

# Agricultural and Woodland Preservation

## Briefing Document



### Introduction

This briefing paper provides an overview of the status and trends in agriculture and public policies and programs that support agricultural and woodland preservation in Anne Arundel County. It was prepared by the Anne Arundel County Office of Planning and Zoning and Arundel Economic Development Corporation.

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### Agriculture and Land Use

Agriculture plays an important and multi-faceted role in Anne Arundel County. Agriculture supports community health by producing food, provides direct economic benefits, preserves the culture and heritage of the County, and conserves the rural landscape. While the agricultural economy has changed significantly over time, the County remains committed to policies and programs to sustain agriculture into the future.

### Trends in Agriculture in Anne Arundel County

Benefiting from productive land and an excellent location in proximity to navigable rivers and creeks of the Chesapeake Bay and the Patuxent River, Anne Arundel County has been an agricultural community for over 350 years. Agriculture continues to be an important component of the local economy, a key element of the landscape, and a defining aspect of Anne Arundel County life, especially in South County.

In the 17th and 18th centuries, Anne Arundel County was a strong agricultural region with tobacco as its chief crop. Reliance on tobacco as the major cash crop lessened throughout the County by the late 19th century, as socioeconomic changes brought on by the Civil War forced local farmers to diversify their crops. Farmers in the southern portion of the County shifted to crops such as corn, wheat, hay, and fruit, although tobacco remained important. Farmers in the northern portion of the County found their location close to Baltimore and prevalent sandy soils ideal for truck farming. Anne Arundel County peas, beans, strawberries, and cantaloupes became famous throughout the eastern seaboard. Canning and fertilizer plants opened in northern Anne Arundel County in support of these crops.

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Rapid population growth after World War II, especially in the northern part of the County, resulted in the conversion of agricultural land to other uses. Today, very little agricultural land remains in the northern part of the County. Agriculture remains a dominant element of the South County landscape.

Tobacco is now an insignificant crop in Anne Arundel County. Funded by a legal settlement with the tobacco industry at the end of the 1990s. The State of Maryland initiated the Tobacco Buyout Program in 2001 to offer monetary incentives to growers who produced tobacco if they ceased production for human consumption. The Program entered into contracts with 64 growers in Anne Arundel County representing approximately 4,204 acres. Under the contract, the grower agreed to remain in agriculture for the ten years of the payment. During that time, landowners who took the Buyout and wished to place their land in a County or State farmland protection program, received a 10 percent bonus.

The US Department of Agriculture conducts a “Census of Agriculture” every five years. The census is a voluntary survey, not a ground truthed study, so the data are approximate, but are useful to evaluate recent trends. The Census of Agriculture defines a farm as “any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, in the census year.” The 2022 Census of Agriculture counted 454 farms covering approximately 36,000 acres of land in Anne Arundel County (Table 1). Both of those figures are higher than any census since 1997. Those are positive indicators, but may be indicative of an increased response rate to that survey as well as changes on the ground. For comparison, in 1959, there were 961 farms covering approximately 81,000 acres in Anne Arundel County. Over time the median size of a farm in the County has decreased from 35 acres (in 2002) to 25 acres (in 2022).

While the overall loss of farmland is a continuing concern, the continued low rate of loss and growth in numbers of farms indicates relative stability in the farm economy and farmland base.

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Table 1. Selected Agricultural Statistics

	2022		2012		2002	
	Number	Percent	Number	Percent	Number	Percent
<b>Number and Acreage of Farms</b>						
Land in County (acres)	266,200		266,200		266,200	
Number of farms	454		381		432	
Land in farms (acres)	36,003	14%	28,111	11%	35,218	13%
Average farm size (acres)	79		74		82	
Median farm size (acres)	25		30		35	
<b>Land in farms by land use (acres)</b>						
Cropland	22,494	62%	14,742	52%	23,864	67.76%
Woodland	3,146	9%	7,162	25%	6,772	19.23%
Pastureland	7,638	21%	3,609	13%	2,007	5.70%
Other - including house lots, buildings, ponds, roads	2,725	8%	2,598	9%	2,574	7.31%
<b>Total</b>	<b>36,003</b>		<b>28,111</b>	<b>100%</b>	<b>35,218</b>	
<b>Market Value of Production \$ millions</b>						
<b>Crops</b>	<b>\$19.90</b>		<b>\$16.50</b>		<b>\$9.92</b>	
Grains, oilseeds, dry beans/peas	\$11.71	65%	\$5.40	27%	\$2.53	23%
Nursery, greenhouse, flowers, sod	\$4.97	27%	\$9.30	47%	\$5.43	49%
Other crops, hay	\$0.79	4%	\$0.50	3%	\$0.29	3%
Vegetables	\$1.65	9%	\$0.90	5%	\$1.12	10%
<b>Livestock</b>	<b>\$5.52</b>		<b>\$3.10</b>	<b>16%</b>	<b>\$1.06</b>	<b>10%</b>
<b>Total</b>	<b>\$25.42</b>		<b>\$19.70</b>		<b>\$10.98</b>	
<b>Land used for Major Crops</b>						
Soybeans (acres)	8,099	39%	4,422	30%	6,488	35%
Corn (acres)	5,613	27%	4,427	30%	5,943	32%
Forage (acres)	5,405	26%	3,215	22%	4,130	22%
Wheat (acres)	1,446	7%	1,227	8%	1,818	10%
<b>Livestock Inventory</b>						
Cattle & Calves (number)	862		1,170		2,478	
Horses, ponies (number)	1,450		1,791		1,668	

