# City of Santa Fe, New Mexico

# memo

**DATE:** November 10, 2026

**TO:** Historic Districts Review Board Members

**VIA:** Heather Lamboy, AICP, Planning & Land Use Department Director
Maggie Moore, Assistant Land Use Director *MRM*
Jonathan Mellon, Historic Preservation Planning Manager

**FROM:** Lauren A. Vagts, Senior Planner, Historic Preservation Division LAV

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**2026-013367-HDRB. 129 E De Vargas St. Downtown & Eastside Historic District. Significant.** Peter Wilson, agent for Galisteo St., LLC, owner, requests approval to remove & replace historic railings, stairs, decking, and exterior lighting; install a new vehicular gate, repaint stucco & wood trim. Exceptions are required to 14-4.6(E)(4)(II) for removing historic materials, and to 14-4.6(E)(4)(II)(b) for changing the historic stucco, windows, door, portal, and railing color.

**REFERENCE ATTACHMENTS (Sequentially):**

**CITY SUBMITTALS**

__x__ District Standards

__x__ Historic Inventory Form 1993: 131-135 E de Vargas

___ Zoning Review Sheet

__x__ Other: Historic Santa Fe Foundation Bulletin, January 2000

**APPLICANT SUBMITTALS**

__x__ Proposal Letter

__x__ Site Plan/Floor Plan

__x__ Elevations (Submittals from 08.26.2026 and 10.07.2026)

__x__ Photographs (Submittals from 08.26.2026 and 10.07.2026)

__x__ Other: Letter to City Landuse; Letter from Historic Santa Fe Foundation; List of Paint Colors (Used on Historic Stucco and Wood Fenestration)

**STAFF RECOMMENDATION:**

The applicant made the following alterations to the property without Historic Preservation Staff or Historic Districts Review Board approval:

1. Removal of existing north side plastic composite decking and cladding replaced with wood decking and cladding.
2. Removal and replacement of existing historic metal and wood railings with wood railings on the rear north and east elevations.
3. Replace three (3) existing historic sconces on the south elevation and 4 existing sconces on the north elevation with wrought iron sconces.
4. Add a 12' wide, 4' high steel framed wrought iron gate in the historic stone yard wall on the east side at the rear of the property.
5. Paint/restucco under portal.
6. Repaint all historic wood fenestration, historic portal, railings, and stucco under portal.

Staff recommends denial of the proposed project and finds that the application does not comply with Section 14-4.6(E) General Design Standards for all Historic Districts, and 14-4.6(G)(2) Downtown and Eastside Design Standards.

Staff finds that the exception criteria have not been met and recommends denial of the exception requests to 14-4.6(E)(4)(II) removing historic materials, and to 14-4.6(E)(4)(II)(b) changing the historic stucco, windows, door, portal, and railing color. Otherwise, staff recommends approval of the other elements of the application as they comply with 14-4.6(E) 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 2026-013367-HDRB, for 129 E De Vargas Street, approve/deny the application as submitted.
b. In case 2026-013367-HDRB, for 129 E De Vargas Street, approve/deny the demolition of the historic railings and stairs.
c. In case 2026-013367-HDRB, for 129 E De Vargas Street, approve/deny the exception to 14-4.6(E)(4)(II) removing historic materials, finding that the exception criteria have not been met.
d. In case 2026-013367-HDRB, for 129 E De Vargas Street, approve/deny the exception to 14-4.6(E)(4)(II)(b) changing the historic stucco, windows, door, portal, and railing color, finding that the exception criteria have not been met.
e. In case 2026-013367-HDRB, for 129 E De Vargas Street, 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 to a building permit.

The property lies within the Historic Downtown Archaeological Review District. See Chapter 14, SFCC, Article 14-3.13(B)(1). There are three known archaeological sites (LA 114245, LA 194068, and LA 149445) that either overlap or are within 25 feet associated with this project, and archaeological clearance is required for the unpermitted landscape grading to the parking area, alterations to the east yardwall, and ground disturbance associated with unpermitted stair relocation north of the building and surrounding retaining wall.

It should be noted that the applicant submitted a Preliminary Application August 28, 2026, the application fee was paid September 1, 2026, staff emailed the applicant September 2, 2026 to set up a preliminary site visit, and a site visit confirmation was scheduled for the morning of September 10, 2026 at 8:30am. Upon staff arrival, the architect informed staff that all work had already been done without Historic Preservation Division or Historic Districts Review Board approval. Staff documented the site and requested the architect resubmit photographs that accurately show images of the unapproved work. Although the architect claimed all the proposed work was complete, staff issued a Stop Work Order for "approval and construction permit for the removal of historic material and new deck and stairs on a Significant building," and to prevent any further illegal work on the Significant building.

Following the Stop Work Order, the applicant's attorney, Adam S. Baker, contacted the City Planning and Landuse Director, Heather Lamboy, and another senior staff member not associated with the case on September 18, 2026. The letter (attached) references interior building permits, claims the historic wood railings removed on the north elevation were "unsafe and rotting," states removal of historic sconces, claims the partial demolition of the east yardwall to install iron gate is not visibly public and that the wall is non-historic, paint was applied to stucco under the portal, brick pavers along the stairs were not removed, and that "the changes that were done seem more appropriate for administrative review." Additionally, a letter from the Historic Santa Fe Foundation (HSFF) states these elements are "not protected elements and do not compromise any of the protected items in the current preservation easement."

However, the Preliminary Application submitted to the Historic Preservation Division includes no mention of deteriorating historic material, no documentation, nor a conditions report of the historic material removed, and the reason given to replace the historic railings and stairs was that they did not meet building code. Furthermore, photographs submitted to the Historic Preservation Division do not support evidence of rotting materials, and in violation of City of Santa Fe Land Development Code 14-4.6(4)(E)(II)(c), *Replacement or duplication of missing features shall be substantiated by documentation, physical, or pictorial evidence*.

## BACKGROUND & SUMMARY:

### Streetscape:

129 East De Vargas Street, a designated Significant building located within the Downtown and Eastside Historic District, on the north side of East De Vargas Street directly east of a public alleyway bound by Don Gaspar Avenue to the west, the Santa Fe River and East Alameda Street to the north, and Old Santa Fe Trail to the east. At the west end of the block are two- and three-story monumental buildings: the State Supreme Court Building (c.1937) to the north and Secretary of State building (formerly the State Library, c.1964) to the south. Center and east are older, single- and double-story historic buildings demonstrating an excellent example of a pre-American Santa Fe streetscape (Figure 1). Flat-roofed adobe buildings lining the central and east half of the curving street remain as part of a four-year preservation effort led by the Old Santa Fe Association (OSFA) in opposition to the Urban Renewal program between the late 1960s and early 1970s. The program was introduced to eradicate urban blight which included western parts of Barrio de Analco which led to the OSFA successfully nominating the Barrio as a National Historic Landmark in 1968.



