
PLSO, AOC & OACES SUPPORT HOUSE BILL 2884

Testimony to House Rules Committee / March 16, 2021

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Chair Smith Warner and Members of the Committee:

The Professional Land Surveyors of Oregon (PLSO) is a professional association representing the interests of Professional Land Surveyors in Oregon. Surveyors are licensed and regulated by the Oregon State Board of Examiners for Engineering & Land Surveying (OSBEELS). Professional Land Surveyors provide services that locate or relocate property boundaries, as well as providing land use planning services. PLSO has more than 600 members across the state, including both public and private sector professional surveyors. PLSO is affiliated with the National Society of Professional Surveyors (NSPS) which represents surveyors nationally.

The Association of Oregon Counties (AOC) represents Oregon's 36 county governments. The Oregon Association of County Engineers and Surveyors (OACES) is a professional membership organization for Oregon's County Engineers, Public Works Directors, Road Masters, Surveyors, and other engineering and surveying industry members.

House Bill 2884 extends the time allowed to record a land partition after a city or county planning department has granted tentative approval for validating a unit of land. This process is used when a landowner has discovered their property was created in an improper manner, but still meets all the necessary current land use criteria to be a legal lot.

Currently, a Professional Land Surveyor has only 90 days after the application has been approved to complete the necessary survey work, prepare the required map for the validation, have the necessary reviews of the map by the City or County, and record it. This is a very tight timeline and at times the City or County review period is over 30 days in itself. If the process is not completed within 90 days, the applicant must reapply for the application, which means another application fee and more time lost.

A Professional Land Surveyor takes a risk if they were to starting working ahead of the approval to do the necessary work for the mapping prior to the approval just to learn the application was denied, and their time and effort and expense was for not. Making the change to 365 days from 90 days allows all the parties in this process enough time to do the necessary work in a more thorough manner.

With applications for approval of subdivisions or partitions, and tentative plans, cities and counties generally govern the period to move from tentative to final approval. To wit: ORS 92.040 (3) states, *"A local government may establish a time period during which decisions on land use applications under subsection (2) of this section apply. However, in no event shall the time period exceed 10 years, whether or not a time period is established by the local government."*

The language in HB2884, amending ORS 92.176, is a unusual state standard, specific to only a particular type of partition and limits the time to 90 days. Most county and city rules we reviewed measure this time in years, not months and days. 90 days simply isn't enough time in complicated cases. ***This has been exacerbated by the impact of COVID-19 on both the private and public sector workflow.***

Professional Land Surveyors of Oregon, Association Oregon Counties, and Oregon Association of County Engineers and Surveyors support HB2884. PLSO also connected with the League of Oregon Cities (LOC). Both cities and counties have professional planners who work with these deadlines daily. LOC has indicated they are neutral on HB2884.

PLSO, AOC, and OACES ask you to move HB2884 to the House floor with a "do pass" recommendation. I am happy to answer any questions. Thank you.