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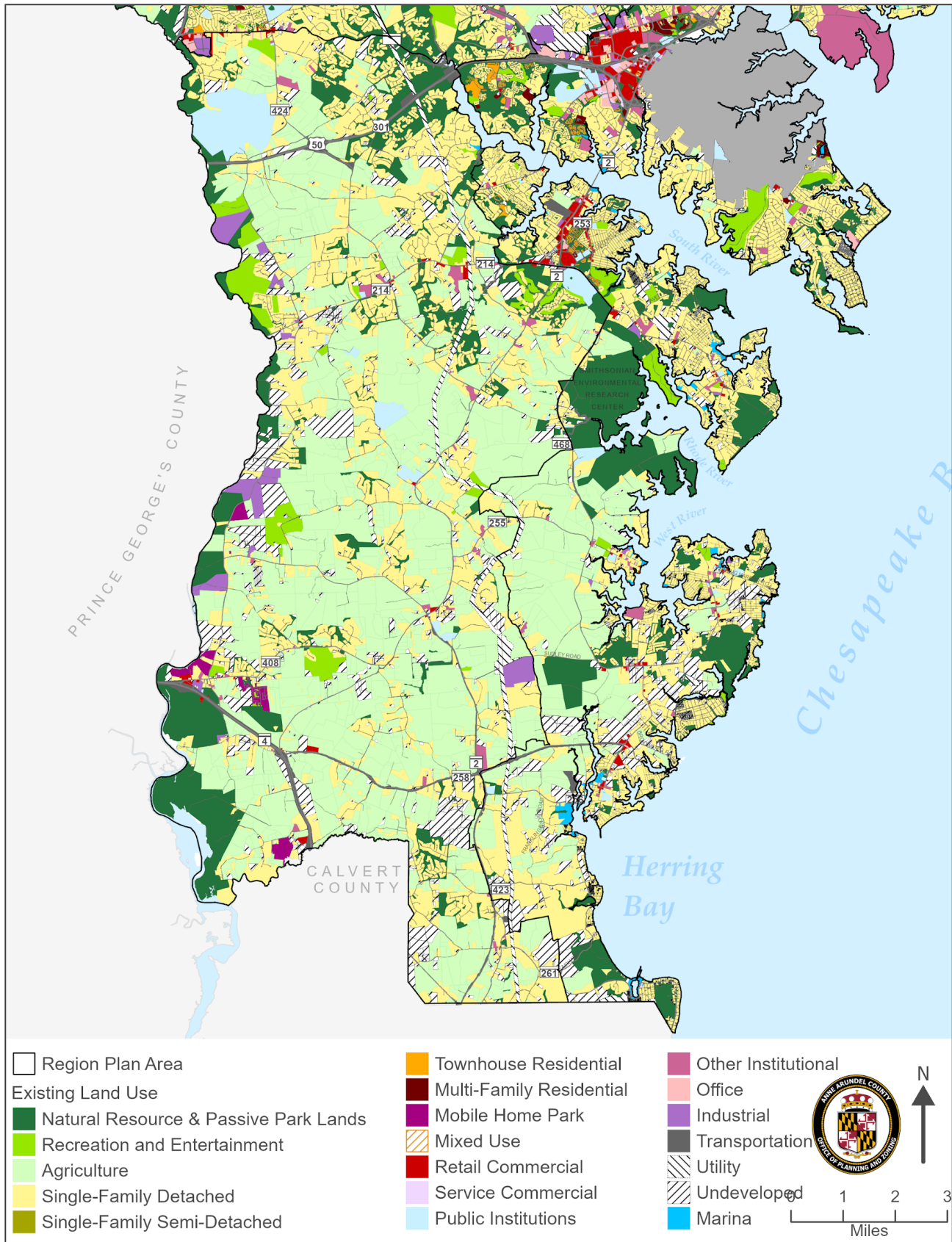
### **Existing Land Use**

The general types of uses of land in South County are illustrated in the Existing Land Use Map (Figure 1). This map is based on analysis of aerial photos, tax records, and subdivision plats. Approximately 45 percent of the land in Region 8, which extends from MD 450 south to the County boundary, and between Muddy Creek Road and the Patuxent River, is currently in agricultural use. Approximately 24 percent of the land is in residential use for single-family detached houses. Parks and natural areas cover approximately 10 percent of the land. The Existing Land Use Map shows the extent to which large expanses of agricultural lands have been fragmented by residential developments.



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Figure 1. Existing Land Use Map



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### Land Use Policies and Programs

Anne Arundel County supports the agricultural economy in multiple ways, including through: land use policy, land preservation, and economic development.

#### County Agricultural Land Use Policy

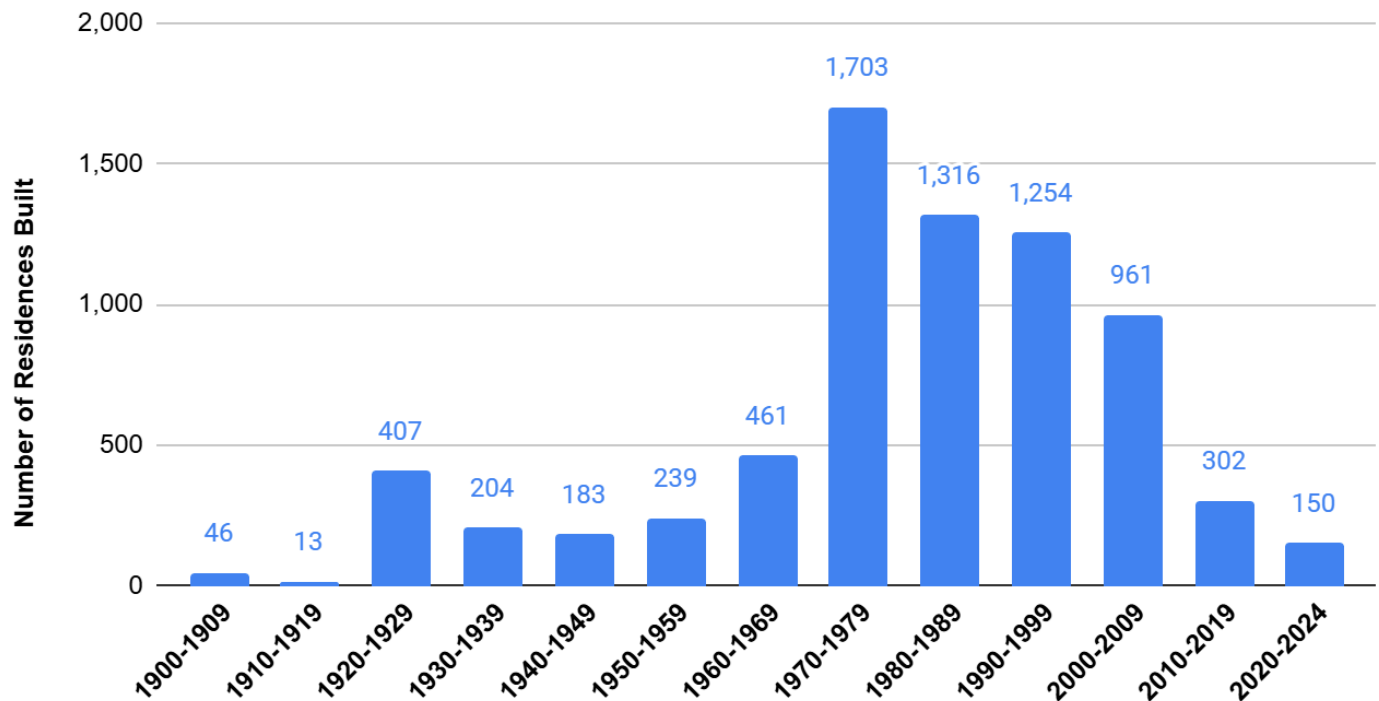
The County has implemented a combination of growth management tools to promote agricultural uses and limit incompatible development in rural areas. This has resulted in significant reduction of the development of housing in South County since the last two decades (see Figure 2).