Figure 1. 129 East de Vargas parcel outlined in blue with the historic curving street highlighted in red. Source: https://www.santafecountynm.gov/assessor.

East De Vargas Street, although disrupted by government buildings and realigned during the Urban Renewal program of the late 1960s and early 1970s, retains a pre-American Santa Fe streetscape of single-story, flat-roof, adobe buildings with façades abutting the narrow, curved early Spanish Colonial street and brick-clad sidewalk that leads to the San Miguel Chapel.

**Site Description:**

The Territorial style residential building is historically recognized as part of the Roque Tudesqui House sharing a common wall with 135 East de Vargas and separated by a historic river stone yardwall to the northeast. The building was purchased by Roque Tudesqui, and Italian-born merchant, before 1841, and given its historic name in the mid-1960s by the Historic Santa Fe Foundation (HSFF) and State Register of Cultural Properties. The historically residential building was divided sometime between 1874 and 1895 with a 1964 HSSF plaque reading "east [131-135 East de Vargas Street] and west [129 East de Vargas Street] sections." The addresses are included within the National Register of Historic Places Landmark Barrio de Analco (1968), one of the oldest neighborhoods in Santa Fe founded by the Tlascalan tribe later joined by Spanish colonists (Figure 2).

Additionally, the Roque Tudesqui House was listed on the State Register of Cultural Properties in 1972 and listed as Contributing to the 1972 National Register listing of the Santa Fe Historic District.

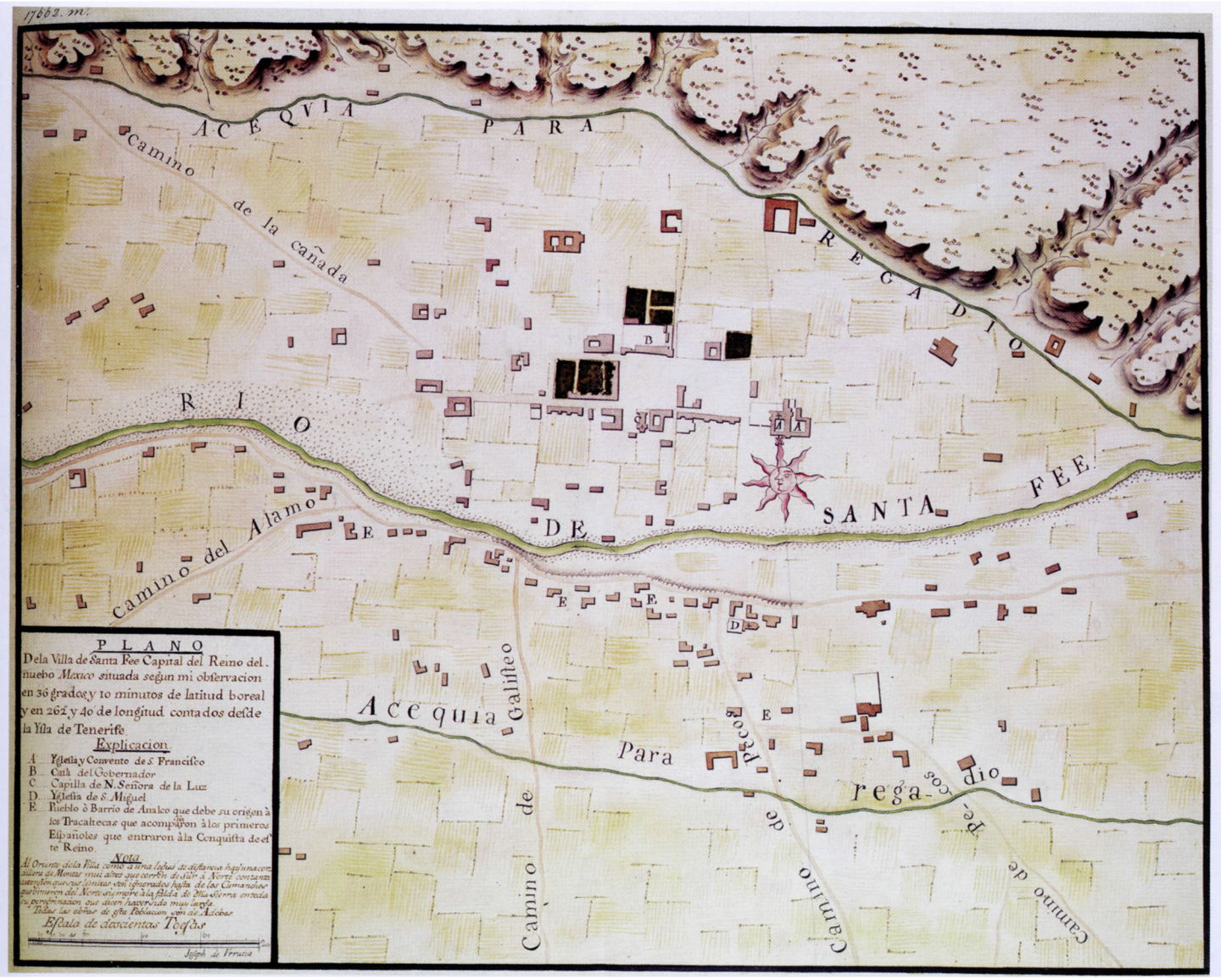


Figure 2. Urrutia Map, 1766, showing "Town or Neighborhood of Analco which was the origin of the Tracaltecas [Tlascalans] who accompanied the first Spanish that entered the conquest of this kingdom," (translated into English from Spanish).

The Barrio was taken over during the 1680 Pueblo Indian Revolt, leaving most of the neighborhood in ruins. Following the Spanish Reconquest of the City twelve years later, Analco was redeveloped under Spanish colonial rule, and primarily occupied by military residents and Indigenous servants and laborers. Following Mexican Independence in 1821, the neighborhood was renamed Barrio de San Miguel with a population of 451. According to the 1840 census, the neighborhood grew by 40 residents to 491 with a population of skilled craftspeople and artisans including cobblers, tailors, musicians, metalworkers, masons, builders, adobe and bricklayers, carpenters, and muleteers as opposed to the farming residents in the adjacent Barrio de Guadelupe west of the Santuario de Guadelupe. At the onset of the U.S.-Mexican War, a road south of the Santa Fe River between the Guadelupe Church and San Miguel Church shows a discontinuous development of buildings (Figure 3).

