

Current STR Covenant:

4.2.8 Use of Family Residence as Rental Property. An owner may rent all or a portion of their Family Residence and Accessory Dwelling Unit; however, the Family Residence and the Accessory Dwelling Unit may not be used for Short- Term Rental simultaneously. Owners and tenants in any rental agreements are bound by these Amended and Restated Covenants, and rules, regulations, and policies set forth by the Association.

4.2.8.a Owners renting their properties as STRs shall be required to comply with any policy adopted by the Board, including posting on the exterior of the Dwelling Unit contact information for a property manager or person appointed by the Owner who can respond to any rental issues within 60 minutes of contact.

Proposed STR Covenant Amendment:

4.2.8 Use of Family Residence as Rental Property. The terms set forth hereunder are effective January 1, 2025. Subject to the limitations set forth below, an owner may rent all or a portion of their Family Residence. An Owner whose property is not subdivided and has more than one Dwelling Unit thereon may short-term rent only one Dwelling Unit at a time. A sub-association's declaration of covenants may further restrict short-term rental of a Dwelling Unit.

4.2.8.a There shall be two types of Short-Term Rental license offered:

1. Full Short-Term License – Properties with a Full Short Term Rental license may be rented for less than 30 days to any person at any time for an unlimited amount of occasions, annually. The number of Full Short-Term Rental licenses shall not exceed 20% of the total Dwelling Units in Crested Butte South. The number representing 20% of the total Dwelling Units shall be set annually by the Board of Directors by the Short-Term Rental application deadline.

2. Primary Occupancy Short-Term Rental License. Properties with a Primary Occupancy Short-Term Rental license may be rented for less than 30 days by any person and are limited to a maximum of 60 rental nights per year. There is no cap limiting the number of Primary Occupancy Short-Term Rental licenses issued by the Association each year.

4.2.8.b Owners renting their properties as STRs shall be required to comply with any policy and rules and regulations adopted by the Board of Directors. The Board of Directors shall set the STR application requirements, including the amount of the accompanying application fee and the annual license fee. The Board of Directors has the discretion to suspend an Owner's license for repeated violations of the Association's Short-Term Rental policies, including rules and regulations.

4.2.8.c These restrictions do not apply to commercial or hybrid use short-term residential accommodations, such as lodges, hotels, motels or condotels.

New Definitions for Proposed STR Covenant Amendment:

Section 2.20 Condotel means a hybrid of a residential condominium and hotel that allows individual unit owners to rent to short-term guests as if it were a hotel property and limits the amount of nights annually individual unit owners can occupy their units . These properties will have a check-in desk, housekeeping services, in-house property management, a concierge, and many other amenities found in a traditional hotel. Condotels are often taxed as commercial property by Gunnison County.

Section 2.48 Short-Term Rental (STR) means the use of a Family Residence or Accessory Dwelling Unit as an income-producing rental unit rented in increments of less than 30 days at a time to any person.

2.48.1 Full Short Term-Rental. A full Short-Term Rental are residential properties available year-round for short-term rental.

2.48.2 Primary Occupancy Short-Term Rental. Primary Occupancy Short-Term Rental applies to properties where Owners reside in their Dwelling Units as their primary residence.