

City of Santa Fe, New Mexico

memo

DATE: April 14, 2026

TO: Historic Districts Review Board Members

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

FROM: Amanda Romero, Senior Planner, Historic Preservation Division ALR

2026-012126-HDRB. 515 Paseo de Peralta. Downtown & Eastside Historic District, Significant, Rebecca Wood, agent for George and Tina Feghali, owners, propose to construct a 3,470 sq. ft. addition to a height of 24'-0" where the maximum allowable is 23'-0". Exceptions are requested to 14-4.6(E)(2)(III)(a) to exceed the maximum allowable height. 14-4.6 (E)(4)(II) for removal of historic materials, 14-4.6(E)(2)(II)(a) for constructing an addition on a primary façade and 14-4.6(E)(2)(II)(c) for an addition exceeding 50% of the historic footprint.

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

District Standards & yard wall
& fence standards.

Historic Inventory Form

Zoning Review Sheet

Other

APPLICANT SUBMITTALS

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other: Window Assessment

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the 14-4.6 (E)(4)(II) for removal of historic materials, 14-4.6(E)(2)(II)(a) for constructing an addition on a primary façade and 14-4.6(E)(2)(II)(c) for an addition exceeding 50% of the historic footprint. Staff also recommends approval of the other elements of the application as they comply with 14-5.2(D) General Design Standards for all Historic Districts, and 14-4.6(G)(2) Downtown and Eastside Historic District Design Standards.

Sample motions:

- a. In case 2026-012126-HDRB, for 515 Paseo de Peralta, approve/deny an exception to 14-14-4.6 (E)(4)(II) for removal of historic materials, approve/deny an exception to 14-4.6(E)(2)(II)(a) for constructing an addition on a primary façade, and approve/deny an exception to 14-4.6(E)(2)(II)(c) for an addition exceeding 50% of the historic footprint. Finding that the exception criteria have been met.
- b. In case 2026-012126-HDRB, for 515 Paseo de Peralta, approve/deny the elements of the project that do not require an exception.

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

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

BACKGROUND & SUMMARY:

The property at 515 Paseo de Peralta prominently sits above the street on a sloping lot that is supported by rock retaining walls along the southern property line. There is a similar retaining wall along the north. Historically, the lot was densely vegetated, had been subdivided, and once had an acequia running along the north of the property.

The single-family residence at 515 Paseo de Peralta is significant to the Downtown and Eastside Historic District, built in 1889 with a Territorial design style highlighted by its brick coping. Originally, the residence had a brick exterior; however, stucco appeared in photographic evidence as early as 1910. The stucco has a unique textured finish. There is a rubble stone foundation that continues above grade. The south façade features a keyhole opening, where the primary entry door is located. At the western portion of the south elevation, concrete steps and a new entry were added in 1943.

An addition on the building’s northeast corner originally served as a garage and was renovated to become a bedroom. An additional detached garage was constructed at that time. There have been many changes to the building in association with the creation of apartments within the original single-family residence.

The free-standing shed, shown in 1912 Kings Map, is a 195 sq. ft shed, which features a gabled roof with corrugated metal. The south elevation is finished with cementitious stucco. The north elevation is a combination of brick and rubblestone. The interior of the shed is accessed via a pair of wood plank doors on the south elevation. John Murphy references it as an important contextual structure reflecting the history of housing work animals on the same site as a residence.

The residence was most likely constructed for Samuel Beach Axtell, former New Mexico Territorial Governor, who held a large tract of land along what was once Hillside Avenue. He upgraded old Adobe dwellings and built a brick residence. Axtell was thought to be corrupt and was removed from office in 1878 but was never formally charged with any corruption.

The detached garage proposed for demolition is designated as non-contributing to the Downtown and Eastside Historic District. A structural analysis highlights the poor condition of the building.

The detached shed proposed for demolition is designated as non-contributing to the Downtown and Eastside Historic District. A structural analysis highlights the poor condition of the building.

The additions on the north elevation were constructed in the 1940s and the 1970s. The addition on the northeast corner originally served as a garage and was later enclosed. The addition on the northwest corner dates to the 1970s and has no character defining features.

