



Vacation/Short Term Rentals Frequently Asked Questions

- 1. When do the new 2022 rules go into effect?** The new license types, fees, eligibility requirements, enforcement, and inspection regime will become effective January 1st, 2023. The new block face concentration limits will impact all new licenses that apply for the 2024 license year.
- 2. What types of licenses are there for vacation rentals?**
 - Unlimited License – Issued based on a concentration limit of two per block face, with a town wide maximum of 198. No limit on total rental nights per year, must rent a minimum of 30 nights per year.
 - Primary Occupancy License – This license can be obtained for a home that is long-term occupied either by the owner or a renter for a minimum of six months per year. This type of license is limited to no more than 90 nights of rental use per year. These can be located in any zone district that and are not bound by the two per block face concentration limit.
- 3. In what zones are Unlimited vacation rentals permitted?** They are permitted in R1, R1A, R1C, R1D, R1E, R2, R2C, R3C, B3, and B4 zone districts. Provided, there are no more than 198 total licenses active AND no more than two vacation rental properties are allowed per block.
- 4. What if my home is in a zone not listed above in question #3?** Unlimited vacation rentals are not permitted in the R1B, R4, R2A, B1, B2, M, T, C, AO and P zones. If the unit is occupied long-term (minimum six months per year) it is eligible for a primary occupancy license. This type of license is limited to no more than 90 nights of rental use per year.
- 5. What if I have an existing unlimited vacation rental in one of the zones mentioned in #4?** Grandfathered licenses can continue to operate so long as you continue to own and rent the property. At the time the license is not renewed, the property sells, or the license is revoked the property will no longer be eligible for an unlimited license
- 6. What if I have an existing vacation rental on a block face with more than two other active rentals?** When the new concentration limit was adopted in 2022, all existing/active vacation rental properties were grandfathered into the concentration limits. They are allowed to exist on those blocks until the license is not renewed, the property is sold, or the license is revoked for any reason. Once this happens the property will only be eligible once the total number of rentals on the block drops below two.
- 7. How long is my vacation rental license active?** Both types of vacation rental license are active for one year, from January 1st – December 31st. You must renew your license annually.
- 8. When should I renew my License?** The license renewal window is from October 1st – 31st
- 9. If I purchase a home that is an existing vacation rental, does that mean that I can use it as such?** No, licenses are non-transferable and the new owner will need to apply for a new license, and be held to all new eligibility, zoning, and concentration standards.
- 10. My property is historic, and I do not have any parking, will this negate me from obtaining a license or future owners from obtaining a license?** Existing licensed properties that are historic without approved parking or projects that have been approved through BOZAR without parking will be allowed to continue to have a license without providing parking. However, all properties applying for a license as of November 21, 2022 will be required to provide parking as specified by the Town Code.
- 11. Are there homes in which vacation rentals are not allowed?** Vacation rentals are not permitted in any property that is subject to a deed restriction, covenant or other Town restriction or

requirement regarding occupancy, bed and breakfasts, condo hotels, hotels, lodges, motels or short-term residential accommodations.

12. **If I don't get a license and choose to vacation rent my property, what are the repercussions?** If a license is not obtained and a property is being rented, the property will have a two-year suspension for eligibility to apply for a license. Also, this violation may result in a summons to Municipal Court or assess a fine of up to \$1,000 per day. The Town could place a lien against the property for unpaid sales tax.
13. **Is there any type of monitoring or inspection that I might need to know about?** Yes, the property is subject to inspection by the Town Vacation Rental Inspector for compliance with the Vacation Rental provisions in Chapter 6, Article 6, and Code Section 16-6-40 of the Crested Butte Municipal Code, beginning in 2023 at any time as determined by the Town. In addition, within 14 days prior to the issuance or renewal of your license, the Town is required to notify adjacent real property owners within 100 feet of your property and take public comment regarding neighborhood impacts of your vacation rental property.
14. **What happens if complaints are registered against my property?** Complaints are processed through a third party 24/7 hotline. Upon receiving a complaint, the hotline operator will call the properties registered local contact to seek resolution. The complaint must be resolved within one hour, if it is not it could lead to the revocation of the license. Town staff will follow up with all parties including the complainant, local contact, and property owner to ensure the issue was resolved.
15. **If there are no more unlimited licenses available, can I get a primary occupancy license and be on the waiting list for an unlimited license?** Yes/No. Yes, so long as the property meets all the requirements of the primary occupant license. No, there is no waitlist for unlimited licenses.
16. **I own multiple homes can I have two licenses, or one of each?** No, one license per person regardless of type.
17. **My property is owned under an LLC, trust, partnership, or corporation can I get a license?** Yes, but a natural person must apply for the license this must be a member of the LLC, trust, partnership, or corporation with at least 15% ownership. This person will be responsible for the property and any issues that arise and must put their name on the license application.
18. **What qualifies as Primary Occupancy?** A residence which is the usual place of return for housing for either the owner or a long-term renter for a period of no less than six months per calendar year. Those applying for a primary occupancy license will have to provide proof of rental or a signed affidavit swearing to the primary occupancy of the home.
19. **Can I get a vacation license to hold in case I might want to rent my house some day?** No. All vacation rentals within the town must be used a minimum of 30 nights per year. If you cannot show proof of 30 rental nights your renewal application will be denied.
20. **What if my property fails inspection?** Dependent on the nature of the violations at the time of the inspection, applicants will have an identified timeframe to rectify the issues.
21. **Is there a maximum occupancy?** Yes, the basis for the occupancy determination shall be an allowance of two occupants per legitimate bedroom plus two additional occupants. The absolute maximum occupancy of any vacation rental property is 10 people.
22. **Under what circumstances can the Town revoke my vacation rental license?** Failure to rectify issues identified during the property inspection; failure to timely renew the annual license; failure to file and pay sales & excise tax, three violation citations for the property in one year, continued complaints registered against the property, failure to rent for 30 nights or more (unlimited only), renting for more than 90 nights (primary only).
23. **What does it mean to have my vacation rental license revoked?** Immediate termination of the property as a vacation rental and you may not apply for a new license for 2 full years.
24. **How do I get on the unlimited license waiting list?** You don't, as of 2023 all unlimited licenses will be issued via a lottery system based on availability and property eligibility.
25. **When can I apply for a new license?** The application window for new licenses and renewals is from October 1st – 31st we will not accept license applications outside this window.

26. **Why are there more than two unlimited vacation rentals on my block?** When the new concentration limitation was adopted Town Council chose to grandfather in all existing license holders regardless of block concentration. The goal is to reach the concentration limits through the attrition of licenses through property sales, failure to renew, or revocation.