

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2025-17
Chapter 14 Rewrite

Mayor and Members of the City Council:

This amendment WILL change the caption. X

This amendment WILL NOT change the caption.

I intend to propose amending Bill No. 2025-17 as follows

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2025-17

INTRODUCED BY:

Mayor Alan Webber

Councilor Jamie Cassutt

RED – AMENDMENT A – Councilor Carol Romero-Wirth

A BILL

REPEALING AND REPLACING SFCC 1987 CHAPTER 14 (“LAND DEVELOPMENT CODE”); CLARIFYING AND CONSOLIDATING VARIOUS REFERENCES TO CODE VIOLATIONS INTO ONE VIOLATIONS SECTION; SPECIFYING THAT THE APPLICANT OR THE PROPERTY OWNER HAVE THE BURDEN OF PROOF FOR ESTABLISHING LEGAL NON-CONFORMITIES; REDUCING THE EARLY NEIGHBORHOOD NOTIFICATION REQUIREMENT FOR CITY CAPITAL IMPROVEMENT PROJECTS TO THOSE EXCEEDING TWO HUNDRED AND FIFTY THOUSAND DOLLARS; RENAMING “SPECIAL USE PERMIT” TO “CONDITIONAL USE PERMIT”; REMOVING HISTORIC DISTRICT REVIEW BOARD’S (“HDRB”) AUTHORITY TO RECOMMEND PERSONAL PROPERTY ACQUISITIONS; REQUIRING ARCHAEOLOGISTS TO HOLD A NEW MEXICO STATE BURIAL EXCAVATION PERMIT FOR CERTAIN WORK; REMOVING WAIVERS OF QUALIFICATIONS FOR ARCHAEOLOGISTS BY ARCHAEOLOGICAL REVIEW COMMITTEE; INCREASING PERMITTED BUILDING HEIGHTS FOR RESIDENTIAL DISTRICTS AND NON-RESIDENTIAL DEVELOPMENT; ESTABLISHING

DENSITIES AND HEIGHT BY RIGHT FOR CERTAIN RESIDENTIAL ZONES EXCEEDING TEN UNITS PER ACRE; CREATING A PARKS AND OPEN SPACE ZONING DISTRICT; PERMITTING ADDITIONAL FLEXIBILITY FOR CERTAIN STRUCTURES AND SITUATIONS REGARDING SETBACKS; ELIMINATING RESIDENTIAL SUITE HOTEL/MOTEL AND ECOLOGICAL RESOURCE PROTECTION OVERLAY ZONING DISTRICTS; REDUCING THE LENGTH AT WHICH AN ARCHAEOLOGICAL CLEARANCE PERMIT IS REQUIRED FOR SEWER AND UTILITY MAIN CONSTRUCTION; REMOVING ALCOHOL SALE REGULATIONS IN THE AIRPORT ROAD OVERLAY; IDENTIFYING A STRATEGY TO REVIEW AND APPROVE LAND USES NOT SPECIFICALLY LISTED IN THE “SUMMARY TABLE OF ALLOWED USES”; CLARIFYING THAT DUPLEXES, TRIPLEXES, TOWNHOMES, AND RESIDENTIAL COMPLEXES ARE PERMITTED USES; CREATING USE CATEGORIES AND SUBCATEGORIES AND REORGANIZING SOME EXISTING USES INTO NEW CATEGORIES WITHIN THE TABLE OF ALLOWED USES; REQUIRING TREES TO BE INTEGRATED INTO STORMWATER INFRASTRUCTURE IN THE AIRPORT ROAD OVERLAY DISTRICT; REMOVING CERTAIN PROHIBITIONS FOR VEHICLE PARKING AT RESIDENCES; ALLOWING ACCESSORY DWELLING UNITS TO BE THE MAXIMUM ALLOWABLE HEIGHT OF THE ZONING DISTRICT; ESTABLISHING DESIGN AND DIMENSIONAL STANDARDS FOR RESIDENTIAL COMPOUND DEVELOPMENT; REGULATING IN-GROUND AND ABOVE-GROUND POOLS; REGULATING AGRICULTURAL HOME OCCUPATIONS; REASSIGNING THE USE, “LABORATORY, RESEARCH, OR TESTING” FROM INDUSTRIAL TO COMMERCIAL; REGULATING OUTDOOR DINING; UPDATING TELECOMMUNICATION FACILITIES CODE TO BE CONSISTENT WITH FEDERAL STANDARDS; ~~ESTABLISHING NEW SUBDISTRICT REGULATIONS IN THE HISTORIC DISTRICT OVERLAYS~~; SPECIFYING PRIMARY FACADES FOR SIGNIFICANT STRUCTURES AND THE STRATEGY FOR IDENTIFYING PRIMARY FACADES ON CONTRIBUTING STRUCTURES; UPDATING DEFINITIONS FOR FAÇADE AND ELEVATION; PROHIBITING ENCLOSURE OF EXISTING PORCHES AND PORTALS ON PRIMARY FACADES OF CONTRIBUTING STRUCTURES; REQUIRING WINDOW DEPTH AND OTHER CHARACTERISTICS OF WINDOWS AND DOORS BE PRESERVED IN HISTORIC DISTRICTS; INCREASING AFFORDABILITY INCENTIVES, INCLUDING ADMINISTRATIVE REVIEW AND DENSITY BONUSES; SPECIFYING THAT OPEN SPACE REQUIREMENTS IN THE C-2 DISTRICT ARE PER DWELLING UNIT; EXPANDING OPTIONS TO REDUCE ON-SITE PARKING AND EXEMPTING THE BUSINESS CAPITAL DISTRICT FROM PARKING REQUIREMENTS IN TABLE 7-4; REDUCING REQUIRED OFF-STREET PARKING SPACES; REQUIRING ELECTRIC VEHICLE CHARGING STATIONS FOR ALL NEW DEVELOPMENTS; DISTINGUISHING PARKING REGULATIONS APPLICABLE TO BICYCLES FROM THOSE APPLICABLE TO VEHICLES, AND REQUIRING LONG-TERM BICYCLE STORAGE AND PARKING; ELIMINATING CONTENT-BASED SIGN RESTRICTIONS; IMPOSING A VARIETY OF NEW REGULATIONS PROTECTING THE CITY’S TERRAIN AND STORMWATER MANAGEMENT; IMPOSING NEW LANDSCAPING STANDARDS FOR PLANTS AND TREES; ELIMINATING ALLOWANCE FOR HIGH- AND LOW-PRESSURE SODIUM LAMPS AND MERCURY VAPOR, ADDING LED AS THE PERMITTED LAMP TYPE, AND DECREASING THE PERMITTED INCANDESCENT WATTS FROM 160 TO 150; SUNSETTING THE BUSINESS CAPITOL DISTRICT DESIGN REVIEW COMMITTEE AND LONG RANGE PLANNING SUBCOMMITTEE; DEFINING NUMEROUS TERMS; IMBEDDING GRAPHICAL DEPICTIONS OF PROCESSES; AND MAKING NON-SUBSTANTIVE CHAPTER ORGANIZATIONAL CHANGES.

[Editor’s Note: Omitting Sections 14-1 through 14-4.5 for readability]

14-4.6 Historic Districts

A. General Provisions

1. Purpose

In order to promote the economic, cultural, and general welfare of the people of Santa Fe and to ensure the harmonious, orderly, and efficient growth and development of the City, the Governing Body deems it essential to preserve the qualities relating to the history and culture of Santa Fe, maintain a harmonious outward appearance in order to preserve property values, and attract residents and tourists alike. The specific purposes of this section are to preserve qualities relating to the history of Santa Fe, such as the following:

- I. Continue the existence and preservation of historic areas and buildings;
- II. Continued construction of buildings in Santa Fe's historic styles; and
- III. General harmony as to architectural style, form, color, height, proportion, texture, and material between buildings of historic design and those of more modern design.

2. Conflicting Standards

I. Zoning District Regulations

All designated landmarks and all properties located in historic districts shall be subject to the regulations of the base zoning district in which they are located, except for height as regulated in Section 14-4.6(E), *General Design Standards for All Historic Districts*. When the requirements of the base zoning district are in conflict with the requirements of this Section 14-4.6, *Historic Districts*, the more restrictive standard shall apply.

II. Multiple Overlay Regulations

When a designated landmark or property located in a historic district is also located within another overlay and there is a conflict between the requirements of the historic district and the other applicable overlay district, the more restrictive standard shall apply.

3. Building Code

[RESERVED]

4. Applicability to the State of New Mexico

Pursuant to Sections 3-22-1 through 3-22-6 NMSA 1978, it is the intent of the City that the provisions of this section shall apply to the State of New Mexico and any of its agencies, political subdivisions, or instrumentalities, as well as to any other entity or activity in the historic districts.

- I. Section 3-22-6 NMSA 1978 applies to state capital outlay projects in historic districts as provided in Section 14-4.6(J) concerning the design, construction, alteration, additions to, or demolition of the exterior features of state buildings.
 - II. Section 14-4.6(K) applies to county and Santa Fe public school capital outlay projects in historic districts concerning the design, construction, alteration, additions to, or demolition of the exterior features of county and Santa Fe public school buildings.
5. Boundaries
- I. The boundaries for the historic districts are as shown on the Official Zoning Map and incorporated in this Code by reference.
 - II. If the boundary line of a historic district bisects or crosses a property without encompassing the entire lot, the applicable requirements of the historic district shall be as determined by the Planning and Land Use Director.
6. Design of Buildings
- Full responsibility for the design and development of structures is upon the applicant. The case file of any prior application related to a property is available for review by the applicant upon request.
7. Nonconforming Buildings and Structures
- Any building or structure in the historic district that does not meet the standards for architectural style set forth in this section shall be considered nonconforming, and subject to the provisions of Section 14-1.13(C), *Legal Nonconforming Structures*, unless given special approval by the HDRB for architectural or historic interest, or unless individually entered in the state register of cultural properties or in the national register of historic places or designated as significant on either register.
8. Utility and Telecommunications Facilities
- The review of electric or telecommunications facilities in the historic districts shall follow the procedures set forth in Sections 14-5.3(l).1 and 14-5.3l.3, respectively.

B. Minimum Maintenance Requirements

All historic landmarks and all buildings and structures in the historic districts shall be preserved against decay and deterioration and maintained free of structural defects. The owner or other person having legal custody and control of the building or structure shall repair such building or structure if any of the following defects are found:

1. Parts attached to a building or structure in a manner that they may fall and injure people or property;
2. Deteriorated or inadequate foundation;
3. Defective or deteriorated flooring or floor supports or flooring for floor supports of insufficient size to carry imposed loads safely;
4. Walls or parts of walls, partitions, gates, fences, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration or that are of insufficient size to carry imposed loads safely;
5. Ceilings or parts of ceilings, roofs, ceiling and roof supports, or other horizontal components that sag, split, or buckle due to defective material or deterioration, or that are of insufficient size to carry imposed loads safely;
6. Fireplaces or chimneys that list, bulge, or settle due to defective material or deterioration, or that are of insufficient size or strength to carry imposed loads safely;
7. Deteriorated, crumbling, or loose plaster or stucco;
8. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors;
9. Lack of weather protection or defective weather protection for exterior wallcovering, including lack of paint, or weathering due to lack of paint or other protective covering; or
10. Any fault or default in the building or structure that renders it structurally unsafe or not properly watertight.