PREVIOUS CASE SUMMARIES:

H-95-091 - In 1995, Dorothea Gabel applied for window repairs, partial restucco, and stabilization of the front entry porch. Gabel received a historic preservation award for the restoration in 1997.

H-04-114 –In May 2007, the HDRB denied a request to demolish the historic stone wall along Paseo de Peralta. The case was appealed to the City Council, which upheld the HDRB’s decision to preserve the historic wall.

2025-010763-HDRB -In August 2025 the HDRB voted to retain the significant status of the main residence, excluding the northwest addition (facades 16, 1, and 2) and excluding the garage addition on the northeast elevation (facades 4, 5, and 6). To designate the shed as non-contributing, to designate the garage as non-contributing because the building lacks integrity, designate the south retaining wall, including the entry steps, as significant and the other retaining walls as non-contributing since they are part of the landscaping. Member Degnan seconded.

2025-011354-HDRB- In October 2025, voted to approve the demolition of the two non-contributing additions, the two non-contributing detached structures, along with the small yard wall, retaining wall, shed, and small stairs

APPLICANT’S REQUEST:

The applicant proposes the following exterior alterations:

The new area of the addition, including a second floor, will total 3,470 square feet. Existing entry stairs on the South facade are proposed to be removed and rebuilt in kind. Additionally, the existing entry stairs at the West end of the South facade are also proposed to be removed and replaced following their current orientation and of a height, form, and finish matching the porch stairs. A connected landing is proposed, which will reestablish the historic entryway as originally designed. A portion of the roof will be raised behind and below the existing parapet. Existing exterior materials will be repaired in kind with respect to the building’s unique texture and

color. Doors and windows will be repaired or replaced in kind. A wood picket fence is proposed, which is based on a historic wood fence that rested at the top of the stone retaining wall along Paseo de Peralta. The picket fence will be located at least 1' behind the historic stone wall. The fence will run the width of the Paseo property line with a branch extending north. New 4' high stucco site walls are proposed adjacent to the addition at the rear of the property. The material of the addition will be predominantly stucco in a tan color matching that of the historic house (without the same rough texture), punctuated by infrequent divided-lite windows and doors referencing the proportions of the original house's windows.

While the applicant has expressed the need for walls at the front of the residence, they obscure the historic facade and changes the character of the front porch, which has a distinctive character.

EXCEPTION CRITERIA AND RESPONSES:

Note:

Staff has determined a height exception will not be required as the applicant is building on a sloped site where there is more than 2' of slope along the building's footprint. In no case can the building exceed 4' above the permitted height.

“The applicant requests an exception to the removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.” The exception criteria as specified in §14-4.6(D)(2)(II) are as follows :

(i) Do not damage the character of the district

- *Response:* The proposed removal of the existing exterior entry stairs at the South Facade will not damage the character of the district, as this character will be strengthened by the reconstruction of the stairs' historic form and relationship to the historic house.
- The attached photo dated around 1910 (**Exhibit A**) depicts symmetrical stairs approaching the front porch from both East and West, defined on the street side by a sloped wall in a stucco finish matching the house. This front porch was historically the primary public-facing entry to the residence, and it is proposed to remain so. In intervening years, the West side of these stairs was removed and the East stairs to the porch have fallen into disrepair. This proposal requests replacement in kind with new symmetrical stairs leading to the porch, matching the height, finish, and layout of the historic photo. A landing North of these rebuilt stairs will provide structural reinforcement along the compromised historic stone rubble foundation to ensure the continued stability of the 140-year old historic house.
- The existing pen-tile entry stairs at the West end of the Paseo facade are also proposed to be removed and replaced following their current orientation and of a height, form, and finish matching the porch stairs. The existing stairs were added to the house in the 1950s, and the structural report notes water damage to the wood stair framing and fungal decay to the structure, compromising the safety of the existing material. Like the porch stairs, the reconstruction of the stairs and landing will provide structural reinforcement to the rubble foundation. A connected landing between both sets of stairs and the East facade will extend this reinforcement along the entire compromised foundation. Along with the proposed stairs, it will create a datum reinforcing the existing foundation, and its stucco finish will match the finish seen in the historic photo from about 1910 (**Exhibit A**).

