

# The Refuge at Widgi Creek and Widgi Commons

---

Presented by: Kine & Kine Development and Bhelm, LLC





0 100 200 300 400 500  
SCALE: 1" = 200'

LEGEND	
	OPEN SPACE AREA
	NON-OPEN SPACE AREA
	ROADWAY
	PARCEL
	PROPOSED DEVELOPMENT



## Appeal Issues:

1. Is additional Residential Development allowed at Widgi?
  - Comprehensive Plan/RC Zone Provisions
  - Master Plan –
    - Does it exist and remain **applicable**
    - If so, what does it say and can it be amended
  
2. Design Elements
  - Modifications to address Hearings Officers' compatibility findings

# Timeline for Widgi Creek Development

- **1983; Zone Change ZC-83-7:** Request for a zone change from SMR (Surface Mining Reserve) to F-2 (Forest Use) involving 33 acres. “This application arises upon an overall application for a Master Plan, Conditional Use and zone change which will allow the expansion of the Inn of the Seventh Mountain in a phased development covering approximately 230 acres.”
- **MP-83-1 and CU-83-107:** Conditional Use permit to allow the expansion of the Inn of the Seventh Mountain resort and a master plan to allow phasing of the development. Pre Goal 8 destination resorts subject to Conditional Use criteria, requires 65% of the land to be maintained in open space. Proposed overall density of approximately 1.1 units per acre, which included 90 SF residential lots and 120 condo units. Applicant requested flexibility in number of residential and condo units, together with plans for 18 hole golf course in the open space and club house that includes a pool, tennis courts and restaurant.

## Timeline, Cont.

- **1984; SP-84-23:** Site plan approval for the golf course.
- **MC-85-13: Modification** of Condition. Change the #of SF from 95 to 107 residential lots; still proposing a density not to exceed 210 units and adding a 3<sup>rd</sup> phase.
- **1986; TP-86-667:** Tentative subdivision plan for 47 lots – approval expired and never completed.
- **MC-87-2: Modification** of Conditions related to time for completion and sequence of development.
- **MC-88-1: Modification** of Conditions. Applicant moved condo area and recreation amenities, shortened street length, connect sewer system to city and change the phasing schedules to Phase 1.
- **1988; E-88-9: Extension** to allow 6 month for completion of Phase 1.
- **1988; E-88-14: Extension** to allow completion of golf course to June 30, 1989.
- **1988; MC-88-2: Modification** of the original golf course site plan.
- **1989; E-89-6: Extension** of SP-84-23 and MC-88-2 for clearing fairways and installation of irrigation pipe.
- **1989; MC-89-22: Modification** of Conditions. Allow for completion of fairways by December 31, 1990.
- **1989; E-89-6: Extension** for a second and final six-month Extension of SP-84-23 and MC-88-2 for the golf course.

## Timeline, Cont.

- **1989; TP-89-702: Tentative subdivision plan** for 52 lots – approval not completed, expired.
- **1990; PA-90-8: Plan Amendment** which allowed the extension of the City's sewer main to the Inn of the Seventh Mountain.
- **1990; MC-90-14: Modification of Conditions.** Allowed platting of all 107 lots prior to construction of condo units.
- **1990; MC-90-18: Modification of Conditions,** to allow a Temporary Real Estate Sales Office.
- **1990; MC-90-21: Modification of Tentative Plat (TP-90-735)** to allow septic systems if sewer is not available and TP for 107 single-family lots.

## Timeline, Cont.

- **1990; MC-90-24: Modification** of Conditional Use Permit. Allows road crossing at golf course between holes 1 and 2 to be at-grade.
- **1991; SP-91-21: Site Plan** for restaurant, golf pro shop, cart storage and locker/changing room building, swimming pool and tennis courts adjacent to the cart storage building. Pool was never built here and permit expired.
- **1994; SP-94-45: Site Plan** for an office expansion to the restaurant building at the golf course.
- **1992:** Forest zone amended, Resort became a Nonconforming Use.
- **1995; AD-95-16: Administrative Decision** - a Declaratory Ruling on the Seventh Mt. Golf Village/Widgi Creek development to establish that the land use permit to develop the property has been initiated (which would allow the condo portion to be built).
- **1996; SP-96-72: Site Plan Review** for Clubhouse.

## Timeline, Cont.

- **1996: Elkai Woods Townhomes: Phase I**
  - TP-96-857, Master Plan for 86 Townhouse lots
  - SP-96-10, Site Plan for the first 8 of the 86 Townhouse units
  - FPA-97-14
  - 1996; SP-96-74: Site Plan Review for Amenities Complex for the Elkai Woods Townhome Development, including community pool. Again, not built and permit expired.**
- **1997: Elkai Woods Townhomes: Phase II**
  - SP-97-31, Site Plan for Elkai Woods Phase II for 12 units
  - FPA-97-49
- **1998: Elkai Woods Townhomes: Phase III**
  - SP-98-57, Site Plan for Phase III of Elkai Woods, 24 additional units
  - FPA-99-7
  - 1998; SP-98-42: Site Plan for Elkai Amenities Buildings, including community building, pool, and parking, and landscape areas.**

## Timeline, Cont.

- 2000: Final Plat Review, FPA-00-11, of TP-96-857.
- 2001: Deschutes County Adopts Ord. No. 2001-47 and 48. Amends Title 18 and the Comprehensive Plan that includes the adoption of the Resort Community Zone (RS) and the Seventh Mountain Widgi Creek Resort (SMWCR) District as well as new zoning and Comprehensive Zoning Maps.
- 2001: Declaratory Ruling, DR-01-9, for determination of initiation of use for the Elkai Woods project (TP-96-857).
- 2001: Final Plat, FPA-01-10, Elkai Woods. Replat of Lots 21 -28, Phase III.

# Appeal Issues

1. Is additional residential development allowed at Widgi?
  - Comprehensive Plan/RC Zone provisions
  - Master Plan

## Resort Community Ordinance Ord. 2001-047/048

\*Similar to the Inn of the Seventh Mountain, Widgi Creek has never been approved as a Goal 8 destination resort, however the development justifies a “physically developed” exception to Goal 4. As illustrated in the Figures, Widgi Creek is for all practical purposes built-out.