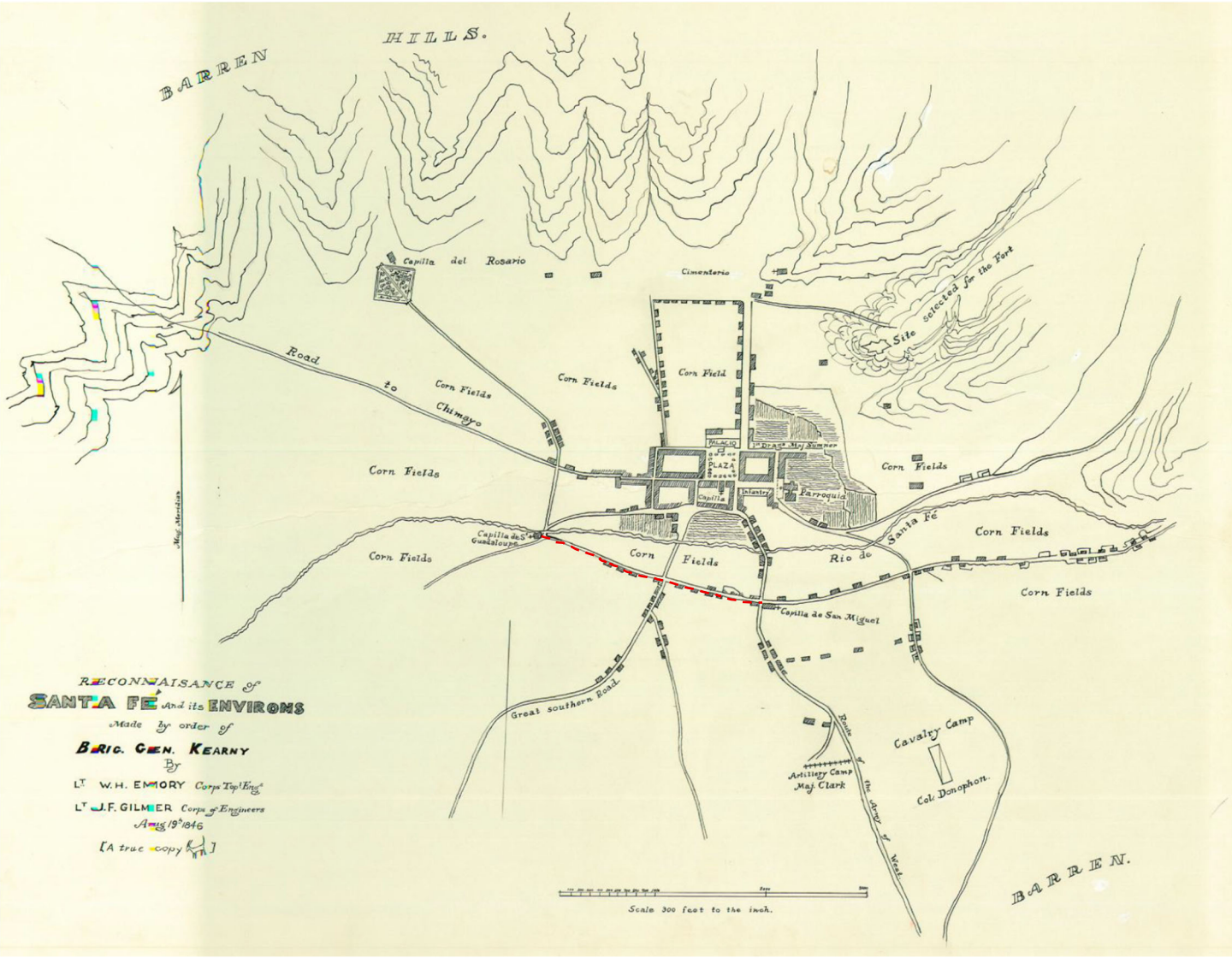



Figure 3. Reconnaissance of Santa Fe by Gilmer, August 19, 1846; surveyed and drawn by Lieutenants Emory and Gilmer. De Vargas Street outlined in red.

In 1885, the United States territorial government constructed a new capitol building south of De Vargas Street. Governmental buildings and associated official's residents developed throughout Barrio de Analco between the late-19th and early-20th centuries with monumental buildings on East De Vargas including the State Supreme Court and the former State Library. Historically, many prominent figures resided within the Roque Tudesqui House including Major Lafayette Head (1850-1851), merchant and rancher Manuel Salustiano Delgado (1851-1865) who left the property to his children after his death, sons Francisco Lopez and Figenia Sandoval of Spanish-native mining expert and trader Damaso Lopes (mid-1860s to mid-1880s), Judge Harry L. Waldo and his wife Lucy (after 1890 to 1894) around the time the properties entered separate ownership.



Figure 4. Stoner Bird's Eye View of the City of Santa Fe, 1882. Source: Historic Santa Fe Foundation.

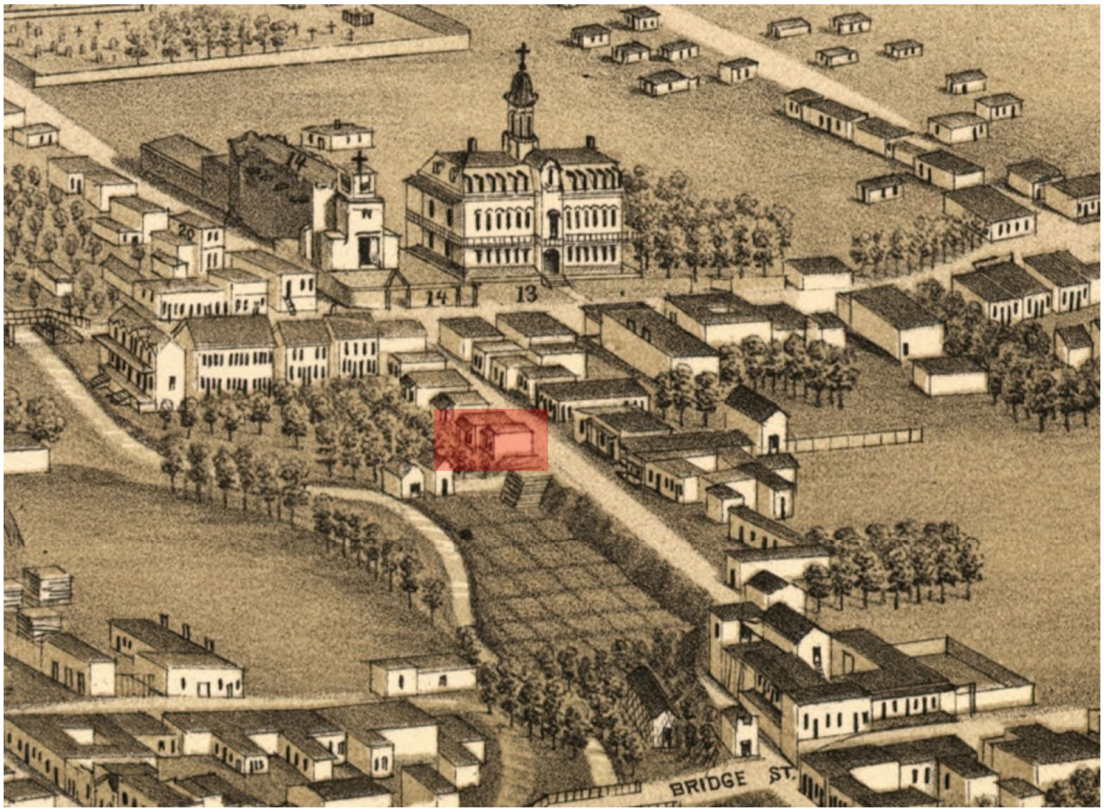


Figure 5. Detail of Stoner Bird's Eye View of the City of Santa Fe, 1882, highlighting 129-135 E de Vargas Street. Source: Historic Santa Fe Foundation.

