

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2009-46

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4
5 AN ORDINANCE

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

9
10 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

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

13 (2) Application to State of New Mexico and Any of Its Agencies, Political
14 Subdivisions or Instrumentalities
15 Pursuant to §3-22-1 through 3-22-6 NMSA 1978, it is the intent of the
16 City of Santa Fe that the provisions of this section shall apply to the state
17 of New Mexico and any of its agencies, political subdivisions or
18 instrumentalities, as well as to any other entity or activity in the Historic
19 Districts or to landmarks located outside Historic Districts. The
20 provisions of section 3-22-6 NMSA 1978 shall apply to state capital
21 outlay projects in historic districts as provided in §14-5.2(M) concerning
22 the design, construction, alteration, including additions to or demolition
23 of the exterior features of state buildings.

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

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

2 (1) Purpose.

3 (a) Recognizing the fragility of the City's historic heritage, the
4 purpose of §14-5.2(M) is to activate the procedure established in
5 §3-22-6 NMSA 1978 under which the City and the State will
6 collaborate in good faith and work jointly to preserve and protect
7 the historic districts of Santa Fe as well as contributing,
8 significant and landmark structures.

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

16 (2) Procedures.

17 (a) Before commencing with the design phase of a capital outlay
18 project, the State and the Historic Design Review Board shall
19 consult as to the appropriate design standards and how those
20 design standards would impact costs and the operation or manner
21 in which the project will ultimately be expected to function. The
22 Historic Design Review Board shall work collaboratively with
23 the State to arrive at compatibility of the project with the design
24 standards, considering reasonable costs and preserving essential
25 functionality. The State shall also make every reasonable effort

1 to obtain input from members of identifiable community groups
2 involved in historic preservation in Santa Fe before commencing
3 the design phase.

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

12 (c) Within 60 days after the public meeting the Historic Design Review
13 Board, any identifiable historic preservation community group or any
14 other interested party shall communicate recommendations and
15 comments in writing to the State. The State shall consult with the
16 Historic Design Review Board or other entity to resolve any issues
17 raised. If at the end of the 60 day period unresolved issues remain,
18 the City may within five days after the end of the period, notify the
19 State that the issues remain unresolved and these issues shall be
20 finally determined as set forth in §3-22-6(G) NMSA1978, provided
21 that if notice is not timely given, the State may, after incorporating
22 those provisions to which the State and the City have agreed,
23 proceed with the project.

24 (d) The State shall not take any irrevocable action on the capital
25 project in reliance on the plans until the procedures set forth in

1 §3-22-6 NMSA1978 have been followed.

2 (3) Design Standards

3 (a) General Standards

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

15 (i) Roofs

16 Roofs, generally, shall be flat with a slight slope and
17 surrounded by a parapet of the same color and material
18 as the walls or of brick. Roofs shall generally not be
19 carried out beyond the line of the walls except to cover
20 an enclosed portal or porch formed by setting back a
21 portion of the wall or to form an exterior portal, the outer
22 edge of the roof being supported by columns, posts or
23 other vertical supports. No cantilevers shall be permitted
24 except over projecting vigas, beams, or wood corbels, or
25 as part of the roof treatment not to exceed an overhang

1 of 30 inches. The restriction as to flat roofs shall not be
2 construed to prevent the construction of skylights or
3 installation of air conditioning devices, or any other
4 necessary roof structures, but such structures other than
5 chimneys, flues, vents and aerials, shall be so placed as
6 to be concealed by the parapet from any public way.

7 (ii) Walls and Windows

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

21 (iii) Finishes

22 Construction shall be with materials with which the
23 adobe effect can be simulated provided that the exterior
24 walls are not less than eight inches thick. Mud plaster,
25 hard plaster or other materials simulating adobe, laid on

1 smoothly, is required. No less than 80 percent of the
2 non-fenestration surface area of any publicly visible
3 façade shall be adobe finish, stucco or other material
4 simulating adobe finish. The balance of the publicly
5 visible façade may be of natural stone, wood, brick, tile,
6 terra cotta, or other material. Materials shall convey a
7 sense of substance and permanence.

8 (iv) Colors

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

18 (v) Other Features

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

1 (vi) Height

2 The height shall be limited to the average height of
3 institutional buildings as measured within the applicable
4 streetscape. When determining an applicable streetscape,
5 vacant lots or parcels shall not be included in the
6 calculation for allowable height. If no institutional
7 buildings are included in the streetscape, the maximum
8 height shall not exceed the average height of existing
9 buildings in the streetscape. The Land Use Department
10 staff shall determine the applicable streetscape as set
11 forth in 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. Height
12 shall be measured as set forth in §14-5.2(D)(9)(c)(iii).

13 Heights of existing structures shall be as set forth on the
14 official map of building heights. If the height of an
15 existing building is not given, the State shall submit a
16 statement from a NM licensed surveyor of the actual
17 height. No building façade shall be over two stories in
18 height unless the façade includes projecting or recessed
19 portales, balconies, setbacks or other design elements.

20 (b) Contributing, Significant and Landmark Buildings

21 State capital outlay projects that involve contributing, significant
22 or landmark structures shall be undertaken in such a manner as
23 to preserve the status of the structure and in accordance with the
24 standards for alterations or additions to contributing, significant
25 or landmark buildings as set forth in §14-5.2. Historic materials

1 and architectural features and spaces that embody the status shall
2 be preserved. A proposed alteration or addition shall not cause
3 the structure to lose its status.

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

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

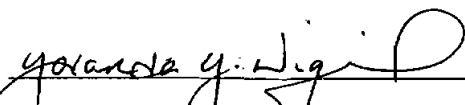
11 (b) The minimum maintenance requirements for historic or
12 landmark structures set forth in §14-5.2(B) shall be met.

13 PASSED, APPROVED, and ADOPTED this 28th day of October, 2009.

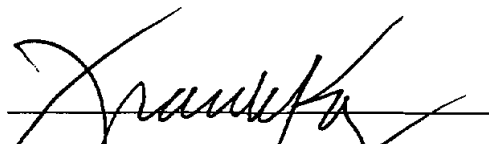
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16 DAVID COSS, MAYOR

17 ATTEST:

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19 
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

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23 
24 FRANK D. KATZ, CITY ATTORNEY

25 jp/ca/jpmb/2009 ord/Historic district state buildings