



Planning & Zoning Department

Village of Corrales

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HOW TO OBTAIN A HOME OCCUPATION PERMIT (ZOC)

Dear Corrales Resident:

Thank you for your interest in operating a home-based business here in the Village of Corrales. Home-based businesses are a valuable asset to our community. However, a home-based business should blend seamlessly with the rest of your neighborhood and should not create any noise, odor, unsightliness, or other situation that is objectionable to your neighbors. When you look at the attached code section you will see that the regulations are all geared towards making your business work not just for you, but also for your neighbors.

After reviewing the Village Ordinance reprinted below, fill out the Application for Home Occupation Permit available at the Village Administration Office or on the Corrales website at www.corrales-nm.org/forms.htm. Fill out an application for each business. No more than four home occupation businesses are permitted on your property. **Submit the application along with nine (9) copies of it, your NM CRS certificate and all other required materials, to Planning and Zoning.** If the application is complete, including payment of the \$35 fee, the administrator will in some cases be able to review, or otherwise will schedule a hearing by the Planning and Zoning Commission within 60 days of a 100% complete application. An incomplete application cannot be considered and will be returned to you for completion. If a hearing date is required, you must post a notice (supplied by the Village) in a conspicuous location where it will be visible to your neighbors. The notice must be posted continuously for fifteen (15) days prior to the hearing.

You should attend the hearing and be able to answer questions about your business. If you are unable to attend the hearing, you may send a representative in your place and provide a signed letter authorizing the representative to speak on your behalf. Neighbors and concerned community members may attend the hearing and have a right to comment, so it may be a good idea to discuss any potential problems with your neighbors beforehand so as to avoid negative comments resulting from misunderstanding or misinterpretation of your intentions.

If your Home Occupation Permit is approved, you will have ninety (90) days to obtain a Village **business registration** (\$35 fee annually renewed). If your application is denied by the Planning and Zoning Commission, you may submit a new application that modifies those aspects of your proposed business that the Commission found to be outside the parameters of the regulations; or, you may appeal the denial to the Village Council. Appeal procedures are described in Section 18-49 of the Village's Code of Ordinances.

If you have any questions about the process or about filling out the form, please contact Planning and Zoning at the Village of Corrales by phone (505-897-0502) or e-mail (pzcoordinator@corrales-nm.org) or make an appointment to see Planning and Zoning in person. We are here to help.

Chapter 18 Land Use Regulations, Section 45(c) Home Occupation Permits.

- (1) *Approval and permit required.* Except as otherwise provided in this Subsection 18-45 (c), no person(s) or entity shall engage in a home business or occupation of any kind in the A-1, A-2 or Historic zones without the issuance, reviews and approval of a home occupation permit.
- (2) *Agricultural Activities Exceptions:* Agricultural activities are encouraged and are permissive uses in designated zones. Raising and selling crops and the raising and selling of livestock and fowl that is exempt from New Mexico gross receipts tax and governmental gross receipts tax under NMSA 1978, § 7-9-18 does not require a Home Occupation Permit application. If all the Agricultural activities are not exempt from governmental gross receipts tax, a Village business registration is required.
- (3) *Application and fee.* Anyone wanting to engage in a business or occupation must submit a completed home occupation permit application. The application shall be returned to the Administrator accompanied by the appropriate application fee.
- (4) *Review process.*
 - a. A home occupation permit and business registration may be issued by the Administrator and Village Clerk on the authority of the Commission but without Commission review if the applicant meets all of the following requirements:
 1. Applicant shall have obtained a valid CRS identification number from the New Mexico Taxation and Revenue Department, which must be active and in good standing (Chapter 10-72 (8) Village Code);
 2. Applicant shall conduct all business within the confines of the dwelling unit or a single accessory structure listed in accordance with applicable Village ordinances;
 3. There shall be no visible appearance of the business outside the dwelling unit or accessory structure listed on the business application.
 4. Applicant shall not engage in the manufacture of tangible goods for sale or trade, at wholesale or at retail, at the location of the home occupation;
 5. Business activities shall be in full compliance with all local, state and federal laws, rules and regulations;
 6. There shall be no more than four (4) business registrations on the property;
 7. There shall not be any employees of the business on the property except those residents listed as applicants on the business registration application;
 8. If the applicant is not the owner of the property, the applicant shall provide a letter signed by the property owner granting approval for the proposed business use; and
 9. The business or occupation is conducted strictly by mail and electronic communications; shall not include the use of heavy equipment, machine tools, or other audible power equipment; and shall not include regular or repeated client visits to the property.
 - b. If a person granted a home occupation permit under the provisions of the preceding Subsection 18-45 (c) (4) (a) is found by the Administrator to have violated any of the requirements set forth therein, such person upon notice by the Administrator shall have thirty (30) days to file an amended application for a home occupation permit for Commission consideration under the following Subsection 18-45 (c) (4) (c).
 - c. If the proposed home occupation does not clearly qualify for administrative approval under Subsection 18-45 (c) (4) (a), the Administrator shall schedule a hearing on the application before the Commission no later than sixty (60) calendar days following the submittal of a completed application. The applicant shall attend or send an authorized representative to the hearing on the date set by the Administrator. The Commission after hearing on the application shall issue approval for a home occupation permit if the Commission finds:
 1. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants.

