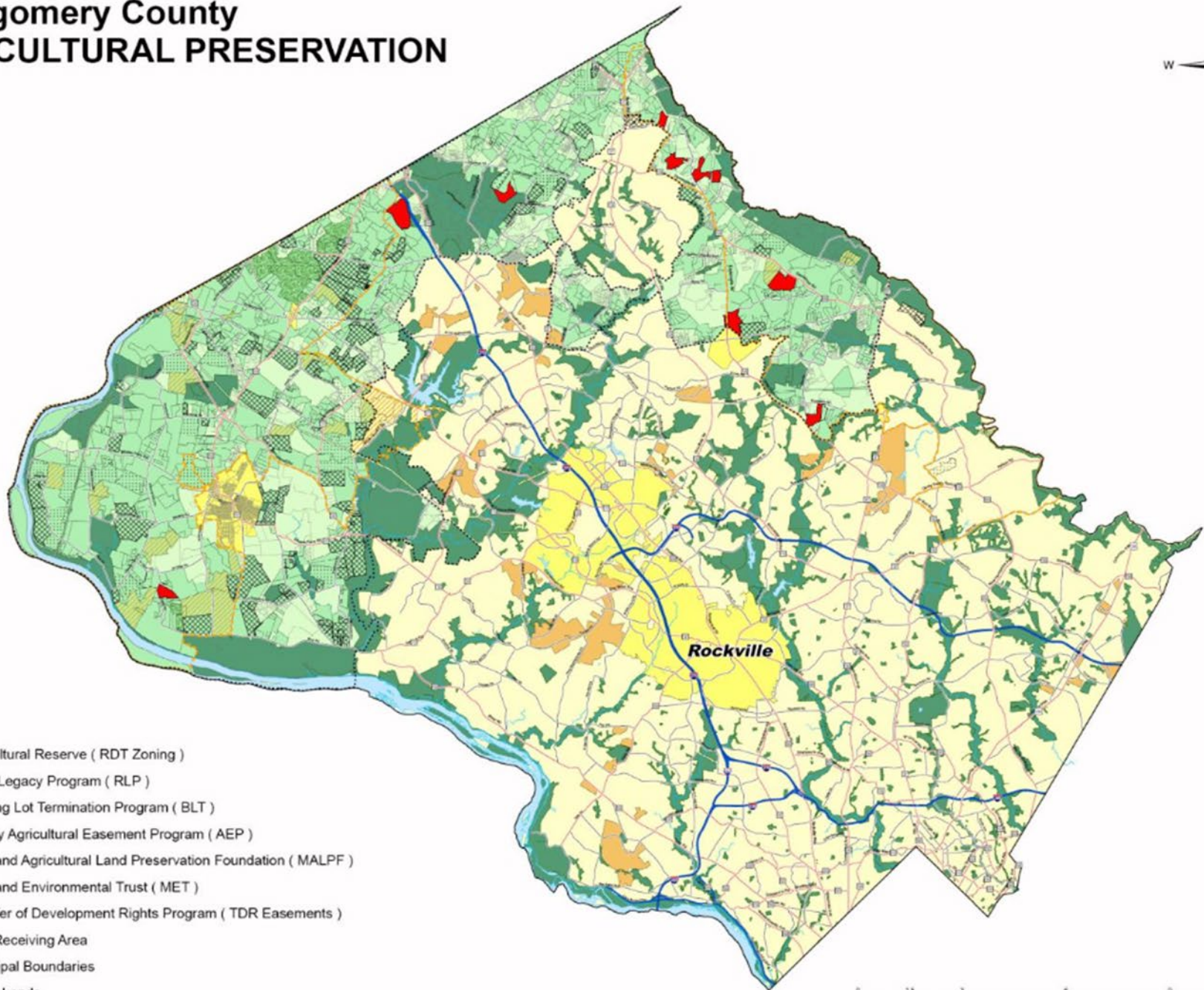
Transferable Development Rights (TDR) Process

- The County approves TDR Easement and TDR Deed of Transfer
- The approved TDR Easement is recorded prior to the recordation of the TDR Deed of Transfer
- The County Attorney assigns serial numbers to TDRs at the time a TDR Easement is approved
- Retained TDRs must be referenced in the TDR Easement if a grantor wishes to use TDRs for future Transfer (Excess TDRs) or to build a house (Buildable TDRs)