C. Buildings with Significant or Contributing Historic Status

1. Purpose
Historic designation is intended to address the following:

- I. Recognizing each structure as a physical record of its time, place, and use.
 - II. Preventing changes that create a false sense of historical development, such as the addition of conjectural features or architectural elements from other buildings;
 - III. Preserving and retaining changes to structures that have acquired historic importance in their own right, recognizing that most structures change over time;
 - IV. Preserving distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure; and
 - V. Avoiding making new additions and related or adjacent new construction in such a manner that, if removed in the future, the original form and integrity of the historic property and its environment would be unimpaired.
2. Designation of Significant, Contributing, or Noncontributing Status
- I. Status Designation
Structures within historic districts may be designated a status of "significant," "contributing," or "noncontributing," as defined in Section 14-9.3, *General Definitions*. Staff shall maintain a record as to the current status of structures located in the historic districts.
 - II. HDRB Authority to Review Status Designation
 - a. The HDRB may change the status of a structure or to designate a status for a structure that has no status designated.
 - b. A change in status or the designation of a status shall be based upon an evaluation of data provided through survey or other relevant sources of information and the definitions of "significant," "contributing," or "noncontributing."
 - c. When the HDRB designates a structure as contributing, it shall also specify which facades of the structure are primary.
 - III. Initiation of Review of Status Designation
The Board may review the status designation in response to the following: :
 - a. An application for construction or demolition as set forth in Section 14-5.2 as follows:
 1. Prior to the application being placed on a board agenda or prior to issuance of a construction permit, if Board approval is not required, staff shall determine whether the board should review the status of the structure. Staff's determination shall be made within thirty days of submitting the application. If staff's determination is not completed within thirty days, the application shall be forwarded to the board. Review by the board as to the structure's status shall be made at the earliest practicable date. The board or staff (as applicable) may consider the application immediately following the determination of

status. The application shall be reviewed based upon the status of the structure following the determination of status.

2. Prior to action by the board on the application, the board itself may decide to review the status of the structure. The board's determination as to the status shall be made within forty-five days of the decision of the board to review the status. The board or staff (as applicable) may consider the application immediately following the determination of the status. The application shall be reviewed based upon the status of the structure following the determination of status.

- b. Request from the property owner;
- c. A request initiated by the city. Staff shall notify the property owner prior to initiating the request.

IV. Notice of HDRB's Review of Status

Unless the review is requested by the property owner, staff shall mail notice to the property owner of the subject property no less than 15 days prior to the HDRB's review of a change in or designation of status.

- a. In addition, staff shall send notice, by first class mail, to all property owners within one hundred (100) feet of the subject property no less than fifteen days prior to the board's review of a change in or designation of status if the review may result in the lowering of the structure's status. Staff shall retain an affidavit of mailing.
- b. With the consent of the property owner, the city shall have posted on the property a poster obtained from the planning land use department. Otherwise, the city shall post the poster on the nearest place available to the city. Such poster shall be securely posted, prominently displayed, visible from a public street, at least fourteen days prior to the scheduled board hearing. The posting shall indicate the nature of the application, identification of the property affected and the time, date and place of the hearing. The poster shall be removed within thirty days of final action. Failure to do so may result in the city removing the sign at the applicant's expense. A civil fee of fifty dollars (\$50.00) will be charged.

V. Restoration of Status

If a property owner makes changes to a structure without the proper City approvals which result in the lowering of the structure's status, staff or the Board may require the property owner to restore the structure such that its former status is restored.

VI. Report to the Governing Body

Staff shall report annually all decisions made by the HDRB regarding a structure's status.

3. Review by Historic Districts Review Board Required
 - I. Except where this chapter provides for review by staff, the HDRB shall review all applications for new construction, alteration, or demolition in the historic districts, and of landmark structures throughout the city, based on the standards set forth in this section
 - II. **The historic board shall judge any proposed alteration or new structure for harmony with adjacent buildings, preservation of historical and characteristic qualities, and conformity to the standards for architectural style set forth in this section.**
 - ~~III.~~ III. The HDRB may approve, deny, approve with conditions, or, with the consent of the applicant, postpone an application.
 - a. For applications approved with conditions, no permit shall be issued until the HDRB conditions have been met.
 - b. An application that is postponed shall be heard at a date agreed upon by the HDRB and the applicant.
 - ~~IV.~~ IV. No permit shall be issued until the time for appeal to the Governing Body has expired.
4. Compliance with General and Specific Design Standards Required

All development located within the historic districts and subject to this section shall comply with all applicable general development standards set forth in Section 14-4.6(E), *General Design Standards for All Historic Districts*, as well as any applicable specific development standards set forth in Section 14-4.6(G), *Additional District-Specific Design Standards*.

D. Exceptions

The HDRB may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning except when the board of adjustment grants a variance. Staff shall determine whether an exception to general design and preservation standards described in Section 14-4.6(E) is required and shall recommend the HDRB approve, approve with conditions, or deny the exception.

1. Height

If an applicant requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the applicant shall first receive an exception to this section. If the HDRB approves a requested height exception, the applicant shall proceed to the Board of Adjustment or other applicable city body for consideration of the proposed variance, as described in Section 14-2.1(H)(1).
2. Design Standards

The HDRB may review and grant or deny requests for exceptions to all provisions of Section 14-4.6(E), *General Design Standards for All Historic Districts* (except provisions regarding Height, Pitch, Scale, Massing and Floor Stepbacks), Section 14-4.6(G) for construction or alterations within the historic districts, and Section

14-7.6(l) for signs in historic districts. Exceptions are project-specific and do not apply to the subject property in perpetuity.

I. Procedure

When requesting exceptions, the applicant shall use the procedures for public notice and hearing in Section 14-2.1(B)(4), *Scheduling and Notice of Public Hearings*, unless the applicant also requests a variance to the underlying zoning. In such a case the applicant for the historic ordinance exception shall not be required to publish a separate legal ad in the local newspaper. Publication of the agenda is still required.

II. Approval Criteria

In order to approve an exception, the HDRB shall make findings of fact that the applicant conclusively demonstrated that the requested exceptions comply with all the criteria listed as follows:

- a. Do not damage the character of the district;
- b. Are required to prevent a hardship to the applicant or an injury to the public welfare; and
- c. 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.

3. Height, Pitch, Scale, Massing, and Floor Stepbacks

The HDRB is responsible for reviewing and granting or denying requests for exceptions from regulations in Section 14-4.6(F). The HDRB may grant exceptions and impose conditions thereon to Section 14-4.6(F) for height of structures within the historic districts as specified in Section 14-4.6(F)(1). Exceptions are project-specific and do not apply to the subject property in perpetuity.

I. Procedure

When requesting exceptions, the applicant shall use the procedures for public notice and hearing in Section 14-2.1(B)(4), *Scheduling and Notice of Public Hearings*, unless the applicant also requests a variance to the underlying zoning. In such a case the applicant for the historic ordinance exception shall not be required to publish a separate legal ad in the local newspaper. Publication of the agenda is still required.

II. Approval Criteria

In order to approve an exception, the HDRB shall make findings of fact that the applicant conclusively demonstrated that requested exceptions comply with all the criteria listed as follows:

- a. Do not damage the character of the streetscape;
- b. Prevent a hardship to the applicant or an injury to the public welfare;
- c. 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;
- d. Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;
- e. Are due to special conditions and circumstances which are not a result of the actions of the applicant; and
- f. Provide the least negative impact with respect to the Purpose of this section as set forth in Section 14-4.6(A)(1).

E. General Design Standards for All Historic Districts

These standards shall apply to all additions or alterations to existing structures in the Historic Districts. Contributing, significant and landmark structures may be subject to specific additional restrictions, and district-specific standards in Section 14-4.6(G).

1. General

- I. The historic status of a property with a historic status designation of significant, contributing, or landmark structure shall be retained and preserved. If a proposed alteration will cause a property 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 is prohibited.
- II. If a proposed alteration or new construction will cause an adjacent property to lose its significant, contributing, or landmark status, the application may be denied.
- III. For the purposes of the regulations of this subsection, all facades of a significant structure are primary facades.

2. Building Additions

- I. Design
 - a. Building additions that meet the standards of Section 14-4.6(G)(2), *Downtown and Eastside Historic District*, shall continue to meet those standards, in addition to the standards set forth in this section.
 - b. Building additions shall have similar materials, architectural treatments and styles, features, and details as the existing structure, but shall be distinguishable from and not attempt to duplicate the existing structure.

- II. Size and Location
 - a. Building additions are not permitted to primary facades.
 - b. All building additions shall be set back a minimum of ten feet from the primary facade.
 - c. Building additions shall not exceed 50 percent of the square footage of the building's historic footprint and shall not exceed 50 percent of the historic length in linear feet of the primary façade.
 - d. To the extent architecturally practicable, new building additions shall be attached to any existing non-primary façade of a structure rather than attaching them to the primary facade of a structure.
 - III. Height
 - a. The maximum height of building additions to significant and landmark structures shall be at least six inches lower than the parapet or equivalent roof feature of the existing adjacent connecting facade.
 - b. Building additions to 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.
 - IV. Remodeling to Increase Height
 - a. For remodeling of an existing significant or landmark structure, no increase in height of the structure is permitted.
 - b. For remodeling an existing contributing structure, a height increase may be permitted through approval of an exception, as described in Section 14-4.6(D).
 - V. Rooftop Equipment

Rooftop equipment, including but not limited to solar collectors, clerestories, decks, or mechanical equipment, may only be installed on contributing and noncontributing structures and shall not be publicly visible, nor shall a parapet be raised to conceal such equipment.
3. Porches and Portals

Existing porches or portals on significant and landmark structures, and on primary facades of contributing structures shall not be permanently enclosed.

4. Windows, Doors, and Other Architectural Features

- I. For all facades of significant and landmark structures and for the primary facades of contributing structures:
 - a. 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 window opening shall be widened or narrowed.
 - b. Window depth and other characteristics of window and door fenestration shall be preserved.
 - c. No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence.
 - d. No historic opening shall be closed.
- II. For all facades of contributing, significant, and landmark structures:
 - a. Architectural features, finishes, and details other than doors and windows shall be repaired rather than replaced.
 - b. 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.
 - c. Replacement or duplication of missing features shall be substantiated by documentation, physical, or pictorial evidence.

5. Roofs

The existing historic 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 historic feature of the structure.

6. Surface Cleaning

The surface cleaning of structures shall employ the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials are not permitted.

7. Archaeological Resources

Discovery of archaeological resources made during development of a historic property shall be referred to the Archaeological Review Committee. See Section 14-2.1G.1.IV.c, *Unexpected Discoveries*.

8. Signs

Sign applications and required submittals shall be reviewed by the Planning and Land Use Department. Approval or denial shall be indicated by the department on the application for the construction permit and on each of the required submittals.

9. Murals

If an application impacts a mural funded through the art in public places program or is otherwise within the scope of the arts commission's enabling responsibilities,

the HDRB may refer the application to the City Arts Commission. If a proposed mural does not meet the criteria in the historic ordinance, an exception is required.

