

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Historic Preservation Advisory Board
Janell Whitlock Municipal Complex**

Thursday, February 19, 2026, at 1:30 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex
Council Chambers
114 S. Halagueno St.**



AGENDA

HISTORIC PRESERVATION ADVISORY BOARD

Janell Whitlock Municipal Complex Planning Room
114 S. Halagueno Street
Thursday, February 19, 2026, at 1:30 PM

1. Roll call of voting members and determination of quorum
2. Approval of minutes from the Meeting held January 15, 2026
3. Introduction of Barbara Hodgson, City of Carlsbad Attorney, and Morgan Foster, Deputy Attorney
4. Discussion regarding the progress of the research for the Carlsbad Historic District and Downtown Carlsbad
5. Discussion of the Historic Preservation Overlay Zone District Ordinance

FOR INFORMATION ONLY

Agendas and Historic Preservation Advisory Board meeting minutes are available on the City web site: cityofcarlsbadnm.com or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

HISTORIC PRESERVATION ADVISORY BOARD MEETING SCHEDULE

- Regular meeting – Thursday, March 19, 2026 at 1:30 p.m.

If you require a hearing interpreter, language interpreter, or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**LINKED MINUTES OF A REGULAR MEETING OF THE HISTORIC
PRESERVATION ADVISORY BOARD OF THE CITY OF CARLSBAD, NEW
MEXICO, HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX ON
FEBRUARY 19, 2026, AT 1:30 P.M.**

Present:	Ken Britt	Board Chairman
	Dr. David McIntosh	Board Member
	Roni Barnhart	Board Member
Absent:	Larry Mitchell	Board Member
Also Present:	Jeff Patterson	Planning Director
	Trysha Ortiz	Planning Deputy Director
	Barbara Hodgson	City Attorney
	Morgan Foster	Deputy City Attorney
	Kat Davis	Deputy Director of Community Development
	Jameson Lucas	Museum Historian
	Adam Rogers	Citizen

Time Stamps and headings below correspond to the recording of the meeting and the recording is hereby made a part of the official record.

0:00:00 **Call Meeting to Order**

0:00:34 **1. Roll call of voting members and determination of quorum**

Roll was called, confirming the presence of a quorum of board members. The following members were present—**Mr. Britt, Dr. McIntosh, Ms. Barnhart**. Absent— **Mr. Mitchell**

0:00:51 **2. Approval of minutes from the Meeting held on January 15, 2026**

Ms. Barnhart made a motion to approve the minutes; **Dr. McIntosh** seconded the motion.

VOTE

The vote was as follows:

Yes – **Mr. Britt, Dr. McIntosh, and Ms. Barnhart**.

No – None

Abstain – None

Absent – **Mr. Mitchell**

0:02:30 **3. Introduction of Barbara Hodgson, City of Carlsbad Attorney, and Morgan Foster, Deputy Attorney**

Ms. Hodgson and Ms. Foster welcomed everyone and expressed their excitement about the ongoing projects. **Dr. McIntosh** inquired whether they would provide guidance or if they were