\* Widgi Creek was approved in 1983 as a 237-acre expansion to the Inn including a golf course with surrounding residential lots consisting of 107 lots for single-family dwellings and 103 lots for condominium units.

\*Amendments to the Deschutes County Comprehensive Plan, zoning ordinance text and corresponding maps designate the Ranch and Inn/Widgi as Resort Communities and provide for their future development accordingly.

\* The 2001 Resort Community comprehensive plan maps for the Ranch and the Inn/Widgi (Exhibits F and G to Ordinance 2001-047) and zoning maps (Exhibits C and D to Ordinance 2001-048) supersede the previous County comprehensive plan and zoning maps for these areas.

\*There are no new commercial uses allowed for either the Ranch or the Inn/Widgi as defined in OAR 660-022-010. However, commercial-type uses that are ancillary to the resort community are allowed.

# Deschutes County Comprehensive Plan Background

## Section 4.8 Resort Communities

### **Background**

A Resort Community is characterized as an unincorporated community that is established primarily for, and continues to be used primarily for, recreation and resort purposes. It includes residential and commercial uses and provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.

Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek met the definition of "resort community" because they have historically developed with a mixture of residential and recreation or resort amenities.

# Deschutes County Comprehensive Plan Background

## Section 4.8 Resort Communities

### Inn of the 7th Mountain/Widgi Creek

#### **Background**

The Inn of the Seventh Mountain (Inn) has been developed since the late 1960s and has historically been considered to be a stand-alone resort community with overnight lodging and recreation facilities for tourists. It has 230 condominium units, spread among 22 buildings.

Widgi Creek was approved in 1983 as a 237-acre expansion to the Inn and includes a golf course with surrounding residential lots consisting of 107 for single-family dwellings and 103 for condominium units.

The use of the site as a destination resort was initiated previous to implementation of the statewide planning goals in Deschutes County.

# Deschutes County Comprehensive Plan - Policies

## Section 4.8 Resort Community Policies

Policy 4.8.2 Designated open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, park and picnic areas. Areas developed as golf courses shall remain available for that purpose or for open space/recreation uses.

# Deschutes County Comprehensive Plan - Policies

## Section 4.8 Resort Community Policies

Policy 4.8.4 Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

# Deschutes County Comprehensive Plan - Policies

## Black Butte Ranch General Policies

Policy 4.8.8 Residential, resort and utility uses shall continue to be developed in accordance with the Master Design for Black Butte Ranch and the respective Section Declarations.

## Inn of the 7th Mountain Widgi Creek General Policies

Policy 4.8.27 **New uses** or **expansion of existing uses** that require land use approval shall be approved only upon confirmation from the City of Bend that sewer service can be provided.

# Title 18. Deschutes County Zoning Ordinance

## Chapter 18.110. RESORT COMMUNITY ZONE

18.110.010. Purpose.

18.110.020. Seventh Mountain/Widgi Creek Resort District.

18.110.030. Widgi Creek Residential District.

18.110.040. Black Butte Ranch Surface Mining / Limited Use  
Combining District.

18.110.050 Black Butte Ranch Utility / Limited Use Combining District.

18.110.060. Development Standards.

# Title 18. Deschutes County Zoning Ordinance – RC Zone

## 18.110.010. Purpose.

The purpose of the Resort Community Zone is to provide standards and review procedures for development in the communities of Black Butte Ranch and The Inn of the Seventh Mountain/Widgi Creek. The provisions of this chapter shall apply to any Resort Community that is planned pursuant to OAR 660 Division 22.

Title 18. Deschutes County Zoning Ordinance –  
RC Zone

18.110.030. Widgi Creek Residential District.

The following uses and their accessory uses are permitted subject to the applicable provisions of DCC

18.110.060:

- A. Single-family dwelling.
- B. Residential home.
- C. Residential facility.
- D. Timeshare units.

# Title 18. Deschutes County Zoning Ordinance – RC Zone

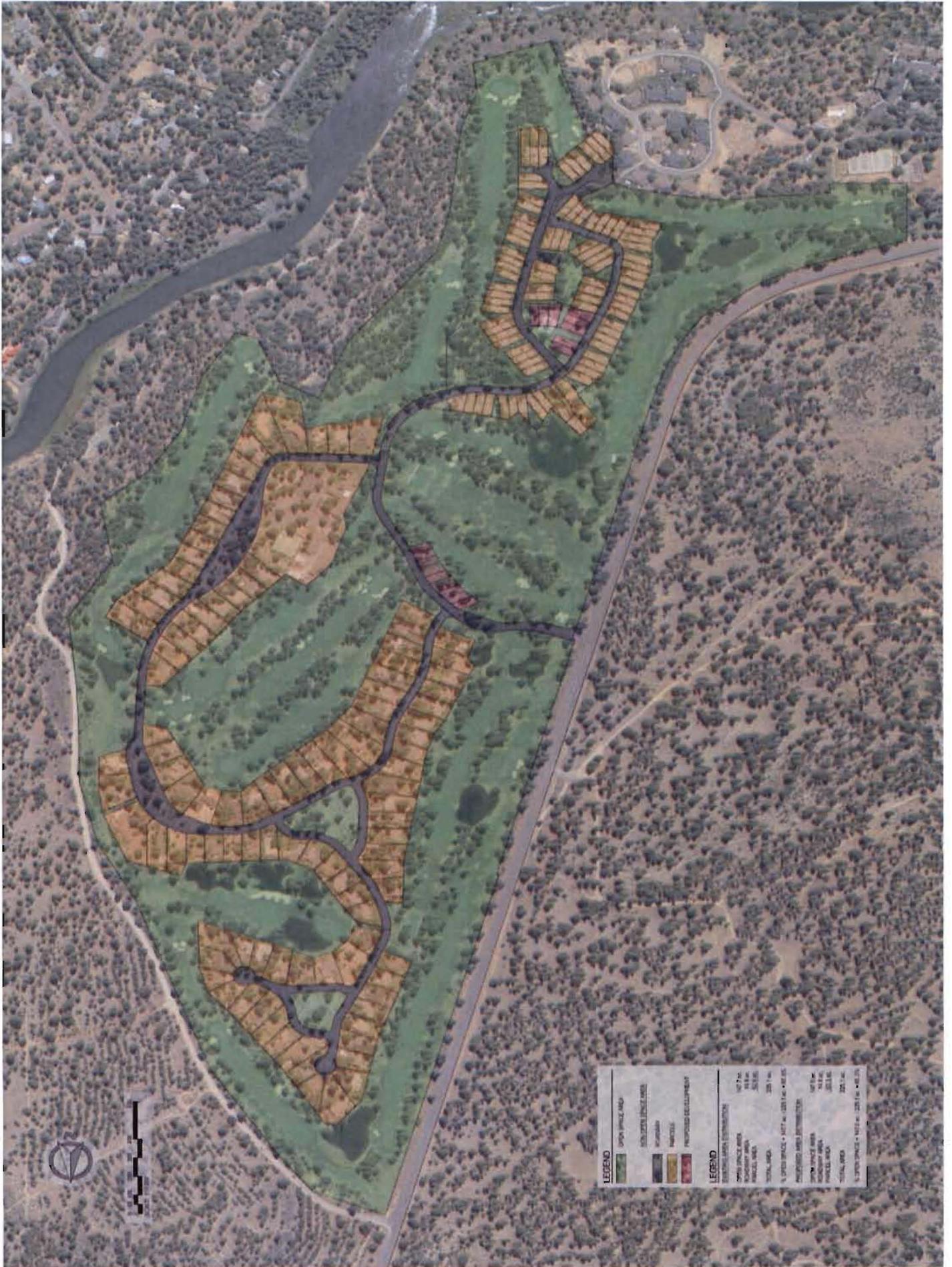
## 18.110.060. Development Standards.