- **Zoning:** The vast majority of South County is designated as Rural on the General Development Plan (GDP) Planned Land Use Map, and zoned Rural Agriculture (RA) (See Figure 3). Allowed density of housing in the RA (Rural Agricultural) zoning district was changed in 1981 from 5 acres per unit to 20 acres per unit. 'Family conveyance' lots were removed from the County Zoning Code in 2005. The RA zoning district restricts uses that are not compatible with agriculture. Maximum density of residential dwellings in the RA zoning district is defined in County Code as  
"One dwelling unit per 20 acres plus  
one additional dwelling unit for residue acreage that exceeds 10 acres and,  
for sites over 50 acres, one additional dwelling unit for every 50 acres and  
one additional dwelling unit for residue acreage that exceeds 25 acres" (§ 18-4-301)
- **Water and Sewer Master Plan** implements GDP policies and limits where public sewer service will be extended. The vast majority of South County is designated as "No Public Sewer Service" (See Figure 4). This requires housing lot sizes to be larger to accommodate septic drain fields.
- **Growth Tiers:** In accordance with the Sustainable Growth and Agricultural Preservation Act of 2012, OPZ adopted Growth Tiers administratively on June 17, 2013. The Growth Tiers map was updated through the Plan2040 General Development Plan. Nearly all of the working farmland is included in the most development-restrictive Growth Tier IV where major subdivisions are not permitted; and minor subdivisions are permitted only to a maximum of 5 lots (See Figure 5). This effectively puts a cap on subdivision of 5 lots on even the largest properties in the rural parts of the County. Some farms are located in Growth Tier III, which is applied to areas not planned for public sewer service and generally planned and zoned for large lot or rural residential uses. Subdivisions over 5 lots in Growth Tier III areas are required by State law to be approved by the County's Planning Advisory Board.

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Figure 2. Homes Built in Region 8 by Decade



Source: Anne Arundel County Address Point and Parcel Data, December 2024

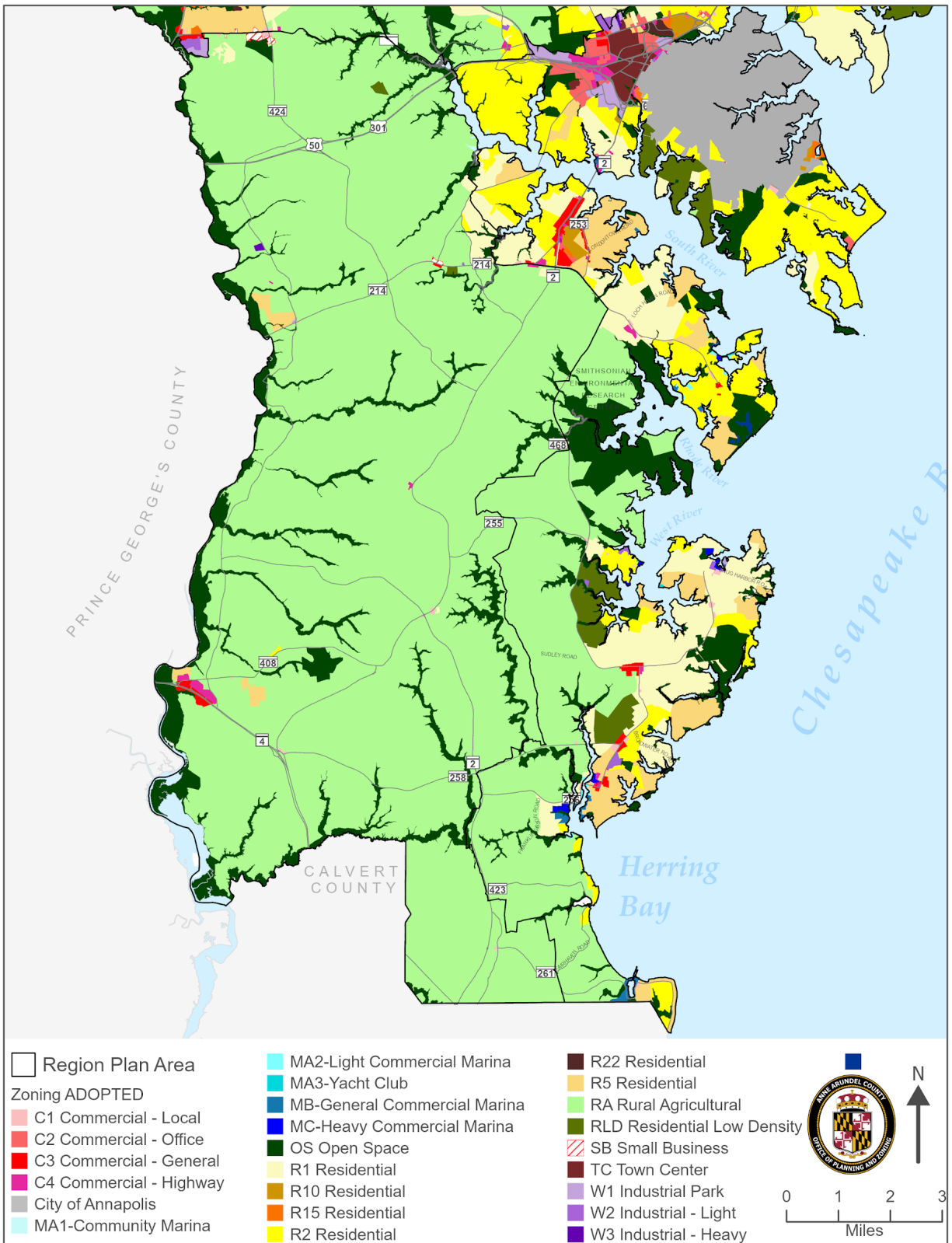
The Agricultural Commission worked with the County Council in recent years to update the County Code to address requirements that were barriers to agricultural activities. Recent bills include:

- Bills 68-20 and 69-20 which were passed in 2020. The bills expanded uses allowed on farms to include farm alcohol production facilities and farm special events and site stays.
- Bill 74-21, passed in 2021, provides some relief from site development plan requirements for certain farm-related improvements.
- Bill 62-23, passed in 2023, allows farm dual uses, such as contractor yards, farm vehicle and equipment repair, and skilled trades, with required conditions.
- Bill 63-23 also passed in 2023 and clarified and modified permit exemptions for certain agricultural buildings.
- Bill 57-24 passed in 2024, relaxed requirements for agritourism, certain farm or agricultural heritage site special events, and farm or agricultural heritage site stays in the Critical Area.

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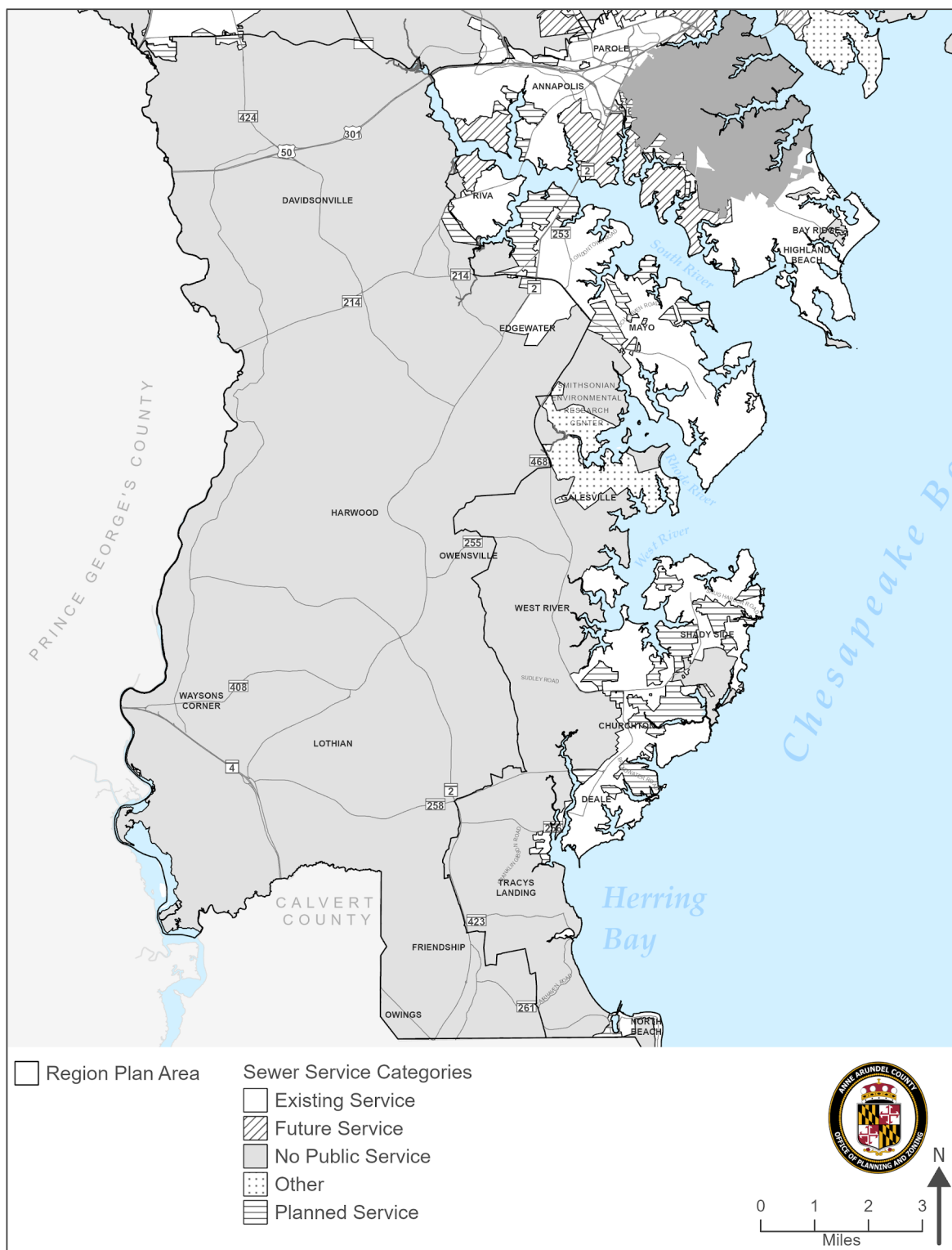
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Figure 2. South County Zoning



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Figure 3. South County Sewer Service Categories