present out of curiosity. **Ms. Hodgson** confirmed that she would be working on the Ordinance, while **Mr. Britt** asked if Mr. Patterson had supplied all the necessary materials. **Mr. Patterson** confirmed that he had provided everything he had, noting that some work remained, but results should be visible soon. **Ms. Hodgson** asked if this update pertained to an amendment to an ordinance from 2023. **Mr. Patterson** explained that they had requested an Ordinance to create the board and establish an overlay zone district, which should be included in the Zoning Ordinance by the end of 2023. Karla McWilliams from the State's Prehistoric Office had provided some suggested amendments, which **Mr. Patterson** shared with Ms. Madrid-Boyea and Ms. Hodgson. They are working on these amendments to move toward becoming a Certified Local Government (CLG), allowing the city to designate local historic landmarks and seek funding without relying solely on state and federal support. **Mr. Britt** noted that City Council approval would be needed and asked about potential opposition. **Mr. Patterson** anticipated pushback from local property owners who might resist government oversight associated with historic designations. **Mr. Britt** added that, while state involvement currently exists, becoming a CLG would allow local authorities in Carlsbad to make their own decisions. **Dr. McIntosh** asked whether the district could have irregular boundaries. **Mr. Britt** explained that their advisory board would be the only advisory board of Certified Local Government in New Mexico, advising the City Council and property owners without imposing a penalty clause, which has been an ongoing issue. Some individuals can "buy in" for advice, potentially qualifying for tax credits or funding from organizations like MainStreet. This allows Carlsbad to manage its own historic district instead of relying on Santa Fe. **Ms. Hodgson** confirmed with Mr. Britt the board's uniqueness as an advisory CLG. **Mr. Britt** noted that other CLGs are mandatory and require compliance with local Ordinances. They have faced delays for the past two years, with the ordinance being the main obstacle. Once the Ordinance is drafted and approved by the City Council, the Mayor can proceed with the CLG request. **Dr. McIntosh** mentioned the requirement for consent from at least 66% of property owners to create the district. **Mr. Patterson** shared that while maps of the historic district and MainStreet exist, the designation predates the current ordinance. **Dr. McIntosh** pointed out the map, indicating the historic district and MainStreet, while **Ms. Davis** noted that many buildings that were once contributing have lost that status due to changes. **Mr. Britt** asked about the initial establishment of the district, and **Ms. Davis** said she would look into it. She confirmed that the map was part of a larger document for MainStreet. **Ms. Hodgson** highlighted the need for the board to clarify its intentions regarding penalties for noncompliance, referencing a possible fine of \$75 per day until properties comply and mentioning past discussions on the topic.

0:15:27 **5. Discussion of the Historic Preservation Overlay Zone District Ordinance**

Mr. Patterson informed Ms. Hodgson that the penalties related to the Historic Preservation Overlay Zone will align with the Zoning Ordinance. The Zoning Ordinance references penalties listed in Section 1-6 of the Code Ordinance, which suggests that they could incorporate penalty language into the Zoning Ordinance concerning the Historic Preservation Overlay Zone. **Ms. Hodgson** inquired whether the penalties would apply per day until compliance is achieved. **Mr. Patterson** replied that, based on the wording, ongoing violations could be interpreted as new violations occurring each day. **Dr. McIntosh** asked if this section applies to city property in general or specifically to the Historic Preservation Overlay. **Mr. Patterson** clarified that it is part of the Enforcement and Penalties section of the Zoning Ordinance, indicating that the Historic Overlay Zone will be included in this overarching document. **Dr. McIntosh** confirmed that this Zoning Ordinance applies to the entire city. **Mr. Britt** mentioned a proposed grace period that would allow property owners to opt out before any penalties become effective. He

