

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2009-45

3 INTRODUCED BY:

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6 AN ORDINANCE

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11 CREATING A NEW SECTION 14-5.2(M) SFCC 1987 REGARDING THE  
12 APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC  
13 DISTRICT REQUIREMENTS TO STATE CAPITAL OUTLAY PROJECTS.

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15 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

16 Section 1. Section 14-5.2(A)(2) SFCC 1987 (being Ord. #2001-38 §2 as  
17 amended) is amended to read:

18 (2) Application to State of New Mexico and Any of Its Agencies, Political  
19 Subdivisions or Instrumentalities

20 Pursuant to §3-22-1 through [~~3-22-5~~] 3-22-6 NMSA 1978, it is the intent  
21 of the City of Santa Fe that the provisions of this section shall apply to  
22 the state of New Mexico and any of its agencies, political subdivisions or  
23 instrumentalities, as well as to any other entity or activity in the Historic  
24 Districts or to landmarks located outside Historic Districts. The  
25 provisions of section 3-22-6 NMSA 1978 shall apply to state capital

1 outlay projects in historic districts as provided in §14-5.2(M) concerning  
2 the design, construction, alteration, including additions to or demolition  
3 of the exterior features of state buildings.

4 **Section 2. [NEW MATERIAL.] A new Section 14-5.2(M) SFCC 1987 is**  
5 **ordained to read:**

6 **(M) State Capital Outlay Projects**

7 (1) Purpose.

8 (a) Recognizing the fragility of the City's historic heritage, the  
9 purpose of §14-5.2(M) is to activate the procedure established in  
10 §3-22-6 NMSA1978 under which the City and the State will  
11 collaborate in good faith and work jointly to preserve and protect  
12 the historic districts of Santa Fe as well as contributing,  
13 significant and landmark structures.

14 (b) State capital outlay projects in historic districts shall be carried  
15 out pursuant to the procedures set forth in §3-22-6 NMSA 1978  
16 and paragraph (2) below and in a manner that is harmonious and  
17 generally compatible with the design standards set forth in  
18 paragraph (3) below. These procedures and standards apply to  
19 new structures and additions to and alterations and demolition of  
20 existing buildings.

21 (2) Procedures.

22 (a) Before commencing with the design phase of a capital outlay  
23 project, the State and the Historic Design Review Board shall  
24 consult as to the appropriate design standards and how those  
25 design standards would impact costs and the operation or manner

1 in which the project will ultimately be expected to function. The  
2 Historic Design Review Board shall work collaboratively with  
3 the State to arrive at compatibility of the project with the design  
4 standards, considering reasonable costs and preserving essential  
5 functionality. The State shall also make every reasonable effort  
6 to obtain input from members of identifiable community groups  
7 involved in historic preservation in Santa Fe before commencing  
8 the design phase.

9 (b) After the design phase and before soliciting a bid or proposal for  
10 design-build or lease-purchase for a capital overlay project, the  
11 State shall submit the plans to the Historic Design Review Board  
12 for review and comment. The Historic Design Review Board in  
13 conjunction with the State shall conduct a public meeting to  
14 receive public input. Notice of the public meeting shall be given  
15 to any identifiable community groups involved in historic  
16 preservation in Santa Fe.

17 (c) Within 60 days after the public meeting the Historic Design  
18 Review Board, any identifiable historic preservation community  
19 group or any other interested party shall communicate  
20 recommendations and comments in writing to the State. The  
21 State shall consult with the Historic Design Review Board or  
22 other entity to resolve any issues raised. If at the end of the 60  
23 day period unresolved issues remain, the City may within five  
24 days after the end of the period, notify the State that the issues  
25 remain unresolved and these issues shall be finally determined as

1 set forth in §3-22-6(G) NMSA1978, provided that if notice is not  
2 timely given, the State may, after incorporating those provisions  
3 to which the State and the City have agreed, proceed with the  
4 project.

5 (d) The State shall not take any irrevocable action on the capital  
6 project in reliance on the plans until the procedures set forth in  
7 §3-22-6 NMSA1978 have been followed.