### J. Land Divisions.

1. General. Notwithstanding any provision to the contrary contained herein or in other parts of the County Code, roads within the Resort Community Zone may be private roads and new lots or parcels may be created that have access from, and frontage on, private roads only. These roads must meet the private road standards of DCC Title 17, and are not subject to public road standards of DCC Title 17. An agreement acceptable to the County Road Department and County Legal Counsel shall be required for the maintenance of new private roads.

2. Zero Lot Line Subdivision. Notwithstanding any provision to the contrary contained herein, zero lot line subdivisions for single-family residences shall be allowed in the Resort Community Zone in accordance with the provisions of DCC Chapter 17.20. Zero lot line subdivisions are not subject to the setback provisions of 18.110.060(A), solar setback standards of 18.110.060(B)(1), lot coverage provisions of 18.110.060(D) or lot requirements of 18.110.060(I)(1).

(Ord. 2005-041 §2, 2005; Ord. 2001-048 §2, 2001)



LEGEND	
[Green Box]	OPEN SPACE AREA
[Brown Box]	EXISTING LOT/BLK AREA
[Red Box]	Proposed
[Yellow Box]	Proposed
[Blue Box]	Proposed
[Red Box]	PROPOSED DEVELOPMENT

LEGEND	
EXISTING AREA DISTRIBUTION	
Open Space Area	107.0 ac
Proposed Area	18.0 ac
Proposed Area	25.0 ac
<b>TOTAL AREA</b>	<b>150.0 ac</b>
PROPOSED AREA DISTRIBUTION	
Proposed Area - 107.0 ac	107.0 ac
Proposed Area - 25.0 ac	25.0 ac
<b>TOTAL AREA</b>	<b>132.0 ac</b>
PROPOSED AREA DISTRIBUTION	
Proposed Area - 107.0 ac	107.0 ac
Proposed Area - 25.0 ac	25.0 ac
<b>TOTAL AREA</b>	<b>132.0 ac</b>

# The Refuge at Widgi Creek

REVISED TENTATIVE PLAN  
 FOR  
 THE REFUGE AT WIDGI CREEK  
LOCATED IN THE CITY OF WIDGI, CLATSOP COUNTY, OREGON

TENTATIVE PLAN  
 THE REFUGE AT WIDGI CREEK  
 DESCHUTES COUNTY, OREGON

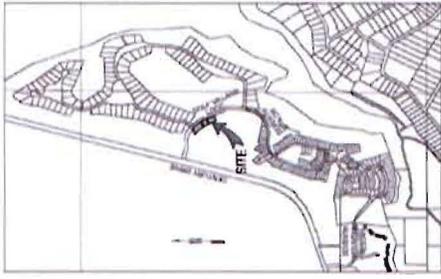
**HWA**  
 HICKMAN WILLIAMS & ASSOCIATES INC.  
 ENGINEERS, ARCHITECTS  
 & PLANNERS  
 2200 N. WASHINGTON ST.  
 PORTLAND, OREGON 97208  
 PHONE: 503.251.1100 FAX: 503.251.1101  
 WWW.HWA-PA.COM