10. Pedestrian-Oriented Areas

- I. The HDRB shall recommend to the Governing Body appropriate streets or portions of streets within the historic district to be set aside for pedestrian-oriented areas.
- II. The Governing Body may set aside the areas recommended, provided that three-fourths of the property owners adjoining the street or portion of street affected have given consent thereto.
- III. Such pedestrian-oriented areas shall be closed to vehicular traffic, and any improvements made by the City in the public right-of-way within the area shall be for pedestrian purposes.
- IV. No pedestrian-oriented area shall be set aside unless there is adequate space available conveniently related to the area for vehicle parking. The HDRB's recommendation to the Governing Body shall include a statement of the available parking spaces.

F. 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 elsewhere within this chapter.

1. Applicability

The following sections identify specific areas and specific projects subject to this section. The Planning and Land Use Director shall determine whether or not properties are included within this section.

I. Specific Areas

The height limitations in this subsection F apply:

- a. Within the following historic districts:
 1. Downtown and Eastside;
 2. Don Gaspar;
 3. Historic Transition; and
 4. Westside-Guadalupe.
 - b. In the Historic Review district, as specified herein. This authority shall apply to the northern and eastern portion of the Historic Review district, as illustrated on the map adopted by Ordinance No. 1983-69, and as amended, incorporated by reference, and shown on the Official Zoning Map. Inclusive under this authority are all properties accessed from Canyon Road, Camino Militar, Apodaca Hill, Camino Ribera, Camino Cabra, Camino Santander, Camino San Acacio, Camino del Monte Sol, Camino Rancheros, Camino Ranchitos, Garcia Street, Old Santa Fe Trail (to the Arroyo de los Chamisos crossing), and Old Pecos Trail (to the southern boundary of the Historic Review district) as they continue out of the Downtown and Eastside historic district and terminate in the Historic Review district. This authority shall also apply to all properties accessed from public rights-of-way that are located east of the western boundary of the Historic Review district and north of the southern boundary of the Historic Review district to the intersection of Camino Corrales and Fort Union Drive.
 - c. To all properties accessed from Camino Lejo, Mt. Carmel Road, and east to the intersection of Camino de Cruz Blanca and Camino de Cruz Blanca Norte, inclusive of Camino de Cruz Blanca and Camino de Cruz Blanca Norte, and exclusive of properties east of the intersection of Camino de Cruz Blanca and Camino de Cruz Blanca Norte.
 - d. The limitation of applicability shall not affect the authority of the HDRB with respect to significant or contributing structures as provided in Section 14-4.6G.1, *Don Gaspar Area Historic District*, Section 14-4.6G.3, *Historic Review District*, and Section 14-4.6G.4, *Historic Transition District*.
- II. Streetscape Standards
- a. Streetscapes shall not extend beyond the outer boundaries of the historic districts.
 - b. When determining streetscape, the following structure types shall be excluded: institutional structures, buildings originally constructed to house a hotel, multi-unit residential, buildings with non-historic multiple stories, non-historic pitched roof, auxiliary outbuildings such as sheds, existing structures approved by way of a variance or exception, and yard walls and fences whose height is inconsistent with the predominant height of yard walls and fences on an applicable streetscape.
 - c. When determining an applicable streetscape, vacant lots or parcels shall not be included in the calculation for allowable height.

- d. If a portion of a structure falls within the measurement of an applicable streetscape, such structure shall be considered as part of the applicable streetscape.
 - e. If the determined allowable height of a proposed residential building or addition does not meet the minimum construction standards related to height set forth in the international building code (IBC), then the IBC shall prevail.
- III. Project Location
- Planning and Land Use Department staff shall determine the applicability of this section to individual projects and the applicable streetscape as follows:

- a. If the project is located on a street that extends linearly with no interruptions or truncations, the streetscape shall include buildings, yard walls, and fences on both sides of the street on which the proposed building, yard wall, or fence is to be located, for a distance of 600 feet measured from the midpoint of the street-facing façade(s) of the proposed building, yard wall, or fence in both directions parallel to the street centerline. See Figure 4.6-1.

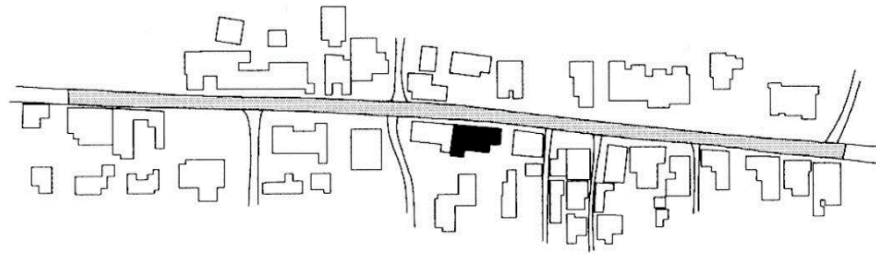


Figure 4.6-2: Linear Street - No Interruptions or Truncations

- b. If the streetscape is truncated by an intersecting block or a visual intrusion, such as a curve or turn in the streetscape, before the 600 feet is measured, the streetscape shall include all buildings, yard walls, or fences up to and including those which front the intersection or intrusion. See Figure 4.6-2.

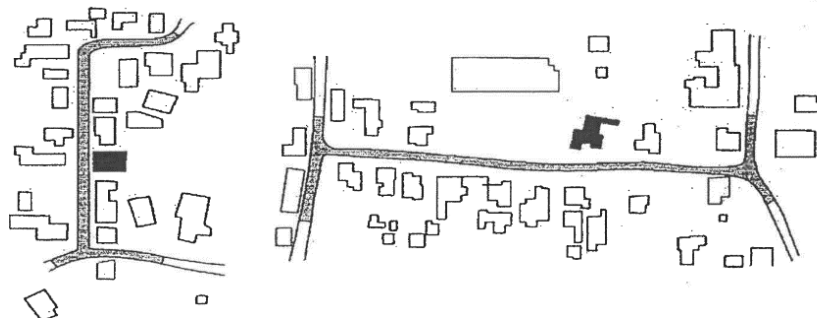


Figure 4.6-1: Truncation by an Intersecting Block or Visual Intrusion

- c. If the proposed building, yard wall, or fence fronts more than one street, the streetscape on each street frontage as determined in provision 1 above in this subsection above shall be considered. See Figure 4.6-3.

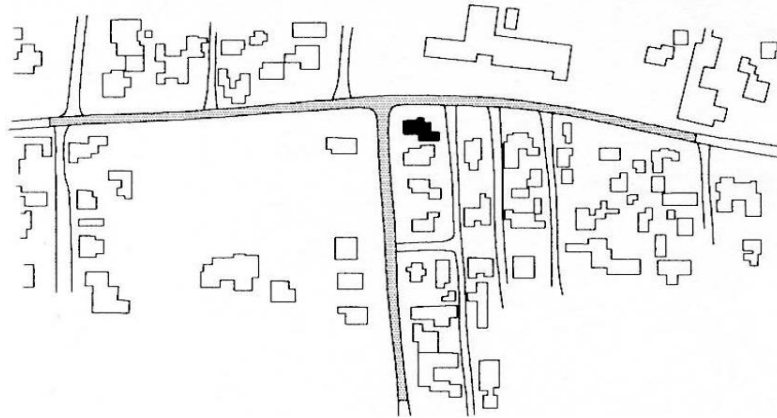


Figure 4.6-3: Frontage on More than One Street

- d. When the proposed building, yard wall, or fence is located on a lot with no frontage on rights-of-way, the streetscape is defined by measuring a distance of 300 feet in all directions beginning from the mid-point of the facade which contains the principal entrance of the building. The height of a proposed yard wall or fence shall not exceed the height of the tallest yard wall or fence within this streetscape. See Figure 4.6-4.

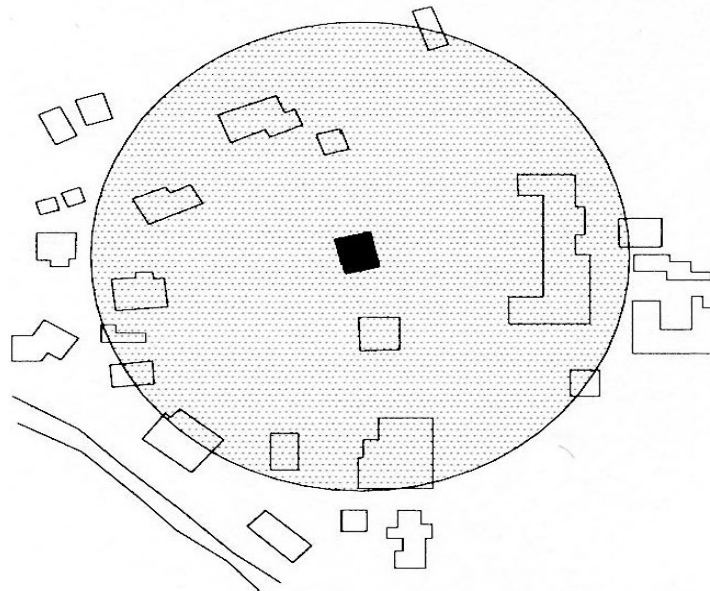


Figure 4.6-4: Interior Lot with No Street Frontage

- e. When the proposed building, yard wall or fence faces a T- or a Y- intersection, the streetscape shall include buildings, yard walls, and fences as defined in provision 1 above this subsection, and buildings, yard walls, and fences on both sides of the street creating the leg of the "T" or the arm of the "Y" for a distance of 300 feet parallel to the street centerline. See Figures 4.6-5 and 4.6-6.

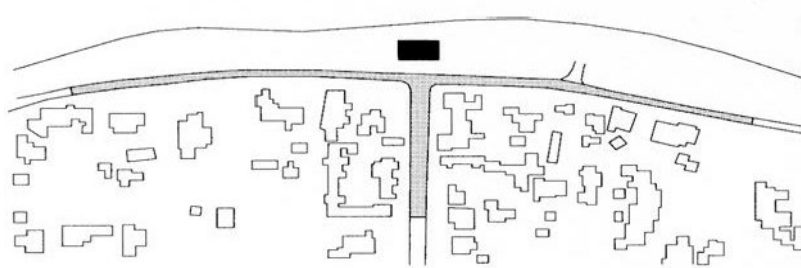


Figure 4.6-5: Location at a "T" Intersection

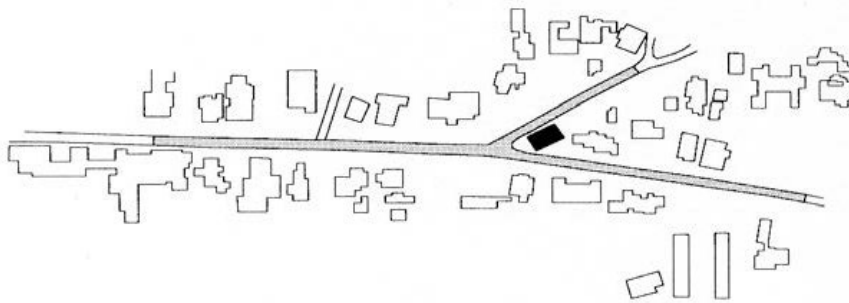


Figure 4.6-5: Location at a "Y" Intersection

- f. When the proposed building, yard wall, or fence is located in a streetscape that includes no buildings, yard walls, or fences, the height of the proposed building shall not exceed 16 feet. Yard walls and fences in this streetscape shall not exceed five feet in height.
2. Height
- i. Official Map of Building Heights in the Historic Districts – Procedures
 - a. The HDRB shall recommend the adoption of an official map reflecting building heights in the historic districts to the Governing Body. This map shall be used to regulate building height in the historic districts. The official map, adopted January 2010 inclusive of amendments, is hereby adopted by reference and incorporated as if set out herein.

