

# City of Santa Fe, New Mexico

# memo

**DATE:** November 18, 2025

**TO:** Historic Districts Review Board Members

**VIA:** Heather Lamboy, Planning & Land Use Department Director #LL  
Maggie Moore, Assistant Land Use Director *MM*  
Gary Moquino, Historic Preservation Division Manager *gm*

**FROM:** Lani McCulley, Senior Planner, Historic Preservation Division *LPM*

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2025-011459-HDRB, 912 Don Gaspar Ave, Don Gaspar Area Historic District, significant, Positive Energy Solar, agent for Moe Zamora, owner, proposes to install publicly visible solar. Exceptions are requested to section 14-5.2(D)(3)(b) for publicly visible rooftop appurtenances and 14-5.2(D)(5)(b) for placing features on a primary facade.

**REFERENCE ATTACHMENTS (Sequentially):**

**CITY SUBMITTALS**

District Standards & yard wall & fence standards.

Historic Inventory Form

Zoning Review Sheet

Other:

**APPLICANT SUBMITTALS**

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other: [exception criteria]

**STAFF RECOMMENDATION:**

Staff finds that the exception criteria to section 14-5.2(D)(3)(b) have not been met and recommends denial for publicly visible rooftop appurtenances, and the exception criteria to section 14-5.2(D)(5)(b) have not been met and recommends denial for placing features on a primary facade. Staff recommends denial of the application as it does not comply with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(H) Don Gaspar Area Historic District Design Standards.

**Sample motions:**

Up to two motions will be required in this case.

- a. In case 2025-011459-HDRB, for 912 Don Gaspar Avenue, approve/deny the exception to 14-5.2(D)(3)(b) to install publicly visible rooftop appurtenances, finding that the exception criteria have/have not been met.
- b. In case 2025-011459-HDRB, for 912 Don Gaspar Avenue, approve/deny the exception to 14-5.2(D)(5)(b) to place features on a primary façade, finding that the exception criteria have/have not been met.

Should the Board deny the exception request, the applicant shall return with an alternative proposal for review and approval before proceeding with a building permit.

The property lies within the Historic Downtown Archaeological Review District. See Chapter 14, SFCC, Article 14-3.13(B)(1). There may be archaeological concerns associated with this project, and archaeological clearance may be required.



Figure 1: Site Location

## **BACKGROUND & SUMMARY:**

### **Streetscape:**

The streetscape is defined as running from the edge of the historic district at Coronado, going north past Berger Street to the northern edge of the 717 Don Gaspar property. The area has sidewalks on each side of the street with vegetation between the sidewalk and the street. There is street parking on the east side of the one-way street. Most of the front yards are open with low retaining or yard walls. There is a mix of stone walls, picket fences, metal and wrought iron, and chain link fencing. There is a combination of Spanish Pueblo Revival, Territorial Revival, and Victorian style residences set back from the street with vegetation in the yards between the street and the residences. Many roofs are pitched in either red or brown, and there is a combination of wall colors from a yellow tan to medium brown stuccos. There are also red brick houses, and the trims tend to be in brown, green, or white. The Victorian buildings tend to be stuccoed or painted to match the other style homes.



Figure 2: Street View of Structure

### **Site Description:**

The single-family residence at 912 Don Gaspar is a significant structure in the Don Gaspar Area Historic District. The property also houses a significant garage unit on the southwest corner of the lot.

The approximately 2,000 sq. ft. residence was constructed by 1930 in a bungalow style with a hipped roof. It has a moderate level of remodeling with an enclosed porch from the 1950s on the south end of the western elevation. According to the 1993 HCPI, the windows were new in 1993. The roof is hipped with asphalt shingles with an overhand and exposed rafters. The building is constructed of red brick with vinyl siding on the enclosed porch. The foundation is smooth-cut stone and brick under the rear porch area. The front portal houses chamfered columns atop brick

buttresses and a low wall. The windows consist of one-over-one double-hung windows with larger lites at the bottom and smaller at the top, some with storm windows, leaded single lites with storm windows, two-over-two metal windows on the north, and aluminum sliders on the enclosed porch. The exterior doors are wood with panels. Other architectural details include concrete quoins (brick or stone used to reinforce and highlight the external corner of a building), heavy concrete lintels, and tall brick chimneys with metal hoods.