Eventually, 129 and 135 East de Vargas would come into ownership by the Caldwell and Allen families, a friendship that began in Texas, while renting out several of the rooms through the late-1980s. In 1987, Marjorie Caldwell was killed at the age of 75, leaving the Roque Tudesqui House to the Historic Santa Fe Foundation in her will. On June 22, 1997, ten years after her death, a memorial celebration took place at the residence with a rock garden dedicated near where Marjorie's ashes are buried and designated with a plaque.

South Elevation

The south elevation (Figure 6) is set back from East de Vargas Street separated by stone pavers with a shallow stucco yardwall capped with Pen-Tiles flanking a central and southeast entrance. The central c. 1930s wood panel door with a decorative spindle overhang. Two single-pane double-hung windows with arched lintels separate the central and southeast door while two single-pane double-hung windows separated by a mullion with an arched lintel separate the central door and western recessed massing fenestrated by a single pane French door with multi-pane sidelights and arched transom. The parapet resembles a decorative brick band covered in a tan stucco.



Figure 6. South elevation, October 7, 2026.

West Elevation

The west elevation (Figure 7) sits on a downward slope with a partially exposed stone foundation. At the top of the stone foundation on the left bay are two shallow arched fixed windows covered by iron bars. The right bay is slightly recessed with a small fixed window with a divided light transom and arched lintel. To the left are two single-pane double-hung windows separated by a mullion with an arched lintel, similar to the southwest window on the south elevation. The left bay has two single-pane double-hung windows separated by a mullion to the right, and a single-pane double-hung window with an arched lintel to the left.



Figure 7. West elevation, October 7, 2026.

North Elevation

The north elevation (Figures 8-12) is the most detailed of all elevations. It sits above a large stone retaining wall and stone foundation the height of the basement floor. The northwest mass has a central two-over-two double hung window with a small fixed window to the right, each having arched lintels. A wooden staircase leads from the former garden area up to the basement level turning east, then south up towards the portal. Under the portal are several arched entrances to the south and west flanked by double-hung windows.



Figure 8. North elevation, August 26, 2026.





Figures 9 and 10. Railings and decking, August 26, 2026.



Figure 11. North elevation, October 7, 2026.

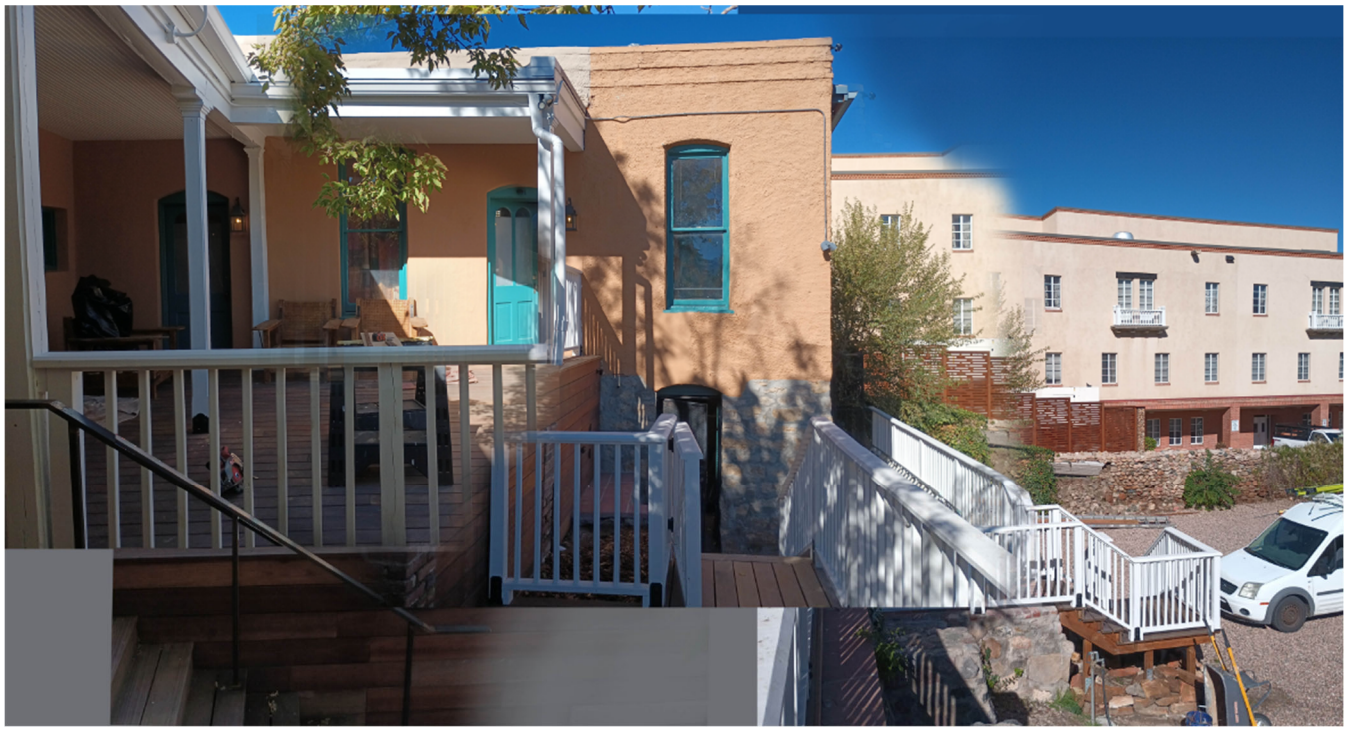
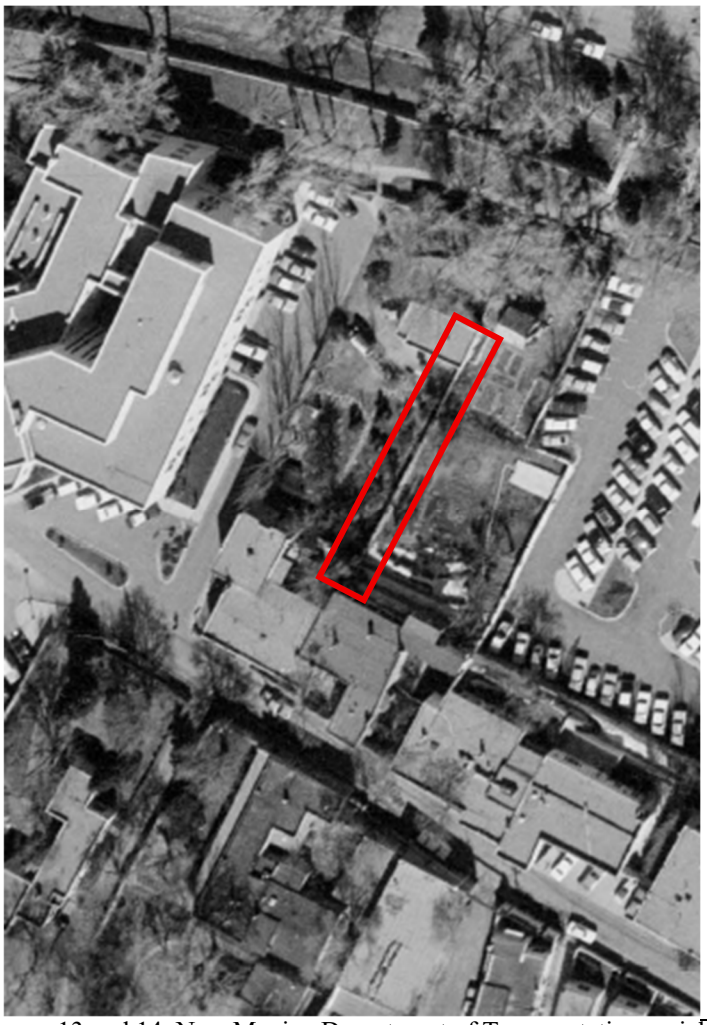


