



Planning & Zoning Department

Village of Corrales

4324 Corrales Road, Corrales, New Mexico 87048
Phone: (505) 897-0502 Ext. 219 / Fax: (505) 897-7217
Email: info@corrales-nm.org

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.

The process of obtaining a Home Occupation Permit is not difficult. 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 two businesses are permitted on your property. **Submit the application along with nine (9) copies of it and all required materials, to the P&Z Administrator.** If the Application is complete, including payment of the \$35 fee, the Administrator will schedule a hearing within 60 days. An incomplete application cannot be considered by the Planning and Zoning Commission and will be returned to you for completion. Once you receive a hearing date, 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 the Planning and Zoning Department at the Village of Corrales by phone (505-897-0502) or e-mail (info@corrales-nm.org) or make an appointment to see the Planning and Zoning administrator in person. We are here to help.

Chapter 18 Land Use Regulations, Section 45(c) (1) (5) Home Occupation Permits.

- (1) *Approval and permit required.* No person or entity shall engage in a home business or occupation of any kind in the A-1 zone, A-2 zone or Historic zone without the issuance of a home occupation permit by the planning and zoning commission. Home occupation includes, but is not limited to, the design, preparation, production, or distribution of goods and/or services.
- (2) *Agricultural Activities Exceptions:* Agricultural activities are encouraged and are permissive uses in most zone designations in the Village. Raising and selling crops and the raising and management 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. If all the Agricultural activities are not exempt from governmental gross receipts tax, require a Village of Corrales business license.
- (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.* The administrator shall schedule a hearing on the application before the planning and zoning commission no later than sixty (60) days following the submittal of a completed application.
- (5) *Requirements.* The planning and zoning commission shall issue approval for a home occupation permit if the commission finds:
 - a. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants.
 - b. Not more than twenty-five (25) percent of the floor area of the dwelling unit and not more than 1,000 square feet in one accessory building shall be used for all home occupations upon the lot. For lots zoned A-1 and 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 two thousand (2,000) square feet in an accessory building shall be used for all home occupations upon the lot.
 - c. No more than one person other than members of the family residing on the premises shall be engaged in the home occupation at any one time on the premises. For lots zoned A-1 and 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 the home occupation at any one time on the premises.
 - d. 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:
 1. Activities normally associated with a permissive use of the residence, and
 2. An appropriate sign as regulated by chapter 8, article IV of this Code.
 - 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 from the home, which would generate greater traffic volume than would be created in a residential neighborhood.
- h. No more than two service vehicles used in the conduct of the home occupation shall be upon the premises at any one time.
- i. Any parking needs generated by the conduct of the home occupation shall be met by using off-street parking.
- J. Maximum of two home occupations shall be permitted on any one lot at any one time.

(6) Additional requirements

- a. In approving a home occupation permit, the Commission shall designate the specific users permitted.
- b. 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 subsection (c) of this section. 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.

Amended: June 17th, 2009. P&Z Commission. Amended: September 7th, 2012, PZA.



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VILLAGE OF CORRALES

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WEBSITE: www.corrales-nm.org

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) any other required documentation or information. An application without these required attachments is not complete.
2. Submit the application, **and it and nine (9) copies of all required materials**, to the Village administrative offices, along with the \$35.00 fee. If the application is complete, the P&Z Administrator will schedule a hearing before the Village's Planning and Zoning Commission within 60 days. If the application is not complete, it will be returned to the applicant and will not be set for hearing until resubmitted in a complete form.
3. Post an easy-to-see notice (yellow sign), which you must obtain from the Village, for fifteen (15) days prior to the Planning and Zoning hearing 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.

If you have any questions about filling out the form or about the process, please phone, e-mail or come by the Planning and Zoning Department during regular business hours.

General Information

Name of Applicant: _____ date

Physical Address: _____
Number Street email address

Mailing Address: _____ Phone: _____

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

Acreage: _____ Zoning: _____

Are you the property owner? 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 2 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) 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 1,000 ft.)

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 there be any materials storage? Yes _____ No _____

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

Additional Comments:

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 my home for a business will be clearly subordinate and incidental to its use as my residence.

_____ b1. No more than 25% of the house and not more than 1,000 square feet of any accessory structures) will be used for all home occupations on 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 home and 2000 square feet of any accessory structures will be used for all home occupations on the lot.

_____ c1. Other than family members, no more than 1 (ONE) person will engage in the home business on the premises.

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 business on the premises.

_____ 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 tools, equipment and materials will be maintained and have an orderly appearance.

_____ f. My neighbors on the adjacent properties will not detect any objectionable noise or noise in excess of that permitted under the Noise Abatement Ordinance (Chapter 14, Article II of the Village Code), and there will be no vibration, glare, fumes, noxious odors, or other nuisances as a result of any home business equipment or process.

_____ g. There will be no business activities at the home which will create traffic greater than that typical of a single-family residence, or greater than the numbers of vehicle trips stated in this application.

_____ h. No more than two (2) service vehicles shall be parked on or present at the property at any time.

_____ i. There is sufficient off-street parking to handle any additional parking caused by my business.

____j. No more than two (2) home occupations are permitted on any property at any 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: _____
P&Z Administrator/PZA Assistant (hearing date)

Ninety Day Business License Application Deadline: _____

DENIED with the following findings:

Denial: _____ Date: _____
P&Z Administrator/PZA Assistant (hearing date)