The garage was reconstructed in the 1950s with similar quoins (brick or stone used to reinforce and highlight the external corner of a building), and a hipped roof.

According to a 1993 interview with Mrs. Marjorie Lynn, the house was constructed by an Italian family and purchased by the Berardinelli family. John Lynn married Marjorie Berardinelli, and they received the house as a wedding present in 1913. The house remained with the Lynn family in 1993.



Figure 3: Street view of the residence with the garage behind

### **PREVIOUS CASE SUMMARIES:**

#### **ARC:**

No archaeological clearance has been issued for this property.

#### **HDRB:**

No Historic Districts Review Board cases are on file for this property.

#### **ADMINISTRATIVE:**

An administrative approval 2019-001037-ADMIN, issued approval to re-roof the residence in-kind with shingle roofing.

An administrative approval in 2017 issued approval to re-roof the residence in-kind with shingle roofing.

**APPLICANT’S REQUEST:**

The applicant proposes the following exterior alterations:

1. Install publicly visible solar on a primary façade. The panels will be flat against the pitch of the roof. Nine panels will be installed on the west elevation roof, and nine panels will be installed on the south elevation roof. The west elevation is the rear of the house and will be publicly visible from West Houghton Street. The south elevation is publicly visible from Don Gaspar Avenue. Don Gaspar Avenue is one-way going south, so the vehicle traffic will not immediately see the panels; however, pedestrians will be able to see the array. The proposed solar panels on the south elevation have been setback from the front of the building to mitigate the impact on the streetscape. Exceptions are requested to section 14-5.2(D)(3)(b) for publicly visible rooftop appurtenances and section 14-5.2(D)(5)(b) for placing features on a primary façade.