Figure 12. North elevation portal, October 7, 2026. Note: the image submitted by the applicant seems to present overlaying imagery of the north corner of the elevation and decking in the image above.

Separating the property line between 129 and 135 East de Vargas is a historic stone river retaining wall (Figures 13-15). While a letter from the Historic Santa Fe Foundation describes the wall as non-historic, the retaining wall is present in a 1968 aerial (Figure 13) meeting the 50-year threshold for a historic structure.





Figures 13 and 14. New Mexico Department of Transportation aerial, February 28, 1968, and Google Earth aerial, November 4, 2025, showing historic yardwall between 129 and 135 East de Vargas Street.



Figure 15. Partial demolition of historic stone yardwall and installation of gate, north property line between 129 and 135 East de Vargas Street.

**PREVIOUS CASE SUMMARIES:**

**ARC:** n/a

**HDRB:**

- 1986-010100056 (03.01.1986) – rewire and plastering of pacheo studio (approved)
- H-94-186-2539 (11.08.1994) – renovation from historically commercial to residential (north); restucco, repair and repainting of windows, rehanging existing garage doors to swing outward for egress with installation of interior iron gates behind existing garage doors; installation of exterior iron gate on south elevation doorway. Casement window installation in existing north elevation openings – specifications not provided to staff but approved; see windows add in Memo packet

**ADMINISTRATIVE:**

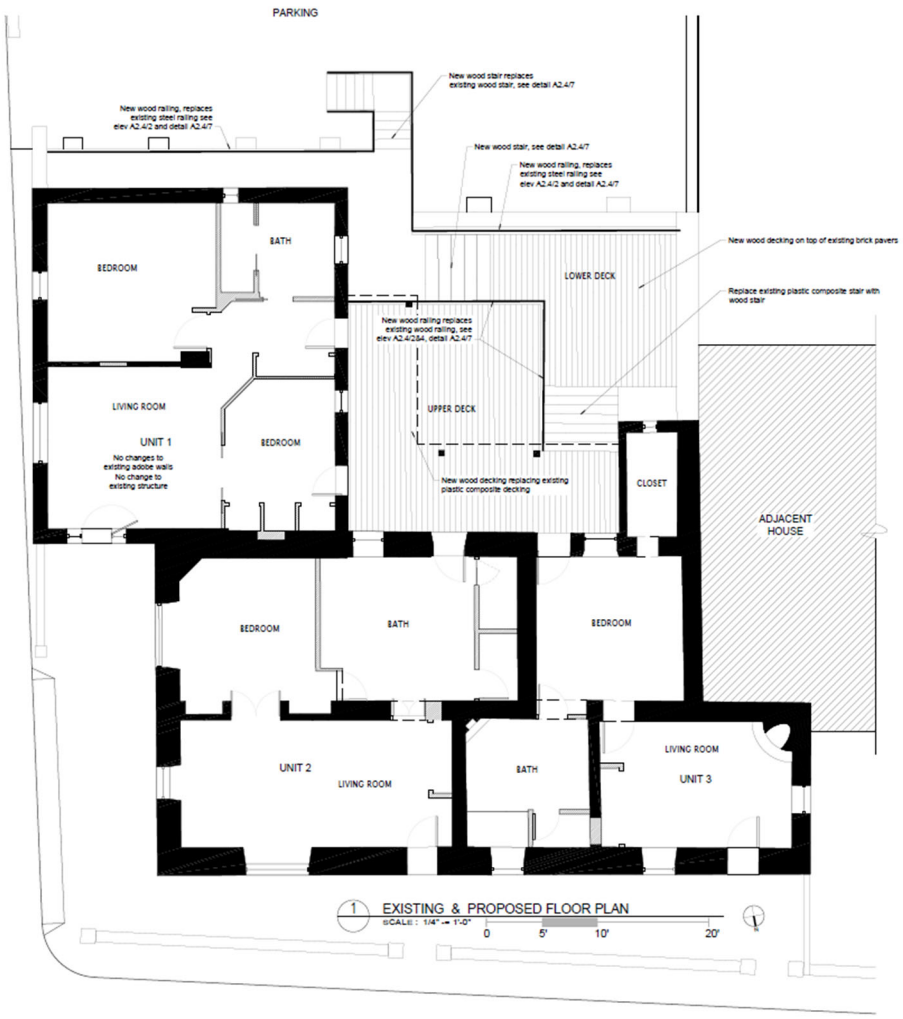
- 1994-010100139 (n.d.) - restucco
- 2021-003790-ADMIN (06.15.2021) – move fence on north elevation
- 2021-003891-ADMIN (07.07.2021) – re-roof, Unit 1
- 2021-003915-ADMIN (07.08.2021) – Remove wood and wire fencing south elevation of Lot A; add 4'-0" cedar post fence and stone columns; Unit 2
- 2022-004938-ADMIN (02.18.2022) – ground-mounted mini-splits; Unit 1

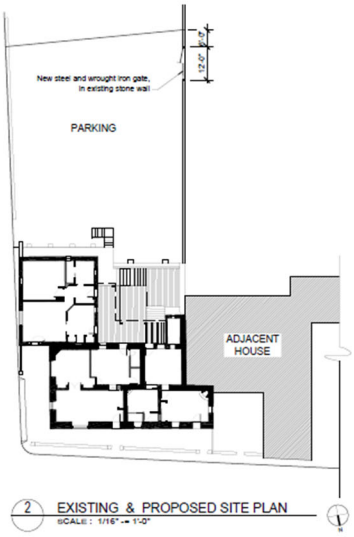
- 2025-011615-ADMIN (12.05.2025) – Change access from alley and parking area to expand the parking options and allow for valet parking with wheel stops in the front of the parking spaces. Curb cuts to be approved through Street Division. Parking spaces to be approved through Current Planning Division and the underlying zone code.