Staff Response: Staff finds that this criterion is met. The stairs have historically been on both sides of the porch. The relationship of the stairs to the site will be changed with the addition of walls along the south facade. It is recommended that the walkway be designed in a manner that no yard walls will be required along the south facade. It obscures the distinctive river-rock foundation.

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

Response: The proposed replacement of the entry stairs in kind will preserve the existing and historic access path to the house, while ameliorating the structural damage to the rubble foundation stem wall noted in the structural report. The proposed reconstruction will also provide accessible access to the historic house's main entry, critical to its owners' safe use of this door, while respecting its historic massing. In this way, the exception is required to prevent hardship to the applicant and injury to the public welfare.

Staff Response: Staff finds that this criterion is met. Careful and considerate design measures have been used to allow for careful presentation and continued use of the residence, thereby maintaining the character of the district.

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

Response: In the August 2025 status hearing for the property, the Board noted the significance of the stepped massing and flanking front access stairs to the front porch, with its unique keyhole opening. Granting the exception for the proposed removal and replacement of the entry stairs will simultaneously provide needed structural reinforcement and accessible access to the house, in a form and material that honors the house's historic massing, finish, and patterns of use.

Staff Response: Staff finds that this criterion is met. The utilization of similar materials and the reestablishment of the historic porch's character strengthens the unique character of the residence. Measures should be taken to ensure the historic river rock foundation not be concealed by yard walls.

The Applicant requests an exception to construct an addition to the rear North facade of the historic residence. Because the existing house has a Significant status and all facades are considered primary, an exception is required to SFCC §14-4.6(E)(2)(II)(a), stating that “Building additions are not permitted to primary facades.” The exception criteria as specified in §14-4.6(D)(2)(II) are as follows:

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

- *Response:* The proposed addition the North facade of the historic house will not damage the character of the district, as the connections to the original structure will be primarily limited to portions of the facade already altered by previous noncontributing additions. The Board approved these additions for demolition in October 2025, and their removal will leave exposed interior walls that will need to be replaced. The primary mass of the proposed addition will be set back 12 feet from the historic house, preserving the legibility of old from new. The proposed design lightly touches the original house at two locations on the east and west ends of the facade.
- An interior space to the East about 18 feet wide will provide the primary connection between the original house and the addition. It is recessed beneath a roof overhang on both sides, and its entire mass and roofline is set back about four feet from the corner of the original North facade to further preserve the legibility of the original massing and historic brick parapet at the Northeast corner. The proposed

interior space extends about one foot past the existing disrupted area and its West overhang extends a further two feet overhead, in order to allow the new construction to continue the line of one of the primary original structural brick walls within the historic house. The existing wall below the roof overhang will be preserved, and no existing historic doors or windows will be compromised or altered in any way. Newly exposed exterior wall will be finished to match the adjacent historic stucco.

- A new roof structure at the West will create covered outdoor space and is similarly set back about four feet from the historic Northwest corner. This roof measures about eleven feet wide and will only touch the previously disturbed portion of the North facade. Newly exposed exterior wall below and above the roof will be finished to match the adjacent historic stucco. An existing opening through the historic brick wall, currently an interior hallway, will be fitted with an exterior door matching the other historic door centrally located on the North facade. A historic photo from around 1915 shows exterior door (**Exhibit B**), and the design proposes returning to this original function.

Staff Response: Staff finds that this criterion is met. The addition is set back in the rear, and mostly detached, with the breezeway additions located at the area of the former additions to the house.

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

- *Response:* In the August 2025 status hearing, the Board ruled that the existing additions on the North side of the brick house were noncontributing and that their facades were excluded from any significant status. This exception concerns portions of the house's North facade that are currently *inside* these noncontributing structures and that have already been altered by the previous additions. By only touching the facade at areas that will be exposed by the approved demolitions, the proposed design endeavors to minimize any further disruption. The proposed exception is required to allow a connection to the historic house, necessary to the function of the new space and to prevent hardship to the applicant. Because the proposed addition will not alter any facade visible from the street, it will cause no injury to the public welfare.

