

## **Owner-Occupied Short-Term Rental Unit Zoning Clearance Application and Submittal Requirements Checklist**

*Note: Applications without a completed Rural Address Verification will not be accepted. If any other aspects of the application are incomplete, this will be discovered during the review process and applicants will be notified in writing of those deficiencies. At that point, applicants will have fifteen (15) days to resubmit the required documentation, otherwise their application will be considered withdrawn, and a new application will be required in order for the Short-Term Rental to be considered for a permit. Resubmittals will be reviewed in the order they are received, alongside new applications. It is best to wait until you have a complete application to submit.*

### **Required Documents/Application Details:**

- Current copy of Property Assessment (Copy can be obtained from the Taos County Assessor's Office – 575-737-6360)
- Completed Short-Term Rental Unit Zoning Clearance Application form (forms will be available 10/21/24) that will include the following information:
  - o Address
  - o Name
  - o Phone number and email address of the Owner/Operator and Local Contact who is available twenty-four (24) hours per day, seven (7) days per week to respond to complaints, emergencies, and other issues pertaining to the operation or occupancy of the Short-Term Rental Unit
- A [Rural Address Verification form](#) from the Taos County Planning Department. Email your application form to [rural.addressing@taoscountynm.gov](mailto:rural.addressing@taoscountynm.gov), along with a site plan that shows the location of the short-term rental on the property, and a property assessment or notice of valuation. Once these forms have been accepted and reviewed, someone will email you the rural address verification documents which must be included with your Short-Term Rental Permit submittal package. Do not request status of the application by email or that will move your application to the bottom of the queue.
- A signed and notarized affidavit stating that the Short-Term Rental is Owner-Occupied and serves as the Owner/Operator's Primary Residence, as defined in the Taos County Land Use Regulations, and that the Owner/Operator agrees to operate the Short-Term Rental

Unit in compliance with this Ordinance and all other applicable County Ordinances.  
(template affidavit to be included in application packet)

- Proof of Primary Residence (Acceptable proof includes a copy of the applicant's driver's license, state-issued identification card or voter registration card, which demonstrates that the address at which the applicant resides is the same as the proposed Short-Term Rental Unit, or is on the same legal parcel of record)
  
- A completed Taos County Business Registration Application and a copy of a State of New Mexico Tax Identification Certificate - The Taos County New Business Registration application form will be attached to the Short-Term Rental Permit application packet. A New Mexico Tax Identification Certificate must be obtained from the New Mexico Taxation and Revenue Department. Please note that the NM Tax ID Certificate address must match the address of the Short-Term Rental Unit, as verified by the Rural Address Verification. The application can be found at this link - <https://www.tax.newmexico.gov/fill-print-go/> and the form you will need to fill out and submit is ACD-31015
  
- A copy of the current warranty deed as recorded in the Taos County Clerk's Office (575-737-6380)
  
- A fire inspection report, as completed by a representative from the Authority Having Jurisdiction at the location of the Short-Term Rental unit (If you are unsure of what fire district you are in, this can be determined as part of your Rural Address Verification. *Because there are differences in how each fire district authority is handling these inspections, if the fire inspection is the only thing keeping your application from being deemed complete, the Planning Department will grant your Short-Term Rental Permit conditionally, given that a fire inspection will be conducted at a later date, at the discretion of the appropriate fire jurisdiction. Keep in mind that a failed fire inspection could result in a revoked Short-Term Rental Permit.*
  
- Proof of availability and/or commitment from all public utilities including (where applicable):
  - o A valid New Mexico Environment Department-Approved Septic permit showing the number of bedrooms permitted by the State to the septic system of the property, or a will-serve letter from the appropriate community liquid waste system.