- b. The map shall be adopted at a public hearing of the Governing Body, which hearing shall be advertised in a local newspaper no less than 15 days prior to the hearing. All affected property owners and owners of lots or of land within 100 feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, postmarked at least 15 days prior to the public hearing. The official map shall be adopted by the Governing Body by ordinance.
 - c. The official map of building heights in the historic districts may be amended from time to time. The HDRB shall make recommendations to the Governing Body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than 15 days prior to the hearing.
 - d. The Governing Body shall hold a public hearing on any amendments to the official map. Such public hearing shall be advertised in a local newspaper no less than 15 days prior to the hearing. All affected property owners and owners of lots or of land within 100 feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, postmarked at least 15 days prior to the public hearing.
 - e. The official map is available in the Planning and Land Use Department and is accessible at all reasonable times for inspection.
- II. Height Limitations
- The HDRB 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 exceed two 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 exceed two feet of the average of the ridge height of the pitched roofs in the streetscape.
- c. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape.
- d. The height of any other structure shall be limited to the allowable building height within the applicable streetscape, as defined in this section.
- e. The height and dimension of signage are as set forth in Section 14-7.6(I), *Sign Regulations in the Historic Districts*.
- f. The HDRB 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 feet. In no case shall the height of a façade exceed four 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 setbacks from the street.

III. Height Measurement

- a. In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive, at the midpoint of the street-facing facade, excluding rooftop appurtenances, the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position).
- b. For structures that do not have street frontage, height shall be determined by the facade that contains the tallest vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive. The height of walls and fences is measured from the street-facing side of the wall or fence.

IV. Pitch

If the determined streetscape includes over 50 percent 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.

V. 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.

VI. Massing and Floor Stepbacks

The HDRB may require that upper floor levels be stepped back, to carry out the intent of this section; provided that the HDRB 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 HDRB shall also require that the publicly visible façades of the structure be in conformance with Section 14-4.6(G), *Additional District-Specific Design Standards*, and in meeting those requirements, may require that different floor levels be stepped back.

G. Additional District-Specific Design Standards

I. Don Gaspar Area Historic District

~~I. Description of Architectural Character in 2025~~

~~This district is notable as an early twentieth century planned residential neighborhood that reflects a unique blend of Anglo-American house forms with traditional Santa Fe Design elements. Several Pueblo-Spanish and Territorial adobe-constructed houses dating from the nineteenth century are extant. Residential development of the area began in the 1890s and continued through the 1920s. While one and two-story bungalows predominate in this district, a number of other house types are in evidence, including Italianate, Four Square, Mission Revival, Colonial Revival, Northern New Mexico Vernacular, Pueblo-Spanish Revival, and Territorial Revival. The relative diversity of architecture reflects the stylistic influence of eclecticism popular throughout the United States during the late nineteenth century and promoted in Santa Fe following the arrival of the railroad in 1881. The rise of the “Santa Fe Style” movement beginning with the publication of the 1912 Planning Board’s report (which called for the preservation of the indigenous styles of architecture), saw the construction and remodeling of buildings in a manner more consistent with the Pueblo-Spanish and Territorial. Today, the district survives as an outstanding example of an early planned residential neighborhood containing a blend of traditional, eclectic, and traditional-revival architecture.~~

~~II. Exterior Design Elements and Standards~~

~~New construction and modifications or alterations to existing buildings in this district generally shall be in the Bungalow style or the Pueblo-Spanish Revival, Territorial Revival, or Northern New Mexico Vernacular sub-types of the “Santa Fe Style,” and specifically shall meet the standards set forth below. Compliance with the following 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.~~

~~a.—Exterior Wall Finish Materials~~

- ~~1. Stucco, brick, stone, or wood shall be used as exterior wall finish materials.~~
- ~~2. Aluminum or vinyl siding, metal panels, mirrored glass, and unstuccoed concrete block or unstuccoed concrete are prohibited as exterior wall finish materials.~~

~~b.—Roofs~~

~~1. Shape~~

- ~~i.—Roofs shall be flat, gabled, shed, or hipped.~~
- ~~ii.—Folded plate or hyperbolic roofs are prohibited.~~
- ~~iii.—For new construction within the district, the roof shape of a building shall be similar to the roof shape of at least 50 percent of the historic buildings within the streetscape.~~

~~2. Roof Color/Finish~~

- ~~i.—Roofs shall be earth-tone colors and may include grays, browns, and reds.~~
- ~~ii.—Wood shingle, asphalt, true standing-seam (non-reflective), and red clay tile roofs are permitted.~~
- ~~iii.—Enamelized metal roofs shall be permitted on non-contributing buildings, so long as the roof profile is that of a standing-seam roof and is non-reflective.~~
- ~~iv.—Descriptions of acceptable roof materials described here are available from the Planning Office upon request.~~

~~c.—Solar Energy Systems~~

~~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, direct gain, or other collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened as follows:~~

- ~~1. Raising the parapet up to a maximum of two feet;~~
- ~~2. Setting back from the edge of the roof;~~
- ~~3. Framing the collector with wood;~~
- ~~4. In pitched roofs, by integrating the collector into the pitch;~~
- ~~5. In ground solar collectors by a wall or vegetation;~~
- ~~6. In wall collectors or greenhouses, by enclosing end or other walls;~~
- ~~7. Other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.~~

~~d.—Rooftop Appurtenances~~

~~Rooftop appurtenances shall be architecturally screened by opaque materials by raising the parapet up to a maximum of two feet, framing in the equipment, or other appropriate means. The equipment shall be of a low profile to minimize the screening problems.~~

~~e.—Walls/Fences~~

- ~~1. Walls and fences shall be constructed of brick, adobe, stone, masonry, wood, coyote fencing, concrete block, or similar materials.~~
- ~~2. Wrought iron fences, braided wire fences, and slump block walls are allowed.~~
- ~~3. Walls of unstuccoed concrete, chain-link, welded metal wire, or similar materials are prohibited, except where the wall or fence is not publicly visible.~~
- ~~4. The maximum height of yard walls and fences in this district shall be four feet on the front of the property and six feet on the side and rear. Side walls or fences shall step down to the intersection with lower front walls or fences incrementally over a run of 15 feet. Walls and fences on corner lots shall be a maximum of four feet on all sides that face streets.~~

~~f.—Parking~~

- ~~1. For residential uses, paving with asphalt is not allowed in the front yard except in the sidewalk or driveway. No required front yard shall be used for off-street parking.~~
- ~~2. For commercial uses zoned C-1, front yards shall be landscaped, and no required front yard shall be used for off-street parking.~~

~~g.—Greenhouses~~

- ~~1. 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.~~
- ~~2. The use of corrugated fiberglass or rolled plastic for the external surface of attached or freestanding greenhouses that front on the street is prohibited.~~
- ~~3. Greenhouses with slanting sides shall be bracketed at the ends, and greenhouses made from enclosed porches or portals shall maintain the shape of the porch or portal.~~

~~h.—Tree Preservation~~

~~Existing trees over 12-inch caliper shall be preserved to the maximum extent feasible. Existing trees over 12-inch caliper that are removed during the development process shall be replaced with two trees of two-inch caliper from the approved tree list maintained by the City.~~

~~i.—Historic Alleys~~

~~An alley or lane that has been in existence for at least 50 years shall be retained.~~

~~j. Exterior Building Colors~~

- ~~1. The color of stuccoed buildings shall predominantly be in browns, tans, local earth tones, and soft pastels. However, trim colors may be more vibrant.~~
- ~~2. Surfaces of stone or brick shall be in the natural color.~~

I. District Standards

Compliance with the following structural standards shall occur whenever 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:
 1. raising the parapet;
 2. setting back from the edge of the roof;
 3. framing the collector with wood;
 4. in the case of pitched roofs, by integrating the collector into the pitch;
 5. in case of ground solar collectors by a wall or vegetation;
 6. in the case of wall collectors by enclosing by end or other walls;
 7. 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 obstructive 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 greenhouse 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 in 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.

II. Walls; Fences; Solar Collectors; Administration

Applications for 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 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. No. 2020-22, §)

2. Downtown and Eastside Historic District

~~I. Description of Architectural Character in 2025~~

- ~~a. Often referred to as the “core historic district,” the Downtown & Eastside Historic District comprises just over 1,400 acres and represents the highest concentration of historic residential, institutional, and commercial architecture in the city.~~
- ~~b. The downtown portion of the district is ringed by Paseo de Peralta and contains the remnants of seventeenth-century Santa Fe, including the Plaza, the Palace of the Governors, and Barrio de Analco neighborhood. The state of New Mexico Capitol complex is located at the south-central end of the downtown area. In general, the buildings located downtown are one to three stories in height and are designed (or have been remodeled) in the Pueblo-Spanish Revival or Territorial Revival styles during the twentieth century. While the Santa Fe Style predominates downtown, there are many important historic buildings in this area that represent other stylistic influences, including the Santa Fe Cathedral (1869-80), the Loretto Chapel (1878), and the Scottish Rite Temple (1912).~~
- ~~c. The Eastside neighborhood extends north, south, and east from Paseo de Peralta and represents a semi-rural residential area that has evolved over the course of four centuries. Geographically, the area is dominated by the eastern canyon, the Santa Fe River, and the Acequia Madre, which still provides irrigation water for properties adjacent to it. Architecturally, one-story Pueblo-Spanish, Pueblo-Spanish Revival, Territorial, Territorial Revival, and Northern New Mexico Vernacular architecture predominates. However, other historic architecture including Queen Anne, Four Square, and bungalow is in evidence, especially along Palace Avenue and Alameda.~~

~~II. Exterior Design Elements and Standards~~

~~New construction and modifications or alterations to existing buildings in this district generally shall be in the Pueblo-Spanish Revival, Territorial Revival, or Northern New Mexico Vernacular sub-types of the “Santa Fe Style,” and specifically shall meet the standards set forth below.~~

~~a.—Exterior Wall Finish Materials~~

- ~~1. On any elevation of a building or adjoining wall that is publicly visible, at least 80 percent of that wall shall be finished in a mud-based plaster, lime-based plaster, or Portland cement-based or synthetic-based stucco.~~
- ~~2. The balance of a publicly visible elevation of a building or adjoining wall may be finished with natural river stone, brick, tile, terra cotta, wood plank, clapboard, or hewn logs.~~
- ~~3. Aluminum or vinyl siding, metal panels, mirrored glass, and unstuccoed concrete block or unstuccoed concrete are prohibited as exterior wall finish materials.~~

~~b.—Roofs~~

- ~~1. Roofs on Pueblo-Spanish Revival and Territorial Revival buildings shall be flat and surrounded on at least three sides by a parapet. Roofs may be slightly pitched so long as the pitch is concealed by the parapet.~~
- ~~2. Flat roofs may have no more than a 30-inch overhang.~~
- ~~3. Northern New Mexico Vernacular buildings with gabled or hipped roofs may be constructed, provided that at least 50 percent of the roofs in the defined streetscape are pitched.~~
- ~~4. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels.~~
- ~~5. Rooftop appurtenances other than chimneys, flues, or vents, are not allowed if publicly visible. Skylights shall be lower than a building's parapet and are not allowed on buildings with pitched roofs.~~