Transferable Development Rights (TDR) Process

- The number of TDRs is based upon the acreage of the property in the (sending area)
- The number of TDRs used for an approved record plat (receiving area) must reference the serial numbers of the TDRs
- The Development Review Division (DRC) maintains a list of the TDR serial numbers that have been used and approved on record plats
- Before a plat using TDRs is recorded, the DRC will verify that the TDR serial numbers have not already been used

Montgomery County AGRICULTURAL PRESERVATION

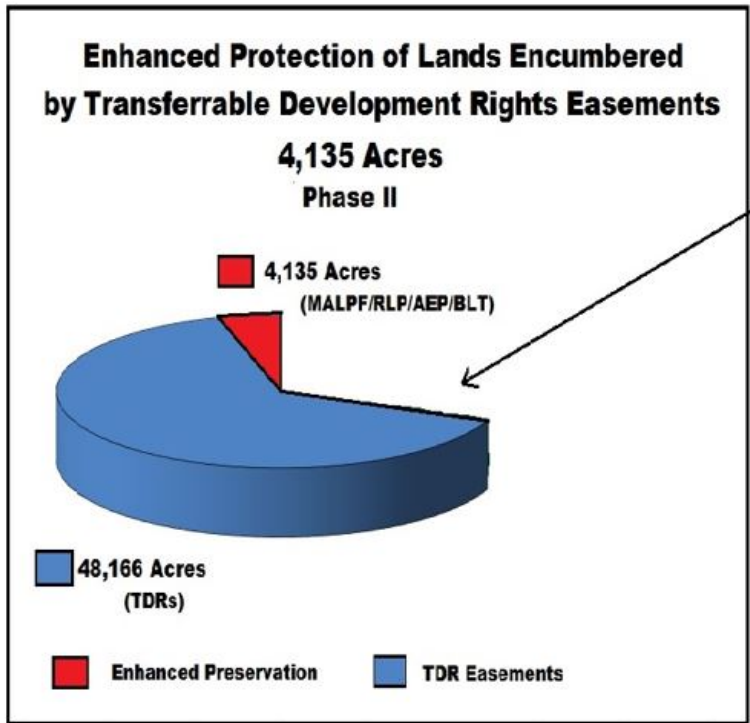
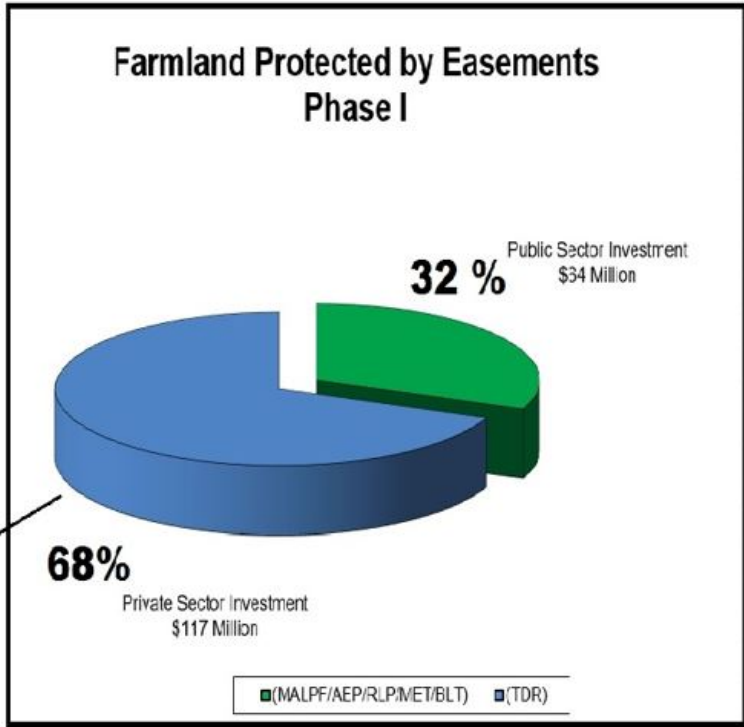