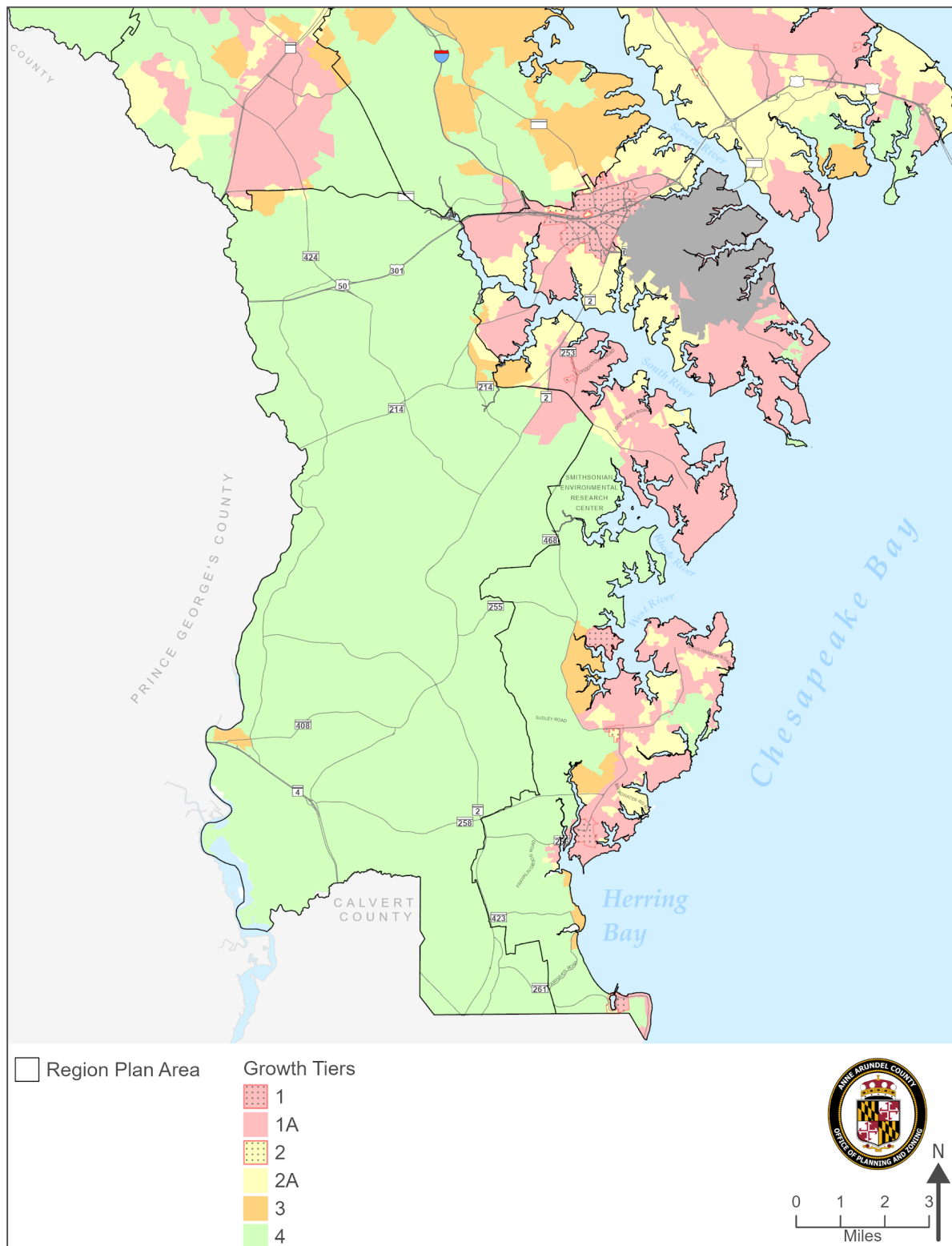


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Figure 4. South County Growth Tiers



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### Agriculture and Woodland Preservation Program

Anne Arundel County established an Agricultural and Woodland Preservation Program in 1993 to provide financial incentives for landowners to voluntarily agree to maintain their property as working farms and forests and forgo the potential for future development. The County designated a Priority Preservation Area and a Rural Legacy Area to focus agriculture and woodland preservation efforts. These two areas are similar in geography and complement each other, but are established per guidelines from two different State programs.

The County uses three voluntary easement acquisition programs to purchase development rights and keep lands in agriculture and forestry use. Each of these programs have slightly different eligibility criteria and application processes (see Table 2). For more details see the [County's agricultural preservation website](#)

**Table 2. Agricultural Preservation Easement Programs**

	<b>Maryland Agricultural Land Preservation Foundation (MALPF)</b>	<b>Rural Legacy</b>	<b>County Easement</b>
<b>Eligibility Criteria</b>	Must have development rights	Must have development rights	Must have development rights
<b>Size/ Location</b>	50 acres or adjacent to preserved land.	Must be located within Rural Legacy Area.	50 acres for agricultural land, 25 acres for forest. As small as 10 acres if adjacent to preserved land.
<b>Soils</b>	Ag: 50+% Class I, II, and III Soils.  Forest: 50+% Class I or II Woodland Soils.	N/A	Soils: 50+% Class I, II, and III Soils.  Forest: 50+% Class I or II Woodland Soils.
<b>Basis for Value</b>	Up to 75% of Fair Market Value or Owner Offering Price, whichever is lowest.	Easement Valuation System - model based on agricultural and natural qualities of property.	Up to 60% of Fair Market Value
<b>Funding Source</b>	State funds, County can provide matching funds	State grant to County	County funds (general fund and ag transfer tax)

In total, these programs have protected approximately 14,616 acres of agricultural lands (See Figure 4). The program's goal, when it was established in 1993, was to preserve 20,000 acres of farm and forest.

### Temporary Agricultural Districts

The Agricultural District Program provides a tax credit in exchange for a property owner making a 10-year commitment to not exercise development rights. Currently, there are 2,928 acres enrolled as County Districts.

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### **Designated Preservation Areas**

Anne Arundel County established two agricultural land preservation designations to focus land conservation efforts and retain a critical mass of farmland: the Priority Preservation Area (PPA) and the Rural Legacy Area (RLA) (see Figure 5). Both designations are established and adopted by the County based on State law and requirements.

### **Priority Preservation Area**

The County's Priority Preservation Area (PPA) was established following specific State guidelines and was first adopted in the 2009 GDP. Establishment of the PPA provides an opportunity for the State and local jurisdiction to better target preservation funds to those areas that will provide the most benefit toward meeting a county's preservation goals. The County retains the ability to purchase easements outside of the PPA, but additional State funding, when available, will be targeted toward preservation within the PPA.

