



Village of Los Ranchos

6718 Rio Grande Blvd. NW
Los Ranchos, NM 87107

SHORT-TERM RENTAL (BED & BREAKFAST) APPLICATION

Annual Fee: \$100.00

www.losranchosnm.gov

Late Fee: \$10.00

Application fee of \$100.00 due at submittal. Additional public notice fees will apply. Complete application must be submitted with all required documents by the deadline for the next Planning & Zoning Commission meeting. Incomplete applications without all required supplemental documents will not be processed.

Property Information

Address: _____
City State Zip Code

Property Owner Name(s): _____

Property Owner Mailing Address: _____
City State Zip Code

Operator Information

Operator Name(s) (if not property owner): _____

Primary Phone Number: _____ Emergency Contact Number*: Yes / No

Secondary Phone Number: _____ Emergency Contact Number*: Yes / No

*At least one phone number must be 24/7 emergency contact number.

Email Address: _____

Mailing Address (if not property address): _____

Applicant

Applicant will attend public hearing and receive correspondence from the Village. If application is approved, permit will be issued to the applicant. Both the property owner(s) and operator(s) may be the applicant.

Applicant is (check all that apply): Property Owner Operator

If multiple applicants, list **one** primary point of contact: Name: _____

Phone Number: _____ Email: _____

Business Information

Business Name: _____ Company Name CRS filed under: _____

CRS No.: _____ Website (if applicable): _____

Taxpayer Identification Number (list **last four digits** of either (check) SSN, FEIN, or EIN): _____

Mailing Address (if not property address): _____

Business Type: Individual/Sole Proprietorship Partnership Corporation (NMSCC # _____) LLC

Short-Term Rental Information

Which dwelling will operator reside in? Main House Guest House/Legally Non-Conforming Dwelling

Does the property have ABCWUA water and sewer? Choose one: Yes / No

If no, provide copy of [wastewater permit](#) from the New Mexico Environment Department stating the maximum flow rate on the lot.

Will you be serving food to guests? Choose one: Yes / No

If yes, obtain a [Food Establishment Permit](#) from the New Mexico Environment Department.

Will you be serving alcohol to guests? Choose one: Yes / No

If yes, obtain a [Special Bed & Breakfast Dispensing License](#) from the New Mexico Regulation and Licensing Department after this permit application is approved.

Will you have a sign? Choose one: Yes / No

If yes, obtain a sign permit post approval of this application. Only on-premises signs are allowed and are limited to four (4) square feet. If lighted, sign must meet the Dark Skies Ordinance.

Outdoor Activities:

List any outdoor activities associated with rental (e.g. use of pool, use of grill):

Employees:

List number and type (e.g. 1 cleaner): _____

Lodging

Main Dwelling:

Total Square Footage, including garage: _____

If only a portion of the dwelling will be used for the short-term rental, please indicate. e.g. 4,500 sq ft total / 1,700 sq ft STR

Guest Bedrooms: _____

Second Dwelling (either permitted guest house or legally non-conforming dwelling):

Total Square Footage: _____

If only a portion of the dwelling will be used for the short-term rental, please indicate. e.g. 1,000 sq ft total / 500 sq ft STR

Guest Bedrooms: _____

Required Supplemental Documents

*** Must be submitted with application form.**

Site Plan

(Google map or similar overhead view) showing entire property. Label and circle/outline the following areas:

- On-site parking (see §9.2.18(B)(9) Off-Street Parking). Must include **number** of parking spaces provided.
- Outdoor areas associated with short-term rental (e.g. Pool available with rental, grill, walking gardens)
- Accessory structures associated with rental and their square footage. Note: While these structures may be included in rental, they are **not** to be used for lodging. (e.g. Pool house, detached garage)

Floor Plan

Floor plan(s) showing all rooms (including those not included in rental) in dwelling unit(s). Identify which rooms are included in rental if operator lives in the building.

Grant/Warranty Deed or Verification of Proof of Ownership

- If renter, applicant must instead provide written consent from property owner.