Legend

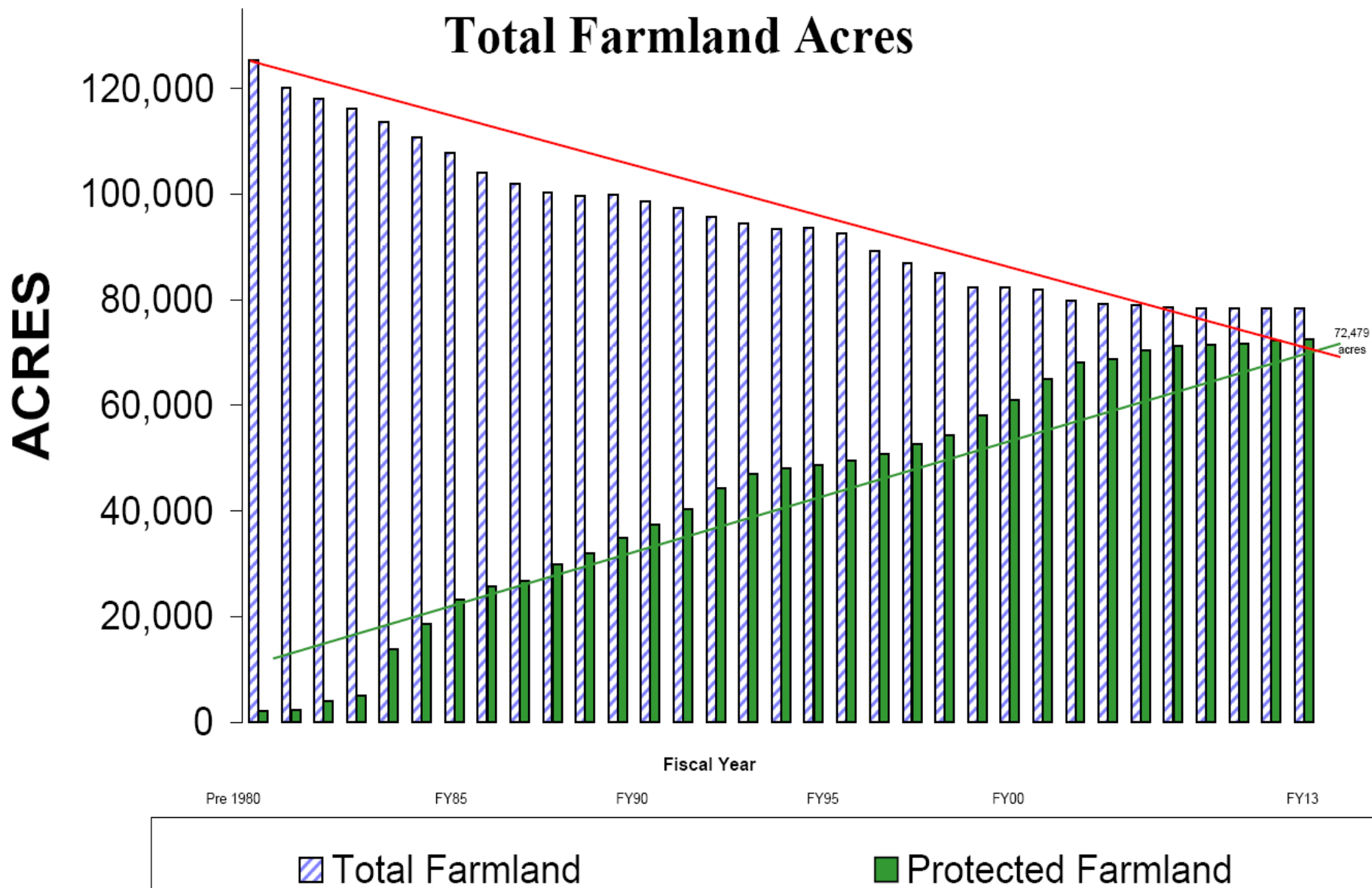
- Agricultural Reserve (RDT Zoning)
- Rural Legacy Program (RLP)
- Building Lot Termination Program (BLT)
- County Agricultural Easement Program (AEP)
- Maryland Agricultural Land Preservation Foundation (MALPF)
- Maryland Environmental Trust (MET)
- Transfer of Development Rights Program (TDR Easements)
- TDR Receiving Area
- Municipal Boundaries
- Public Lands



