

# YAMHILL COUNTY CODE

## TITLE 10: BUILDING AND DEVELOPMENT REGULATION

### **Chapter 10.35: Yamhill County Surveyor Plat Review Code**

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#### LEGISLATIVE HISTORY

**10.35.01 Title.** This ordinance shall be known as the County Surveyor Plat Review Ordinance.  
[ADOPTED VIA ORDINANCE NO. 658 eff 10/01/98]

**10.35.02 Purpose.** The purpose of this ordinance is to establish standards and requirements for the review and approval of survey maps, partition plats, condominium plats, and subdivision plats for the following reasons:

- a) The review and approval of survey maps, partition plats, condominium plats, and subdivision plats in an accurate, efficient, and timely manner is necessary for the promotion of economic development and protection of property rights; and
- b) Although benefiting the public in general, such services are user oriented. The long standing policy of the Board is that the most fair and sound method of ensuring adequate funding of such services is a user fee not to exceed the reasonable estimate of actual County Surveyor costs; and
- c) The Board has received a favorable staff recommendation and has considered testimony from interested citizens.

[ADOPTED VIA ORDINANCE NO. 658 eff 10/01/98]

**10.35.03 Additional Plat Review Requirements Imposed by this Ordinance.** In addition to the requirements of ORS Chapters 92, 100, and 209, and other applicable laws, ordinances, and rules, all of the following shall be provided:

- a) For subdivision and condominium plats, a final boundary survey map of the proposed plat, accompanied by the report required in subsection (d) of this section, shall be submitted to the County Surveyor a minimum of 30 days prior to the submission of the final plat, unless the County Surveyor determines that good cause exists to submit the materials less than 30 days prior to submission of the final plat.
- b) In addition to the requirements of ORS 209.250, the survey map shall show all obvious encroachments or hiatus created by deeds, building, fences, cultivation, occupation, previous surveys and plats and any other conditions that may indicate ownership lines as surveyed may be different than those shown on the survey.

- c) The County Surveyor may refuse to approve a plat if the County Surveyor finds an encroachment or hiatus. Evidence that the encroachment or hiatus has been eliminated may be required prior to approval.
- d)
  - (i) All partition, condominium, or subdivision plats submitted for approval shall be accompanied by a report, issued by a title insurance company, or authorized agent to perform such services in Oregon, setting forth ownership and all easements of record, together with a copy of the current deed, easements, and restrictions for the platted property and copies of the deeds for all abutting properties, except platted property, and other documentation as required by the County Surveyor. Where a report meeting the requirements of this subsection has been submitted to a City Surveyor acting under ORS 92.100(1), no additional report shall be required by the County Surveyor unless the County Surveyor determines that supplemental information is required as authorized by subsection (iii) of this section.
  - (ii) The report described in subsection (i) shall have been issued no more than 30 days prior to the submittal to the County Surveyor of the survey map or plat.
  - (iii) The County Surveyor may require a supplemental report if, in the judgment of the County Surveyor, additional information is necessary to protect the interests of the public.
- e)
  - (i) All partition, condominium, and subdivision final plats, including those inside city limits, shall be checked and approved by the County Surveyor. If the city has chosen to have the plat checking service performed by a city surveyor under ORS 92.100(1), the County Surveyor shall perform an office review and indicate approval on the plat. The fee for performing this service shall be \$50, which shall not include the County Surveyor survey filing fee.
  - (ii) The actual approval, or notice of intent to approve, of a plat by the County Surveyor shall be valid for 90 days only.
  - (iii) Notwithstanding ORS 92.100(1), no partition plat, condominium plat or subdivision plat shall be recorded by the County Clerk without the written approval of the County Surveyor.

[ADOPTED VIA ORDINANCE NO. 658 eff 10/01/98]

**10.35.04 Severability.** A determination by a court of competent jurisdiction that any section, clause, phrase or word of this Ordinance, or its application, is invalid or unenforceable for any reason shall not affect the validity of the remainder of the Ordinance or its application and all portions not so stricken shall continue to remain in full force and effect.

[ADOPTED VIA ORDINANCE NO. 658 eff 10/01/98]

<b>LEGISLATIVE HISTORY</b>
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Adopted via Ordinance No. 658 on 08/20/1998, effective 10/01/1998