

City of Santa Fe, New Mexico

memo

DATE: January 13, 2026
TO: Historic Districts Review Board
VIA: Heather Lamboy, Planning & Land Use Department Director *HL*
Maggie Moore, Assistant Land Use Director *MM*
Gary Moquino, Historic Preservation Division Manager GM
FROM: Paul A. Duran, Senior Planner, Historic Preservation Division

2025-011418-HDRB, 320 Paseo de Peralta, Downtown & Eastside Historic District, Non-Contributing, Charlotte Fox, owner, requests approval for a mural. Two exceptions are requested to 14-5.2(E)(1)(b) exterior walls, and 14-5.2(E)(2)(e) publicly visible facades.

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

District Standards & yard wall & fence standards.

Historic Inventory Form

Zoning Review Sheet

Other: Previous Case Documents

APPLICANT SUBMITTALS

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other: Exterior Finishes

STAFF RECOMMENDATION:

Staff recommends denial of the proposed project and finds that the exception criteria have not been met for the exceptions requested to 14-5.2(E)(1)(b) exceed a single color on exterior wall and 14-5.2(E)(2)(e) exceed a single color on a facade. The application does not comply with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

This property was cited in August of 2025, for the mural being painted on the building without approval. Murals are permitted in the historic districts but must be reviewed and approved by the Historic Districts Review Board and may require exceptions.

Sample motion:

- a. In case 2025-011418-HDRB, 320 Paseo de Peralta, approve or deny the exception requests to 14-5.2(E)(1)(b) exterior walls and 14-5.2(E)(2)(e) publicly visible facades to allow a mural.

If the Board denies the request, staff recommends that the exterior walls should be re-stuccoed to match the earthtone color of the structure.

BACKGROUND & SUMMARY:

Streetscape:

The streetscape along this section of Paseo de Peralta can be summarized as a mixed-use commercial and residential area where the architectural design is also a mix of Spanish Pueblo Revival, Territorial, and Vernacular styles prevalent throughout the historic districts. The streetscape consists of some significant and contributing structures, however no other murals are present on the streetscape. Pitched and flat roofs are commonly observed with stuccoed earthtone exterior walls and some wooden fences along Paseo de Peralta. Wrought iron can be observed at some properties in the area. The overstory is prominent with large cottonwoods, pines, sequoias, and other domestic cultivated vegetation.

Site Description:

The structure at 320 Paseo de Peralta is constructed in the Spanish Pueblo Revival style and is currently serving as a short-term rental owned by Casa de Huerto Properties, LLC. The structure is designated as non-contributing to the Downtown and Eastside Historic District. The following paragraphs are a summation of the property described by Mrs. Nicole A. Ramirez Thomas, former planner for the Historic Preservation Division, in a case that was presented to the HDRB in 2016.

Building A: Building A is an irregularly shaped one-story building constructed in 1886. The house noted on the 1912 Kings Map indicates the “U” shape the property possessed until sometime after 1958, when the massing of the building changed significantly. Multiple flat roofs adjoin, and the report from Mr. Murphey’s 2016 Historic Cultural Property Inventory (HCPI) survey report indicates the original 1912 building underneath the modifications and additions that comprise the current building. A portal with wood posts defines the entrance on the front of the building. The addition of the portal and massing on the north side of the building occurred sometime between 1958 and 1973. The east side of the elevation is entirely covered by a portal. This area serves as a corridor between the north side of the building and the south side of the building. The south side of the building was added on sometime before 1973 and after 1958. A courtyard area was enclosed by an adobe yard wall, which was recently demolished. No date is given for the yard wall, but aerial photos indicate that it too was constructed before May of 1973 and after November of 1958. The west elevation is not connected to

the 1985 Building B, but is not visible and provides another passage from the north side and the south side of the property.

Building B: Building B was constructed in the 1980s as an addition to the property, but it is a separate building. The current HCPI survey report photos demonstrate changes to the northwest corner of the building.

PREVIOUS HDRB CASE SUMMARIES:

On September 22, 2016, in Case No. H-16-073A, the Board maintained the status as non-contributing to the Downtown and Eastside Historic District.

On September 22, 2016, in Case No. H-16-073B, the Board approved a wholesale window replacement and 168 sq. ft. portal addition on the non-contributing structure.

Several 1984 Legacy HDRB and administrative approvals have taken place on the property, but no records are currently available for review.

APPLICANT'S REQUEST:

The applicant proposes the following exterior alterations:

- 1) Retroactive approval of a mural, titled "Orchard Sentinel," applied to the exterior wall of the property located at 320 Paseo de Peralta, Santa Fe, New Mexico, within the Downtown & Eastside Historic District. This submission is made in direct response to the Historic Preservation Division Notice of Violation issued on August 5, 2025.



Figure 1. North and West publicly facing facades on Paseo de Peralta.



Figure 2. North publicly facing facade. The mural camouflages the existing utility boxes and lines.



Figure 3. West's publicly facing facade.

EXCEPTION CRITERIA AND RESPONSES:

Exception to 14-5.2(E)(1)(b) exterior walls: The applicant requests an exception to 14-5.2(E)(1)(b) exterior walls to address non-compliance with the standard that all exterior walls of a building are painted alike and that 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.

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

Applicant Response: The mural's earth tones and Tewa-inspired design harmonize with the district's adobe aesthetic, enhancing rather than detracting from its historic integrity.