suggested that once notified, owners would have 14 days to resolve issues before being subjected to the Ordinance. They aim to create a positive experience for property owners rather than a negative one. **Ms. Foster** added that the current policy regarding violations would remain in effect, meaning penalties would apply if a property owner does not achieve compliance. **Mr. Patterson** noted that there is still another option under discussion making compliance mandatory instead of voluntary. Once the board clarifies the parameters of the overlay zone, it could modify the language to enforce compliance for properties within that district. However, he expressed uncertainty about the level of support for this idea from elected officials. **Dr. McIntosh** emphasized the importance of securing buy-in from two-thirds of property owners in the district, noting that excessively harsh penalties might deter their support. **Mr. Britt** questioned whether the original Ordinance would have passed with the City Council at that time. **Ms. Davis** recalled that some Council members from the previous meeting were present, noting there seemed to be confusion about the advisory versus mandatory nature of the proposal. **Mr. Britt** agreed that maintaining the advisory nature for now is a favorable approach, with the possibility of changes in the future. **Ms. Hodgson** stated that if the board finds the advisory approach acceptable, she would research other passed Ordinances in New Mexico to identify improvements based on Karla's suggestions. **Mr. Britt** supported this direction, noting that Karla is a valuable resource. **Dr. McIntosh** expressed the need for clarification in the ordinance establishing the Historic Preservation Overlay Zone. He referred to Exhibit A, which outlines the Historic Protection Overlay Zone District in the amended Ordinance 2023-31, questioning whether this ordinance defines the zone's boundaries or merely provides the authority to establish them. **Ms. Davis** confirmed that the Ordinance created the board. **Dr. McIntosh** remarked that while the Ordinance states it establishes the Historic Preservation Overlay Zone, Exhibit A should define what that district is, along with the standards and criteria for designating districts and landmarks. **Mr. Britt** referred to the Historic District that the City Council approved in 2008, indicating that it may require clearer language as Ms. Morgan Foster reviews the Ordinance. **Dr. McIntosh** admitted he might be confused by the naming conventions, noting that there are a Historic Preservation Overlay Zone, a Historic Protection Overlay Zone District, and a Historic District. **Mr. Britt** assured him that they all refer to the same concept and merely require clarification. **Mr. Lucas** mentioned that the area likely encompasses the original township from the railroad to the park. **Ms. Hodgson** inquired whether there was a designated zone, to which **Dr. McIntosh** asked if it was a Historic Preservation Overlay Zone or a Historic Protection Overlay Zone. **Ms. Hodgson** explained that the Historic District area within the city has been designated by ordinance and is outlined and mapped as an Overlay District on the city's official zoning map. **Mr. Britt** confirmed the information. **Dr. McIntosh** then asked, while looking at the map, if the blue line represented the overlay district. **Mr. Britt** affirmed that it did. **Mr. Patterson** inquired if this zone was established by Ordinance, to which **Mr. Britt** replied affirmatively. Referring to the red line on the map, **Mr. Lucas** pointed and **Mr. Britt** pointed out that Ms. Patsy Jackson had been responsible for passing it at that time. **Mr. Patterson** suggested obtaining a copy of the Ordinance for reference. He expressed confusion regarding whether the established zone would lead to further regulations and become an official overlay district with specific rules and consequences. He reminded the council that they had previously been informed that this would be a voluntary measure, meaning they could only inform property owners about the zone in which they reside, regardless of participation. **Ms. Davis** noted that this would result in 66% of the properties being engaged. **Ms. Ortiz** added that while a property might be located within the zone, participation was not mandatory. **Ms. Davis** reiterated that the district was already established. **Mr. Lucas** raised concerns about the potential for changes to the boundary line before any further actions were taken, suggesting that other contributing buildings could then be included within the zone and would count towards the two-thirds requirement. **Mr. Patterson** responded that since the zone was established by