~~c.—Building Massing and Building Details~~

- ~~1. Buildings generally shall be long and low, with length exceeding height by a factor of two to one.~~
- ~~2. Window and door space combined shall not exceed 40 percent of any publicly visible elevation, except for doors and windows located beneath a portal.~~
- ~~3. On Pueblo-Spanish Revival-style buildings, in order to simulate adobe construction, no window or door on any publicly visible elevation shall be located within three feet from the corner of the building. The exception to this requirement is enclosed portals, which may have windows located less than three feet from a corner, but shall not be located on a building's street-facing elevation.~~
- ~~4. On Pueblo-Spanish Revival-style buildings, edges and corners of publicly visible buildings or structures shall be rounded to simulate weathered adobe construction. Windows and doors should be inset a minimum of two inches to simulate adobe construction.~~
- ~~5. The primary elevations of all new buildings or additions to non-contributing buildings shall be flat, varied by inset portals, projecting portals, projecting vigas or rafter tails, canales or waterspouts,~~

~~flanking buttresses and wooden lintels, architraves, and cornices.~~

~~6. Windows on elevations of publicly visible buildings and structures shall be double hung or casement with divided light glazing not exceeding 30 inches in any dimension. Snap in or applied muntins are prohibited if publicly visible.~~

~~7. Doors on publicly visible elevations of buildings and structures shall have divided lights not exceeding 30 inches in any dimension. Snap in or applied muntins are prohibited if publicly visible.~~

~~8. Glassed areas exceeding 30 inches and publicly visible are permitted, provided they are located beneath a portal.~~

~~d.—Walls/Fences~~

~~1. Walls and fences shall be constructed of brick, adobe, stone, masonry, wood, coyote fencing, concrete block, or similar materials.~~

~~2. Wrought iron fences, braided wire fences, and slump block walls are allowed.~~

~~3. Walls of unstuccoed concrete, chain-link, welded metal wire, or similar materials are prohibited, except where the wall or fence is not publicly visible.~~

~~4. The maximum height of walls and fences located between buildings and street frontages in the Eastside area shall be five feet in height, and in the Downtown area, four feet.~~

~~e.—Portals~~

~~In the Downtown area, one-story Pueblo-Spanish Revival or Territorial-Revival inspired portals shall be constructed on the street-facing elevation of all commercial buildings.~~

~~f.—Tree Preservation~~

~~In the Eastside portion of the district, existing trees over 12-inch caliper shall be preserved to the maximum extent feasible. Existing trees over 12-inch caliper that are removed during the development process shall be replaced with two trees of two-inch caliper from the approved tree list maintained by the City.~~

~~g. Exterior Building Colors~~

- ~~1. Any publicly visible elevation of a building shall be of one light or dark earth color, matte, or dull finish, and of a relatively smooth texture.~~
- ~~2. Building trim and building elevations located beneath portals may be of contrasting or complimentary accent colors.~~

The governing body recognizes that a style of architecture has evolved within the city from the year 1600 to the present characterized by construction with adobe, hereafter called "old Santa Fe style", and that another style has evolved, hereafter called "recent Santa Fe style", which is a development from, and an elaboration of the old Santa Fe style, with different materials and frequently with added decorations.

I. Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Sapnish-Indian" and "territorial" styles and is more specifically described as follows:

- a. With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover and enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, open slightly ogive, over gateways in freestanding walls;
- b. All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
- c. Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
- d. The rule as to flat roofs shall not be constructed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerals, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
- e. True old Santa Fe style buildings are made of adobe with mud plaster finish.

Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

- f. It is characteristic of old Santa Fe style commercial buildings to place a portal so that it covers the entire sidewalk, the columns being set at the curb line.

II. Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

- a. No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;
- b. The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;
- c. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;
- d. No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be or natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;
- e. The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and
- f. Flat roofs shall have not more than thirty (30) inches overhang.

3. Historic Review District

I. Applicability

- a. The Planning and Land Use Department shall review and approve or deny all applications for new construction, exterior alteration, and demolition of structures in the historic review district in accordance with the standards set forth in this section.
- b. The Historic Districts Review Board shall review and approve or deny new construction of commercial, residential multi-unit, public structures, and those structures requiring the Board's review as specified in Section 14-3). Approval, denial, or referral shall be indicated on the application for the construction permit.

II. Exterior Design Elements and Standards

Compliance with the following structural standards is required when exterior features of buildings and other structures that are visible from any public street, way, or other public place, are erected, altered, or demolished.

- a. Exterior Wall Finish Materials
 - 1. Slump block, stucco, or stone shall be used as exterior wall materials. Wood and other materials may be used for details.
 - 2. Aluminum siding, metal panels, mirrored glass, and unstuccoed masonry units or unstuccoed cement shall not be used as exterior wall materials; and
 - 3. The color of stuccoed buildings shall predominantly be brown, tan, yeso, or local earth tones. Stone surfaces shall be in the natural color. Entries and portals may be emphasized by the use of white or other colors or materials. Painting buildings with bold repetitive patterns, or using buildings as signs, is prohibited.
- b. Roofs and Building Massing
 - 1. Buildings shall be designed to be "wall dominated," which means that the building's geometry is more defined by walls than by roofs.
 - 2. In order to emulate traditional Santa Fe architecture and construction traditions, structures shall be designed to appear essentially as structures with massive walls which are defined as being built or appearing to be built of adobe construction, wall thickness appearing massive in relation to wall height, and where applicable, the depths of windows, doors and entry opening showing the massiveness of the structure. Structures shall be wall-dominated, except under portals.
 - 3. The mass elements that make up the building composition shall appear as single blocks. Buildings with ground coverage of over 20,000 square feet and over one story shall be designed to appear more as an aggregation of smaller "building blocks" rather than a single large box or block.
 - 4. Buildings with flat, gabled, shed, and hipped roofs can be designed as "wall dominated" solutions and are allowed. However, gabled, shed, and hipped roofs are only allowed if sufficient evidence is provided by the applicant showing that there are pitched roofs within the related streetscape, as viewed when standing in the public street in front of the site.
 - 5. The height of the roof above the wall shall be no greater than the height of the walls.
 - 6. Folded plate, hyperbolic, mansard, or red tile roofs are not allowed. Roofs in local earth tones are preferred.
 - 7. Roof-mounted mechanical, electrical, and telephone equipment and other obtrusive structures shall be architecturally screened with opaque materials by raising the parapet, boxing in the equipment or other appropriate means. The equipment shall be of a low profile to minimize the screening problem.
- c. Solar Energy Systems

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, direct gain, or other collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened as follows:

1. Raising the parapet up to a maximum of two feet;
2. Setting back from the edge of the roof;
3. Framing the collector with wood;
4. In pitched roofs, by integrating the collector into the pitch;
5. In ground solar collectors by a wall or vegetation;
6. In wall collectors or greenhouses, by enclosing end or other walls;
7. Other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.

d. Cantilevers

No cantilever or beam, plate or other projection from a wall that is unsupported at the other end are allowed except over the projecting vigas, beams, or wood corbels or as part of the roof. The use of arches is discouraged except in free-standing walls.

e. Walls/Fences

Walls and fences visible from the street shall be built of brick, adobe, rock, masonry, wood, coyote fencing, wrought iron, slump block, or similar materials. Walls of unstuccoed concrete block or unstuccoed concrete, chain link, metal wire, or similar materials are prohibited, except where the wall or fence is not visible from the street.

f. Parking

When parking spaces are required for commercial or multi-unit residential buildings, they shall be placed to the rear or side of the building. When parking areas are visible from the street, they shall be screened from view by walls, fences, vegetation, planters, earth berms, or other means.

4. Historic Transition District

~~I. Description of Architectural Character in 2025~~

~~The 26-acre Historic Transition District represents Santa Fe's earliest platted neighborhood, located just east of the railyard. Subdivided in a grid in anticipation of a need for housing and commercial space with the arrival of the Atchison, Topeka, and Santa Fe Railroad to the city in 1881, the area only grew slowly through the late nineteenth and early twentieth centuries. The buildings constructed in the district during this period were primarily Anglo-American in inspiration and included Queen Anne, Second Empire, and Bungalow stylistic influences not native to Santa Fe, but a result of a concerted effort that was made by businessmen and politicians to "Americanize" the city prior to statehood in 1912. During the post-1920 period, the area became more~~

~~commercial and a location for car dealerships, auto repair shops, and light industrial activities (many constructed in the Pueblo-Spanish Revival idiom and still extant). While the district today contains an eclectic blend of building types and styles, it is unified by its original layout and acts as an important transition zone between the Downtown & Eastside Historic District, the Westside-Guadalupe Historic District, the Don Gaspar Area Historic District, and the Santa Fe Railyard.~~

~~II. Exterior Design Elements and Standards~~

~~New construction and modifications or alterations to existing buildings in this district generally shall be in the Bungalow style or the Pueblo-Spanish Revival, Territorial Revival, or Northern New Mexico Vernacular sub-types of the "Santa Fe Style," and shall meet the standards set forth below.~~

~~a. Exterior Wall Finish Materials~~

- ~~1. Stucco, brick, slump block, wood, and stone are allowed exterior wall finish materials.~~
- ~~2. Aluminum siding, metal panels, mirrored glass, unstuccoed masonry units and unstuccoed concrete siding are not allowed.~~

~~b. Roofs~~

- ~~1. The height of the roof shall be no greater than the height of the wall measured from the ground.~~
- ~~2. Folded plate, hyperbolic, and mansard roofs are not allowed.~~
- ~~3. Roofs in muted colors are preferred.~~

~~c. Solar Energy Systems~~

~~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, direct gain, or other collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened as follows:~~

- ~~1. Raising the parapet up to a maximum of two feet;~~
- ~~2. Setting back from the edge of the roof;~~
- ~~3. Framing the collector with wood;~~
- ~~4. In pitched roofs, by integrating the collector into the pitch;~~
- ~~5. In ground solar collectors by a wall or vegetation;~~
- ~~6. In wall collectors or greenhouses, by enclosing end or other walls;~~
- ~~7. Other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.~~

~~d. Walls/Fences~~

- ~~1. Publicly visible walls and fences shall be built of brick, adobe, rock, masonry, wood, coyote fencing, braided metal wire, wrought iron, slump block, or similar materials.~~
- ~~2. Walls of unstuccoed concrete block or unstuccoed concrete, chain-link, welded metal wire, or similar materials are prohibited, except where the wall or fence is not publicly visible.~~
- ~~3. The maximum height of yard walls and fences in the district shall be four and one-half feet on the front of the property and six feet on the side and rear. Side walls or fences shall step down to the intersection with lower front walls or fences incrementally over a run of 15 feet. Walls and fences on corner lots shall be a maximum of four feet on all sides that face streets.~~

~~e. Cantilevers~~

~~Cantilevers are prohibited except over projecting vigas, beams, or corbels or as part of the roof. The use of arches is discouraged except in freestanding walls.~~

