

Unlimited Vacation Rental License Details:

Is the unlimited license right for you?

Do you live in or long-term rent your Crested Butte home for less than six months a year, or do you want to be able to vacation rent your home for more than 90 nights per year?

Yes

Key Unlimited License Regulations

- Only allowed in R1, R1A, R1C, R1D, R1E, R2, R2C, R3C, B3 & B4 zone districts
- Maximum two per Block face (see Map on page 2)
- Must rent for a minimum of 29 nights per year
- Unlimited rental nights per year
- No more than 198 total licenses will be active at any time

No

Primary Occupancy License

You might prefer the primary occupancy license option, for more info return to

<https://www.crestedbutte-co.gov/vacationrentals>

Regulations for both types of licenses:

- No license will be issued to any property subject to a deed restriction or private covenant prohibiting vacation rental or short-term rental use
- License must be held by a natural person
- One license per person (you may not have one of each)
- Must meet all applicable Town regulations including but not limited to zoning.
- Must provide the minimum amount of parking required by the zoning code
- License valid for one year, January 1-December 31
- Renewals/new applications only accepted from October 1-31 for the upcoming year
- Licenses are non-transferable
- Must collect and remit sales tax and 7.5% vacation rental excise tax
- License may be revoked based on a three-strike violation policy
- Property must have a 24/7 local contact representative

Unlimited license Zoning Limitation Details:

Where are they allowed? Unlimited Vacation Rentals are only permitted in the R1, R1A, R1C, R1D R1E, R2, R2C, R3C, B3 & B4 zone districts. These districts are highlighted in green on the map below.



Concentration Limit: Unlimited vacation rental licenses are limited to two per block face. A block face is defined as 400 linear feet along one side of a Town block, typically running north to south, and 133 linear feet wide, typically running east to west. To better understand the block face definition/limitation please see the map below.



Application & Renewal Information:

New Applicant Information:

- Applications are only accepted from October 1-31 for the upcoming license year
- To be eligible, applicants must sign a declaration of compliance confirming compliance with all applicable town codes, all properties are subject to inspection prior to approval or entry to the lottery
- Licenses are only issued to natural persons
- If your property is owned under an LLC, corporation, trust, or partnership any person with more than a 10% ownership interest in the property can apply for and put their name on the license
- Evidence that the property is not subject to a deed restriction or private covenant prohibiting vacation or short-term rentals must be provided
- Current license fee is \$800 annually, for the unlimited license type
- Licenses are non-transferable
- There is no wait list
- Unlimited licenses are issued via a lottery
- Your property will only be entered into the lottery if you meet all the requirements above, if the Town is below the current cap of 198 licenses, AND your property is eligible (meaning there are not already two vacation rentals on your block face)

Lottery:

- When more applications come through for unlimited licenses than what are available, the Town will conduct a lottery for issuing licenses
 - For example, if after renewals are processed there are a total of 192 active licenses there will be a lottery for the remaining 6 available licenses to reach the 198-maximum cap
 - To be eligible for the lottery there must be only one or zero active vacation rental properties on your block after the renewal period

License Renewal Information:

- The annual renewal window is October 1-31
- To renew the owner must sign a declaration of compliance confirming continued compliance with all applicable town codes
- Any renewal property is subject to inspection as determined by the Town
- To be eligible for renewal the licensed property must be in good standing. The Town reserves the right to deny a renewal based on complaint history regardless of a citation or not, failure to timely pay taxes, failure to meet criteria set forth in the Town Code, and the seriousness of any violation prosecuted under section 6-6-120
- In addition to renewing the vacation rental license, you must also renew the Town of Crested Butte business license annually
- Must provide proof that the property was rented a minimum of 29 nights during the previous license year
- Exemption from the above is possible for good cause as determined by the Town Manager. Good cause could include but is not limited to the long-term rental of the property, temporary relocation for work or personal obligations, or permitted construction of the property

Additional Vacation Rental License Regulation Details:

Legal Non-Conforming Licenses:

- Any unlimited license active prior to November 21st, 2022, shall be exempt from the following until the time that the license is not renewed, terminated through the sale of the property, or is revoked for any reason
 - Two per block face concentration limit
 - One license per person regulation
- For the 2024 license year legal non-conforming licenses must comply with all other renewal regulations

Local Contact Requirement:

- All vacation rental licenses must have a registered local contact representative who is available 24/7 anytime the home is being rented and are accountable for the following
 - Must have physical access to the rental property
 - If not the owner, the local contact must be able to make decision about the property on behalf of the owner
 - Must physically respond to and amend any complaint filed against the rental property within one hour of the initial attempt to register the complaint

Tax Collection:

- All vacation rentals must collect and remit the following taxes for every night of rental based on listing price
 - 1% Gunnison County Sales Tax
 - 2.9% State of Colorado Sales Tax
 - 1% Rural Transit Authority Sales Tax
 - 4% Local Marketing District Tax
 - 4.5% Town of Crested Butte Sales Tax
 - 7.5% Town of Crested Butte Vacation Rental Excise Tax – Directly funds affordable housing projects
- Failure to honestly remit taxes will result in the revocation of your license

Maximum Occupancy:

- Maximum occupancy for vacation rentals equals two person per bedroom plus two additional occupants
- The maximum occupancy of any vacation rental is ten people
- Failure to adhere to maximum occupancy will result in revocation of your license

Good Neighbor Guide:

- All vacation rental properties must prominently display the Good Neighbor Guidelines within the home in a clear and visible location
- The good neighbor guidelines can be found here([insert link](#))

Required Parking:

- All vacation rental properties must provide and be approved for the minimum amount of off-street parking required by the Town zoning code
- All off street parking must be cleared and maintained year-round
- Failure of rental tenants to adhere to the approved parking plan can result in fineable violation and or the justification to deny license renewal

License Suspension and Revocation:

- Any violation of Section 16-14-90 of the Code can result in the denial of a vacation rental license for the property subject to the offense for a period of two years.
- License holders may be subject to fines up to the maximum allowed pursuant to Section 1-4-20, a separate fine can be issued for each day that the violation persists. Specific violations include:
 - Failure of the 24/7 local contact to respond to an inquiry or complaint within one hour
 - Failure to prominently display vacation rental license number in any advertisement for the rental of the property
 - Failure to adhere to maximum occupancy limits
 - Failure of occupants to not adhere to the buildings approved parking plan
 - Failure to prominently display the “Good Neighbor Guide” within the home
 - Failure to remit sales tax
- **Three Strike Policy**
 - If any license holder or owner receives three ticketed violations issued by the marshals department in any single calendar year, the Town will revoke the license and the license holder or any other owner of the property will be banned from receiving a license for a period of two full years