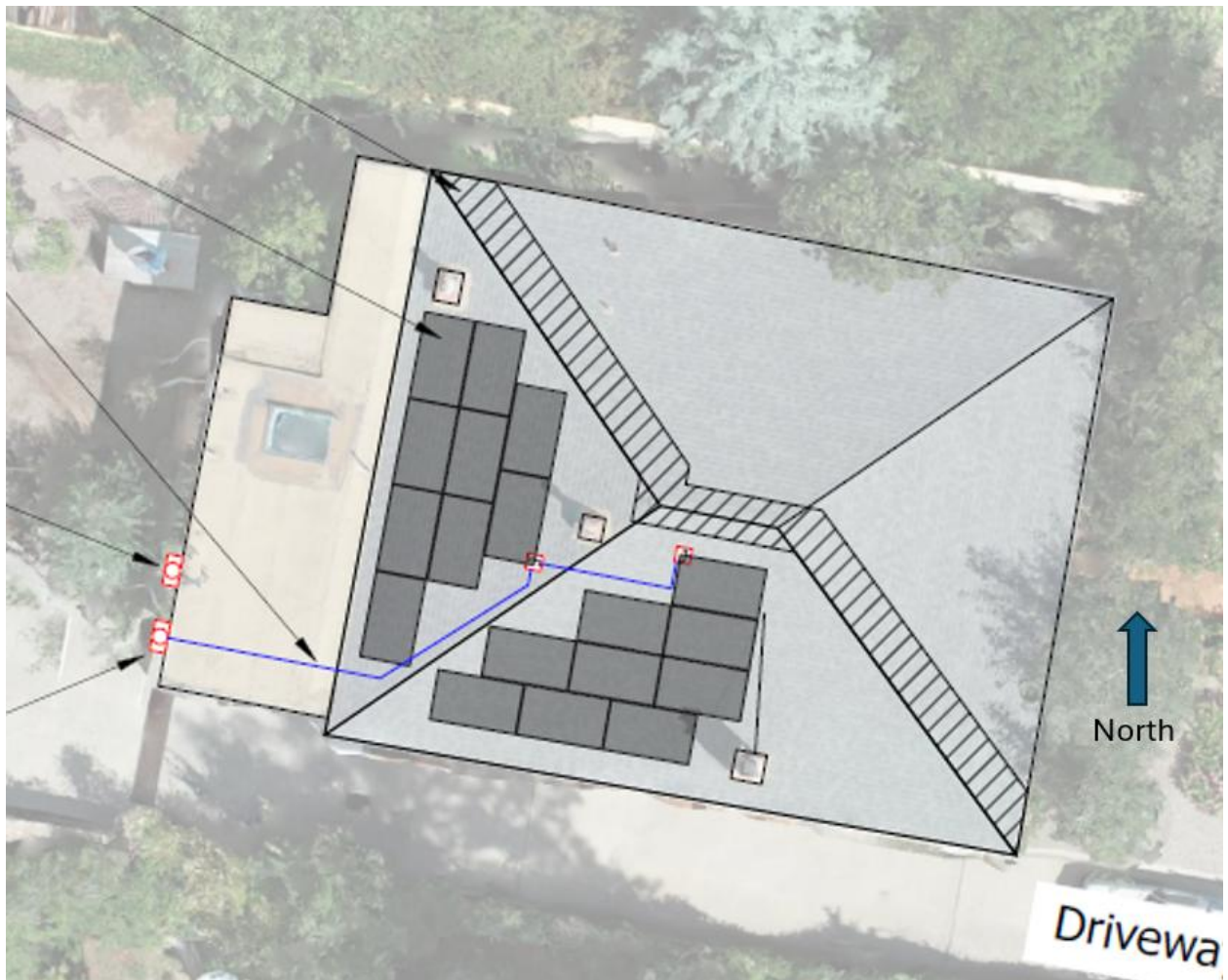


Figure 4: Site Plan location of panels

## **EXCEPTION CRITERIA AND RESPONSES:**

Exception to section 14-5.2(D)(3)(b): The applicant requests an exception to “*For significant and landmark structures, publicly visible rooftop appurtenances, including but not limited to solar collectors, clerestories, decks, or mechanical equipment, shall not be added nor shall the parapet be raised to conceal the rooftop appurtenances. For contributing buildings, solar collectors, clerestories, decks, or mechanical equipment if publicly visible shall not be added.*”

### *(i) Do not damage the character of the district*

Applicant Response: The proposed rooftop solar installation will not negatively impact the historic character of the district. The solar panels will not be visible from the public right-of-way or street view and will not alter the architectural style, appearance, or overall aesthetic of the residence. The south-facing array will visually blend with the existing dark grey roofing material, minimizing any visual contrast. The west-facing array is positioned toward the rear of the home and will be further screened from public view by existing mature trees. Additionally, the south roof plane faces away from the one-way street, ensuring the system remains unseen by passing vehicles. The proposed design maintains the integrity of the home and the surrounding district while remaining unobtrusive to the community.

Staff Response: Staff finds that this criterion is not met. While vehicle traffic may not see the panels due to the direction of the one-way street, pedestrians are able to circulate both north and south and will be able to see the panels on the south elevation from Don Gaspar Avenue. They will be able to travel east and west on West Houghton Street, where the west elevation panels will be publicly visible. Foliage is not considered screening as it can be removed, though staff recognizes that the west elevation array will not be publicly visible. While the solar panels are integrated into the pitch as required by section 14-5.2(H)(1)(c)(iv) for the Don Gaspar Historic District, this particular property is a significant structure, and publicly visible solar is not allowed because it will detract from the significant building and the district.

