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**REASONS  
AND  
METHODS  
FOR  
*PROTECTING  
FARM  
AREAS  
ON OAHU***

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## REASONS AND METHODS FOR PROTECTING FARM AREAS ON OAHU\*

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My topic suggests that farmlands need some protection. I assume that farmers are a substantial part of this audience. Therefore I'd like to assure all farmers that I am sympathetic with your problems. Just in case there are city folks listening in, please take note that I am also concerned with your land-use needs. Seriously, I believe it is to the benefit of both groups that farmlands receive more protection than they have been getting in the past. I am firmly convinced that some farmlands are so valuable that they should not be covered by asphalt, concrete, suburbs, or business places--particularly when there are methods available to avoid it and still provide suitable space for urban needs and other uses.

I intend to outline some methods whereby valuable farmlands may be kept in agricultural use. The ideas represent considerable thought that has been given to this problem by mainland and European land-use planners. All methods have their pros and cons. These are presented for your information and appraisal. As the old saw goes, "There's more than one way to skin a cat, but some ways are better than others." One of these methods may appeal to you. If not, some modification of your own might fill our need. Either way, some thought and action should lead to an improvement of the present situation.

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\* Talk presented on February 2, 1960, at a conference on "The 1970 Honolulu Market for Produce and Livestock," sponsored by the Trade Committee of the Chamber of Commerce of Honolulu in cooperation with the University of Hawaii Agricultural Extension Service and the Hawaii Farm Bureau Federation.

First, I would like to use a few moments to review the gravity of the situation, why we are in it, and the logic for doing something about it.

The loss of farmlands to non-agricultural uses is not limited to Hawaii. On the mainland, about 17 million acres of the flattest, most productive farmlands have been urbanized within the past 15 years. California, with a high proportion of mountainous areas such as Hawaii has, is rapidly losing its most productive valley-lands where its citrus and other high-value crops are grown. California is well aware of this unhappy situation. I quote from an address given by Governor Goodwin J. Knight in 1958: "California's rich agricultural lands must be legally protected from further conversion to other uses. We are a state that offers the promise of new homes, new jobs, and new ways of living to millions of people. In our enthusiasm to fulfill these promises we cannot afford to be guilty of the sacrifice of our rich agricultural lands." It is well for Hawaii's citizens to remember that California has a great deal more land than Hawaii and that California will never have to import food from distances of 2,000 miles or more.

Why has so little been done to protect farmlands from urban takeover? Probably the most basic reason is that Americans are too often prone to assume that somehow, somewhere, there is plenty left.

So far, there has been insufficient public pressure to modify the traditional policy of leaving to agriculture those lands which urbanizers do not want. Too often, the best farmlands are also the most wanted for urban development. There is no point in laying the blame at the door of the planning commissions. These organizations merely perform what appears to be public policy. If planning policies need modification, they will change when voices in authority outline the modifications and provide the necessary legal, judicial, and moral support.

To some people, the thought of creating agricultural land reserves may seem a radical idea or an undue infringement upon the liberty of individuals to use, purchase, or dispose of land as they see fit. Yet our history is full of instances where similar actions are legally taken and accepted. Landowners in an exclusive residential area are not allowed to build and operate a hotel. We often withhold mineral rights from fee simple title to reserve precious minerals for future use. We have reserved large national forests to ensure wise use of timber, mineral, grazing, and water resources. What is new or illogical about creating agricultural land reserves for future use?

According to our current information, about 80 percent of the State's lands are excessively steep, stony, shallow, dry, or otherwise unproductive for intensive cultivation. These areas the Land Study Bureau calls Class D lands. About 11 percent of the lands, called Class C by our classifications, has only fair to marginal suitability for intensive cultivation. This points up the startling fact that of its total land area, the State of Hawaii has about 9 percent of its acreage in Classes B and A, or lands moderately to highly suited for intensive cultivation. Urban development has already occupied some of the Class A and B lands and is in the process of absorbing more.

Now let's put Oahu's lands in perspective to the State's total, because this island receives most of the pressure from urban expansion. Oahu has about 50 percent of the State's Class A lands and little over 10 percent of all Class B lands. Considering that such a high proportion of the State's best farmlands are on Oahu, is it wise to release them indiscriminantly to nonagricultural uses when urban and other land-use needs can be met largely by lands of lower quality? Would it not be logical as well as wise to systematically use as much as possible

of the lower-class rural lands for urban and other non-agricultural needs, leaving the best or most of it to feed and support our growing population?

