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***These rules are specific to the Sandy River Scenic Waterway. Other administrative rules apply to all state scenic waterways. For the complete set of regulations, please go to: <http://egov.oregon.gov/OPRD/RULES/waterways.shtml>***

### **Oregon Administrative Rule (OAR) 736-040-0075**

#### **Sandy River Scenic Waterway**

(1) Natural River Area: The segment of the scenic waterway extending from the east boundary line of Section 25 and Section 36, Township 1 South, Range 4 East, of Willamette Meridian, in Clackamas County at Dodge Park, downstream approximately 3.8 miles to the South line of the North Half of the Northeast Quarter of Section 23, Township 1 South, Range 4 East, of Willamette Meridian, in Multnomah County near Indian John Island, is classified as a Natural River Area.

(2) Scenic River Area: The segment of the scenic waterway extending from the South line of the North Half of the Northeast Quarter of Section 23, Township 1 South, Range 4 East, of the Willamette Meridian, in Multnomah County near Indian John Island, downstream approximately 8.7 miles to the West line of the East Half of the Northeast Quarter of Section 6, Township 1 South, Range 4 East, of the Willamette Meridian, in Multnomah County at Dabney State Park, is classified as a Scenic River Area.

(3) In both the Natural River Area and the Scenic River Area of the Sandy River Scenic Waterway:

(a)(A) Within the area of greatest visual effect on the natural river scene, as indicated on the map of the Sandy River Scenic Waterway prepared by the State Parks and Recreation Department and dated September 13, 1972, new structures or other improvements which are visible from the river (see OAR 736-040-0015(10), Definition of Terms), other than those erected or made in connection with compatible existing uses, or those needed for public outdoor recreation or resource protection will not be permitted unless they are so located that their visual effect is primarily on the upland scene (above the rims of the canyon, or "bluff line," usually readily discernible) rather than on the scene as viewed from the river;

(B) Outside that area of greatest visual effect on the natural river scene, uses which are consistent with applicable county zoning ordinances and OAR 736-040-0030 and 736-040-0035 may be permitted. Within the Natural River Area, such permitted uses shall be largely concealed from view from the river by topography or established evergreen vegetation which shall be maintained; within the Scenic River Area such permitted uses may be visible from the river, provided they are consistent with applicable county zoning regulations and OAR 736-040-0030 and 736-040-0035.

(b) Outside the area of greatest visual effect on the natural river scene, as indicated on the map of the Sandy River Scenic Waterway prepared by the State Parks and Recreation Department and dated 13 September 1972, notification is not required for changes of land use, construction of buildings or other improvements or other alterations or activities which:

(A) Are less than 21 feet in height above natural grade on a side facing the river;

(B) Are entirely concealed from view from the river by topography or established evergreen vegetation which shall be maintained;

(C) Do not involve reduction of existing vegetation which is visible from the river;

(D) Are finished in muted tones without large reflective surfaces; and

(E) Meet applicable requirements of other governmental agencies, including county zoning regulations.

Stat. Auth.: ORS 183.545, ORS 183.550 & ORS 390.805 - ORS 390.925

Stats. Implemented: ORS 390.845(2)

Hist.: IOTC 6, f. 11-1-73; PR 15-1992, f. & cert. ef. 11-12-92