DATE: 2/8/2016  
 DRAWN BY: GMM  
 CHECKED BY: GMM  
 SCALE: 1"=200'  
 PLAN: 2200 WASHINGTON ST. PORTLAND, OREGON

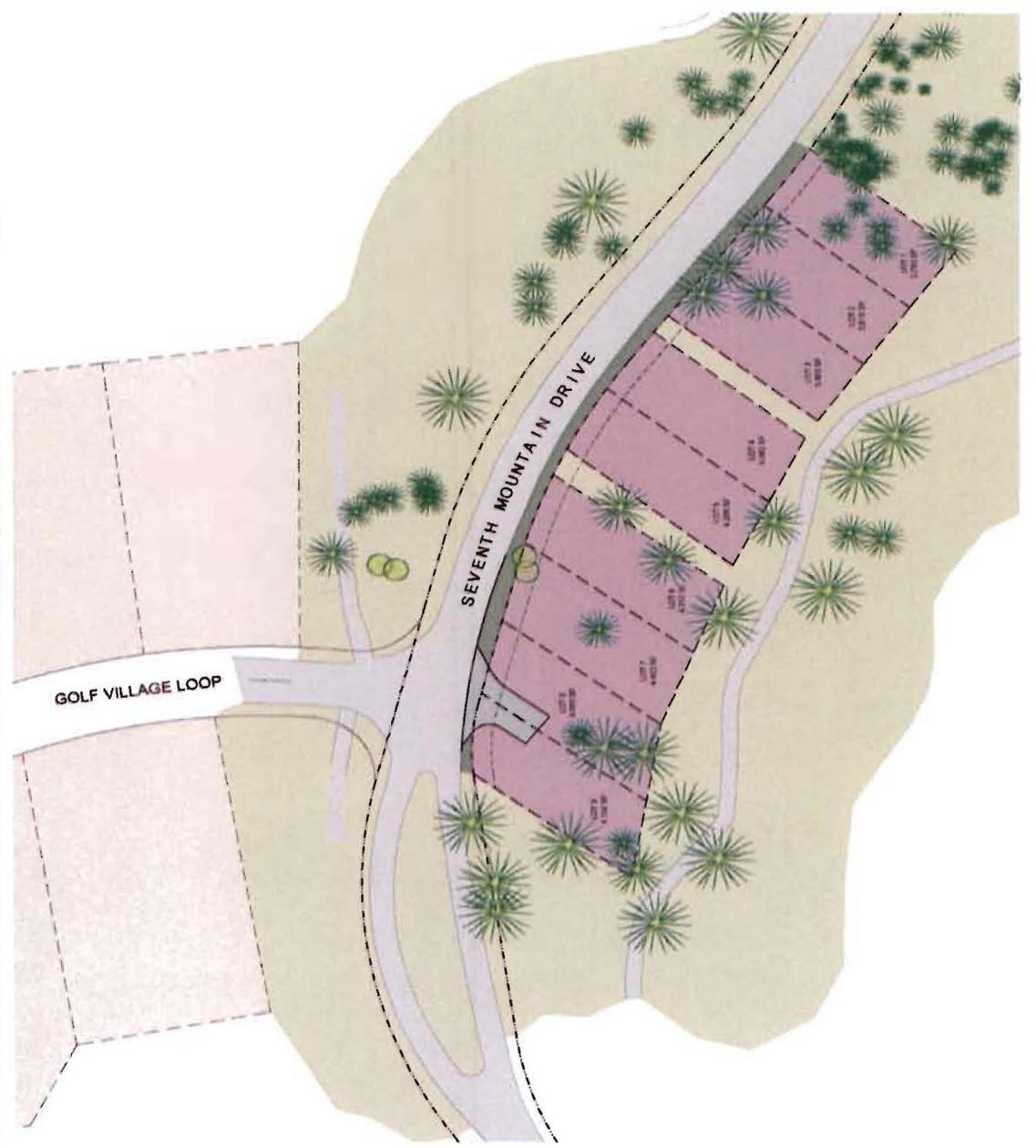
VERTICAL SCALE:  
 0' 1" = 10'  
 HORIZONTAL SCALE:  
 1" = 200'

C1.1

SHEET 131004

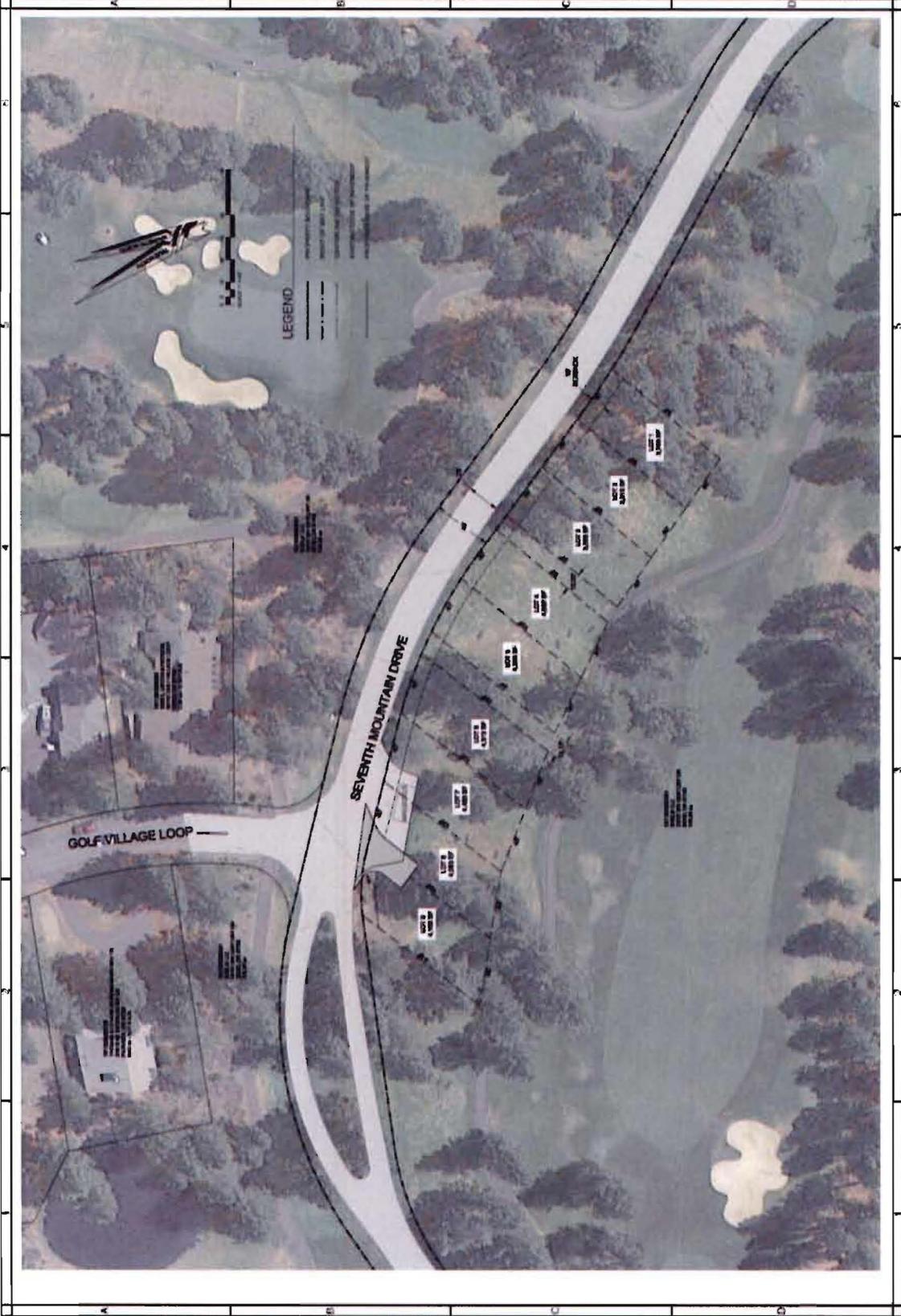


- LEGEND**
- PROPERTY BOUNDARY
  - EXISTING LOT LINE
  - PROPOSED LOT LINE
  - RIGHT OF WAY LINE
  - BOUNDARY (UNITS)
  - EXISTING EDGE OF PAVEMENT
  - PROPOSED EDGE OF PAVEMENT
  - TEMPORARY BENCHMARK