- Proof of Primary Residence or Tenancy**
 - If property owner, applicant must provide any **two (2)** of the following with the proposed short-term rental address listed on the document: Driver’s license, motor vehicle registration, tax document (income tax return, property tax bill), two consecutive utility bills no older than 6 months (**not** cable, internet, phone bill, or solid waste collection), voter registration, or state issued ID card.
 - If renter, applicant must provide copy of signed lease agreement or real estate contract confirming renter status at proposed short-term rental property.
- Copy of CRS Certificate** – Those without CRS certificate from New Mexico Taxation & Revenue must include correspondence and/or confirmation of progress obtaining CRS certificate from New Mexico Taxation & Revenue.
- Copy of Rules of Operation** – Acceptable forms include house handbook, guest handbook, or additional information provided in online listing. Must be posted in rooms and/or common areas (e.g. Kitchen) and include at a minimum:
 - Fire evacuation route map and all other information requested by Bernalillo County Fire Department to be posted
 - Instructions on trash disposal and location of waste containers
 - Emergency services contact numbers
 - Operator’s 24/7 emergency contact phone number(s)
 - Notice that hours between 10:00 PM and 6:00 AM designated as quiet hours
 - Occupancy limit (twice the number of guestrooms, excluding children age 12 and under)
 - Notice that events are prohibited, including unauthorized guests (visitors) in excess of twice the allowed occupancy

Agreement

I swear or affirm that the above information is true and correct to the best of my knowledge. I have read the Bed and Breakfast Ordinance and certify that I meet the requirements of §9.2.25(E)(1) Bed and Breakfast Establishment and will abide by them. I understand that, if approved, my short-term rental permit may be revoked if I violate any of these requirements. I understand that if my application is approved, the rental property will be subject to fire inspection by Bernalillo County Fire Department and must be compliant with the International Fire Code prior to operation.

By submitting this application, I certify that all statements herein are true and accurate.

Signature of Property Owner (or submit affidavit of agent authorizing third party to act on owner’s behalf) _____
Date

Signature of Operator (if not property owner) _____
Date

The Village of Los Ranchos de Albuquerque does not take responsibility for information on or enforcement of restrictive covenants on said property.

Your application will generate public notice fees in addition to the application fee itself. These are for postings in the newspaper, a posted sign, and mailings sent to all property owners within a 300-400’ radius from your property. All fees generated by this application are the responsibility of the applicant, due and payable upon notification of fees by the Village.

FOR OFFICIAL USE – APPLICATION SUBMITTAL			
Application Received By:		Public Hearing Date:	
Date Received:		Receipt Number:	
Payment Method:	<input type="checkbox"/> Cash	<input type="checkbox"/> Card	<input type="checkbox"/> Check <input type="checkbox"/> Online
Property Zone:		STR/B&B #:	/65

FOR OFFICIAL USE – APPLICATION ACTION			
Disposition:	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> Withdrawn on (date): _____
Conditions:			

Attest:			
_____		_____	
Director of Planning and Zoning		Date	
Letter with special conditions of approval or basis for disapproval specified in letter mailed on:			_____
			Date

§ 9.2.25 APPLICATION AND APPROVAL PROCESS

(E) COMMISSION/BOARD ISSUED PERMITS. The following permits and any appeal of the Planning Director's decision may be approved by the Commission according to the Matrix, or considered by the Commission for approval and forwarded to the Board with a recommendation for approval.

(1) Bed and Breakfast Establishments

(a) Bed and Breakfast establishments are allowable in all zones of the Village with approved permit and annual business license, providing the premise has access to city water and sewer or obtains a wastewater permit from the NMED stating the maximum flow rate on the parcel. There is a cap on the number of Bed and Breakfast permits issued in the Village at a given time, determined by Board of Trustees resolution. Permits are non-transferable.

(b) Approval is by the Planning and Zoning Commission at a regularly scheduled hearing with public notice as per § 9.2.25(F) subject to the following conditions:

1. Bed and Breakfast establishments must be operated by the property owner or otherwise authorized resident, living on site. Operator must provide proof of primary residency or lease. Up to two additional employees may be employed by the business.

a. Proof of primary residence includes two of the following:

i. Driver's license

ii. Motor vehicle registration

iii. Tax documents (i.e. income tax return, property tax bill)

iv. Two consecutive utility bills, no older than 6 months

v. Voter registration

vi. State issued identification card

vii. Copy of rental lease (if applicable)

viii. Other form or combinations of forms that demonstrate verifiable identification and authority to reside and operate a Bed and Breakfast establishment determined acceptable by the Village.

2. It shall be conducted entirely within the residence or accessory buildings on the residential property. While conforming activities may take place outdoors or in accessory buildings, lodging outside of a dwelling unit is prohibited.

3. Not more than four guestrooms may be utilized to provide lodging in the A-1, A-2, A-3, R-2, and R-3 zones.

4. Parking for guests must be off street and the number of spaces must meet the Off-Street Parking provisions of §9.2.18(B)(9).