~~a. Exterior Building Colors~~

- ~~1. The color of stuccoed buildings shall be predominantly browns, tans, or other earth tones.~~
- ~~2. Stone and brick shall be left their natural color.~~
- ~~3. Entries and portals may be emphasized by the use of white or other muted colors.~~

~~III. Remodeling and Alteration~~

~~b. Persons requesting approval for construction permits for remodeling or alteration of nonconforming structures shall not be required to bring the total structure into conformance with the standards for the historic transition area. However, the portion of the building that is remodeled or altered shall conform to those standards. Remodeling of structures of architectural and historic interest or individually entered on the state register of cultural properties or national register of historic places or designated as significant on either register shall be related to and compatible with the structure. "Related to and compatible with" means existing together with unity and coherence.~~

~~c. Final Review~~

- ~~4. All applicants for final review shall submit digital building elevations meeting the requirements of the Planning and Land Use Department.~~
- ~~5. The Planning and Land Use Department shall make a determination of whether the plans and elevations are in compliance with the requirements of this section within five working days from the date of the application to the city. If the submitted information is inadequate, the Planning and Land Use Department may postpone action until a date agreed upon by the Department and the applicant.~~
- ~~6. Final approval, denial, or conditional approval shall be granted by the Planning and Land Use Department. If conditional approval is given, the list of conditions shall be attached to the application. If the application is denied, the sections of the historic transition district with which the application did not comply shall be noted.~~
- ~~7. No approval by the Planning and Land Use Department shall be required for repairs that do not in any way alter any exterior feature in view from any public street, way, or public place, or for repainting it the same color.~~

~~I. District Standards~~

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

~~a. Architectural Style~~

~~1. Materials~~

~~It is intended that exterior wall materials express a monolithic and massive~~

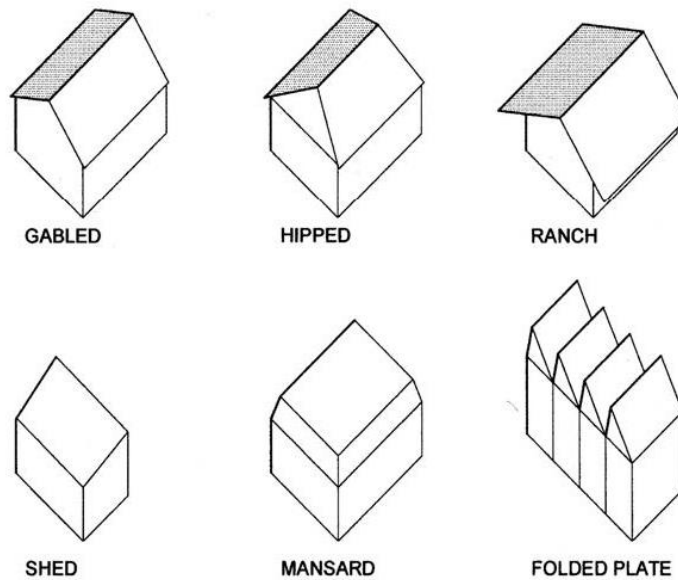
appearance. Stucco, brick, slump block, and stone are allowed. Materials such as aluminum siding, metal panels, mirrored glass, and unstuccoed masonry units or cement are not allowed. Wood siding is not allowed for an entire wall;

2. Color

The color of stuccoed buildings shall predominantly be in brown, tans, or local earth tones. This does not include chocolate brown colors or white except dull or matte off-white (yeso). Surfaces of stone or brick shall be in the natural color. Entries and portals may be emphasized by the use of white or other colors or materials. Painting of buildings with bold repetitive patterns, or using buildings as signs is prohibited;

3. Roof Form, Slope and Shape

It is intended that buildings be designed to be “wall dominated”. “Wall dominated” means that the building’s geometry is more defined by walls than by roofs. Buildings with flat, gabled, shed, and hipped roofs can be designed as “wall dominated” solutions and are allowed. The height of the roof above the wall shall be no greater than the height of the walls. Folded plate roofs, hyperbolic, mansard, or red tile roofs are not allowed. Roofs in local earth tone colors are preferred. See the following Examples of Roof Types:



4. Solar Equipment

i. It is intended that the use of solar and other energy collecting and conserving strategies be encouraged. The use of large glazed areas on south facing walls for collectors, trombe walls, greenhouses, garden rooms, direct gain, or other collecting purposes is allowed. Solar equipment shall be screened as follows:

- (a) raising the parapet;
- (b) setting back from the edge of the roof;
- (c) framing the collector with wood;
- (d) in the case of pitched roofs, by integrating the collector into the pitch;

- (e) in the case of ground solar collectors by a wall or vegetation;
 - (f) in the case of wall collectors or greenhouses, by enclosing by end or other walls;
 - (g) other means that screen the collectors or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.
 - ii. Roof-mounted equipment: roof-mounted mechanical, electrical and telephone equipment and other obtrusive structures shall be architecturally screened with opaque materials, for example, by raising the parapet, and shall be of a low profile to minimize the screening problem;
 - iii. Cantilevers, arches: no cantilevers or long apparently unsupported openings are allowed except over the projecting vigas, beams, or wood corbels or as part of the roof. The use of arches is discouraged except in free standing walls;
- b. Size, Mass and Shape
- 1. In order to emulate traditional Santa Fe architecture and construction traditions, it is intended that structures be designed to appear essentially as structures with massive walls. Structures with massive walls are defined as being built or appearing to be built of adobe construction, wall thickness appearing massive in relation to wall height, and where applicable, the depths of windows, doors and entry openings showing, the massiveness of the structures. Solid wall spaces shall be greater in any façade than window or door space combined. Exceptions are allowed for south facing walls for solar equipment as provided in Subsection (G)(4)(I)(a)(4) of this section, and under portales; (Ord. No. 2002-37 § 29)
 - 2. The mass elements which make up the building composition shall appear as single blocks;
 - 3. Buildings with ground coverage of over twenty thousand (20,000) square feet and over one story shall be designed to appear more as an aggregation of smaller “building blocks” rather than a single large box or block. A human scale shall be achieved near ground level on large commercial, multi-family residential and public buildings and along street façades and entryways through the use of such scale elements as windows, doors, columns, and beams. Human scale means the entrances, windows, doors, columns, and beams on large buildings are in proportion to the people using the building. For example, a ten-foot height entrance cover is in proportion to a person using it. A thirty (30) foot height colonnade is not;
- c. Walls and Fences
- Walls and fences visible from the street shall be built of brick, adobe, rock, masonry, wood, coyote fencing, wrought iron, slump block, or similar materials. Walls of unstuccoed concrete block or unstuccoed concrete, chain link, metal wire, or similar materials are prohibited, except where the wall or fence is not visible from the street;
- d. Remodeling and Alteration
- Persons requesting approval for building permits for remodeling or alteration of nonconforming structures shall not be required to bring the total structure into conformance with the standards for the historic transition area. However, the

portion of the building that is remodeled or altered shall conform to those standards. Remodeling of structures of architectural and historic interest or individually entered on the state register or cultural properties or national register of historic placed or designated as significant on either register shall be related to and compatible with the structure. "Related to and compatible with" means existing together with unity and coherence.

II. Final Review

- a. All applicants for final review shall submit:
 1. Three copies of four building elevations drawn to scale. Elevations shall be drawn with sufficient detail to show the architectural design of the structures, including proposed exterior finish materials, textures and colors;
 2. Three copies of a dimensioned plan drawn to scale which shows building location and configuration in relation to other site improvements, including but not limited to parking lots and utilities.
- b. The planning and land use department shall make a determination of whether the plans and evaluations are in compliance with the requirements of this section within five working days from the date of the application to the city. If the submitted information is inadequate, the division may postpone action until a date agreed upon by the division and the applicant. (Ord. No. 2007-45 § 30; Ord. No. 2020-22, §16)
- c. Final approval, disapproval, or conditional approval shall be noted on the face of the application and signed by a representative of the planning and land use department. If conditional approval is given, the list of conditions shall be attached to the application. If the application is disapproved, the sections of the historic transition district with which the application did not comply shall be noted on the application. (Ord. No. 2007-45 § 30; Ord. No. 2020-22, §16)

III. Property Use and Zoning District

The property in the historic transition district may be used for any use permitted in the zoning district of which the property in question is a part. The property in the historic transition district shall be subject to the requirements, uses, height, and other regulations of the zoning district of which the property is a part.

5. Westside-Guadalupe Historic District

~~I. Description of Architectural Character in 2025~~

- ~~a. The 169-acre Westside-Guadalupe Historic District is an intact, traditional Hispanic residential neighborhood that developed primarily during the Great Depression of the 1930s. Geographically, the area is relatively flat and defined by the Santa Fe River and Agua Fria, which was, until the mid-nineteenth century, the El Camino Real (Royal Road) linking Santa Fe and Chihuahua, Mexico. The earliest buildings in the district, dating from the late-eighteenth century, are located along West San Francisco Street between Agua Fria and Alto Streets, and were originally associated with the agricultural use of the land.~~
- ~~b. Growth of the neighborhood was slow and use of the area largely agricultural until the 1920s when an influx of population from rural Northern New Mexico resulted in the subdivision of land, the construction of small, one-story, owner-built houses, and the growth of many dense family compound properties. Architecturally, the majority of buildings in the district today are one-story vernacular with Pueblo-Spanish Revival, Territorial Revival, or eclectic elements. Roughly one-third of the buildings have pitched roofs, and the remainder are flat.~~

~~II. Exterior Design Elements and Standards~~

~~New construction and modifications or alterations to existing buildings in this district shall be in the Pueblo-Spanish Revival, Territorial Revival, or Northern New Mexico Vernacular sub-types of the “Santa Fe Style” and shall meet the standards set forth below.~~

~~a.—Exterior Wall Finish Materials~~

- ~~1. Slump block, stucco, brick, or stone shall be used as exterior wall finish materials. Wood and other materials may be used for details.~~
- ~~2. Aluminum or vinyl siding, metal panels, mirrored glass, and unstuccoed concrete block or unstuccoed concrete shall not be used as exterior wall finish materials.~~

~~b.—Roofs and Building Massing~~

- ~~1. Buildings shall be designed to be "wall-dominated." For purposes of this subsection, "wall-dominated" means that the building's geometry is more defined by walls than by roofs.~~
- ~~2. Solid wall space shall be greater in any elevation than window and door space combined. Exceptions may be allowed for south-facing walls for solar equipment, and under portals.~~
- ~~3. The height of the roof above the wall shall be no greater than the height of the wall.~~
- ~~4. Buildings with flat, gabled, shed, or hipped roofs can be designed as "wall-dominated" solutions and are allowed.~~
- ~~5. Folded plate, hyperbolic, or mansard roofs are prohibited.~~

~~c.—Solar Energy Systems~~

~~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, direct gain, or other collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened as follows:~~

- ~~1. Raising the parapet up to a maximum of two feet;~~
- ~~2. Setting back from the edge of the roof;~~
- ~~3. Framing the collector with wood;~~
- ~~4. In pitched roofs, by integrating the collector into the pitch;~~
- ~~5. In ground solar collectors by a wall or vegetation;~~
- ~~6. In wall collectors or greenhouses, by enclosing end or other walls;~~
- ~~7. Other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.~~

