

Other Communities

To provide ideas when filling out the Short-Term Rental Options Worksheet, here are things other communities have done. This list is not comprehensive and is intended to provide perspective from other communities.

Common Elements in NM Communities

Municipality	Owner must be present	Owner may be absent	24/7 Emergency Contact	Guests Notified of Rules	Accessory Structures Allowed	Main Dwelling Only	Public Notice with Emergency Contact	Events Prohibited	Occupancy	Insurance	Off-Street Parking
Corrales		X	X		X		X (Hearing before commission)	X	Determined by septic permit		X (1.5*bedrooms)
Ruidoso		X	X	X		X (Only dwellings)	X (Before approval)		Determined by floor area of bedroom & # bathrooms	X (Recommended)	X (= # bedrooms)
Santa Fe	X *	X *	X	X		X **	X (After approval)	X ***	2 x # of bedrooms	X (Required)	X
Taos		X	X	X	X				2 ppl/ bedroom		X

* Owner must occupy if using accessory dwelling unit as STR. Owner may be absent if renting main dwelling.

** Accessory dwelling units (not accessory structures) are allowed

*** Unless special event permit issued

Unique STR Components in NM Communities

Corrales:

- 6 rooms maximum
- Septic system requirements limit maximum bedrooms allowed

Santa Fe:

- No more than 1 rental in a 7-day period
- No more than 2 STRs next to each other in a neighborhood (not including apartments or townhomes)
- Total cap on number of permits issued, which can be raised
- Different types of permits:
 - Accessory Dwelling Unit – property owner must **live on property**, either in Accessory Dwelling Unit or main dwelling
 - Residential Unit – property owner may be **absent**
- RVs do not count as an STR. An STR guest cannot park an RV

Taos:

- As of December 2019, issuance of new permits is deferred until a more comprehensive document is written
- Each unit has a separate permit
- Affordable housing fee for absent property owners
- Occupancy limits:
 - Overnight: 2 people per bedroom
 - Daytime: Additional 2 people per bedroom (Max 20 for 5+ beds)

Communities Outside NM

Denver:

- STR is owner's primary residence (documentation supporting primary address)
- Owner must live on property
- Dwelling units only, no accessory buildings
- Liability insurance of at least \$1,000,000 required (or conduct the rental transaction through a hosting platform that provides the minimum insurance coverage)

Miami Beach:

- Ordinance is in limbo since 2011 – state legislation negates the city's regulations
- Prohibited in all single-family residential zones
- Prohibited in all low to medium intensity multi-family residential and low intensity commercial zones
- Allowed with regulations in medium and high density multi-family residential, recreational zones, medium and high intensity commercial, and urban light industrial

New Orleans:

- Allows absent and present owner as two different permit types.
 - No owner present – can rent entire dwelling up to 30 days, 4 times per year
- Prohibits absent owner STR licenses in the historic districts, central business districts, and mixed-use districts

New York:

- Owner must be present during guests' stay
- Up to 2 guests allowed
- Booking services (like Airbnb or Homeaway) required to report to the city data on STRs (address, fees)

San Diego:

- No regulations yet—previously enacted regulations were rescinded
- Transient Occupancy Tax collected through Treasurer's office – includes Short-Term Vacation Rentals
 - Used primarily to promote San Diego, is usually for hotels/motels

San Francisco:

- STR is owner's primary residence (present at least 275 nights/year)
- Up to 90 nights/year, property owner does not need to be present
- Accessory dwelling units cannot be used as STRs
 - They are allowed to be rented for a *minimum* of 30 days (long-term rental only)
- Prior to 2015, STRs were banned. Since 2015, they've been allowed with registration.
- Prohibited: income restricted affordable housing, accessory dwelling units, commercial or industrial spaces, properties located in primarily recreational areas, group housing
- Mixed-use/live-work buildings: STR allowed in the residential portion if the owner lives there. STR activity not allowed in the commercial/"work" portion. Owner not allowed to live in the "work"/commercial portion and rent the "live"/residential portion
- Property liability insurance of at least \$500,000 or use insurance provided through hosting platform
- Allowed to host up to 5 renters (a couple counts as one)

Santa Monica:

- Vacation Rentals are **prohibited**. A Vacation Rental is a dwelling short-term rented with the owner absent.
- Home-Sharing is **allowed**. Home-Sharing is renting of rooms in the dwelling that the owner lives in. The owner must be present.
 - Proof of primary residence/long-term resident is required
- Host cannot be a company, must be a natural person (long-term resident renter or owner's primary residence)
- Reconsidering approach to "medium term rentals" – more than 30 days but not a permanent residence/long-term rental
- Occupancy: 10 people total, 2 adults per bedroom
- Hosting platforms required to ensure properties booked are permitted
- Up to 2 rooms (listings) can be rented