The County's PPA is divided into two areas, both located within South County. The PPA contains 40,390 acres and includes the entire Rural Legacy Area. The County has established a goal of conserving 80% of the undeveloped land in the PPA through easements, public lands, and zoning. Approximately 14,661 acres are protected within the PPA by agricultural and woodland easements and districts. An additional 5,035 acres are County, State, and Federally-owned land, and approximately 500 acres are preserved by the Maryland Environmental Trust or private land trusts. With the addition of the protections of RA and OS and floodplain development restrictions, a total of approximately 75% of land in the PPA is currently conserved.

### **Rural Legacy Area**

The Rural Legacy Area (RLA) was proposed by the County and approved by the State in 1998, as an approximately 32,550-acre portion of South County. The Rural Legacy Program, run by the Maryland Department of Natural Resources (MD DNR), is based on two concepts: delineating a specific geographic area of a county in need of focused land conservation efforts, and acquiring easements from willing landowners within that area.

Key goals of the RLA are to complete a greenway of gently rolling farmland, preserving views from some of the County's most scenic and historic roads, and to protect multiple other scenic, historic and natural resources. The RLA is part of a large multi-county swath of land designated for preservation. It connects to the Patuxent RLA that extends through Prince George's County along the Patuxent River, and to the North Calvert RLA.

The key differences between the PPA and RLA are:

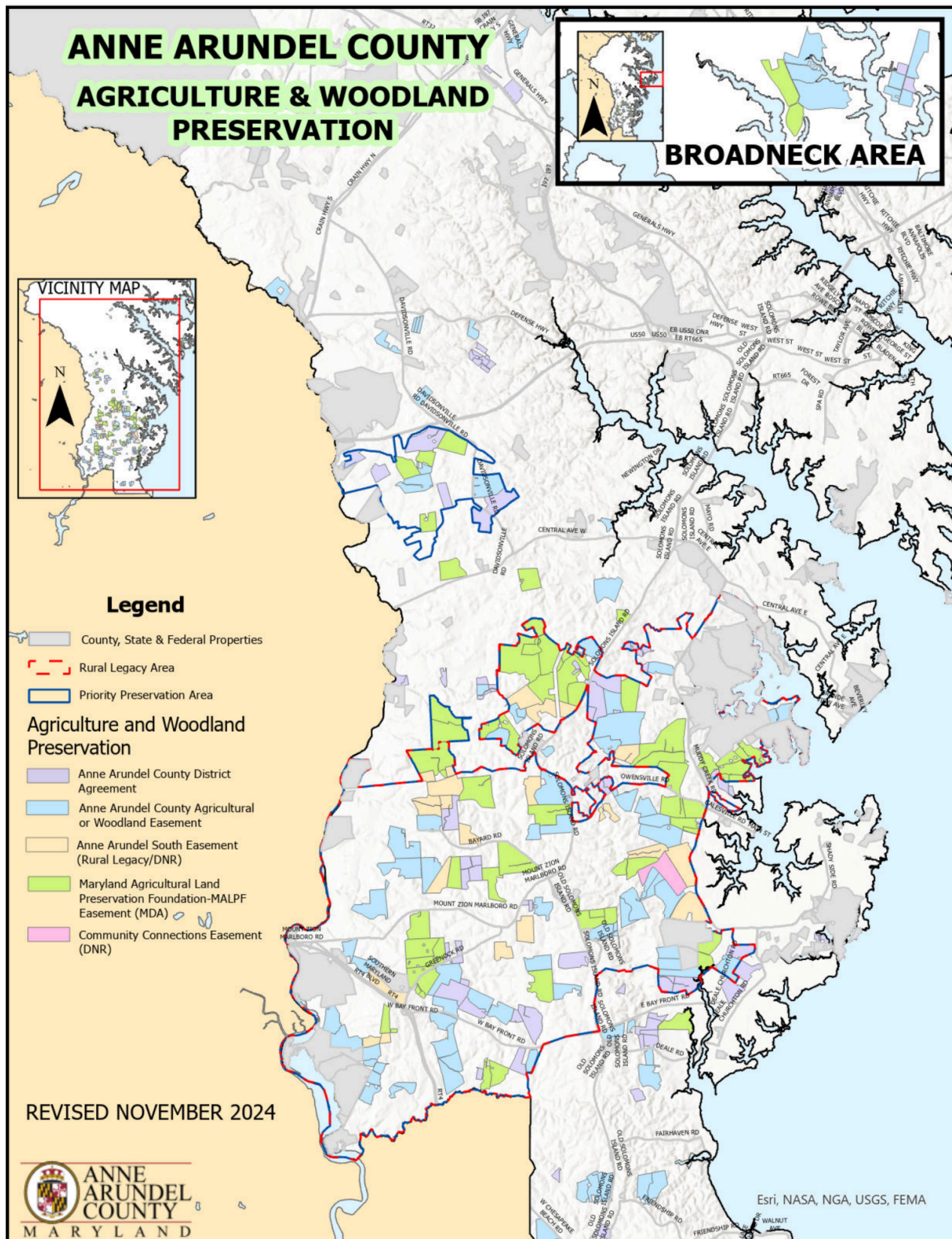
- PPA is adopted and amended through the County's GDP and the RLA can be updated on an annual basis through application and approval by the MD DNR.
- PPA has a numeric goal of conserving 80% of remaining undeveloped land and is focused on agriculture and forestry.
- RLA's preservation goals are broader and include scenic, historic, and natural resources as well as agriculture.



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Figure 5. Agricultural Preservation