**APPLICANT'S REQUEST:**

The applicant requests approval for the following exterior alterations after the fact:

7. Remove and replace existing north side plastic composite decking and cladding with wood decking and cladding.
8. Remove and replace existing metal and wood railings with wood railings on the rear north and east elevations. Existing railings do not meet building code and there is a significant drop in elevation on the site.
9. Replace 3 existing sconces on the south elevation and 4 existing sconces on the north elevation with wrought iron sconces.
10. Add a 12' wide, 4' high steel framed wrought iron gate in the stone yard wall on the east side at the rear of the property.
11. Paint/restucco under portal.
12. Repaint all historic wood fenestration, historic portal, railings, and stucco under portal.




PETER WILSON no. 5030

EXIST. & PROP. FLOOR PLAN

129 E. DeVargas Street

A2.4




1 EXISTING SOUTH ELEVATION - Change to 3 Sconces

SCALE : 1/4" = 1' - 0"

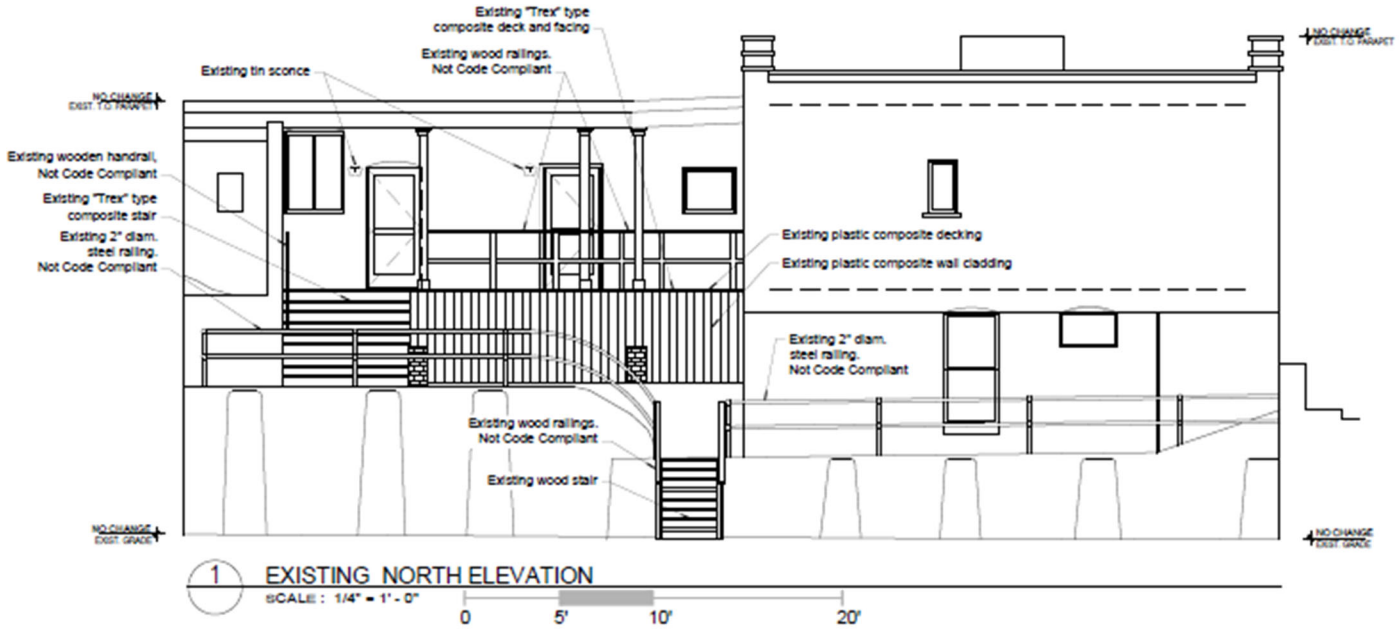
0 5' 10' 20'

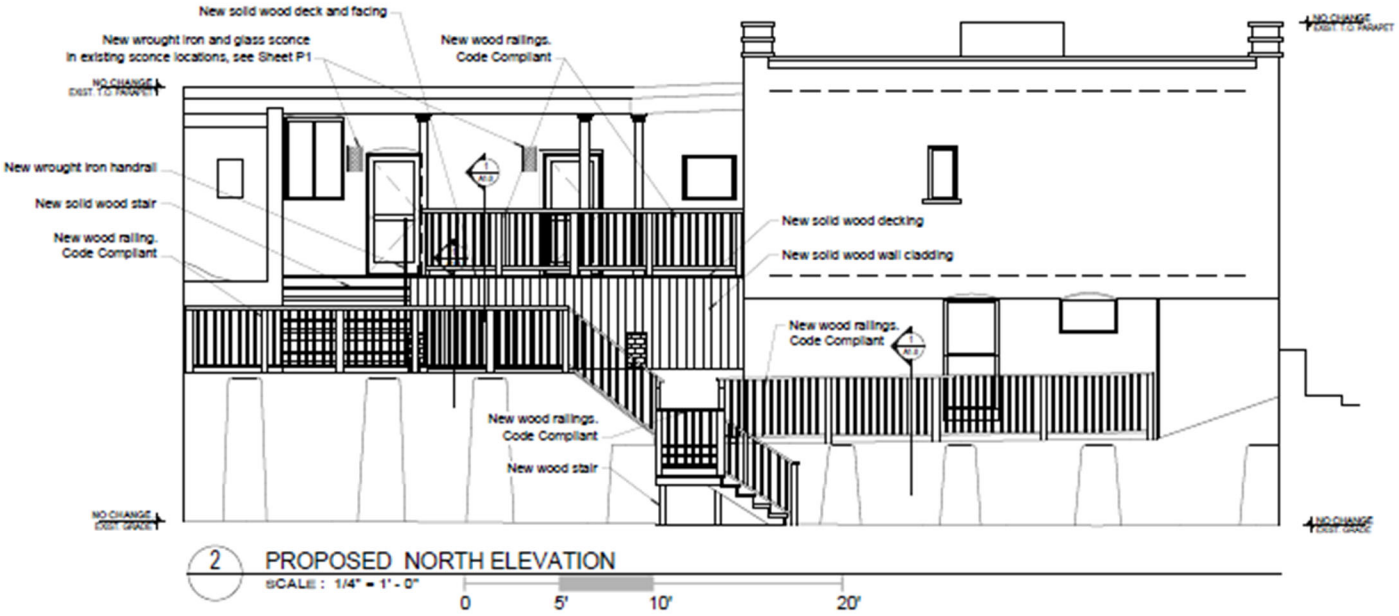



2 EXISTING WEST ELEVATION - No Change

SCALE : 1/4" = 1' - 0"