Staff Response: Staff finds that this criterion is met. Careful and considerate measures have been taken to prevent hardship and prevention of injury to the public welfare.

(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.

- *Response:* Historic residences in this area frequently include additions to expand their function over the years, as evidenced by the existing noncontributing additions to the house in question. The proposed exception will allow this tradition to continue, ensuring continued use and maintenance of the existing house. The proposed design takes direct inspiration from the form of these previous additions by concealing later construction where it is least visible from the public street, while preserving the legibility between old and new that adds richness to the heterogeneous character of the district.

Staff Response: Staff finds that this criterion is met. The addition has been sensitively designed to meet the expectations for modern living yet preserving the character of the historic residence. room for family growth.

An exception is requested to allow an addition exceeding 50% of the existing footprint and dimension of the primary facade, per SFCC §14-4.6(E)(2)(II)(c), stating that “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.” The exception criteria as specified in §14-4.6(D)(2)(II) are as follows:

(i) Do not damage the character of the district

- *Response:* The footprint and facade dimension of the proposed addition will not damage the character of the district, as its mass will be substantially concealed by elevated mass of the existing historic house and by the steep grade of the site.
- Paseo de Peralta was once known as Hillside Avenue due to the steeply sloped hills it abuts to the North. 515 Paseo de Peralta is no exception, rising 27’ in elevation from the South property line at the street to its North boundary. The existing house is positioned distinctly above and overlooking the street, and though it is only one story in height its parapet rises 30’ above the street grade and its finished floor level is located 14’ above street grade. The proposed design makes use of the existing house’s mass and location on this steeply sloped site to conceal the additional proposed area. The mass of the addition is set back twelve feet from the historic house and its connection points set back, to protect the house’s dominant visibility and to conceal the addition from a vantage point at the street. The mass of the second floor is located directly behind the existing house to further obscure its visibility from the downhill public way. One-story portions of its ground floor matching the height of the historic house and extend about 17’ to the East and 13’ to the West of the existing footprint, continuing the massing pattern of the original brick house stepping back from the front porch and continuing the reading of the territorial parapet. The steep site grade is also used to actively conceal the mass of the addition. The new ground floor of the addition is buried such that the North end of its ground floor is mostly below grade, and its second story is level with the uphill grade to the North. In this way, the proposed new floor area is largely hidden and does not conflict with the scale of buildings in the district. The existing house’s footprint measures 2,886 sf, including existing noncontributing additions to be demolished, and the proposed footprint of the addition will extend this by 1,734 sf to a total proposed footprint of 4,620 sf. The new area of the addition, including a second floor, will total 3,470 sf, adding to the 1,560 sf of area within Significant historic brick house to remain.

Staff Response: Staff finds that this criterion is met. The massing of the building and the setbacks will allow for the addition not to dominate significant primary structure.

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

- *Response:* This exception is requested in order to allow the applicant to make fuller use of the R-21 zoned site by expanding the interior space to include a garage, bedrooms, art studios, and a guest suite for visiting family. The current house lacks the space, infrastructure, and accessibility to accommodate the applicant’s needs, and concealing the more private functions in an addition will allow the historic structure to be restored, its original layout and brick walls revealed and celebrated.

Staff Response: Staff finds that this criterion is met. Careful and considerate measures have been taken to prevent hardship and prevention of injury to the public welfare.

- (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.

- *Response:* The Downtown and Eastside Historic District is distinct for its rich range of historic homes, materials, and building styles. Even among these, the historic house at 515 Paseo de Peralta possesses a significant and unique presence overlooking the city. The applicant’s primary aim in this project is to protect and enhance the historic structure and to safeguard its future. By permitting additional area and use, the proposed addition complements without overpowering the historic house, enabling the restoration and celebration of the original space and structure.

Staff Response: Staff finds that this criterion is met. The applicant has provided full range of design options and has worked with staff keep this property and additions sensitive to the historic character of the building and the neighborhood.

