



Mt. Hood National Forest, Zigzag Ranger District

RECREATION RESIDENCES SPECIAL USE PERMITS

FAQS

What are Recreation Residences?

Recreation residences are privately-owned cabins located on National Forest System Lands. The land is not sold by the U.S. Forest Service, but rather a recreation lot administered with a Special Use Term Permit (currently a 20 year term), and an annual land use fee paid by the cabin owner. Recreation residences are maintained by the occupant for personal, family, and guest enjoyment. They are **not authorized** for commercial use (vacation rental), or as a permanent residence, and do not provide exclusive use of the recreation lot for the permit holder. Recreation cabins may be rented (incidental rental as defined by the IRS) for no more than 30 days per calendar year and does require authorization in writing from the District Ranger.

How Do You Own a Recreation Residence?

A Special Use Term Permit is required to own a recreation residence on National Forest System Lands. The recreation residence is deeded personal property (recorded with the County) and may be bought and sold as such. Special Use Term Permits for a recreation residence may be issued to an individual, a husband and wife (a married couple), or a trustee of an approved trust. If there is a change in ownership, the existing Special Use Term Permit will be re-issued from the former cabin owner and a new permit issued for the remainder of the permit term to the new cabin owner. The District Special Use Permit Administrator can provide the required form for a change in ownership and discuss other requirements for re-issuance. All existing and reissued Special Use Term Permits on the Mt. Hood National Forest expire on December 31, 2028. All other terms and conditions of the existing permits remain in effect, including the current 20-year term which is scheduled for renewal in 2028.

What is included in a Recreation Residence Special Use Term Permit?

Each Special Use Term Permit has an Operation and Maintenance Plan (Appendix B) that provides guidelines, standards, and restrictions for ownership and maintenance of the recreation residence and permit area. The Appendix B also provides permit holders information for planning any ground disturbing activity, new construction, or alteration to the existing recreation residence or outbuildings. In addition, many of the recreation residences have been determined to be eligible for listing on the National Registry of Historic Places, or within a Historic District and require adherence to the Mt. Hood National Forest Design Guidelines for Historic Recreation Residences. Therefore, any proposed change to the exterior of **all recreation residences or recreation lots must be reviewed and authorized in writing by the U.S. Forest Service.**

Per the Endangered Species Act (ESA) and the Northwest Forest Plan, the Mt. Hood National Forest is legally mandated to manage our ESA Critical Habitat and riparian reserves in a way that maintains and restores the ecological health of watersheds and aquatic ecosystems within the Forest boundaries. NOAA Fisheries, also known as National Marine Fisheries Service (NMFS), is the regulatory agency that oversees, enforces, and set these regulations.

For recreation residences, this requires restricting certain activities that could threaten the ecological health of Critical Habitat or riparian reserves, including projects that involve excavation, grading, land filling, construction of a new structure, or construction of an enlarged structure

What are the Fees?

Buying and Owning a Recreation Residence on the Mt. Hood National Forest

Will a recreation cabin on National Forest System lands be the right fit for you? Cabin owners like owning a recreation cabin on National Forest System lands because of the scenic setting, the rich history and sense of tradition, and because they appreciate the standards and regulations regarding the use and maintenance of the cabins and lots. The following information should give you a good idea of the nuances of recreation cabin ownership.

Recreation cabin owners own only the improvements situated on the land. The land itself belongs to the United States and is managed by the Forest Service. The Forest Service issues Special Use Permits to authorize cabin owners to maintain and use their recreation cabin on National Forest System lands. It is important to understand the terms and conditions of the Special Use Permit before making a commitment to becoming an owner of a Recreation Residence on National Forest System lands.

Purchasing a cabin and obtaining a Special Use Permit

Cabin sale transactions are handled through real estate agents or are done by the owners themselves. The Forest Service is not involved in the actual sale of the cabins, and does not maintain a list of cabins for sale.

The Forest Service will conduct a pre-sale inspection when a cabin goes up for sale. The owner must bring the cabin and lot into compliance with the permit terms and conditions before a permit will be issued to a new owner. Or, certain compliance items may be transferred to a new owner. These will be identified on the Pre-sale Inspection Report. In some cases a new permit will not be issued until non-compliant conditions are remedied at the cabin or on the lot.

The selling cabin owner or their realtor should provide you with a copy of the pre-sale inspection report and the Special Use Permit that has been issued to the seller. Contact the Permit Administrator at breauna.ellison@usda.gov to learn more about the specific cabin you are considering for purchase.

Special Use Permits for Recreation Residences can only be issued individuals, married couples or qualified trusts which have undergone review and, if

necessary, revision. LLCs and commercial entities do not qualify for a Special Use Permit for a Recreation Residence.

A Forest Service representative will meet with new cabin owners before a permit is issued to discuss the details of the Special Use Permit and answer new owner questions, and both the new owner and the Zigzag District Ranger then sign the paperwork to make the permit official.

IMPORTANT INFORMATION FOR NEW or PROSPECTIVE CABIN OWNERS – know the rules before you buy

Please read the sample Special Use Permit in order to understand the terms and conditions that apply to Recreation Residence owners. These documents, and other information are available at www.fs.usda.gov/main/mthood/passes-permits/other.

Some of the important conditions included in Recreation Cabin Permits are as follows:

1. All modifications to the cabin or lot, including but not limited to changes to roofs, siding, windows, doors, decks and porches and outbuildings, including paint color must be authorized in writing by the Forest Service before implementation. The authorization process takes from a couple of weeks to a couple of months depending upon the proposed alteration and the workload of Forest Service personnel. Not every request can be approved.

If your cabin has historic status, or is located in an historic tract, there may be tighter restrictions on the type of modifications that can be allowed, and the time frame for their approval may be longer.

2. The Special-Use Permit allows use of the recreation cabin for recreation only. The cabins may not be used for one's primary place of residence. Commercial use of or conducting business from a Recreation Residence is prohibited. Permits cannot be granted to LLC's. Permits cannot be granted to Living Trusts without review.
3. The cabins must be used at least 15 days per year.

4. The annual permit fee is equivalent to 5% of the base value of the lot. The value of the cabin structure does not factor into annual permit fees. Fees are billed December for the following year.
5. The area covered by the Special Use Permit, including the improvements, must be maintained in good repair. Improvements are inspected periodically to insure compliance with the terms of the Special Use Permit. The Self-Inspection form on the website explains the details of items that are inspected through this process.
6. No soil, tree or vegetation shall be removed without permission from the Forest Service. The lots should resemble natural forest conditions, with lush vegetation and large woody debris on the ground. No trimming or removing vegetation for view.

Historic Cabins and Historic Tracts

The *Still Creek*, *Mile Bridge* and *Zigzag Ski Club* tracts have all been determined to be eligible for inclusion on the National Register of Historic Places. There are also some cabins in other tracts that have historic status in their own right. These tracts and cabins retain features from as far back as the 1920s, '30s and '40s that make them very rich representations of this area's remarkable past.

The National Historic Preservation Act (NHPA) of 1966 requires the Forest Service to protect and enhance the qualities that qualify historic properties for listing on the National Register. For these cabins, modifications must meet the general guidelines for residences, and also must be done in a manner that does not adversely affect the historic integrity of the cabin or tract. Zigzag Ranger District staff work with cabin owners to achieve this outcome whenever possible. The State Historic Preservation Office (SHPO) must also concur with decisions on alterations to these historic properties. Cabin owners should know that the timeline for approval of alterations for cabins that are in historic tracts, or are historic by their own right, can take up to two months.