### *(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare*

Applicant Response: Approval of the installation is necessary for the homeowner to exercise their right to generate clean, renewable energy and meaningfully reduce energy costs. Without the ability to install solar, the homeowner would lose access to a legally protected opportunity to produce sustainable power for their household. The project also supports public welfare by contributing to reduced environmental impact through clean energy generation. The system has been deliberately designed to prevent any adverse effect on the district or public visibility, with all panels located on roof planes that are concealed from street view and surrounding sightlines.

Staff Response: Staff finds that this criterion is met. Other design options have been considered and do not provide for the needs of the homeowner. The west elevation panels are not publicly visible and could be considered, but the south elevations are publicly visible and as minimally visible as possible with a pitched roof. Solar panels are encouraged in the Don Gaspar Area Historic District, and these solar panels are integrated into the pitch as required by section 14-5.2(H)(1)(c)(iv) for the Don Gaspar Historic District.

(iii) *Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts*

Applicant Response: Multiple design alternatives were evaluated to identify a solution that meets both the standards of the Historic District and the energy needs of the homeowner. Installing the array on any other roof plane would increase visibility from public streets, conflicting with district guidelines. A ground-mounted system was also considered; however, the rear yard does not have sufficient space, and solar access would be significantly obstructed by surrounding trees and adjacent structures, resulting in inadequate energy production. The option to reduce the number of modules was also explored, but because the proposed layout utilizes the least visible roof surfaces—while also having less optimal sun orientation—reducing the system size would prevent the array from meeting the guaranteed energy production required to serve the homeowner’s electrical needs.

The proposed design represents the most balanced solution, preserving the historic character of the district, minimizing visibility from public view, and ensuring the homeowner can meet essential energy needs through clean, renewable power.

Staff Response: Staff finds that this criterion is met. The applicant has offered a range of options for other locations, including the possibility of a pole-mounted or ground-mounted option, which were not sufficient to meet the needs of the homeowner.

#### **EXCEPTION CRITERIA AND RESPONSES:**

Exception to 14-5.2(D)(5)(b): *The applicant requests an exception to “For all façades of significant, contributing, and landmark structures, architectural features, finishes, and details other than doors and windows shall be repaired rather than replaced. In the event replacement is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Replacement or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence.”*

(i) *Do not damage the character of the district*

Applicant Response: The proposed rooftop solar installation will not negatively impact the historic character of the district. The solar panels will not be visible from the public right-of-way or street view and will not alter the architectural style, appearance, or overall aesthetic of the residence. The south-facing array will visually blend with the existing dark grey roofing material, minimizing any visual contrast. The west-facing array is positioned toward the rear of the home and will be further screened from public view by existing mature trees. Additionally, the south roof plane faces away from the one-way street, ensuring the system remains unseen by passing vehicles. The proposed design maintains the integrity of the home and the surrounding district while remaining unobtrusive to the community.

Staff Response: Staff finds that this criterion is not met. This addresses public visibility, but does not place the solar on a primary facade. While the solar panels are integrated into the pitch as required by section 14-5.2(H)(1)(c)(iv) for the Don Gaspar Historic District, this particular

property is a significant structure, and publicly visible solar is not allowed because it will detract from the significant building and the district.

(ii) *Are required to prevent a hardship to the applicant or an injury to the public welfare*

Applicant Response: Approval of the installation is necessary for the homeowner to exercise their right to generate clean, renewable energy and meaningfully reduce energy costs. Without the ability to install solar, the homeowner would lose access to a legally protected opportunity to produce sustainable power for their household. The project also supports public welfare by contributing to reduced environmental impact through clean energy generation. The system has been deliberately designed to prevent any adverse effect on the district or public visibility, with all panels located on roof planes that are concealed from street view and surrounding sightlines.

Staff Response: Staff finds that this criterion is not met. The applicant has not shown that there is a hardship sufficient for solar panels on the primary façade of a significant structure.