- Septic permits should be on record with the New Mexico Environment Department (505-309-2490). Unpermitted septic systems will need to be permitted.
    - If you are on a community sewer system, we will require a copy of your account or billing statement
    - If an STR unit shares a septic system with another property owner, provide an agreement along with a letter of no objection from all parties to the agreement (Shared use agreement that has been recorded at the County Clerk's Office, and a signed statement from the other property owner(s) stating they have no objection to the use of the shared septic system for an STR)
  - An Office of the State Engineer-approved well permit or will-serve letter from the appropriate community water system or appropriate documentation for harvested rainwater, gray water or black water from the New Mexico Construction Industries Division, and a Liquid Wate Permit or Discharge Permit from the New Mexico Environment Department (505-309-2490).
    - Appropriate documentation includes any of the following:
      - Approved well permit from the New Mexico Office of the Engineer
      - Account, billing statement or will-serve letter from community water system or mutual domestic
      - Any required permitting from the Construction Industries Division, Office of the State Engineer or New Mexico Environment Department for any non-traditional water systems, including water catchment and harvesting
    - If property is on a shared well agreement, provide a copy of the agreement along with a letter of no objection from all parties to the agreement, or provide proof that an individualizing meter is installed to track water usage specific to the property where the STR Unit is located
- A site plan that demonstrates all the requirements of Section 4.19.3(A)(11):
  - A north arrow, property lines, all existing structures and their square footage, and a floor plan for the structures proposed as a Short-Term Rental Unit;
  - Legal access (easement) onto the subject property;
  - A parking plan that demonstrates that all parking for the Short-Term Rental, as required in Section 4.19.2 (A2), will be located onsite or in a

designated off-street space for the Dwelling Unit (Lodgers and their guests may not bring more cars to the Short-Term Rental Unit than the number of onsite parking spaces approved on the Site Plan);

- Section 4.19.2 (A2) reads as follows: “*Off-Street parking shall be provided for each Short-Term Rental Unit as follows:*
  - *a. A minimum of one parking space per bedroom, with the total number of parking spaces not to exceed 50% of the Occupancy Load of the Dwelling Unit; and*
  - *b. In multi-unit buildings or developments, only parking spaces that are specifically designated for the Short-Term Rental Unit shall be used for Short-Term Rental Unit Lodger parking. Guest or overflow parking for the development shall not be used as parking for Short-Term Rental Unit Lodgers.”*

- Any other relevant features, including, but not limited to acequias, fences, driveways, walkways, sidewalks, retention ponds, etc.;
- Physical address;
- Any additional information that may be requested by the Planning Department.
- *(The minimum scale is recommended, but it is not required that the site plan be perfectly to scale. It does need to include everything listed).*

- Proof of compliance with the Taos County Night Sky Protection Act, Ordinance 2006-9, as amended. This can be provided in the form of photos of all outdoor lighting fixtures on the property where the Short-Term Rental Unit is located.
- Proof of payment of property taxes, and any other fees due (e.g. code violation penalties) and payable to Taos County. *A property tax statement can be requested from the Taos County Treasurer’s Office – 575-737-6340. A Solid Waste Account Statement can be requested from the Taos County Solid Waste Department – 575-737-6337 – Please note that all residential properties in Taos County should have an account with Solid Waste, unless those properties are in an area served by the Town of Taos, Village of Questa, Village of Taos Ski Valley or Town of Red River. In those circumstances, please provide a statement from your solid waste service provider.*

- Proof of payment of a non-refundable application fee to cover application processing. (A \$100 application fee will be assessed at the time of application submittal). *If and when a Permit is issued, an additional \$400 permit fee for Owner-Occupied Short-Term Rental Permits will be assessed.*

**Supporting Documents (only required where applicable):**

- If a property is owned in trust or the deed is held by an LLC, or some other business, the applicant needs to provide proof that he or she has the authority to submit this application on behalf of that entity. *Accepted documents include articles of organization, operating agreement or trust documents.*
- If the Short-Term Rental Permit applicant is not the sole property owner, the Applicant shall submit a notarized letter signed by the other owner(s) or an authorized representative of the owners, consenting to or joining in the application (A template for an Owner-Permission statement will be included in the application packet released on Oct. 21)