0 5' 10' 20'


Existing "Trex" type composite deck and facing
Existing wood railings. Not Code Compliant
Existing tin sconce
NO CHANGE EXIST. TO PARAPET
Existing wooden handrail, Not Code Compliant
Existing "Trex" type composite stair
Existing 2" diam. steel railing. Not Code Compliant
Existing plastic composite decking
Existing plastic composite wall cladding
Existing 2" diam. steel railing. Not Code Compliant
Existing wood railings. Not Code Compliant
Existing wood stair
NO CHANGE EXIST. GRADE
1 EXISTING NORTH ELEVATION
SCALE : 1/4" = 1' - 0"
0 5' 10' 20'

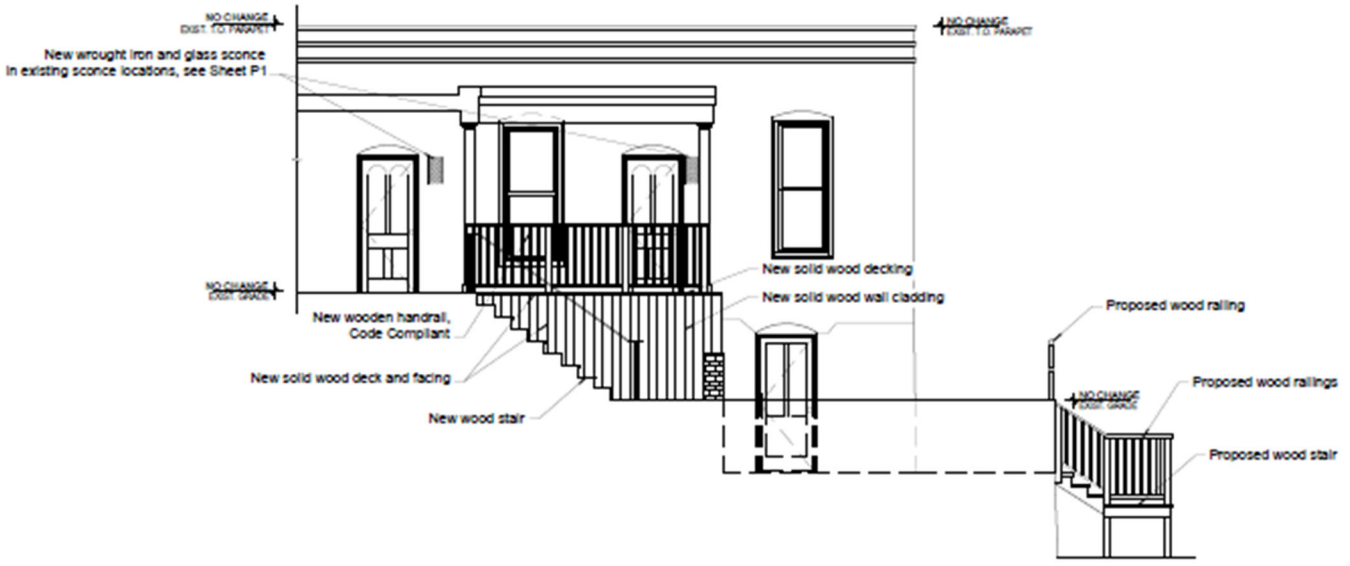

New solid wood deck and facing
New wrought iron and glass sconce in existing sconce locations, see Sheet P1
New wood railings. Code Compliant
NO CHANGE EXIST. TO PARAPET
New wrought iron handrail
New solid wood stair
New wood railing. Code Compliant
New solid wood decking
New solid wood wall cladding
New wood railings. Code Compliant
New wood railings. Code Compliant
New wood stair
NO CHANGE EXIST. GRADE
2 PROPOSED NORTH ELEVATION
SCALE : 1/4" = 1' - 0"
0 5' 10' 20'




3 EXISTING EAST ELEVATION

SCALE : 1/4" = 1' - 0"

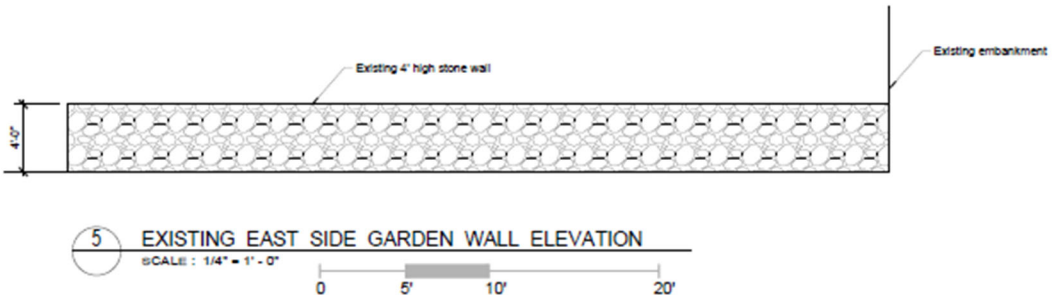
0 5' 10' 20'



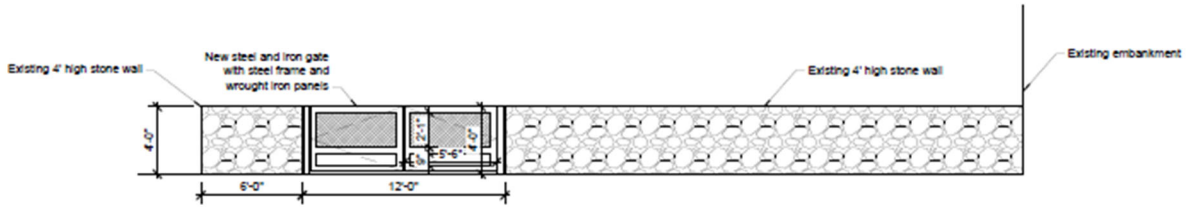

4 PROPOSED EAST ELEVATION

SCALE : 1/4" = 1' - 0"

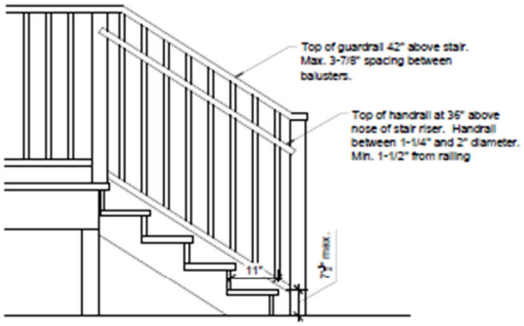
0 5' 10' 20'




5 EXISTING EAST SIDE GARDEN WALL ELEVATION
SCALE : 1/4" = 1' - 0"
0 5' 10' 20'




6 PROPOSED EAST SIDE GARDEN WALL ELEVATION
SCALE : 1/4" = 1' - 0"
0 5' 10' 20'




7 STAIR & RAILING DETAIL
SCALE : 3/4" = 1' - 0"

**EXCEPTION CRITERIA AND RESPONSES:**

Exception to 14-4.6(E)(4)(II) and 14-4.6(E)(4)(II)(b): The applicant requests an exception to 14-4.6(E)(4)(II) removing historic materials, and 14-4.6(E)(4)(II)(b) changing the historic stucco, windows, door, portal, and railing color.