(iii) *Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts*

Applicant Response: Approval of the installation is necessary for the homeowner to exercise their right to generate clean, renewable energy and meaningfully reduce energy costs. Without the ability to install solar, the homeowner would lose access to a legally protected opportunity to produce sustainable power for their household. The project also supports public welfare by contributing to reduced environmental impact through clean energy generation. The system has been deliberately designed to prevent any adverse effect on the district or public visibility, with all panels located on roof planes that are concealed from street view and surrounding sightlines.

Staff Response: Staff finds that this criterion is not met. The applicant has offered a range of options for other locations, including the possibility of a pole-mounted or ground-mounted option. However, it does not address the fact that the roofs of the residence are primary facades of a significant structure.



Figure 5: Types of Solar Power Ground Mounts

**RELEVANT CODE CITATIONS:**

**14-5.2 HISTORIC DISTRICTS**

**(A) General Provisions**

(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the *city* and to ensure the harmonious, orderly and efficient growth and *development* of the *city*, it is deemed essential by the *governing body* that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve *property* values and attract tourists and residents alike, be preserved, some of these qualities being:

- (a) The continued existence and *preservation* of historical areas and *buildings*;
- (b) The continued construction of *buildings* in the historic styles; and
- (c) A general harmony as to style, form, color, height, proportion, texture, and material between *buildings* of historic design and those of more modern design.

**(D) General Design Standards for All H Districts**

In any review of proposed additions or alterations to *structures* that have been declared significant or contributing in any historic district or a *landmark* in any part of the *city*, the following standards shall be met:

(1) General

- (a) The status of a significant, contributing, or *landmark structure* shall be retained and preserved. If a proposed alteration will cause a *structure* to lose its significant, contributing, or *landmark* status, the *application* shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.
- (b) If a proposed alteration or new construction will cause an adjacent *structure* to lose its significant, contributing, or *landmark* status, the *application* may be denied.

(2) Additions

- (a) Additions shall have similar materials, architectural *treatments* and styles, features, and details as the existing *structure*, but shall not duplicate those of the existing *structure* in a manner that will make the addition indistinguishable from the existing *structure*.
- (b) Additions to *buildings* that meet the standards of Subsection 14-5.2(E) shall continue to meet those standards set forth in Subsection 14-5.2(E) in addition to the standards set forth in this section.

- (c) Additions are not permitted to *primary façades*.
  - (d) Additions are not permitted to the side of the existing footprint unless the addition is set back a minimum of ten (10) feet from the primary facade. The addition shall not exceed fifty percent of the square footage of the existing footprint, and shall not exceed fifty percent of the existing dimension of the primary facade. To the extent architecturally practicable, new additions shall be attached to any existing noncontributing portion of *structures* instead of attaching them to the significant or contributing portion.
  - (e) The height of additions:
    - (i) For significant and *landmark structures* shall be a minimum of six (6) inches less than the parapet or equivalent roof-feature of the existing adjacent connecting facade.
    - (ii) For contributing *structures* shall be no more than one additional *story* higher than the existing *structure*. To the extent architecturally practicable, two-story additions shall be set to the rear or the side rear of the *structure*. When an additional *story* is to be placed upon an existing contributing *structure*, that footprint may be no greater than fifty percent of the footprint of the existing *structure*, subject to the provisions of Subsection A(1) above. For the purposes of this paragraph, an additional *story* shall not exceed twelve (12) feet from the existing rooftop to the highest point of that *story*.
- (3) Remodeling to Increase Height; Rooftop Appurtenances
- (a) For *remodeling* of existing significant and *landmark structures*, no increase in height of the *structures* is permitted. (For standards relating to additions to existing *structures*, see paragraph (2) above.)
  - (b) For significant and *landmark structures*, *publicly visible* rooftop appurtenances, including but not limited to solar collectors, clerestories, decks, or mechanical equipment, shall not be added, nor shall the parapet be raised to conceal the *rooftop appurtenances*. For contributing *buildings*, solar collectors, clerestories, decks, or mechanical equipment if *publicly visible* shall not be added.
- (4) Porches and Portals
- Existing *porches* or *portals* shall not be enclosed.
- (5) Windows, Doors, and Other Architectural Features
- (a) For all facades of significant and *landmark structures* and for the primary facades of contributing *structures*:
    - (i) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.
    - (ii) No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence.