ordinance, any changes would also need to be made by ordinance, similar to a zoning change, which would require council approval. He stated that he needed to review the ordinance that established the boundary to understand its language and procedures. **Ms. Hodgson** agreed that it was necessary to determine what the ordinance stipulates. **Ms. Davis** mentioned that she had the state document but not the ordinance. **Mr. Patterson** then asked Mr. Lucas if he believed that additional buildings near the boundary could be added and suggested that now was the time to inform interested parties. **Mr. Britt** responded that there could be satellite buildings throughout the city that might want to be included. **Mr. Patterson** noted that once they have the Certified Local Government (CLG) in place, they could designate historic landmarks and properties independently, without needing to be part of the district. **Mr. Britt** expressed a desire to find success in the program and to encourage participation from others. **Dr. McIntosh** suggested that for the next meeting, they should research the first two pages of the handbook. He pointed out that it seems to imply that the ordinance indeed created the overlay zone district, which he assumes includes the map represented by the blue line. He further remarked that it indicates participation would be entirely voluntary for property owners. He noted that they hadn't surveyed every property owner within that blue line to ask if they consented to their property being included in the Historic Preservation Overlay Zone District. He requested clarification since there are no maps in the handbook defining the boundaries. **Mr. Patterson** remarked that Ms. Davis had emailed him the original map submitted to the state. **Dr. McIntosh** expressed uncertainty about whether it was the same as the Historic Preservation Overlay Zone District unless the ordinance specifically defines it that way. He highlighted that there are essentially two separate matters: the boundaries for the Historic District recognized at the state level and the overlay zone that pertains to local regulations in Carlsbad, which would be used to enforce penalties. **Mr. Patterson** suggested that while reviewing the overlay zone district ordinance, they should clarify and direct references to the boundary created by it and cite that ordinance, specifically mentioning the previously adopted ordinance and its description of the overlay zone. **Dr. McIntosh** highlighted the language in the document that indicates the City has adopted a Historic Preservation Overlay Zone District. The Statement of Purpose and Responsibility confirms this, but the following paragraph suggests that the district will be designated in the future, creating some confusion. **Ms. Foster** clarified that the ordinance is still being finalized. **Mr. Britt** emphasized the need for a reference to the historic district within the ordinance as an overlay. Instead of revising the original historic district approved in 2009, he proposed creating a new overlay that includes additional buildings that were initially omitted. **Dr. McIntosh** inquired about who approved it, noting that this document will be submitted to the State of New Mexico. **Mr. Patterson** responded that the ordinance was passed and dated in March 2009, initiated by Patsy Jackson. As they observed old pictures of downtown businesses on the screen, **Mr. Britt** pointed out the lack of clarity surrounding the overlay zone and the existing Historic District. He proposed creating a new map for the overlay zone that would be more inclusive and requested Mr. Jameson to recommend that the map be incorporated into the ordinance. This approach would allow them to proceed with the ordinance while keeping the original Historic District unchanged for future reference. **Mr. Lucas** agreed that this was a good idea. **Dr. McIntosh** reiterated that the Historic Preservation Overlay Zone District, which is intended to designate specific areas of the City or individual properties, still appears fragmented. **Ms. Ortiz** explained that while there is an established district, there are also buildings outside of it that contribute to the historic character of Carlsbad. She expressed a willingness to include those buildings in the district, noting that they do not need to be contiguous to the existing district.

0:49:16 **4. Discussion regarding the progress of the research for the Carlsbad Historic District and Downtown Carlsbad**

Mr. Lucas mentioned that they will be looking at the Artist Gallery Building, which has a rich history dating back to the early 1900s. Originally, there was a framed structure on that site, but it burned down and left an empty lot for almost 20 years, where the Community Foundation is now located. This empty lot became home to one of our very first movie theaters, known as the Airdome, which featured outdoor screens and wooden benches where silent films were shown. Later, the Airdome moved across the street to the location of The Scrap Bookstore. The original Cavern Theatre was constructed on the site of the Airdome to replace it. The Community Foundation eventually turned into a grocery store run by a man named J.E. Lavery, known as the Lavery Store, which occupied the remaining frame structure from the frontier era. On August 31, 1906, this store also burned down, marking the loss of the last original frontier frame structure in the downtown area. That site then became another empty lot before the Airdome was established. The United Way lot was initially constructed in 1900 and housed a grocery store called Carlsbad Grocery. From 1907 to 1925, that building served as the second location for Carlsbad's Post Office. **Mr. Lucas** noted that tracking the history of the Post Office in Carlsbad is quite challenging but interesting, as it has moved to various locations over the years. Regarding the Artist Gallery building itself, it occupies two lots that began as a furniture store and a warehouse by 1905. The original frame structure was eventually replaced by a permanent building. Over the decades, one of Carlsbad's earliest banks, believed to be the 1st National Bank, was located there, along with a women's hat shop and a dry goods store. By 1935, the building became Dendahl's Department Store, then later was bought and renamed the Bryant-Link Company, also a department store, before transforming into McDonald's Department Store for many years. In the 1950s, the Montgomery Agency had its first location there before moving across the street. By 1970, it became Colin Gearrells, which remained there until about 1999. Following that, there was a mercantile and an antique store for a very short time, not even a year. At the end of 2000, the Carlsbad Area Art Association purchased the building, and it became the Artist Gallery.


Mr. Lucas also introduced Mr. Adam Rogers, who is involved with the Carlsbad Area Art Association.

Adjourn

There being no further business, the meeting was adjourned at 2:30 p.m.



Chairman



Date