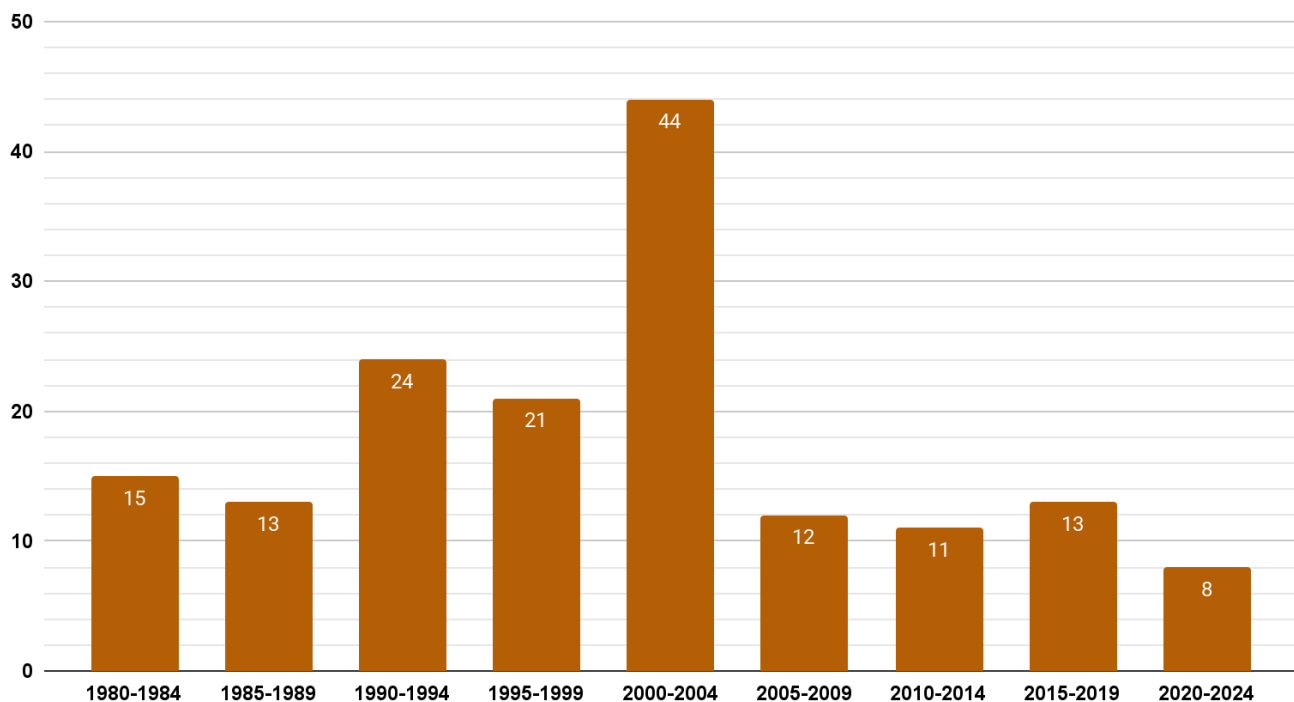
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### Trends in Agricultural Preservation Easements in Anne Arundel County

The number of agricultural preservation easements recorded in the County has declined in recent years. There was a significant increase in recorded easements in the early 2000's when installment payments were introduced. Installment payments provided landowners with interest only payments on the purchase of the conservation easement for 15 years, and a balloon payment of the principal at the end of the term. This allowed the County to execute more easements with less up front funding, and provided landowners with tax advantages. Interest in installment payments dramatically decreased after a few years, and while the County continues to have the authority to use them, all of the easement purchases since 2007 have been lump sum payments at settlement.

**Figure 5. Easements Recorded (4 Year Periods)**

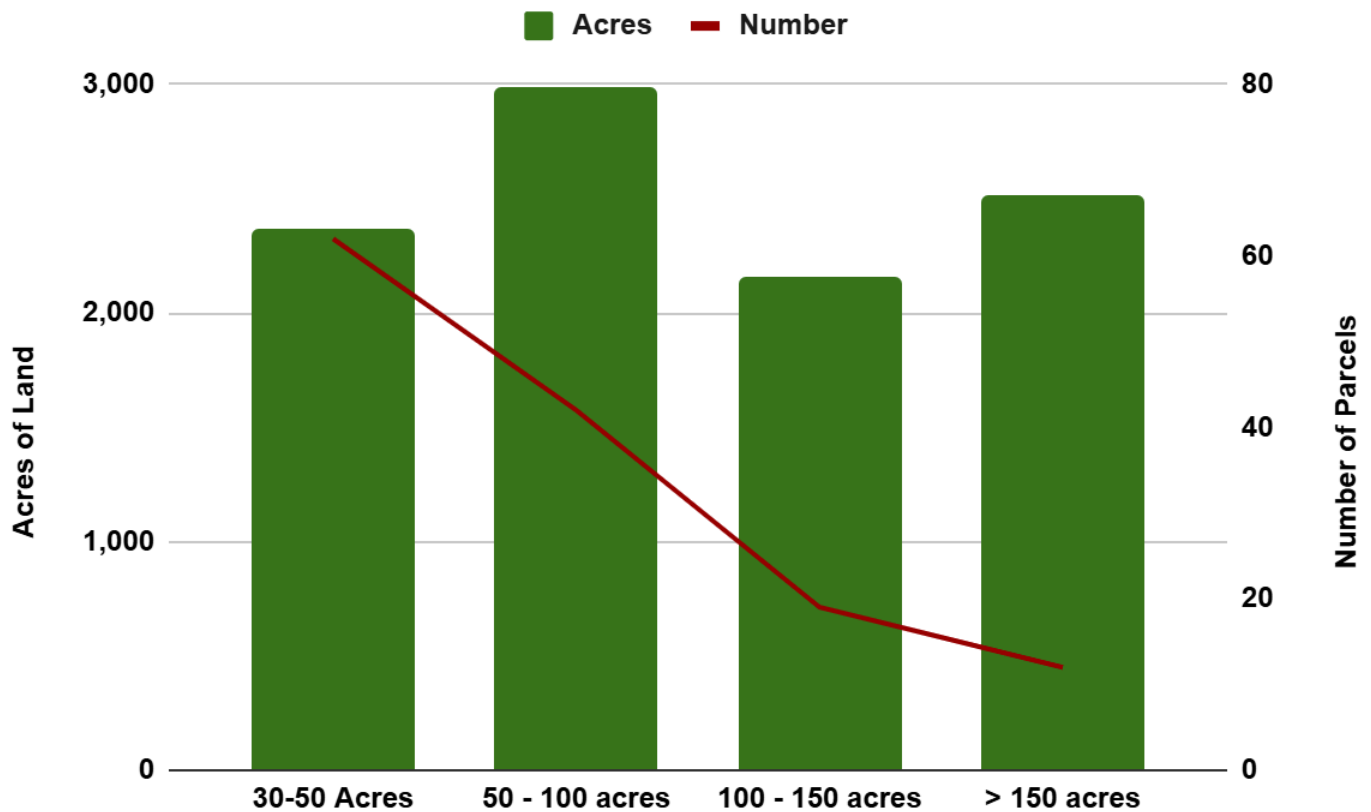


The agricultural land base has changed since the inception of the Agricultural and Woodland Preservation Program. Many of the largest farms have executed conservation easements. Others have been subdivided into smaller parcels. Preliminary analysis indicates that there are only approximately 28 parcels remaining in the RA zoning district that are over 100 acres and are eligible for an agricultural conservation easement. There are approximately 64 parcels between 30 - 50 acres that may have subdivision potential but do not meet the size criteria to be eligible for the County agricultural preservation program. These properties represent approximately 25% of the total land area of parcels over 30 acres in the RA zoning district.