8 (3) Design Standards

9 (a) General Standards

10 A state capital outlay project shall be designed appropriate to the  
11 seat of government and with the intent of achieving harmony  
12 with existing buildings by the use of similar materials, color,  
13 proportion, and general details to the existing buildings in the  
14 applicable streetscape. The applicable streetscape shall be  
15 determined as set forth in 14-5.2(D)(9)(a)(ii) A., B., C., D., and  
16 E. A new structure or proposed alteration or addition shall not  
17 cause an adjacent contributing, significant or landmark structure  
18 to lose its status. Alterations and additions shall be in character  
19 with the style, detail and massing of the existing building. The  
20 dominating effect is to be that of adobe construction as follows:

21 (i) Roofs

22 Roofs, generally, shall be flat with a slight slope and  
23 surrounded by a parapet of the same color and material  
24 as the walls or of brick. Roofs shall generally not be  
25 carried out beyond the line of the walls except to cover

1 an enclosed portal or porch formed by setting back a  
2 portion of the wall or to form an exterior portal, the outer  
3 edge of the roof being supported by columns, posts or  
4 other vertical supports. No cantilevers shall be permitted  
5 except over projecting vigas, beams, or wood corbels, or  
6 as part of the roof treatment not to exceed an overhang  
7 of 30 inches. The restriction as to flat roofs shall not be  
8 construed to prevent the construction of skylights or  
9 installation of air conditioning devices, or any other  
10 necessary roof structures, but such structures other than  
11 chimneys, flues, vents and aerials, shall be so placed as  
12 to be concealed by the parapet from any public way.

13 (ii) Walls and Windows

14 The combined door and window area in any publicly  
15 visible façade generally shall not exceed 40 percent of  
16 the total area of the façade except for doors or windows  
17 located under a portal. No door or window in a publicly  
18 visible façade shall be located nearer than three feet from  
19 the corner of the façade except in circumstances where  
20 the unique purpose of the space may warrant special  
21 design considerations. Windows, doors and portales on  
22 publicly visible portions of the building and walls shall  
23 be of one of the old Santa Fe styles. Glass and window  
24 trim shall be non-reflective. Windows shall be similar in  
25 proportion to the fenestration pattern in the streetscape.

1 Deep window recesses are characteristic.

2 (iii) Finishes

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

14 (iv) Colors

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

24 (v) Other Features

25 Façades shall be flat, varied by inset portales, exterior

1 portales, projecting vigas or roof beams, canales or  
2 water-spouts, flanking buttresses and wooden lintels,  
3 architraves and cornices. Depending upon the existing  
4 streetscape and if permitted otherwise in this chapter, a  
5 portales may cover the entire sidewalk with the columns  
6 set at the curb line.

7 (vi) Height

8 The height shall be limited to the average height of  
9 institutional buildings as measured within the applicable  
10 streetscape. When determining an applicable streetscape,  
11 vacant lots or parcels shall not be included in the  
12 calculation for allowable height. If no institutional  
13 buildings are included in the streetscape, the maximum  
14 height shall not exceed the average height of existing  
15 buildings in the streetscape. The Land Use Department  
16 staff shall determine the applicable streetscape as set  
17 forth in 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. Height  
18 shall be measured as set forth in §14-5.2(D)(9)(c)(iii).  
19 Heights of existing structures shall be as set forth on the  
20 official map of building heights. If the height of an  
21 existing building is not given, the State shall submit a  
22 statement from a NM licensed surveyor of the actual  
23 height. No building façade shall be over two stories in  
24 height unless the façade includes projecting or recessed  
25 portales, balconies, setbacks or other design elements.

1 (b) Contributing, Significant and Landmark Buildings


2 State capital outlay projects that involve contributing, significant  
3 or landmark structures shall be undertaken in such a manner as  
4 to preserve the status of the structure and in accordance with the  
5 standards for alterations or additions to contributing, significant  
6 or landmark buildings as set forth in §14-5.2. Historic materials  
7 and architectural features and spaces that embody the status shall  
8 be preserved. A proposed alteration or addition shall not cause  
9 the structure to lose its status.

10 (4) Demolition of Historic and Landmark Structures; Minimum Maintenance  
11 Requirements

12 (a) A request for demolition of an historic or landmark structure  
13 shall include the report required in §14-3.14(C) and follow the  
14 standards set forth in §14-3.14(G). If there is a disagreement as  
15 to demolition, the procedures set forth in §3-22-6(G)  
16 NMSA1978 shall be followed.

17 (b) The minimum maintenance requirements for historic or  
18 landmark structures set forth in §14-5.2(B) shall be met.

19 APPROVED AS TO FORM:

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22 FRANK D. KATZ, CITY ATTORNEY  
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