RELEVANT CODE CITATIONS:

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 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 14-4.6E, *General Design Standards for All Historic Districts*. When the requirements of the base zoning district 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.

5. Boundaries

- a. The boundaries for the historic districts are as shown on the Official Zoning Map and incorporated in this Code by reference.
- b. 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 outlined in this section shall be considered nonconforming, and subject to the provisions of Section 14-1.13(), *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.

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

i. 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 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.
- 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.
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. 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. 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 14-4.6E), *General Design Standards for All Historic Districts*, as well as any applicable specific development standards set forth in Section 14-4.6G), *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 14-4.6E is required and shall recommend that 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 14-2.1H.1.

2. Design Standards

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

14-4.6G) for construction or alterations within the historic districts, and Section 14-7.61) 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 0), 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

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 14-4.6F. The HDRB may grant exceptions and impose conditions thereon to Section 14-4.6F) for the height of structures within the historic districts as specified in Section 14-4.6F.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 0), 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

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 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 14-4.6A.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 14-4.6G).

I. 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 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 14-4.6G.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 on 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 facade.
- d. To the extent architecturally practicable, new building additions shall be attached to any existing non-primary facade 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 14-4.6D.

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 the development of a historic property shall be referred to the Archaeological Review Committee. See Section 14-2.1G.1.V.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 Step backs.

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.

I. 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 Area;
 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 Acacia, 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 facade; ade(s) of the proposed building, yard wall, or fence in both directions parallel to the street centerline. See Figure 4.6-2.

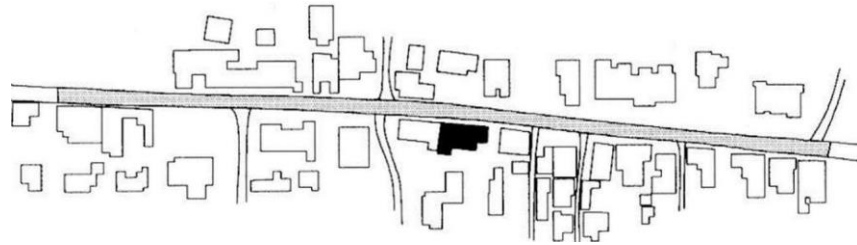


Figure 4.6-2: Linear Street - No Interruptions or Truncations

- 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 4.6-1.

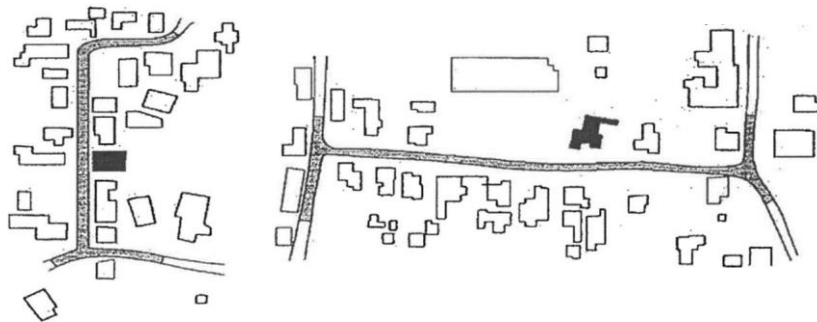


Figure 4.6-1: Truncation by an Intersecting Block or Visual Intrusion

- 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.

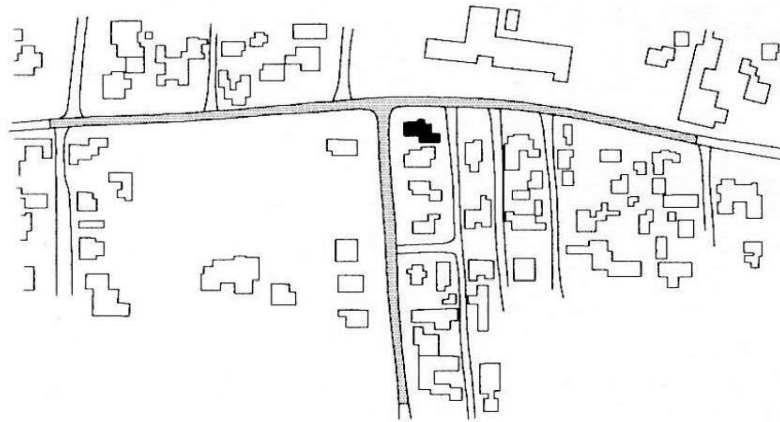


Figure 4.6-3: Frontage on More than One Street

- 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 that 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.