(iii) No existing opening shall be closed.

(b) For all façades of significant, contributing, and *landmark structures*, architectural features, finishes, and details other than doors and windows shall be repaired rather than replaced. In the event *replacement* is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. *Replacement* or duplication of missing features shall be substantiated by documentation, physical, or pictorial evidence.

(6) Roofs

The existing roof styles and materials shall be maintained or replaced in kind if necessary. The addition of dormers or other roof features should only be considered when they are an existing or historical feature of the *structure*.

(8) Archaeological Resources

Discovery of archaeological resources made during the historic districts review process shall be referred to the archaeological review committee.

(9) Height, Pitch, Scale, Massing, and Floor Stepbacks

The height, pitch, *scale*, and massing of any *structure* in a historic district, as defined in this section, shall be limited as provided for in this section, unless further restricted within this chapter.

(a) Applicability

The following sections identify specific areas and specific *projects* subject to this section. Planning and land use department staff shall determine whether or not properties are included within this section. (Ord. No. 2007-45 § 30; Ord. #2020-22, § 16)

F. When the proposed *building*, *yardwall*, or fence is located in a *streetscape* that includes no *buildings*, *yardwalls*, or fences, the height of the proposed *building* shall not exceed sixteen (16) feet. *Yardwalls* and fences in this *streetscape* shall not exceed five (5) feet in height.

(c) Height

(ii) In exercising its authority under this section, the board shall limit the height of *structures* as set forth in this section. Heights of existing *structures* shall be as set forth on the official map of *building* heights in the historic districts.

A. If a proposed *building* has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the *streetscape*.

B. If the proposed *building* has a pitched roof, the ridge height of the proposed *building* shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the *streetscape*.

- C. *Yardwalls* and fences shall be limited to a height that does not exceed the average of the height of other *yardwalls* and fences in the *streetscape*.
- D. Pursuant to Section 14-7.4(C), the height of any other *structure* shall be limited to the allowable *building* height within the applicable *streetscape*, as defined in this section. (Ord. No. 2002-37 § 26)
- E. The height and dimension of signage are as set forth in Section 14-8.10(H).
- F. The board may increase the allowable height for proposed *buildings* and additions located on a sloping site where the difference in the natural *grade* along the *structure's* foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable *streetscape* measured from natural or finished *grade*, whichever is more restrictive. This increase in height shall be constructed only in the form of *building* stepbacks from the *street*.

(d) Pitch

If the determined *streetscape* includes over fifty percent of *buildings* with pitched roofs, the proposed *building* may have a pitched roof. A pitched roof is defined as a gable, shed, or *hipped roof*. The pitch of the roof shall match the predominant pitch extant in the *streetscape*.

(e) Scale

The height of a proposed *building* or addition, its façade length, and its roof form and pitch shall appear to be in proportion to the height, façade length, and roof form and pitch of *buildings* in the applicable *streetscape*, or the *building* on which the addition is proposed.

(f) Massing and Floor Stepbacks

The Board may require that upper floor levels be stepped back, to carry out the intent of this section; provided that the board in making such determinations shall take into account whether the height of the proposed *building*, *yardwall*, fence, or proposed stepback of upper floor levels is in harmony with the massing of the applicable *streetscape* and *preservation* of the historic and characteristic visual qualities of the *streetscape*. The Board shall also require that the *publicly visible* façades of the *structure* be in conformance with Subsections 14-5.2(E) through (H), and in meeting those requirements, may require that different floor levels be stepped back.