Sheet 131004 Project 131004 - The Refuge at Widgi, Clatsop County, Oregon - Revised Plan 2016.02.08 - Planning Working Set File 10.2016 - 2/2/16







# Deschutes County Comprehensive Plan - Policies

## Policy 4.8.2

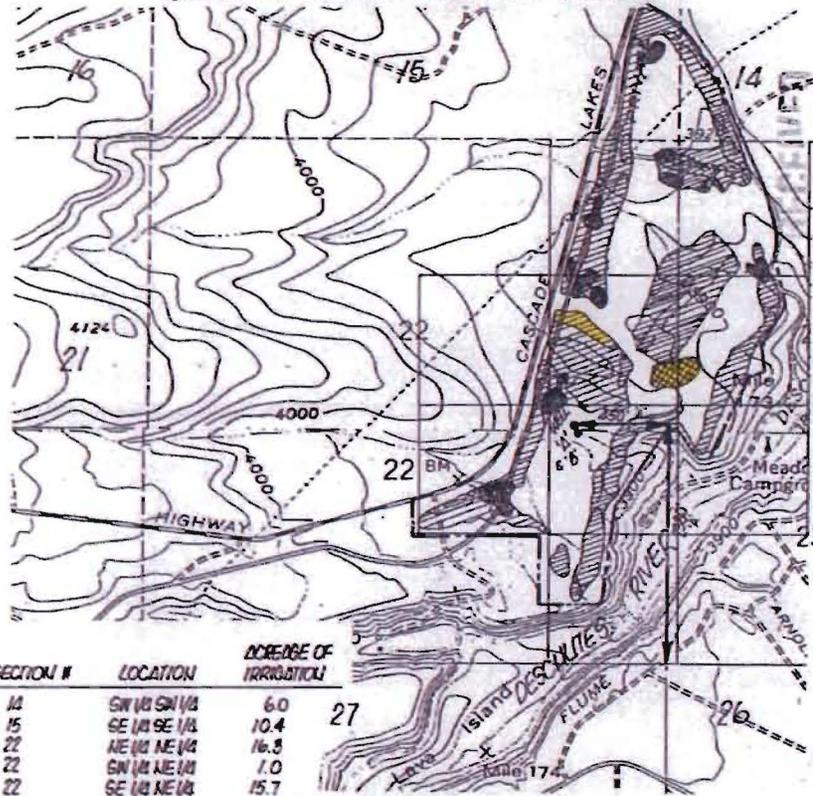
...Areas developed as golf courses shall remain available for that purpose or for open space / recreation uses



Application No. 9-12025  
 Permit No. G11086

Revised 2-13-90  
 Revised 3-1-90  
 Revised 3-12-90  
 REVISED 7-18-90

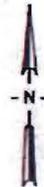
SEVENTH MOUNTAIN GOLF VILLAGE



SECTION #	LOCATION	ACREAGE OF IRRIGATION
14	SW 1/4 SW 1/4	6.0
15	SE 1/4 SE 1/4	10.4
22	NE 1/4 NE 1/4	16.3
22	SW 1/4 NE 1/4	1.0
22	SE 1/4 NE 1/4	15.7
22	NW 1/4 SE 1/4	14.1
22	NE 1/4 SE 1/4	30.1
22	SE 1/4 SE 1/4	4.7
23	NW 1/4 NW 1/4	15.6
23	SW 1/4 NW 1/4	13.8
23	NW 1/4 SW 1/4	3.2
TOTAL		130.9

GOLF COURSE POND ●  
 LAND TO BE IRRIGATED — [hatched symbol]  
 COMMERCIAL USE [hatched symbol]

SCALE:  
 1" = 1320'  
 1.25" = 90'