~~d. Walls/Fences~~

- ~~1. Publicly visible yard walls and fences shall be of brick, adobe, masonry, stone, wood, coyote fencing, or similar materials.~~
- ~~2. Wrought iron fences and slump block walls are allowed.~~
- ~~3. Walls of unstuccoed concrete block, unstuccoed concrete, chain-link, metal wire, or similar materials are prohibited in front yards.~~
- ~~4. The maximum height of walls and fences in the district shall be four and one-half feet on the front of the property and six feet on the side and rear. Side walls or fences shall step down to the intersection with lower front walls or fences incrementally over a run of 15 feet. Walls and fences on corner lots shall be a maximum of four feet on all sides that face streets.~~
- ~~5. The colors of stuccoed walls and fences shall be limited to soft pastels and earth tones.~~

~~e. Parking~~

~~When parking spaces are required for commercial or multi-family residential buildings, they shall be located to the rear or side of the building. Parking is not allowed in required front yards.~~

~~f. Greenhouses~~

- ~~1. 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.~~
- ~~2. The use of corrugated fiberglass or rolled plastic for the external surface of attached or freestanding greenhouses that front on the street is prohibited.~~
- ~~3. Greenhouses with slanting sides shall be bracketed at the ends and greenhouses made from enclosed porches or portals shall maintain the shape of the porch or portal.~~

~~g. Porches and Portals~~

~~Porches and portals are encouraged.~~

~~h. Exterior Building Colors~~

- ~~1. The color of stuccoed buildings shall predominantly be in browns, tans, local earth tones, and soft pastels. However, trim colors may be more vibrant.~~
- ~~2. Surfaces of stone or brick shall be in the natural color.~~
- ~~3. Entryways and portals or porches may be emphasized by the use of white or other colors.~~

I. District Standards

Compliance with the following structural standards shall occur whenever 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, or stone, shall be used as exterior wall materials. Wood and other materials may be used for details. Aluminum siding, metal panels, mirrored glass, and unstuccoed concrete block or unstuccoed concrete shall not be used as exterior wall materials;
- b. The color of stuccoed buildings shall predominantly be in browns, tans, local earth tones and soft pastels. Surfaces of stone or brick shall be in the natural color. Entryways, and portales or porches may be emphasized by the use of white or other colors. 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.
- c. Roof form, slope, and shape. It is intended the buildings be designed to be “wall dominated”. “Wall dominated” means that the building’s geometry is more defined by walls than by roofs. Buildings with flat, gabled, shed, or hipped roofs can be designed as “wall dominated” solutions and are allowed. The height of the roof above the wall shall be no greater than the height of the wall. Folded plate, hyperbolic or mansard roofs are not allowed;
- d. 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, 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 as follows:
 - a. raising the parapet;
 - b. setting back from the edge of the roof;
 - c. framing the collector with wood;
 - d. in the case of pitched roofs, by integrating the collector into the pitch;
 - e. in the case of ground solar collectors by a wall or vegetation;
 - f. in the case of wall collectors, by enclosing by end or other walls;
 - g. other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.
- e. Mechanical, electrical, telephone equipment, microwave satellite receiving

dishes, and other obstructive equipment shall be architecturally screened with opaque materials by raising the parapet, boxing in the equipment, or other appropriate means. The equipment shall be of a low profile to minimize the screening problems;

- f. 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 block, unstuccoed concrete, chain-link, metal wire, or similar materials are prohibited, except where the wall or fence is not in the street frontage;
- g. Greenhouses;
- h. 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 that greenhouses made from enclosed porches or portales maintain the shape of the porch or portal;
- i. Porches and portales are encouraged;
- j. When parking spaces are required for commercial or multi-family residential buildings, they shall be placed to the rear or side of the building.

II. Walls; Fences; Solar Collectors; Administration

Applications for erection, alteration, or demolition 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, and referrals to the board at its next regular meeting as an informational item. (Ord. No. 2007-45 § 30, Ord. No. 2020-22, § 16)

H. Historic Compounds

- I. Purpose
 - I. Historic compounds shall be recognized as historic places and that the identifiable historic, physical, and spatial elements comprising them shall be preserved.
 - II. Character defining architectural, landscaping, spatial features and contexts in a historic compound shall be preserved.
 - III. The buildings, structures, landscaping, and open spaces comprising a compound change over time. Changes to a compound may have acquired historic significance and, if so, shall be retained and preserved.
 - IV. Additions to existing buildings and new construction and landscaping in a historic compound shall be undertaken in such a manner that, if removed in the future, the historic form and integrity of the historic compound would be

unimpaired.

2. Identification of Historic Compounds

In reviewing applications for compliance with Section 14-4.6, staff shall evaluate whether the subject property is located in a historic compound. Identification of a historic compound shall be accompanied by a written analysis and justification as to why the compound is historic. Historic compounds shall be comprised of a group of at least three buildings that are historically, physically, and/or spatially related. In order for a compound to be considered historic, at least 50 percent of the buildings in the compound shall be designated contributing, significant or landmark. Designation of all buildings, structures, and objects in a compound shall be reviewed upon application. Four general types of historic compounds are found in Santa Fe, the family, the rental, the placita, and the commercial.

3. HDRB Review of Existing Conditions Assessments and Historic Compound Plans
 - I. For any proposed substantive change to a historic compound, the property owner or representative shall submit an existing conditions assessment for review and approval by the HDRB.
 - II. For compounds that have one owner, the HDRB may also require a proposed historic compound plan for review and approval. If a historic compound plan is required, a permit for substantive change in the historic compound shall not be issued until final review and approval of the document by the HDRB.
 - III. An existing conditions assessment and/or historic compound plan shall not be reviewed until all exhibits, as specified by city policy, have been submitted.
 - IV. Review of the existing conditions assessment and historic compound plan by the HDRB shall include the historic, physical, and spatial character including scale and development pattern of the historic compound.
4. Standards for the Rehabilitation, Demolition, Additions and New Construction in Historic Compounds
 - I. General
 - a. If proposed changes will significantly alter the historic, physical, or spatial character of the historic compound as a whole, the application shall be denied.
 - b. If the proposed changes will result in a resource located in the historic compound losing its contributing, significant, or landmark status, the application shall be denied.
 - II. Rehabilitations of Contributing, Significant, and Landmark Resources
In rehabilitating contributing, significant, and landmark resources, the standards as set out in Section 14-4.6(E) shall be met.
 - III. Additions
Additions to contributing, significant, or landmark buildings or structures shall meet the standards as set forth in Section 14-4(6)(2).

IV. Height

- a. Additions to contributing, significant, or landmark buildings shall be a minimum of six inches lower than the parapet or ridge of the historic building. Additions to contributing, significant, or landmark structures other than buildings shall be a minimum of six inches lower than the highest point of the historic structure. This requirement shall supersede Section 14-4(6)(E)(2)(III).
- b. In addition to the height requirements set forth in Section 14-4(6)(H)(4)(IV)(a), new buildings shall be at least six inches lower than the calculated average height of all contributing, significant or landmark buildings in the historic compound.
- c. New walls, fences, or gates shall not exceed the average height of existing walls, fences, or gates in the historic compound. No wall or fence that significantly changes the spatial character of the historic compound shall be constructed.

V. New Free-Standing Construction and Landscaping

- a. New buildings shall not exceed in size the average historic footprint of all contributing, significant or landmark buildings in the historic compound.
- b. The total footprint of new free-standing building construction approved under this ordinance shall not exceed 50 percent of the combined historic footprint of contributing, significant or landmark buildings.
- c. New construction shall use similar materials, building forms and stylistic elements as found in the historic compound.
- d. New construction shall be visually distinct from, but compatible with, contributing, significant, or landmark architecture in the historic compound.
- e. New construction shall not damage, block, or obscure historic, physical, or spatial character defining features of the historic compound including but not limited to courtyards, roads, paths, walls, fountains, curbing, and vegetation.
- f. The location of new construction shall be considered so that its physical relationship to other buildings is similar to the spatial relationships of existing contributing, significant, or landmark buildings in the historic compound.
- g. Addition of a new object shall not be considered new construction.

VI. Demolitions

- a. Any demolition in a historic compound shall be reviewed as per Section 14-2.1G.3.
- b. The effect(s) of the demolition on the character of the historic compound as a whole shall be taken into consideration when reviewing the application.

5. Survey, Recommendation, Approval of Historic Compound Register and Effective Date
 - I. A survey of the historic districts shall be completed to determine a list of eligible historic compounds.
 - II. The Historic Districts Review Board shall make a recommendation to the Governing Body as to which properties shall be registered as historic compounds.
 - III. The Governing Body shall approve the historic compound register after conducting a public hearing. Notice of the public hearing shall be given to the owner of record of each property considered for the historic compound register by first class mail, with a certificate of mailing provided by the U.S. post office, no less than 15 days prior to the hearing.
 - IV. Subsection 14-4.6(H) shall become effective 30 days after the approval of the historic compound register by the Governing Body.

- I. Landmarks

1. Official Map of Landmark Structures-Procedures

The Historic Districts Review Board shall recommend to the Governing Body an official map designating the status of structures for the purpose of regulation of landmark structures.

- I. The map shall be adopted at a public hearing of the Governing Body, which hearing shall be advertised in a local newspaper no less than 15 days prior to the hearing. All affected property owners and owners of lots or of land within 100 feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, with a certificate of mailing provided by the U.S. post office, mailed at least 15 days prior to the public hearing.
 - II. The Historic Districts Review Board shall make recommendations to the Governing Body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than 15 days prior to the hearing. All affected property owners shall be notified of the public hearing by first class mail, with a certificate of mailing provided by the U.S. post office, mailed at least 15 days prior to the public hearing. With the consent of the property owner, the City shall post on the property a poster obtained from the Planning and Land Use Department. If the poster cannot be placed on the property, it shall be posted in the closest location available to the city. Posters shall be securely posted, prominently displayed, visible from a public street, at least 14 days prior to the scheduled HDRB hearing. The poster shall indicate the nature of the application, identification of the property affected and the time, date and place of the hearing. The poster shall be removed within 30 days of final action. Failure to do so may result in the city removing the sign at the applicant's expense. A civil fee of \$50.00 will be charged.
 - III. The Governing Body shall hold a public hearing on a recommendation by the Historic Districts Review Board for an official map. Any official map shall be adopted by the Governing Body by ordinance.
 - IV. The official map of landmark structures, with referenced property addresses, is amended from time to time. The same is hereby adopted by reference and incorporated as if set out herein. The official map shall be posted on the city's website.
- J. State Capital Outlay Projects
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I. Purpose

- I. Recognizing the fragility of the city's historic heritage, the purpose of this subsection is to activate the procedure established in Section 3-22-6 NMSA 1978 under which the city and the state will collaborate in good faith and work jointly to preserve and protect the historic districts of Santa Fe as well as contributing, significant and landmark structures.
- II. State capital outlay projects in historic districts shall be carried out pursuant to the procedures set forth in Section 3-22-6 NMSA 1978 and subsection 2 below and in a manner that is harmonious and generally compatible with the design standards set forth in subsection 3 below. These procedures and standards apply to new structures and additions to and alterations and demolition of existing buildings.