Staff Response: While murals are allowed in the Downtown and Eastside Historic District, they must be located in the protected space under *portales* or inset panels in a wall under the roof. The location, scale, and high intensity contrasting color of the proposed mural do not meet the intent of the historic district's ordinance. Staff finds that this criterion is not met. The mural overtakes the building and dominates the streetscape, thereby impacting the character of the district.

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

Applicant Response: The mural's retention avoids financial loss from its creation and improves the public's experience by beautifying an unsightly utility area.

Staff Response: Staff finds that this criterion is not met. Had the applicant followed the requirements of the historic district's ordinance and requested approval before painting the mural on the property, an alternative design or location for the mural may have been determined and approved by the Board. The ordinance was adopted to protect and preserve the public welfare and requires certain exceptions and approvals that should be followed by property owners prior to making investments in their property.

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

Applicant Response: By blending Tewa symbolism with modern artistry, the mural enriches Santa Fe's diverse identity, fostering cultural appreciation within the district.

Staff Response: While the presence of any one particular mural may have a nominal impact, either positively or negatively on the ability of residents to continue to reside within the historic districts, through the applicant's negligence multiple design options were not presented or considered by the Board before the murals placement on the property. Had the Board been presented with the mural before its placement, the Board may have considered and recommended alternative designs, locations, or color choices that would have contributed to the overall unique character of the district. Therefore, the staff finds that this criterion is not met.

Exception to 14-5.2(E)(2)(e) publicly visible facades: The applicant requests an exception to 14-5.2(E)(2)(e) publicly visible facades to address the non-compliance with the standard that the public visible façade of any building and of any adjoining walls shall, except as otherwise provided in the code, 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 complementary colors and may have murals.

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

Applicant Response: The mural’s placement and colors align with the district’s aesthetic, providing an aesthetically pleasing street frontage that complements the historic environment.

Staff Response: While murals are allowed in the Downtown and Eastside Historic District, they must be located in the protected space under *portales* or inset panels in a wall under the roof. The location, scale, and high intensity contrasting color of the proposed mural does not meet with the intent of the historic district’s ordinance. The bright colors and scale of the building are not compatible with the streetscape or characteristics of the Downtown & Eastside Historic District. Furthermore, district standards require that publicly visible facades of any building and any adjoining wall shall be painted of the same earthtone color; murals are allowed with contrasting colors only under *portales*. Staff finds that this criterion is not met. The mural overtakes the building and dominates the streetscape, thereby impacting the character of the district.

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

Applicant Response: The mural prevents hardship by preserving a significant investment and enhances public welfare by welcoming residents and guests with vibrant, culturally significant imagery.

Staff Response: Staff finds that this criterion is not met. Had the applicant followed the requirements of the historic district’s ordinance and requested approval before painting the mural on the property, an alternative design or location for the mural may have been determined and approved by the Board. The historic district’s ordinance was adopted to protect and preserve the public welfare by preserving the character and structures of the historic district. The ordinance requires certain exceptions and approvals that should be followed by property owners prior to making investments in their property. The design standards set forth an expectation for consistency and predictability in design that is expected in all historic districts to maintain the unique character of Santa Fe.

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

Applicant Response: The mural supports Santa Fe’s “City Different” identity, offering a unique design that enhances the district’s appeal and residential vitality.

Staff Response: While the presence of any one particular mural may have little impact, either positively or negatively, on the ability of residents to continue to reside within the historic districts, through the applicant's negligence, a full range of design options were not presented or considered by the board before the murals placement on the property. Had the Board been presented with the mural before its placement, the Board may have been able to consider alternative designs that would have contributed to the overall unique character of the district. Therefore, the staff finds that this criterion is not met.

RELEVANT CODE CITATIONS:

14-5.2 HISTORIC DISTRICTS

(A) General Provisions

(1) General Purpose

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

- (a) The continued existence and *preservation* of historical areas and *buildings*;
 - (b) The continued construction of *buildings* in the historic styles; and
 - (c) A general harmony as to style, form, color, height, proportion, texture, and material between *buildings* of historic design and those of more modern design.
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- (b) Changes to *structures* that have acquired historic *significance* in their own right shall be retained and preserved, recognizing that most *structures* change over time;
 - (c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a *structure* be preserved; and
 - (d) New additions and related or adjacent new construction be undertaken 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.

(D) General Design Standards for All H Districts

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

(1) General

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

- (b) If a proposed alteration or new construction will cause an adjacent *structure* to lose its significant, contributing, or *landmark* status, the *application* may be denied.

(E) Downtown and Eastside Design Standards

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.

(1) 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 "Spanish-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 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 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, often 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 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 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.

(2) 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 of 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 complementary 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.

14-5.2(10) Signs; Murals

Sign applications and required submittals shall be reviewed by the planning and land use department. Approval or disapproval shall be indicated by the division on the application for the building permit and on each of the required submittals. If a proposed mural does not meet the criteria in the historic ordinance, an exception is required. (Ord. No. 2007-45 § 30; Ord. No. 2020-22 § 16; Ord. No. 2023-27 § 1)

DEFINITIONS:

14-12 Noncontributing Structure:

A structure, located in an H district, that is less than fifty years old, or that does not exhibit sufficient historic integrity to establish and maintain the character of the H District.