

# Brainstorm

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## Open Spaces, Empty Vistas

*Why it's time for land use reform*

By P. Barton DeLacy



An Oregon Commission on Land Use Reform has been proposed by the homebuilding industry to study the strengths and weaknesses of Oregon's land use system (see House Bill 2912). After 30 years the system has become ritualized: the 19 goals enshrined as immutable shibboleths. It has become heresy to tamper with comprehensive plans, or challenge the orthodoxy of the underpinning assumptions.

The proposed Commission could only make recommendations, but it would provide much needed debate on the relative merits of protecting abundant farm and forestland at the expense of economic development.

Mired in recession and with the highest unemployment in the nation, many wonder whether Oregon will ever be allowed to grow again.

Oregon Land: an Untapped Resource

But Oregon has one abundant resource, which it has seen fit to lock up.

Oregon has land.

Our land use laws were well intended, but today they confuse "conservation" values with an indulgence for esthetics.

Not all land is prime. Not all land is best used for farming. As appraisers and planners we see countless

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opportunities to better use so-called "secondary lands" for housing and industry. Lands that need to be irrigated and fertilized to grow a hay crop are not "prime." However, Oregon's land use laws classify the high desert of Harney County just the same as fertile loamy soils of north Marion County.

### Farmland v. Open Space and Secondary Lands

The Land Use Reform Commission should explore whether people really care so much about farmland as they care about open space. We may find that few understand what commercial agriculture entails, either in the fields or the forests, and that what they really want to "preserve" is not the industrial activity that agriculture has become, but merely the space, the view and the landscape.

By open space, I mean vistas looking out over green fields and forested hillsides. Open space is the separation that takes you from one distinct community to another. What helps define a place is the space you pass through to get there.

Open space can be preserved, but not in the name of preserving farmland. The mechanism is to simply pay market value at highest and best use. We are the market. If we want open space downtown, we buy the block and tear the buildings down. If we want a green field buffer, then buy the development rights, slap on a conservation easement and preserve the view for posterity.

But we should not zone everything vacant for exclusive farm use. When we still heavily subsidize farmers to not grow crops, when so much land needs irrigation to be fertile, you have to ask yourself, how much farmland do we really need?

What constitutes "prime: farmland, sometimes referred to as "exclusive" farmland? Rocky pastures, steep hillsides, and any arid land needing irrigation to be productive are not "prime."

Recognizing a secondary lands classification would allow such marginal farmland to achieve its highest and best use as rural homesteads and would unlock millions of dollars in value, spurring sustainable growth.

## Current Laws Favor Corporate Agriculture

We have an oversupply of farmland, but do not allow farmers to achieve highest and best use through parcelization. If land is, indeed prime, it can be profitable at 40 or 80 acres, as well.

But we don't allow a small farmer to start small, live on 20-40 acres then assemble tracts to build a business. Instead, we start at 160-acre minimums--a level at which only corporate farms can compete.

## Commercial Forest Zones Compel Eventual Clear-cuts

Right now, we zone wooded tracts close to cities for commercial forestry, when what people really want is open space.

A managed commercial forest, particularly one stocked with the dominant Douglas-fir species, assures eventual harvesting, if not clear-cuts. Rather than zone close-in forested areas for timber management only, allow small woodlot owners to live on the land and thin the stands occasionally for income and fire suppression. One would still see the forests driving through; they would simply be more productive.

The best way to open the state up for growth and prosperity is to make cheap land available. We have the land. However, our existing system of land use regulation strangles the supply with outmoded myths about farming and forestry.

Farming should be no more sacred a practice than mining or publishing with paper (as opposed to electronic media). Farming does not need to be preserved; it will thrive where it makes the most economic sense. Food can be grown more cheaply and more plentifully elsewhere.

If we admitted these simple facts, we might actually be able to better develop our land for its highest and best use, preserve desirable open space, and let more people here live the American Dream. Even if the dream is to live out in the woods and not jammed into a duplex.

A Land Use Reform Commission will have its shovel full!

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