2. Procedures

- I. Before commencing with the design phase of a capital outlay project, the state and the Historic Districts Review Board shall consult as to the appropriate design standards and how those design standards would impact costs and the operation or manner in which the project will ultimately be expected to function. The Historic Districts Review Board shall work collaboratively with the state to arrive at compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality. The state shall also make every reasonable effort to obtain input from members of identifiable community groups involved in historic preservation in Santa Fe before commencing the design phase.
- II. After the design phase and before soliciting a bid or proposal for design-build or lease-purchase for a capital overlay project, the state shall submit the plans to the Historic Districts Review Board for review and comment. The Historic Districts Review Board in conjunction with the state shall conduct a public meeting to receive public input. Notice of the public meeting shall be given to any identifiable community groups involved in historic preservation in Santa Fe.
- III. Within 60 days after the public meeting the historic districts review board, any identifiable historic preservation community group or any other interested party shall communicate recommendations and comments in writing to the state. The state shall consult with the historic districts review board or other entity to resolve any issues raised. If at the end of the sixty-day period unresolved issues remain, the city may within five days after the end of the period, notify the state that the issues remain unresolved and these issues shall be finally determined as set forth in Section 3-22-6(G) NMSA 1978, provided that if notice is not timely given, the state may, after incorporating those provisions to which the state and the city have agreed, proceed with the project.
- IV. The state shall not take any irrevocable action on the capital project in reliance on the plans until the procedures set forth in Section 3-22-6 NMSA 1978 have been followed.

3. Design Standards

I. General Standards

A state capital outlay project shall be designed appropriate to the seat of government and with the intent of achieving harmony with existing buildings by the use of similar materials, color, proportion, and general details to the existing buildings in the applicable streetscape. The applicable streetscape shall be determined as set forth in Section 14-4.6(F)(1)(II) and Section 14-4.6(F)(1)(III). A new structure or proposed alteration or addition shall not cause an adjacent contributing, significant or landmark structure to lose its status. Alterations and additions shall be in character with the style, detail and

massing of the existing building. The dominating effect is to be that of adobe construction as follows:

a. Roofs

Roofs, generally, shall be flat with a slight slope and surrounded by a parapet of the same color and material as the walls or of brick. Roofs shall generally not be carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by columns, posts or other vertical supports. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment not to exceed an overhang of 30 inches. The restriction as to flat roofs shall not be construed to prevent the construction of skylights or installation of air-conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aials, shall be so placed as to be concealed by the parapet from any public way.

b. Walls and Windows

The combined door and window area in any publicly visible façade generally shall not exceed forty percent of the total area of the facade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three feet from the corner of the facade except in circumstances where the unique purpose of the space may warrant special design considerations. Windows, doors and portales on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles. Glass and window trim shall be nonreflective. Windows shall be similar in proportion to the fenestration pattern in the streetscape. Deep window recesses are characteristic.

c. Finishes

Construction shall be with materials with which the adobe effect can be simulated provided that the exterior walls are not less than eight inches thick. Mud plaster, hard plaster or other materials simulating adobe, laid on smoothly, is required. No less than eighty percent of the non-fenestration surface area of any publicly visible façade shall be adobe finish, stucco or other material simulating adobe finish. The balance of the publicly visible façade may be of natural stone, wood, brick, tile, terra cotta, or other material. Materials shall convey a sense of substance and permanence.

d. Colors

The publicly visible facade of any building and of any adjoining walls generally shall be of one color but no more than three colors and simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. However, facade surfaces under portals or inset panels in

a wall under a roof overhangs, in church-derived designs, may be painted white or be of contrasting or complimentary colors or have mural decorations.

e. Other Features

Facades shall be flat, varied by inset portals, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices. Depending upon the existing streetscape and if permitted otherwise in this chapter, a portal may cover the entire sidewalk with the columns set at the curb line.

f. Height

The height shall be limited to the average height of institutional buildings as measured within the applicable streetscape. When determining an applicable streetscape, vacant lots or parcels shall not be included in the calculation for allowable height. If no institutional buildings are included in the streetscape, the maximum height shall not exceed the average height of existing buildings in the streetscape. The Planning and Land Use Department staff shall determine the applicable streetscape as set forth in Section 14-4.6, subparts (F)(1)II and (F)(1)(III). Height shall be measured as set forth in Section 14-4.6(F)(2). Heights of existing structures shall be as set forth on the official map of building heights. If the height of an existing building is not given, the state shall submit a statement from a NM licensed surveyor of the actual height. No building facade shall be over two stories in height unless the façade includes projecting or recessed portales, balconies, setbacks or other design elements.

4. Contributing, Significant and Landmark Buildings

State capital outlay projects that involve contributing, significant or landmark structures shall be undertaken in such a manner as to preserve the status of the structure and in accordance with the standards for alterations or additions to contributing, significant or landmark buildings as set forth in Section 14-4.6. Historic materials and architectural features and spaces that embody the status shall be preserved. A proposed alteration or addition shall not cause the structure to lose its status.

5. Demolition of Historic and Landmark Structures
 - I. A request for demolition of a historic or landmark structure shall include a staff report and comply with the approval criteria set forth in Section 14-2.1(G)(3)(IV). If there is a disagreement as to demolition, the procedures set forth in Section 3-22-6(G) NMSA 1978 shall be followed.
 - II. The minimum maintenance requirements for historic or landmark structures set forth in Section 14-4.6(B) shall be met.
 - K. County and Santa Fe Public Schools Capital Outlay Projects
-

1. Purpose
 - I. Recognizing the fragility of the city's historic heritage, the purpose of this section is to establish a procedure under which the city, the county and Santa Fe Public Schools will collaborate in good faith and work jointly to preserve and protect the historic districts of Santa Fe as well as contributing, significant and landmark structures.
 - II. Preserving and protecting the historic districts as well as contributing, significant and landmark structures promotes economic welfare, preserves property values and attracts businesses and tourists thus benefiting the entire Santa Fe community including the city, the county and Santa Fe public schools. By establishing up front procedures to ensure cooperation between the city and the county and the public schools, unnecessary costs and delays for capital outlay projects will be avoided. Specific design requirements that acknowledge necessary building functions and budgets will result in harmonious yet responsive public projects.
 - III. County and Santa Fe public schools capital outlay projects in historic districts or involving landmarks located outside historic districts shall be carried out pursuant to the procedures set forth in subsection 2 below and in a manner that is harmonious and generally compatible with the design standards set forth in subsection 3 below. These procedures and standards apply to new structures and additions to and alterations and demolition of existing buildings.
2. Procedures

- I. Before commencing with the design phase of a capital outlay project, the county or the Santa Fe public schools shall consult with the historic districts review board as to the appropriate design standards and how those design standards would impact costs and the operation or manner in which the project will ultimately be expected to function. The historic districts review board shall work collaboratively with the county or the Santa Fe public schools to arrive at compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality. The county or the Santa Fe public schools shall also make every reasonable effort to obtain input from members of identifiable community groups involved in historic preservation in Santa Fe before commencing the design phase.
 - II. After the design phase and before soliciting a bid or proposal for design-build or lease-purchase for a capital outlay project, the county or the Santa Fe public schools shall submit the plans to the historic districts review board for review. The Historic Districts Review Board shall conduct a public meeting to receive public input. Notice of the public meeting shall be given to any identifiable community groups involved in historic preservation in Santa Fe.
 - III. Within 60 days after the public meeting the historic districts review board, any identifiable historic preservation community group or any other interested party shall communicate recommendations and comments in writing to the county or the Santa Fe public schools. The county or the Santa Fe public schools shall resolve any issues raised and submit the project to the historic districts review board for final approval.
3. Design Standards
- I. General Standards

A county or Santa Fe public schools capital outlay project shall be designed appropriate for the public use and with the intent of achieving harmony with existing buildings by the use of similar materials, color, proportion, and general details to the existing buildings in the applicable streetscape. The applicable streetscape shall be determined as set forth in Section 14-4.6, subparts (F)(1)(II) and (F)(1)(III). A new structure or proposed alteration or addition shall not cause an adjacent contributing, significant or landmark structure to lose its status. Alterations and additions shall be in character with the style, detail and massing of the existing building. The dominating effect is to be that of adobe construction as follows:

 - a. Roofs

Roofs, generally, shall be flat with a slight slope and surrounded by a parapet of the same color and material as the walls or of brick. Roofs shall generally not be carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported

by columns, posts or other vertical supports. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment not to exceed an overhang of 30 inches. The restriction as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aials, shall be so placed as to be concealed by the parapet from any public way.

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The combined door and window area in any publicly visible façade generally shall not exceed 40 percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three feet from the corner of the façade except in circumstances where the unique purpose of the space may warrant special design considerations. Windows, doors and portales on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles. Glass and window trim shall be nonreflective. Windows shall be similar in proportion to the fenestration pattern in the streetscape. Deep window recesses are characteristic.

c. Finishes

Construction shall be with materials with which the adobe effect can be simulated provided that the exterior walls are not less than eight inches thick. Mud plaster, hard plaster or other materials simulating adobe, laid on smoothly, is required. No less than 80 percent of the non-fenestration surface area of any publicly visible façade shall be adobe finish, stucco or other material simulating adobe finish. The balance of the publicly visible façade may be of natural stone, wood, brick, tile, terra cotta, or other material. Materials shall convey a sense of substance and permanence.

d. Colors

The publicly visible façade of any building and of any adjoining walls generally shall be of one color but no more than three colors and simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. However, façade surfaces under portales or inset panels in a wall under a roof overhangs, in church-derived designs, may be painted white or be of contrasting or complimentary colors or have mural decorations.

e. Other Features

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f. Height

The height shall be limited to the average height of institutional buildings as measured within the applicable streetscape. When determining an applicable streetscape, vacant lots or parcels shall not be included in the calculation for allowable height. If no institutional buildings are included in the streetscape, the maximum height shall not exceed the average height of existing buildings in the streetscape. The land use department staff shall determine the applicable streetscape as set forth in Section 14-4.6, subparts (F)(1)(II) and Section (F)(1)(III). Height shall be measured as set forth in Section 14-4.6(F)(2). Heights of existing structures shall be as set forth on the official map of building heights. If the height of an existing building is not given, the county or Santa Fe public schools shall submit a statement from a New Mexico licensed surveyor of the actual height. No building façade shall be over two stories in height unless the façade includes projecting or recessed portales, balconies, setbacks or other design elements.

II. Contributing, Significant and Landmark Buildings


County of Santa Fe public schools capital outlay projects that involve contributing, significant or landmark structures shall be undertaken in such a manner as to preserve the status of the structure and in accordance with the standards for alterations or additions to contributing, significant or landmark buildings as set forth in Section 14-4.6. Historic materials and architectural features and spaces that embody the status shall be preserved. A proposed alteration or addition shall not cause the structure to lose its status.

4. Demolition of Historic and Landmark Structures

- I. A request for demolition of a historic or landmark structure shall comply with the provisions of Section 14-2.1(G)(3).
- II. The minimum maintenance requirements for historic or landmark structures set forth in Section 14-4.6(B) shall be met.

[Editor's Note: Omitting Sections 14-4.7 through 14-10.4 for readability]

Respectfully submitted,



Carol Romero With, Councilor

Amendment approved as to Form:

Erin McSherry

[Erin McSherry, City Attorney](#)

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

ANDRÉA SALAZAR, City Clerk