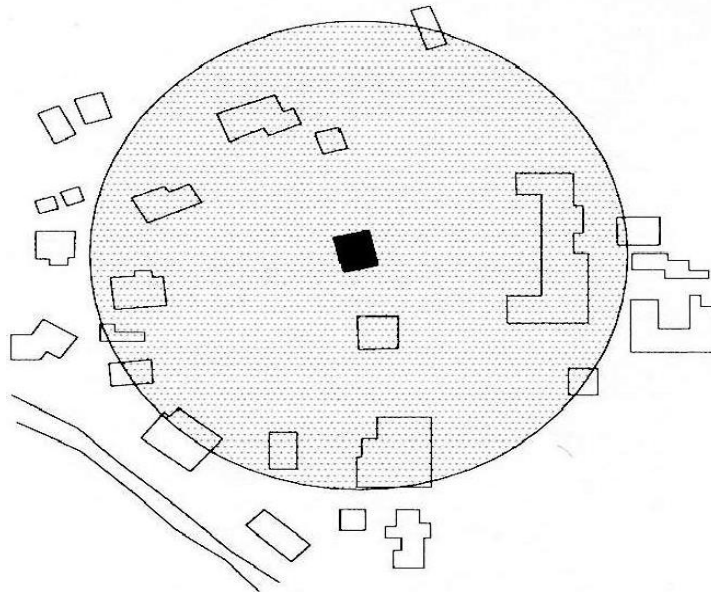


Figure 4.6-4: Interior Lot with No Street Frontage

- 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.

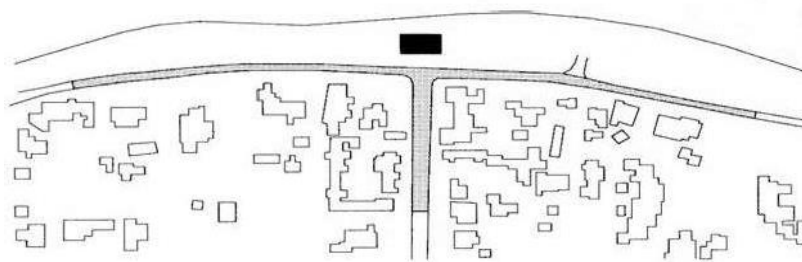


Figure 4.6-5: Location at a 'T' Intersection

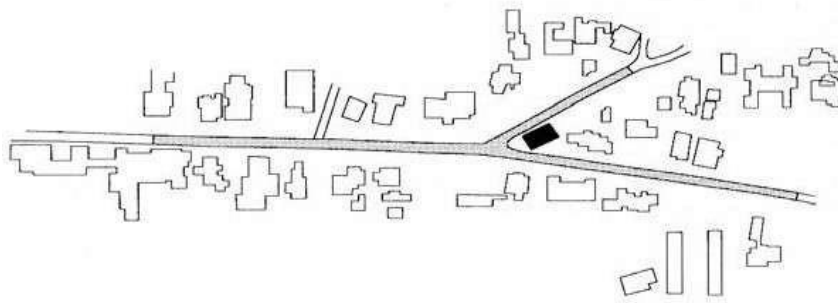


Figure 4.6-5: Location at a "Y" Intersection

- 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 before 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 a 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 before 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 14-7.61), *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 open 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 facade length, and its roof form and pitch shall appear to be in proportion to the height, facade 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 facades of the structure be in conformance with Section 14-4.6G), *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

2. Downtown and Eastside Historic District

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 "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. Facades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-sprouts, 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 rules 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 aerials, 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 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. Facade 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.