

Money Protects Money

Measure 37 will make a few people more rich.

Now that the dust has settled from the elections, Oregon and its counties and cities have to face the fallout from Measure 37, among other issues.

I have been trying to understand Lane County land use for almost five years now. If there is one thing I have learned on this subject, it is that developers and their minions view state land use law and county land use policy as an interesting exercise in circumvention.

A major maxim in Lane County when

it comes to land use is: Anything that is not challenged is therefore legal. I know of no other legal field like this.

I think a huge number of Oregon little people were duped into voting for 37 thinking that there was something in it for them. They will get to pay for the infrastructure needed by the rush of development perpetrated by the big boys but they will not be able to swiftly convert their land into cash and run away without paying huge fees to land use "consultants" with the proper connections to

make it happen.

Conversely, well heeled developers will seek out people who have owned farm and forest land for generations and make covert deals where the owners continue to "own" on paper while the developers' minions grease the skids down at the local land use division to convert farm and forest land into hobby farms and subdivisions in the trees for wildland firefighters to defend from fire during the hot, dry summer.

Real estate in the Willamette Valley is different from real estate in, say, Wellington, Kan. We have here a continual stream of wealthy refugees from

California who artificially drive the price of homes and building sites way beyond the reach of many Oregonians. This isn't happening in Wellington.

A local real estate agent once explained to me that there is a continual cycle of Californians who move to the Eugene area and buy homes and pocket the difference from the sale of their row houses in the Silicon Valley. They assume that they will be able to start up an on-line business or something similar when their money runs low, only to discover that thousands of other Californians had the same idea. Eventually, they sell their Eugene real estate to the next Californian and move back home where they can get a hated "real job" and the cycle continues.

Of course there are the more typical Californians who will never have to waste another day of their lives with the hated real job.

The constant, artificial increase in real estate values encourage developers to push the envelop in the creation of more building sites. Anything that isn't challenged is therefore legal. If a developer can get away with creating more lots, he just hit the jackpot and runs away with a huge bag of money. Nobody is willingly noticed during this process. If you find out about it and try to challenge it, everything is "preliminary" and can't be challenged. The next step after preliminary is "final," and that can't be challenged either. If you should be able to prove that highly questionable, or even outright illegal land use procedures were used after the fact, then it is just plain "too late."

To put it in a nutshell, there is a lot of money to be made by a few in the incessant drive to pave Lane County from the Cascades to the Pacific. In case you didn't know, money protects itself. There is not a dime to be made in attempting to enforce Oregon land use law or Lane land use policy. Even when you win, you lose. Lane County will not supply challengers a free staff lawyer like it will for developers.

With the passage of Measure 37, a few people are going to make an incredible amount of money. Some people will make a living wage building houses in floodplain, forest and farm field for the few. We, the little people will subsidize the wealthy while being preached some variation of: "A rising tide floats all boats."

Eugene, Springfield and all the surrounding towns will continue to expand while the rural residential lots will be divided and divided again. If a 10-acre RR (rural residential) lot was worth \$100,000 when purchased, then the two five-acre lots created from it will each be worth at least the same apiece. When the two five acre lots are broken again, the subsequent 2.5 acre lots will still be worth a hundred grand apiece. This will continue until we can change our name to North Lane County. Perhaps then, the developers will shift their attention to Wellington, Kan..

Norm Maxwell is chairman of Lane County LandWatch and lives on Fire Road in Lorane.

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