What are the probable consequences if Oahu's best farmlands are shifted to nonagricultural use? In the first place *there will be fewer farmers and higher food prices.* The best lands keep farmers in business and produce food at lower cost. Neighbor islands can produce increased amounts of food, but as distance from market increases, costs and prices must be higher no matter how good the transportation system may be.

Any shrinkage of a farmer's acreage may hurt him, but loss of his best lands will often put him out of business. Loss of its best acreage is probably a major reason for a pineapple firm's reported plans to quit farming on Oahu. The urban side of Oahu's economy is happily growing, but Oahu needs a considerable amount of agriculture for some time to come.

Putting our best farmlands in agricultural reserves might in some instances slightly increase the cost of housing development. On the other hand, continued loss of our best farm acreages will eventually increase the cost of food--a considerable item to most households.

Now to outline some methods that create agricultural reserves for our best farmlands.

METHOD (1). ORDINARY ZONING WITH LAND-USE PLANNING

Ordinary zoning coordinated with land-use planning is a method that is here and accepted. To my way of thinking, the steps should be somewhat as follows, realizing that oversimplification is involved:

1. Collect maps that classify the lands according to grade or quality for agricultural and other uses. These are to be foundation material for planning purposes.
2. Collect maps showing the location of all present land uses--agricultural, urban, etc.
3. Estimate the location and acreages of higher-class agricultural lands needed for the State's future cropland agriculture. Then map out the future agricultural land reserves, island by island, on a trial basis.
4. Repeat this process for other agricultural land-use needs such as beef ranching, dairying, hog, poultry, and flower farming, plus commercial forestry.
5. Turning now to nonagricultural land uses, estimate the acreages and general location of areas needed for future urban, industrial, hospital, school, airport, highway, recreation, and other uses. Having done this, map these areas out, island by island, on a trial basis.
6. At this stage the land-use planner is ready to put the maps together and note the locations of conflicting land-use claims. Obviously, some boundary adjustments will be needed. Adjustments may require some sacrifice on the part of all land-use claims.

7. Final boundaries for future urban expansion will be drawn after the following things are done:
  - (a) Maximum use of Class D lands that are unsuited for intensive cultivation or essential to other agricultural uses.
  - (b) Generous use of Class C lands that are only fair to marginally suited for intensive cultivation, particularly where Class D lands are unusable.
  - (c) Sparing use of Class B lands if Class D and C lands do not meet the minimum requirements.
  - (d) Extremely sparing use of Class A lands if practical considerations demand it.

In turn, final boundaries of other future land-use recommendations will be firmed-up after needed adjustments are made.

8. A general land-use plan for the State is then put together on maps which will show the location of all recommended land uses.
9. Following this step, the statewide general land-use plan should be put into operation by planning commissions that zone various areas for uses recommended by the plan's maps.
10. In the process, various areas are zoned for exclusive agricultural uses.

What are the merits of this method? It is logical and systematic. The chief criticism that planners would probably make is that the method alone is insufficient to "hold the line" for agriculturally zoned areas. "Hardship petitions," well based or otherwise, that press for rezoning contrary to the general plan, are often difficult to resist unless the planning commission has strong legal and moral support.

Having outlined this method, let's consider a second technique.

METHOD (2). "GREENBELT" ZONING

"Greenbelt" zoning is intended to assist ordinary zoning and land-use planning. Santa Clara County, California, under a state enabling act, started this zoning technique in 1955 for the protection of prime agricultural lands being swallowed by haphazard urban expansion. Their zoning statute authorized the creation of exclusive agricultural zones which came to be known as "greenbelts." This zone allows any kind of farming activity, but prohibits subdivisions, stores, or factories.

Under this statute, one or more landowners may petition the planning commission to create an exclusive agricultural zone for the described area.

Conservation of prime tillable land is the principal objective, but all types of operators, including poultrymen, livestock growers, and others are entitled to consideration.

Tax assessors are expected to apply lower assessment rates because extra community services common to subdivisions and business areas are not permitted in "greenbelt" zones. However, California law presently requires that all lands be assessed at market values consistent with "highest and best use."

This "greenbelt" or exclusive agricultural zone is created for an indefinite period. At 5-year intervals owners are allowed to petition for changes in the exclusive agricultural zone. Zoning changes require full public hearings.

By 1958, Santa Clara County had around 40,000 acres zoned under the "greenbelt" statute.