Agricultural Land Preservation Phase I and Phase II Preservation Goals

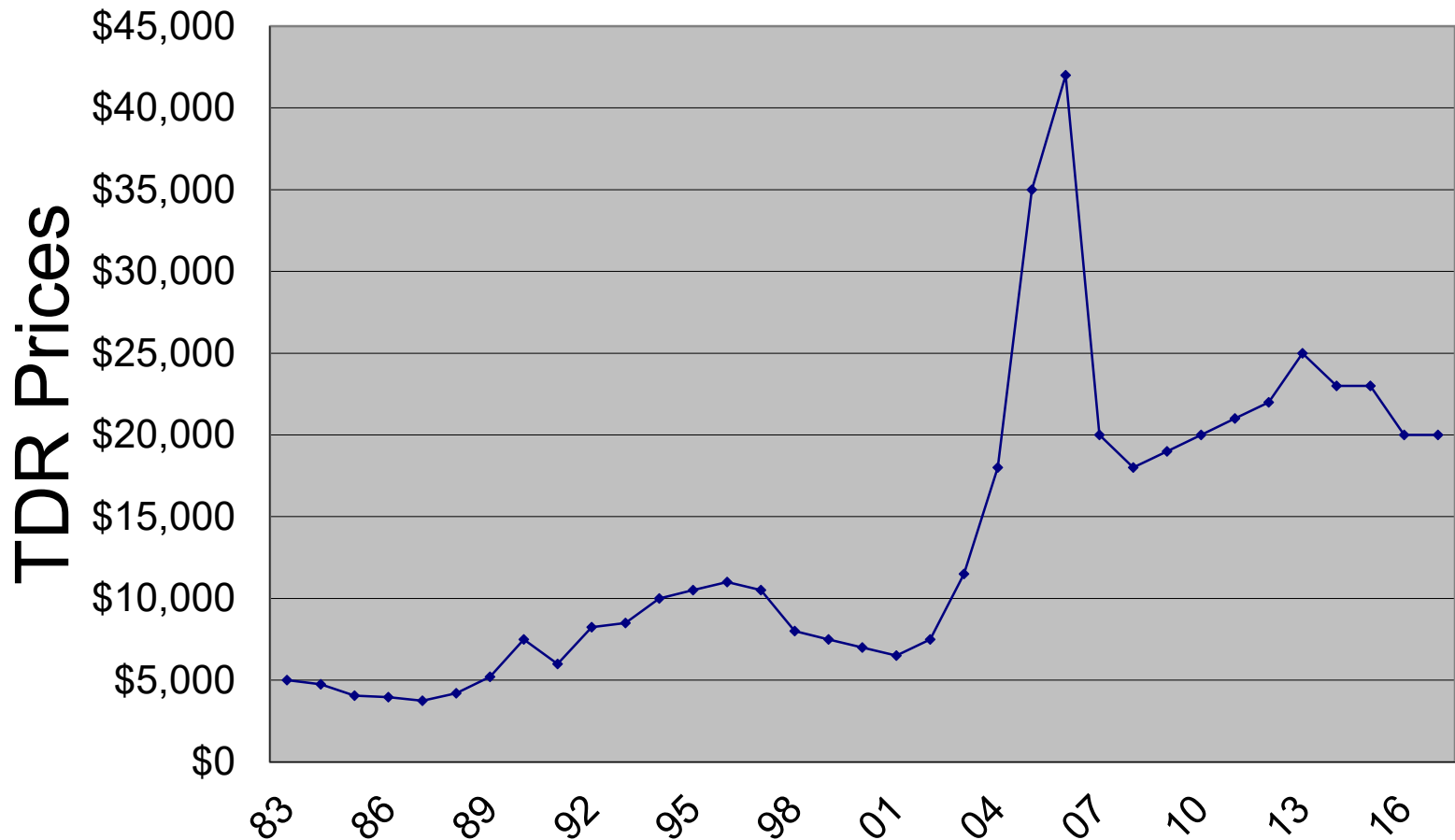


Protected Farmland Acres and Total Farmland Acres



Average TDR Prices

Average TDR Prices



Agricultural Use Assessment in Maryland

- Maryland was the first State in the nation to formally adopt a policy providing for lower assessments (and property taxes) on land that is actively devoted to farm or woodland uses.
- The "agricultural use assessment" is granted to farm land or woodland that meets the criteria outlined in State Law.
- This special assessment means that the land is assessed according to its current use and not according to its actual market value which, in many instances, could be significantly higher.
- The result is that the owner of land receiving the lower "agricultural use assessment" pays less property taxes and there is less pressure to convert the land to more intensive uses.



Questions?

Jeremy V. Criss
Agricultural Services Director