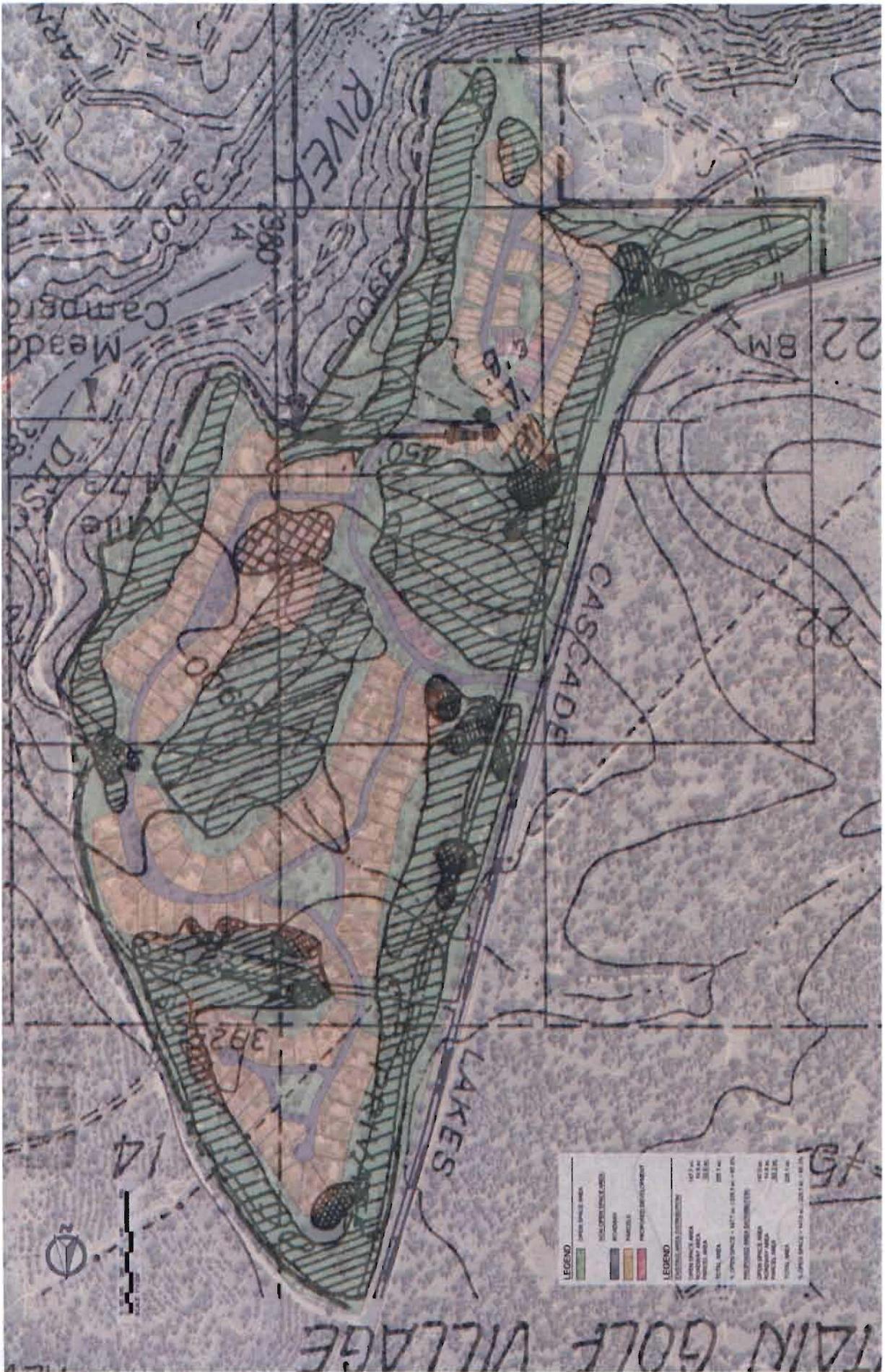


TOWNSHIP 18 S., R. 11 E., SECTION 22  
 DESCARTES COUNTY, OREGON

8' - NE 1/4 SE 1/4, SECTION 22, T. 18 S., R. 11 E., N.M.; 2890 FEET  
 NORTH AND 458 FEET WEST FROM SE CORNER, SECTION 22

Certified Water Right Examiner  
 #039  
*Eugene P. Diloreto*  
 EUGENE P. DILORETO  
 NOV 12, 1967  
 STATE OF OREGON

*Eugene P. Diloreto*  
 EUGENE DILORETO, CERTIFIED WATER RIGHTS  
 EXAMINER #39



# Hole 14



# Hole 14



# Hole 15



# Hole 16



# Hole 16



# Hole 17



# Hole 18



# Widgi Commons

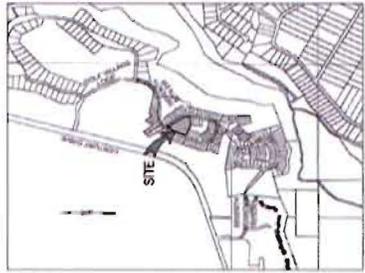
ELKAI WOODS TOWNHOMES  
 PHASE VII  
 TENTATIVE PLAN  
 DESCHUTES COUNTY, OREGON

**HWA**  
 HICKMAN WILLIAMS & ASSOCIATES INC.  
 1000 N. W. 10th St., Suite 100  
 Bend, Oregon 97701  
 PHONE: 531.466.1111 FAX: 531.466.1112  
 WWW.HWA-OR.COM

DATE: 2/9/2016  
 SCALE: 1"=30'  
 PREPARED BY: JACB  
 CHECKED BY: JACB  
 DESIGNED BY: JACB  
 DRAWN BY: JACB  
 REVISIONS: NONE

C1.1  
 SHEET 131004

REVISED TENTATIVE PLAN  
 FOR THE  
 ELKAI WOODS TOWNHOMES  
 PHASE VII  
 LOCATED IN THE CITY OF BEND, OREGON  
 DESCHUTES COUNTY, OREGON



**LEGEND**

- PROPERTY BOUNDARY
- EXISTING LOT LINE
- PROPOSED LOT LINE
- BOUNDARY OF WET LINE
- CENTRALLINE (UNSATURATED)
- CONTROL EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- TEMPORARY BOUNDARY



Small text at the bottom of the page, likely a disclaimer or revision history.