2. Not more than twenty-five (25) percent of the floor area of the dwelling unit and not more than two thousand (2,000) square feet in one accessory building shall be used for all home occupations upon the lot. For lots located in the Neighborhood Commercial and Office District (NCOD) as defined in the FNWS Plan Addendum to the NWS Plan, Ordinance 342, dated February 12, 2002, not more than forty-five (45) percent of the floor area of the dwelling unit or more than four thousand (4,000) square feet in an accessory building shall be used for all home occupations upon the lot.
 3. No more than one person other than members of the family residing on the premises shall be engaged in all home occupation at any one time on the premises in A-1 and A-2 zoned lots. For lots located in the Neighborhood Commercial and Office District (NCOD) as defined in the FNWS Plan Addendum to the NWS Plan, Ordinance No. 342, dated February 12, 2002, no more than three (3) persons other than members of the family residing on the premises shall be engaged in all home occupation at any one time on the premises.
 4. There shall be no change in the exterior appearance of the buildings or premises, or any visible evidence of the conduct of a home occupation other than:
 - i. Activities normally associated with a permissive use of a residence, and
 - ii. An appropriate sign as regulated by Chapter 8, Article IV of this Code.
 5. All business-related tools and materials shall be maintained to have an orderly appearance.
 6. No equipment or process shall be used in the home occupation, which creates noise, vibration, glare, fumes, noxious odors, or other nuisances detectable from adjacent properties.
 7. There shall be no sales of goods or services from the home, which would generate greater traffic volume than would be created in a residential neighborhood.
 8. No more than two service vehicles used in the conduct of the home occupation shall be upon the premises at any one time for all home occupation(s) and business registrations.
 9. Any parking needs generated by the conduct of the home occupation shall be met by using off-street parking. Short term parking for lodging shall meet the requirements of Subsection 18-39 (c) (3), Short Term Lodging Establishments.
 10. Maximum of four home occupations shall be permitted on any one lot at any one time.
 11. In approving a home occupation permit, the Commission shall designate the specific uses permitted.
- d.* Any change in use and/or addition to the site of any structure to be used in conjunction with the home occupation shall require the re-submittal of an application and approval as required by this Subsection 18-45 (c) (4). All representations made by the applicant to the Commission or to the Governing Body in connection with an application for a home occupation permit, whether presented in written form or verbally presented at hearing, shall be deemed conditions of the home occupation permit, and any subsequent deviation therefrom shall be considered a change in use requiring re-submittal of an application and approval of an amended home occupation permit reflecting the change in use.



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Application for Home Occupation Permit

Everyone who operates or plans to operate a business at any location within the A-1, A-2, or H zones of the Village of Corrales must obtain a Home Occupation Permit (ZOC) issued by the Village. (Ch.18 Sec. 18-45(c)(1), Codified Ordinances of the Village of Corrales.). In order to obtain a ZOC, you must follow these procedures:

Instructions:

1. Fully and accurately complete the ZOC application and attach ALL of the following: (a) one or more photographs of the home from the road, showing access; (b) a map or sketch clearly showing the location of the proposed business activity on the property; (c) a site plan showing all structures and on-site parking provisions to meet any parking needs of the business; and (d) a copy of your valid New Mexico CRS ID certificate. An application without these required attachments is not complete.
2. Submit the application, \$35.00 fee **and nine (9) copies of all required materials**, to Planning & Zoning. If the application is complete, the administrator will in some cases be able to provide review, or otherwise will schedule a hearing by the Planning and Zoning Commission within 60 days of a 100% complete application. If the application is not complete, it will be returned and will not be set for hearing until resubmitted in a complete form.
3. If Planning & Zoning Commission approval is necessary, you will post an easy-to-see notice (yellow sign), which you must obtain from the Village, for fifteen (15) days prior to the meeting when your application will be heard.
4. Attend the hearing and be prepared to answer questions.
5. Obtain a Village **business registration** (\$35 fee annually) within 90 days, if your ZOC is approved by the Commission or Administrator.

If you have any questions about filling out the form or about the process, please phone, e-mail or make an appointment to see Planning and Zoning. We are here to help.