5. Meals may or may not be served.

6. Unauthorized guests are prohibited.

7. Noise must be mitigated according to §7.4.2. Nuisances, Misconduct and Common Offenses.

8. One lighted sign not to exceed four (4) square feet is permitted on premises and must meet the Dark Skies provisions of §9.2.20.

9. Bed and Breakfast establishments must have published rules of operation, approved by the Planning Director, posted in the rental that include at least the following:

a. Fire evacuation route map and all other information the Fire Department requests to be posted;

b. Instructions on trash disposal and location of waste containers;

c. Emergency services and operator's 24/7 emergency contact phone numbers;

d. Hours between 10:00 P.M. and 6:00 A.M. designated as quiet hours per the Village's noise regulations, §7.4.2;

e. Occupancy is limited to two (2) adults per guestroom, not including children twelve (12) or under;

f. Unauthorized guests are prohibited;

g. Events are prohibited.

10. A site plan must be submitted showing the entire property, onsite parking, and outdoor areas subject to short-term rental.

11. Floor plan(s) must be submitted that show all rooms in dwelling unit(s), including those not included in rental. Rooms for rental must be identified and note occupancy limit.

12. If operator advertises or lists bed and breakfast establishment, advertisement must include license number.

13. Short-term rental insurance coverage for the short-term rental unit(s) is recommended.

14. Every permittee shall comply with all federal, state, county, and municipal laws and regulations applicable and the failure to do so shall constitute grounds for revocation. Each license shall be posted on the premises where it is visible at all times.

15. Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by Village designated personnel.

16. Bed and Breakfast permits shall be subject to such different and additional conditions as the Planning and Zoning Commission deems reasonable.

17. Bed and Breakfast establishments shall be inspected annually by the Fire Department for fire safety.

18. An application for a Bed and Breakfast for the same property has not been filed within six (6) months from the date of the final action on a prior application.

(c) Revocation:

1. Complaints of suspected violations may be made in writing by any Village resident. Complaints must fully and completely state the nature of the violation.

2. The Zoning Enforcement Officer is hereby authorized to initiate investigations and issue notices of violations of §9.2.25(E)(1).

a. If the Zoning Enforcement Officer determines that a violation of §9.2.25(E)(1) has occurred, the Zoning Enforcement officer shall issue a notice of violation to the owner, tenant, agent, occupant, or person in charge of the premises, indicating the nature of the violation. The operator shall be responsible for violations caused by renters.

b. Upon three notices of violation in a three hundred sixty-five (365) day period, a bed and breakfast permit is deemed revoked. The Operator may file a Notice of Appeal of Revocation with the Village Clerk with the appropriate filing fee, within fifteen (15) calendar days after that date of mailing of the third notice of violation.

c. Appeals of a Planning and Zoning Commission shall be governed by §9.2.25(G).

3. Upon revocation of a bed and breakfast permit, all activity associated with the establishment must cease and desist within seventy-two (72) hours.

4. If revoked, a permit shall not be reissued for either an operator or a property for one (1) calendar year from date of revocation.

(d) Bed and Breakfast establishments currently licensed under home occupation licenses shall receive a Bed and Breakfast license upon annual renewal.

(e) Short-term rentals operating prior to June 9, 2021 shall be required to obtain a Bed and Breakfast permit but will be considered legally non-conforming for the following requirements: Maximum number of rooms and on-premises operator. Legally non-conforming status may be revoked if the operation violates any other requirement or has complaints leading to revocation. Operators will have until October 6, 2021 to apply for a Bed and Breakfast permit with their legally non-conforming status. No applications for existing operations received after that date will be considered legally non-conforming.

(f) Duration and Renewal:

1. The Bed and Breakfast permit remains in effect and may not be prorated for business conducted for a portion of the year.

2. An Annual Renewal Permit form shall be filed on or before December 31 of each year. The Form shall be in such format as the Planning Director shall determine and shall be accompanied by the annual fees.

3. Renewal of each existing permit is subject to approval of the Planning Director when no complaints or violations have been documented. Annual permit renewals do not require public notice.

4. Permit renewal fee. The annual permit renewal fee shall be sixty-five dollars (\$65.00). The fee shall be in addition to the Business Registration required by State Law.

5. Any person who fails to make a timely renewal shall be subject to a late fee of ten dollars (\$10.00) per year. The late fee is in addition to any penalties, which may be imposed for violation of this ordinance.

6. If a permit holder has not renewed their annual permit within forty-five (45) days after January 1 of that year, their permit is expired.

(g) This section is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants, or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this section.