(i) *Do not damage the character of the district*
Applicant Response:

- Exterior Railings – Are accessory to the structure
  Existing railings are not to code.
  Too low and many openings greater than 6" diameter
  Existing railings were a mixture of 2x4's and steel pipe

- Exterior Decking –Existing plastic composite decking replaced
  Plastic decking was not original.
  Plastic decking was heavily weathered
- Exterior Sconces – Existing sconces were in several styles
  Only one sconce appeared historic, and only the base of that fixture was present, not the bracket and shroud

Staff Response: Staff finds that this criterion is not met. All railings and stairs removal on the north elevation were completed without Board approval, in violation of CoSF LDC 14-4.6(C)(3) *Buildings with Significant or Contributing Historic Status - Review by Historic Districts Review Board Required*: "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...based on the standards set forth in this section;" and, "The historic board shall judge any proposed alteration or new structure for harmony with adjacent building, preservation of historical characteristic qualities, and conformity to the standards for architectural style set forth in this section." Additionally, the proposed stucco color and texture does not meet design standards outlined in CoSF LDC 14-4.6(E)(4)(III)(b) *General Design Standards for all Historic Districts - For all facades of contributing, significant, and landmark structures* "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**," [emphasis added]. The replacement railings and stairs creates a different character through its contemporary character rather than maintaining the original character of the building which thereby would maintain the building's Significant status.

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

- Exterior Railings – Too low (<36" high)
  Many openings greater than 6" diameter
  Wooden railings insufficient for 200 lb force.

- Exterior Decking – Replaced in kind with solid wood decking

- Exterior Sconces – Replaced with historically inspired new sconces

Staff Response: Staff finds that this criterion is not met. Historic railing and stairs replacements were completed without Board approval, in violation of CoSF LDC 14-4.6(C)(3) *Buildings with Significant or Contributing Historic Status - Review by Historic Districts Review Board Required*: "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...based on the standards set forth in this section," [emphasis added]; and, "**The historic board shall judge any proposed alteration** or new structure for harmony with adjacent building, preservation of historical characteristic qualities, and conformity to the standards for architectural style set forth in this section," [emphasis added].

In response to code-compliant means of emergency escape, the 2021 International Existing Building Code (IEBC) states in Section 507 *Prescriptive Compliance Method - Historic Buildings* 507.1, "The provisions of this code that require improvements relative to a building's existing condition, or, in the case of *repairs*, that require improvements relative to a building's predamage condition, shall not be mandatory for *historic buildings* unless specifically required by this section," and Section 1203.3 *Means of Egress*, "Existing door openings and corridor and stairway widths less than those specified elsewhere in this code may be *approved*, provided that, in the opinion of the *code official*, there is sufficient width and height for a person to pass through the opening or traverse the means of egress."

The proposed paint colors, replacement railings and stairs, and sconces do not meet design standards outlined in CoSF LDC 14-4.6(E)(4)(III)(b) *General Design Standards for all Historic Districts - For all facades of contributing, significant, and landmark structures* "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**," [emphasis added].

In this case, the injury to the public would be the further erosion of the unique character of the Roque Tudesqui House and the overall erosion of the Downtown & Eastside's historic character. The expectation in the historic districts is that the special and unique character will be retained.

(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:

- Exterior Railings – My client replaced the existing railings with new wooden railings. They are constructed of traditional materials, but the spacing of the members is dictated by building code.

- Exterior Decking – The new solid wood decking is more historically appropriate than the existing plastic composite wood decking.

- Exterior Sconces – The existing sconces were in 4 different styles. The new sconces bring a consistency to the exterior lighting.

Staff Response: Staff finds that this criterion is not met. Historic railing and stairs replacements were completed without Board approval, in violation of CoSF LDC 14-4.6(C)(3) *Buildings with Significant or Contributing Historic Status - Review by Historic Districts Review Board Required*: "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...based on the standards set forth in this section," [emphasis added]; and, "**The historic board shall judge any proposed alteration** or new structure for harmony with adjacent building, preservation of historical characteristic qualities, and conformity to the standards for architectural style set forth in this section," [emphasis added].

In response to code-compliant means of emergency escape, the 2021 International Existing Building Code (IEBC) states in Section 507 *Prescriptive Compliance Method - Historic Buildings* 507.1, "The provisions of this code that require improvements relative to a building's existing condition, or, in the case of *repairs*, that require improvements relative to a building's predamage condition, shall not be mandatory for *historic buildings* unless specifically required by this section," and Section 1203.3 *Means of Egress*, "Existing door

openings and corridor and stairway widths less than those specified elsewhere in this code may be *approved*, provided that, in the opinion of the *code official*, there is sufficient width and height for a person to pass through the opening or traverse the means of egress."

The proposed paint colors, replacement railings and stairs, and sconces do not meet design standards outlined in CoSF LDC 14-4.6(E)(4)(III)(b) *General Design Standards for all Historic Districts - For all facades of contributing, significant, and landmark structures* "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**," [emphasis added].

The Roque Tudesqui House and surrounding neighborhood, the earliest neighborhood to develop south of the Santa Fe River, represents a distinctive interpretation of Territorial and pre-American styles, is a heterogenous design character that should be maintained. The removal of historic railings and stairs, painting of stucco, repainting fenestration and the portal with unapproved colors, removal of historic sconces, and partial demolition of a historic yardwall of a Significant property interrupts the historic integrity including design, feeling, and association, which erodes the overall unique historic character East de Vargas Street and the Downtown and Eastside Historic District.

**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.

### 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 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.*

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**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).

l. 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 14-2.1(G)(1)(V)(c) *Unexpected Discoveries.*

8. Signs
9. Murals
10. Pedestrian-Oriented Areas

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**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.

l. 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.

II. Streetscape Standards

III. Project Location

Planning and Land Use Department staff shall determine the applicability of this section to individual projects and the applicable streetscape

2. Height

I. Official Map of Building Heights in the Historic Districts - Procedures

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 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, yard wall, fence, or proposed step back 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; a 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.

g. 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;

h. 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.

i. Roof form, slope, and shape. It is intended that 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;

j. 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:
   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 the case of ground solar collectors, by a wall or vegetation;
   6. In the case of wall collectors, by enclosing 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.

k. 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.

l. 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.

m. Greenhouses;

n. 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 portals maintain the shape of the porch or portal.

o. Porches and portales are encouraged;

p. When parking spaces are required for commercial or multi-family residential buildings, they shall be placed to the rear or side of the building.

III. Walls; Fences; Solar Collectors: Administration

Applications for the 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 staff 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