**(H) Don Gaspar Area Historic District**

(1) District Standards

Compliance with the following structural standards shall occur wherever those exterior features of *buildings* and other *structures* subject to public view from any public *street*, way, or other public place are erected, altered, or demolished:

- (a) Slump block, stucco, brick, stone, or wood shall be used as exterior *wall* materials. Aluminum siding, metal panels, mirrored glass, and unstuccoed concrete block or unstuccoed concrete shall not be used as exterior *wall* materials. The painting of *buildings* with a color that causes arresting or spectacular effects, or with bold repetitive patterns, or using *buildings* as signs, is prohibited. Murals, however, are permitted and may be referred to the city arts board for an advisory recommendation.
- (b) Roof forms, including but not limited to flat, gabled, shed, and *hipped roofs*, are allowed. Folded plate or hyperbolic roofs are not allowed.
- (c) The use of solar and other energy-collecting and conserving strategies is encouraged. The use of large glazed areas on south-facing *walls* for trombe *walls* or other solar collectors, *greenhouses*, garden rooms, direct gain, or other energy-collecting purposes is allowed. When in view from any public *street*, way, or other public place, solar equipment shall be screened by the following methods:
  - (i) raising the parapet;
  - (ii) setting back from the edge of the roof;
  - (iii) framing the collector with wood;
  - (iv) in the case of pitched roofs, by integrating the collector into the pitch;
  - (v) in case of ground solar collectors, by a *wall* or vegetation;
  - (vi) in the case of *wall* collectors, by enclosing by end or other *walls*;
  - (vii) other means that screen the collector or integrate it into the overall *structure*.  
Non-glare materials shall be used in solar collectors.
- (d) Mechanical, electrical, telephone equipment, microwave satellite receiving dishes, and other obtrusive equipment shall be architecturally screened by opaque materials by raising the parapet, framing in the equipment, or other appropriate means. The equipment shall be of a low profile to minimize the *screening* problems.
- (e) *Walls* and fences shall be of brick, *adobe*, masonry, rock, wood, coyote fencing, or similar materials. Wrought iron fences and slump block *walls* are allowed. *Walls* of unstuccoed concrete, chain-link, metal wire, or similar materials are prohibited, except where the *wall* or fence is not in view from any public *street*, way, or other public place.
- (f) *Greenhouses*. Attached *greenhouses* that front on the *street* shall give the appearance of being integrated into the *structure* of the *building* or of being a substantive addition rather than having a lean-to effect. The use of corrugated fiberglass or rolled plastic for the external surface of attached or freestanding *greenhouses* that front on the *street* is prohibited. *Greenhouses* with slanting sides shall be bracketed at the ends, and the *greenhouses* made from enclosed *porches* or *portales* shall maintain the shape of the *porch* or *portal*.

- (g) For *residential* uses, paving with asphalt or parking is not allowed in the front *yard* except on the sidewalk or driveway.
- (h) For commercial uses, zoned C-1 front *yards* are required to be landscaped, and no required front *yard* shall be used for *off-street parking*.
- (i) As a condition of any rezoning, all *applicants* shall provide evidence of sufficient *off-street parking* and an intent to maintain the architectural integrity of the existing *building* or to conform to the architectural style of the district if constructing a *building* on a vacant *lot*.

(2) Walls; Fences; Solar Collectors; Administration

*Applications* for the erection, alteration, or destruction of *walls*, fences, and solar collectors and required submittals shall be reviewed by the planning and land use department. Approval, disapproval, or referral shall be indicated by the division on the *application* for the *building permit* and on each of the required submittals, all of which shall be signed by the division staff assigned to the review. The division shall report approvals, disapprovals, or referrals to the board at its next regular meeting as an informational item. (Ord. No. 2007-45 § 30; Ord. #2020-22, § 16)