General Information

Name of Applicant: _____ date _____

Physical Address: _____
Number Street email address

Mailing Address: _____ Phone: _____

Legal Description: _____ Map No.: _____
Lot or tract Block Subdivision

Acreage: _____ Zoning: _____

Are you the property owner? Yes_____ No_____. Do you reside here? Yes_____ No_____.

If you are not the property owner, you MUST attach a letter signed by the owner granting approval for the proposed business use.

Are there other ZOCs on the Property? Yes _____ No _____ (Cannot exceed 4 at any one time)
If YES, you must attach copies of the approvals for existing ZOC's to the application.

Total Square Footage of Home: _____
(Exclude Garage unless part of ZOC) Square Feet

How many square feet of the home will you use for your home business? _____
(Cannot exceed 25% of total, or 45% in Neighborhood Community and Office District NCOD) Square feet

Will you use Accessory Structures in your ZOC? Yes _____ No _____

If yes, how many square feet of Accessory Structures will you use for your home business?
_____ (Cannot exceed 2,000 square ft., or 4,000 in NCOD)

What is the name of your business? _____

Briefly describe your business and its functions _____

What days/hours will your business operate? _____

Will clients/customers be coming to your home? Yes _____ No _____

If yes, please circle how many persons/vehicles will come to your home for business purposes:

Per Day: 1-5; 6-10; >10 ;

Per Week: 1-5; 6-10; 11-20; >20.

How many additional motor vehicle trips in and out of the property will be generated by your business (including clients, deliveries, your own business-related trips, and any other business-related trips) PER WEEK? _____

Will the business be conducted strictly by mail and/or electronic communications? Y__ N__

Will there be any materials storage? Yes _____ No _____

If yes, please explain what the materials are and how and where they will be stored.

Will there be any employees who are not residents of the property? Yes _____ No _____

The statements below track the requirements of the Village Code section governing ZOC permits. (Chapter 18-45(c)(1)(5)). By initialing these items, you certify that you meet these criteria and will abide by them if your ZOC is approved. Violating these requirements may result in loss of your home occupation permit or business license.

INITIAL EACH APPLICABLE ITEM. (Do not use “X” or a check mark.)

Item a, and Items d through j, **MUST** be initialed. Initial either b1 OR b2, and either c1 OR c2, whichever is applicable in each case.

_____ a. The use of the dwelling unit for the home occupation shall be clearly subordinate and incidental to its use for residential purposes by the occupants.

_____ b1. No more than 25% of the floor area of the dwelling unit and not more than 2,000 square feet in one accessory building shall be used for all home occupations upon the lot.

Or, if applicable:

_____ b.2 My lot is zoned A-1 and is located in the Neighborhood Community and Office District (NCOD); no more than 45% of the floor area of the dwelling unit or more than 4000 square feet of any accessory building will be used for all home occupations upon the lot.

_____ c1. Other than family members, no more than 1 (ONE) person will engage in the home occupation(s) on the premises at any one time.

Or, if applicable:

_____ c2. My lot is zoned A-1 and is located in the NCOD; other than family members, no more than three (3) persons will be engaged in the home occupation on the premises at any one time.

_____ d. There will be no change in the exterior appearance of the buildings or premises (except for a single sign authorized and permitted under Chapter 8, Art. IV.).

_____ e. All business-related tools and materials shall be maintained to have an orderly appearance.

_____ f. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, noxious odors, or other nuisances detectable from adjacent properties.

_____ g. There shall be no sales of goods or services from the home, which would generate greater traffic volume than would be created in a residential neighborhood.

_____ h. No more than two (2) service vehicles used in the conduct of the home occupation shall be upon the premises at any one time for all home occupations and business registrations.

_____ i. Any parking needs generated by the conduct of the home occupation shall be met by using off-street parking. Short-term parking for lodging shall meet the requirements of Subsection 18-39 (c) (3), Short Term Lodging Establishments.

_____ j. Maximum of four (4) home occupations shall be permitted on any one lot at one time.

I certify that I meet the above requirements and will abide by them. I understand that I may lose my home occupation permit and business license if I violate any of these requirements. I also understand and agree that any representation made by me in connection with this application, whether orally or in writing, is deemed to be a condition of the home occupation permit, and violation of such condition may result in loss of my home occupation permit and business license.

Signature of Applicant: _____ Date: _____

PLANNING & ZONING OFFICE USE ONLY

Received By: _____ Date Received: _____ File No.: ZOC-_____

Amount Paid: _____ Cash Check No.: _____ Receipt No.: _____

Credit Card No. _____

Application Reviewed and certified complete by: _____ Date: _____

Planning and Zoning Commission Approval/Denial:

APPROVED with the following conditions, if any:

Village Approval: _____ Date: _____
Village Administrator (hearing date, if applicable)

Ninety Day Business License Application Deadline: _____

DENIED with the following findings:

Denial: _____ Date: _____
Village Administrator (hearing date, if applicable)