<p>ELKAI WOODS TOWNHOMES PHASE VII AERIAL PHOTO</p> <p>DESSHUTES COUNTY, OREGON</p>	<p>DATE: 1/20/2015</p> <p>SCALE: 1"=20'</p> <p>DRAWN BY: G.M.H.</p> <p>CHECKED BY: G.M.H.</p> <p>PROJECT: ELKAI WOODS TOWNHOMES PHASE VII</p> <p>CLIENT: HWA</p> <p>PROJECT MANAGER: G.M.H.</p> <p>DESIGNER: G.M.H.</p> <p>DATE: 1/20/2015</p>	<p>0' 1" 2" 4" 8" 16" 32" 64" 128" 256" 512" 1024" 2048" 4096" 8192" 16384" 32768" 65536" 131072" 262144" 524288" 1048576" 2097152" 4194304" 8388608" 16777216" 33554432" 67108864" 134217728" 268435456" 536870912" 1073741824" 2147483648" 4294967296" 8589934592" 17179869184" 34359738368" 68719476736" 137438953472" 274877906944" 549755813888" 1099511627776" 2199023255552" 4398046511104" 8796093022208" 17592186044416" 35184372088832" 70368744177664" 140737488355328" 281474976710656" 562949953421312" 1125899906842624" 2251799813685248" 4503599627370496" 9007199254740992" 18014398509481984" 36028797018963968" 72057594037927936" 144115188075855872" 288230376151711744" 576460752303423488" 1152921504606846976" 2305843009213693952" 4611686018427387904" 9223372036854775808" 18446744073709551616" 36893488147419103232" 73786976294838206464" 147573952589676412928" 295147905179352825856" 590295810358705651712" 1180591620717411303424" 2361183241434822606848" 4722366482869645213696" 9444732965739290427392" 18889465931478580854784" 37778931862957161709568" 75557863725914323419136" 151115727451828646838272" 302231454903657293676544" 604462909807314587353088" 1208925819614629174706176" 2417851639229258349412352" 4835703278458516698824704" 9671406556917033397649408" 19342813113834066795298816" 38685626227668133590597632" 77371252455336267181195264" 154742504910672534362390528" 309485009821345068724781056" 618970019642690137449562112" 1237940039285380274899244224" 2475880078570760549798488448" 4951760157141521099596976896" 9903520314283042199193953792" 19807040628566084398387907584" 39614081257132168796775815168" 79228162514264337593551630336" 158456325028528675187103260672" 316912650057057350374206521344" 633825300114114700748413042688" 1267650600228229401496826085376" 2535301200456458802993652170752" 5070602400912917605987304341504" 10141204801825835211974608683008" 20282409603651670423949217366016" 40564819207303340847898434732032" 81129638414606681695797869464064" 162259276829213363915595789128128" 324518553658426727831191578256256" 649037107316853455662383156512512" 129807421463366911132476631300224" 259614842926733822264953262600448" 519229685853467644529906525200896" 103845937170693528905981300401792" 207691874341387057811962600803584" 415383748682774115623925201607168" 830767497365548231247850403214336" 166153499473109646249570080642672" 332306998946219292499140161285344" 664613997892438584998280322570688" 132922799578487716999656064514176" 265845599156975433999312128102752" 531691198313950867998624256205504" 1063382396627901735997248512411008" 2126764793255803471994497024822016" 4253529586511606943988994049644032" 8507059173023213887977988099288064" 1701411834604642777595597619857312" 3402823669209285555191195239714624" 6805647338418571110382390479428448" 1361129467683714222076478078857696" 2722258935367428444152956157715392" 5444517870734856888305912315438784" 10889035741469713776611824630877568" 21778071482939427553223649261755136" 43556142965878855106447298523510272" 87112285931757710212889597047020544" 17422457186351542422579198014040112" 34844914372703084845158396028080224" 69689828745406169690316792056160448" 13937965749081233938063358411230896" 27875931498162468776127107222461792" 5575186299632493755225421444492384" 11150372599264987510450842888984768" 22300745198529975020901685777969536" 44601490397059950041803371555939712" 89202980794119900083606743111879424" 1784059615882398001672134862237488" 3568119231764796003344269724474816" 7136238463529592006688539448949632" 14272476927059184013377078897898624" 28544953854118368026754157795797248" 57089907708236736053508315591594496" 114179815416473472107016631182189952" 22835963083294694421403326376439984" 45671926166589388842806652752879968" 91343852333178777685613305505759936" 182687704666357555371226611011519872" 365375409332715110742453222023139744" 730750818665430221484806444046279488" 146150163733086044296961288892458976" 292300327466172088593922577784917952" 584600654932344177187845155569835904" 1169201309864688354375690311139671808" 23384026197293767087513806222793536" 46768052394587534175027612445587072" 93536104789175068350055224891174144" 187072209578350136700110449782348288" 374144419156700273400220899564696576" 748288838313400546800441799129393152" 149657767662680109360088359825878624" 299315535325360218720176719651757248" 59863107065072043744035343930351456" 119726214130144087488070687860703104" 239452428260288174976141375721406208" 478904856520576349952282751442812416" 957809713041152699904565502885624832" 191561942608230539980913100577124864" 383123885216461079961826201154249728" 766247770432922159923652402308499456" 153249554086584431984730480461698912" 306499108173168863969460960923397824" 612998216346337727938921918046795648" 122599643269267545587784383609391296" 245199286538535091175568767218782592" 490398573077070182351137534437565184" 980797146154140364702275068875130368" 196159429228828072940455013775026752" 392318858457656145880910027550053504" 784637716915312291761820055100107008" 1569275433830624583523640110200214016" 313855086766124916704728022040042832" 627710173532249833409456044080085664" 125542034706449966681892088160171328" 251084069412899933363784176320342656" 502168138825799866727568352640685312" 100433627765159973345513670528136624" 200867255530319946691027341056273248" 401734511060639893382054682112546496" 803469022121279786764109364225092992" 1606938044242559573528218084501857936" 3213876088485119146456376169003715712" 6427752176970238292912752338007431424" 1285550435394047658582550467601486288" 2571100870788095317176500935202972576" 5142201741576190634353001870405945152" 10284403483152381268706003740811890304" 2056880696630476253741200748163778608" 4113761393260952507482401496327557216" 8227522786521905014964802992655114432" 164550455730438100299296059853102848" 329100911460876200598592119706205696" 658201822921752401197184239412411392" 131640364584350480239436847882482784" 26328072916870096047887369576495568" 5265614583374019209577473115299136" 1053122916674038401915494623059872" 2106245833348076803830989246119744" 4212491666696153607661978492239488" 8424983333392307215323956984478976" 16849966666784614430647913968957952" 33699933333569228861295839377915008" 67399866667138457722591678755830112" 13479973333427695544518355751166224" 26959946666855391089036711502332448" 53919893333710782178073423004664896" 107839786667421543556146846009328912" 215679573334828887112282920018657824" 431359146669657774224565840037315648" 862718293339315548449131680074631296" 1725436586678631096898263360149262592" 3450873173357262193796526720298525184" 6901746346714524387593053440597050304" 138034926934290487751861068811941000608" 27606985386858097550372213762388001216" 55213970773716195100744427524776002432" 11042794154743239020148855049552004864" 220855883094864780402977100991041012928" 441711766189729560805954201982082125568" 883423532379459121611908403964164251136" 1766847064758918243223816079928288502272" 3533694129517836486447632159856570044448" 7067388259035672972895264319713140088896" 1413477651815134594579052839942608177792" 282695530363026918915780567988521355584" 5653910607260538378315611359770427111104" 1130782121452107675663122271954854222208" 2261564242904215351326244543909708444416" 452312848580843070265248908781941688832" 904625697161686140530497817563893377664" 1809251394323372281060995635127786755328" 361850278864674456212199127025557350656" 723700557729348912424398254051114711104" 144740111545869784844879650810222822208" 289480223091739569689759301620455644416" 57896044618347913937951860324091128832" 1157920892366958278759037206481825777664" 231584178473391655751807401293651555328" 4631683569467833115036148025873031110656" 9263367138935666230072296057746022211312" 1852673427787133246014572115554204422224" 370534685557426649202914423111084444448" 74106937111485329840582884622216888896" 14821387422297065968116769244433777792" 2964277484459413193623353848886755536" 59285549689188263872467076977735111104" 118571099378376527744934153955470222208" 237142198756753055489868307910940444416" 47428439751350611097973661582188888832" 9485687950270122219594732316437777664" 1897137590054024443918964633287555328" 379427518010804888783792926657506656" 7588550360216097775675858533151331104" 1517710072043219555335171706622662208" 303542014408643911067034341324444448" 607084028817287822133406882648888896" 1214168057635575644266813753297777792" 242833611527115128853376706659555536" 485667223054230257706753413319111104" 971334446108460515413507066638222208" 194266889221692102882701413376444448" 388533778443384205765402826752888896" 777067556886768411530805653505777792" 155413511377353683066161130701155536" 31082702275470736613232226140222208" 62165404550941473226464522280444448" 124330809101882946452929044560888896" 248661618203765892905858089121777792" 49732323640753178581111618224355536" 99464647281506357162223236448711104" 198929294563012714324444648897422208" 397858589126025428648889377794844448" 795717178252050857297778755589688896" 159143437650410171459555751179777792" 31828687530082034291911150359955536" 63657375060164068583822300719911104" 127314750120328137167644601439822208" 254629500240656274335289202879644448" 509259000481312548670578405759288896" 101851800096262509734115681198577792" 203703600192525019468231362397155536" 407407200385050038936462624794311104" 814814400770100077872925249588622208" 1629628801540200155745850491177244448" 3259257603080400311491700982354488896" 651851520616080062298340196470897792" 1303703041232160124596680392941777792" 260740608246432024919336078588355536" 521481216492864049838672157176711104" 104296243298572809967734431435422208" 208592486597145619935468862870844448" 417184973194291239870937725741688896" 834369946388582479741875451483377792" 166873989277716495948375090296675536" 333747978555432991896750180593351104" 667495957110865983793500361186722208" 133499191422173196758700072237344448" 266998382844346393517400144474688896" 533996765688692787034800288949377792" 106799353137738557406960057789875536" 213598706275477114813390115579851104" 427197412550954229626780231159722208" 854394825101908459253560462319444448" 17087896502038169151071209246888896" 34175793004076338302144184493777792" 6835158600815267660428836898755536" 13670317201630535320857673797511104" 27340634403261070641715347595022208" 54681268806522141283430695190044448" 10936253761304428256686139138088896" 21872507522608856513372278277677792" 43745015045217713026744556555355536" 87490030090435426053489113110711104" 174980060180870852106978226221422208" 349960120361741704213956452442844448" 69992024072348340842791290488577792" 139984040144696681645585780977155536" 27996808028939336329117156195422208" 55993616057878672658234312390844448" 111987232115757345316468624781688896" 22397446423151469063293724776377792" 44794892846302938126487449552755536" 8958978569260587625297489910511104" 17917957138521175250594979821022208" 35835914277042350501191596420444448" 7167182855408470100238319284088896" 14334365714016940200476637688177792" 28668731428033880400953275376355536" 57337462856067760801906550752711104" 11467492571213552160381111110711104" 2293498514242710432076222222222208" 4586997028485420864152444444444448" 9173994056970841728304888888888896" 1834798811394168345660977777777792" 3669597622788336691321955555555536" 7339195245576673382643911111111104" 1467839049115334764488782222222208" 2935678098230669528977564444444448" 5871356196461339057955128888888896" 1174271239292267805591115777777792" 2348542398584535611182355555555536" 4697084797169071222364711111111104" 939416959433814244472822222222208" 1878833918867628488945644444444448" 3757667837735256977891128888888896" 751533567547051395578225777777792" 1503067135094102791156455555555536" 3006134270188205582312911111111104" 601226854037641116462582222222208" 1202453708075282232925164444444448" 2404907416150564465850328888888896" 480981483230112893170065777777792" 9619629664602257863401315555555536" 1923925932920451526680271111111104" 384785186584090305336054222222208" 7695703731681806106721084444444448" 153914074633</p>
---	--	--