The intent of this statute is excellent. Its principal operating weakness has been the fact that landowners can petition themselves out of the "greenbelt" zone almost as easily as they can enter it. Significant shrinkage of "greenbelt" zones has sometimes occurred when some owners wearied of farming and decided to "cash in" on

the speculative gains in land values. Local zoning power obviously was not strong enough to provide permanent protection for the "greenbelt" or exclusive agricultural zone.

A good deal more might be said about this method, but let's consider a third device.

#### METHOD (3). PUBLIC PURCHASE OF DEVELOPMENT RIGHTS

Public purchase of development rights is a strong method for creating stable agricultural reserves ("greenbelts"), or for control of miscellaneous higher-use developments. It stops short of fee simple purchase by buying a piece of the owner's property rights. Legal authority and funds support public purchase of the development rights connected with the owner's agricultural land. The right of condemnation (eminent domain) is exercised in the public interest if such is necessary.

Purchase of development rights leaves fee simple title with the owner who also retains his mineral, water, and other normal-use rights. He continues to farm and should be taxed wholly on the basis of agricultural land values because his opportunity for urban development no longer exists.

Numerous nationally known authorities in land-use planning support the method. The Santa Clara County (California) Planning Commission proposed trial of the method after weakness in their voluntary "greenbelt" zoning statute became apparent. England adopted the method on a national scale.

Justification for this method rests with the belief that it is in the public interest for certain farmlands to remain in their present use. The method recognizes that the owner has a right to develop his land into higher uses and receive any profits thereof. Therefore when this right is removed, the owner is entitled to financial compensation that is in proportion to the difference between

market value for higher uses and market value for farmland use.

Logically, the method would be applied after completion of a general land-use plan which outlined areas recommended for agricultural and other land uses. Presumably, development right purchase would generally give special attention to the choicer agricultural acreages.

There is nothing legally new in acquiring development rights. Our government, public utility firms, and others have long obtained certain development rights from landowners. Governments acquire easements for billboard control, for reserving rights-of-way for future highways, for keeping flood susceptible areas free of urban development, and for other purposes in the public interest. Purchase of development rights to maintain open spaces or farmlands in agriculture is merely another application of the same principle.

Those favoring this method of land-use control, summarize their position by the following points:

1. It permits orderly expansion of urban and other nonagricultural land uses. Sprawling, disorganized urban developments that are costly for the public to service could be eliminated.
2. The owner who has sold his development rights can continue his present land use without interference. He is entitled to tax rates held at the level of his present land use.
3. Purchase of development rights is far less expensive for the public than fee simple purchase.

Those opposing such a method might direct attention to the considerable amount of funds necessary to operate the program. It is difficult to predict the cost of such a

program in Hawaii, but here is some preliminary information developed at the University of Pennsylvania:

*Estimates from small-sample study  
by University of Pennsylvania graduate student*

**Costs of Acquiring Development Rights by Fee Simple Purchase  
as Contrasted with Purchasing Development Rights Only\***

BUCKS COUNTY, PENNSYLVANIA

Type of Purchase	Section of County**		
	Lower***	Central	Upper
Fee simple title	\$1,750-\$2,700 per acre	\$530-\$665 per acre	\$245-\$350 per acre
Development rights only	\$115-\$240 per acre	\$135-\$210 per acre	\$55-\$80 per acre

\* Smith, E. K., (unpublished paper on development rights), 1959.

\*\* Dollar figures are to be regarded as general indicators.

\*\*\* In lower Bucks County, studies were made only where land values were lowest.

Finally, there is another method that could be used with relatively few complications.

#### METHOD (4). LEASING RATHER THAN SELLING STATE LANDS

Leasing rather than selling good, state-owned agricultural lands is proposed by some people who consider this an effective, inexpensive way to hold certain lands in farming use. The thought merits consideration. Withholding fee simple title does not necessarily interfere with good, stable farming provided favorable leases are granted.

In closing, I hope that these remarks have provided some ideas about possible devices for protecting our good farmlands from conversion to other uses. They were not intended to "sell" any personal ideas.

Actually a beginning has been made by adopting the method of ordinary zoning coordinated with general planning. I can say this because we have our planning commissions and a statewide general land-use plan is being developed.

We have briefly discussed the "greenbelt" type of zoning which has been tried in California.

Public purchase of development rights has been brought to your attention. England has adopted this method, partly because two World Wars gave her the frightening experience of being nearly cut off from outside food sources. England is also suffering from serious urban sprawl.

The need for wise use of our remaining state-owned lands is obvious.

The experience of other areas with ordinary zoning suggests that something additional is needed to safely conserve our agricultural areas.

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