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Figure 6. Area and Number of Parcels Not in Conservation Easements



### Complementary Farm Acquisition Programs

#### Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO)

MARBIDCO's Next Gen Program provides funding to support farmers buying land in exchange for a commitment to place the land under a conservation easement. The program is designed to support beginning farmers acquiring land over 50 acres.

Under the Next Gen Program, MARBIDCO will pay up to 51% of the Fair Market Value of the land only (with a cap of \$500,000 with an Option to record an agricultural conservation easement on the land. Following the property transaction, the Next Gen Farmer will have several years to sell a conservation easement to a rural land preservation program that is able and willing to hold the easement (thus extinguishing the development rights on the property forever).

Once a permanent easement has been sold, the Next Gen Farmer will repay MARBIDCO the original Next Gen Program Option Purchase amount plus a 3% administrative fee. If the Next Gen Farmer cannot sell the permanent easement within the specified timeframe, the Option will be exercised (for no additional money) and the permanent easement will be held by a "third-party default easement holder" (either a county agricultural land program or MALPF).

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MARBIDCO also offers the Small Acreage Next Gen Program to support beginning farms acquiring land from 10 to 49 acres. The Small Acreage Next Gen Program provides up to 60% of the Fair Market Value (land only) in exchange for a permanent agricultural conservation easement, and that money is used as a down payment to purchase the farmland. A “beginner farmer” is defined as someone not owning a farm or ranch (or owning less than 9 acres), not operating a farm or ranch as a principal operator for more than ten years, having at least one year of farming experience, and expecting to participate in the farming operation on the subject property substantially.

## Economic Development

The Anne Arundel Economic Development Corporation Agriculture Program (Arundel Ag) meets the business demands of Anne Arundel County Agricultural Businesses by assisting new and existing agriculture businesses in the County. The program also serves as an ombudsman to assist with interpreting code, licensing, and permitting requirements, particularly with County, State and Federal health departments. Arundel Ag has partnered with the Farm Bureau, and various other agencies to change legislation to better serve Anne Arundel County farmers.

Arundel Ag assistance programs include:

- Grants to support farmer investments
- Agricultural Equipment Rental Program
- Scrap Tire collection and disposal program
- Arundel Grown - certification and promotional program working with restaurants to use ingredients from farms in Anne Arundel County
- Agricultural education programs - including support for the Ag Education program in Southern High School and the Future Farmers of America.
- Farmers Markets - marketing and logistical support for farmers markets in the County.
- Marketing the agricultural sector

For more information, see the [Arundel Ag website](#).

The Southern Maryland Agricultural Development Commission ([SMADC](#)) is a division of the Tri-County Council of Southern Maryland with the purpose of supporting farms and the future of agriculture in Southern Maryland. SMADC is primarily funded by the State of Maryland and was originally established to administer the Tobacco Buyout program. SMADC serves the five southern Maryland counties of Anne Arundel, Calvert, Charles, Prince George's and St. Mary's. SMADC programs include

- Agricultural education workshops and training
- Grants and low-interest loans to support agricultural operations
- Farm equipment rental program
- Online farmland property exchange, FarmLINK, that lists agricultural and forest land for sale or lease
- Support for Farmers Markets, including the Maryland Market Money program that provides matching funds for purchases made using federal nutrition benefit programs

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- Marketing and promotion for local agricultural products

Arundel Ag and SMADC collaborate to leverage their resources and maximize the impact of their programs.

## Challenges and Opportunities

### Business of Farming

- Challenges
  - Loss and fragmentation of farmland over time
  - Increasing price of land makes sale and transition of farmland to new farmers financially difficult
  - Loss of farm economy infrastructure (such as grain elevators and large animal veterinarians)
  - Fluctuations in commodity markets
  - Aging farmers and limited number of young farmers coming up
  - Pressure to develop solar power on agricultural land
  - Regulatory barriers in County Code to some traditional farm operations and emerging agri-tourism activities
  - Deer management
  - Roadway safety for operations of farm vehicles
  - Costs of implementation of soil conservation and water quality best management practices
- Opportunities
  - Improvements to education and training programs for youth and new farmers
  - Increase financial support and technical resources available for new farmers by partnering with existing state and regional programs.
  - Establishing food hub / distribution center to support storage, marketing, and value-added processing
  - Maintain relationship of Agricultural Commission working with County Administration and County Council on Code and policy reforms
  - Increased marketing and promotion of buy local food programs and farmers markets
  - Public education and signage on roadway safety and farm vehicles
  - Explore opportunities to use publicly owned lands to support new farmers and community gardens

### Agriculture and Woodland Preservation Program

- Challenges
  - Minimum 50 acre eligibility requirement leaves out many farms
  - Price offered for agricultural preservation easement often not competitive with financial gain that can be realized by residential development or solar
  - Restrictions in agricultural preservation easements on agri-tourism activities
  - Establishment of Program Regulations by Ordinance has made it difficult to update them over time as the landscape and needs have changed.
- Opportunities

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- Reform County Agricultural and Woodland Preservation program to allow easements on farms under 50 acres.
- Adjust County eligibility requirements to differ from MALPF to allow for wider variation of farms.
- Adjust prices for County agricultural easements to be more financially competitive
- Increase partnership with private operators and land trusts on owner outreach and to facilitate farm ownership transitions
- Greater collaboration among Agricultural and Woodland Preservation Program, Arundel Ag, and Soil Conservation Service to provide coordinated set of resources to farmers
- Amend language of agricultural preservation easements to allow uses to evolve
- Transition to administrative procedures rather than regulations to facilitate updates as needed.