# Deschutes County Comprehensive Plan - Policies

## Policy 4.8.2

Designated open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities...

# Deschutes County Comprehensive Plan - Definition

## Section 5.2 Glossary and Acronyms

“Common Area” means ‘common property’ as defined in the Oregon Planned Communities Act at ORS 94.550(7).

## Oregon Revised Statutes

### ORS 94.550

(7) Common property means any real property or interest in real property within a planned community which is owned, held or leased by the homeowners association or owned as tenants in common by the lot owners, or designated in the declaration or the plat for transfer to the association.

DESCHUTES COUNTY OFFICIAL RECORDS  
MARY SUE PENHOLLOW, COUNTY CLERK

2001-43400



\$141.00

00013742200100434000230234

08/31/2001 03:08:37 PM

D-COA Cnt#2 Stn#4 TIFFANY

\$110.00 \$5.00 \$11.00 \$10.00 \$5.00

**AMENDED DECLARATION  
of  
COVENANTS, CONDITIONS AND RESTRICTIONS  
or  
ELKAI WOODS HOMEOWNERS' ASSOCIATION, INC.  
and  
ELKAI WOODS FRACTIONAL HOMEOWNERS' ASSOCIATION, INC.**

**1.4** "Common Property" shall mean and refer to that area of land shown on the recorded plat of the Property, including any improvements thereon, which are intended to be devoted to the common use and enjoyment of the members and which land has been conveyed to the Association. The common property shall not include the pool and its facilities or the conference building, facilities and parking lot adjacent to the conference building and facilities.

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SMGA PARTNERSHIP

4500 SW KRUSE WAY, SUITE 230  
LAKE OSWEGO, OREGON 97035

503-635-6873

to use the waters of TWO WELLS in the DESCHUTES RIVER BASIN for IRRIGATION OF 130.9 ACRES, DOMESTIC (107 SINGLE FAMILY DWELLINGS AND 103 CONDOMINIUMS), COMMERCIAL (RESTAURANT, CLUBHOUSE AND GOLFCOURSE) AND MAINTENANCE OF PONDS FOR RECREATION USES.