

Mayor and Council Special Session (45th Voting Session), Work Session, and Executive Session August 11, 2026 Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

"And if we cannot end now our differences, at least we can help make the world safe for diversity."— John F. Kennedy

2:00 PM SPECIAL SESSION

1. Approval of a Resolution - City FY27 Community Development Block Grant (CDBG) Subrecipient Agreements
2. Approval of Year 3 Contract with Granicus for the Meeting Management System

2:00 PM WORK SESSION

- 2:10 PM** 1. American Change Agent: A Life & Legacy of Diversity, Equality, and Inclusion – *Anada Leeke/ Dr. John Leeke*
- 2:25 PM** 2. Additional Fireworks Event at Meritus Park - September 18, 2026 - *Jim Bender, City Engineer*
- 2:30 PM** 3. Review of Nuisance Abatement and Property Maintenance Code, Weed Code Update -*Paul Fulk, Housing Manager*
4. Rental Facilities Update - *Paul Fulk, Housing Manager*
5. Habitual Offender Proposal - *Paul W. Fulk, Housing Manager, and Amanda Gregg, Director of Housing and Community Development*
- 3:00 PM** 6. Historic District Design Guidelines Update - *Stephen R. Bockmiller, Deputy Director for Planning and Zoning Administration*
- 3:15 PM** 7. Review of Cline Farm Annexation - *Stephen R. Bockmiller, Deputy Director for Planning and Zoning Administration*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

EXECUTIVE SESSION

- 4:00 PM** 1. EXECUTIVE SESSION - Council Chambers, 2nd floor, City Hall

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of a Resolution - City FY27 Community Development Block Grant (CDBG)
Subrecipient Agreements

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

081126_SS_Packet_CDBG_PS_Subrec_Agreements.pdf

Description

Motion & Resolution -
CDBG Subrecipient Agrmts

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: August 11, 2026

TOPIC: **RESOLUTION: Approval of City FY2027 Community Development Block Grant (CDBG) Subrecipient Agreements**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	<u> X </u>
Other	_____

MOTION: I hereby move for adoption of a Resolution authorizing the execution of thirteen subrecipient agreements for the following nonprofit organizations:

<i>Public Service Grants:</i>	
Girls' Inc.	\$ 12,500
REACH	\$ 19,500
United Way	\$ 10,000
HARC	\$ 14,000
Eliza's House	\$ 10,000
Community Free Clinic	\$ 20,000
America's Hauling for Hope	\$ 12,000
Good News Hagerstown	\$ 8,000
TruNorth Company	\$ 10,000
Senior Living Alternatives	\$ 10,000
Total	\$ 126,000
<i>Subrecipients - Housing:</i>	
Habitat for Humanity	\$ 20,000
Hagerstown Neighborhood Development Partnership	\$ 20,000
Total	\$ 40,000
<i>Capital Project Grant - Demolition:</i>	
Doleman Black Heritage Museum	\$ 25,000
Total	\$ 25,000

Adoption of the resolution includes \$126,000 in public service grant funding; \$40,000 in housing-based services; and \$25,000 in capital project grant funding.
The time of performance for all subrecipients is through June 30, 2027 or the date that all approved funds have been reimbursed, whichever occurs sooner.

DATE OF INTRODUCTION: 08/11/2026
DATE OF PASSAGE: 08/11/2026
EFFECTIVE DATE: 08/11/2026

**RESOLUTION OF THE CITY COUNCIL
OF THE
CITY OF HAGERSTOWN**

**AUTHORIZING THE EXECUTION AND DELIVERY OF
SUBRECIPIENT GRANT AGREEMENTS FOR THE SUPPORT OF
ELIGIBLE PROGRAMS BETWEEN THE
CITY OF HAGERSTOWN AND
VARIOUS NON-PROFIT ENTITIES ENUMERATED WITHIN**

WHEREAS, the City of Hagerstown is an Entitlement Community under the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program; and

WHEREAS, the City receives annual CDBG funding to support eligible community development activities the benefit low- and moderate-income residents; and

WHEREAS, the Mayor and City Council approved the Fiscal Year 2027 CDBG Annual Action Plan on June 9, 2026, which was subsequently approved by HUD on July 27, 2026; and

WHEREAS, each of the below enumerated Subrecipients has been recommended to carry out eligible public service and housing activities consistent with federal CDBG regulations and local community development priorities:

1. Hagerstown Area Religious Council (HARC);
2. Girls' Inc.;
3. Eliza's House;
4. Good News Hagerstown;
5. Religious Efforts to Assist and Care for the Homeless (REACH);
6. America's Hauling for Hope;
7. TruNorth Company;
8. United Way of Washington County;
9. Community Free Clinic;
10. Senior Living Alternatives/Holly Place;
11. Hagerstown Neighborhood Development Partnership;
12. Washington County Habitat for Humanity;
13. Doleman Black Heritage Museum

WHEREAS, it is necessary for the City to execute and deliver grant agreements with these Subrecipient organizations in order to implement the approved programs; and

WHEREAS, each Subrecipient shall be responsible for operating in the Program in a manner satisfactory to the City and consistent with any standards required as a condition of the allocation of CDBG funds;

WHEREAS, the CDBG Grant Agreement funds may be passed through to each Subrecipient, which is located in Hagerstown, Maryland or in the immediate vicinity and which serves citizens in Hagerstown, Maryland, and which is eligible for CDBG grant funds; and

WHEREAS, the City shall pass through grant funds to Subrecipient subject to the terms and conditions of

the City's receipt of CDBG funding and all other applicable federal law and regulations; and

WHEREAS, as to each Subrecipient, attached hereto and incorporated herein is a Subrecipient Grant Agreement between the City and each Subrecipient to pass through funds for Program activities by Subrecipient; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the City and citizenry to enter into each of the attached Subrecipient Grant Agreements, as may be amended as necessitated by any requirements of the State of Maryland or U.S. Federal Government for the Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAGERSTOWN AS ITS DULY CONSTITUTED LEGISLATIVE BODY AS FOLLOWS:

1. That the foregoing recitals are incorporated herein as if fully set forth.
2. That the City of Hagerstown be and is hereby authorized to execute the Subrecipient Grant Agreements (as may be amended as necessitated by any requirements of the State of Maryland or U.S. Federal Government for the Program) with the above-named eligible subrecipients, copies of which are attached hereto as to each Subrecipient, and City staff be and are hereby authorized to execute such other documents as are necessary to effectuate the same.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE CITY
OF HAGERSTOWN, MARYLAND

Donna K. Spickler, City Clerk

By: _____
William B. McIntire, Mayor

Date of Introduction: August 11, 2026
Date of Passage: August 11, 2026
Effective Date: August 11, 2026

PREPARED BY:
SALVATORE & MORTON, LLC
CITY ATTORNEYS

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of Year 3 Contract with Granicus for the Meeting Management System

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Motion_-_Approve_Third_Year_Contract_with_Granicus.pdf

Description

Motion - Granicus Year 3

REQUIRED MOTION

MAYOR & CITY COUNCIL HAGERSTOWN, MARYLAND

DATE: August 25, 2026

TOPIC: Approval of Year 3 Contract with Granicus for the Meeting Management System

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u> X </u>

MOTION: I hereby move for Mayor and Council approval of the third year of the contract with Granicus for the meeting management system and related costs. The total amount for the third and final year of the contract includes subscription fees of \$ 27,081.96, a credit to compensate for delayed implementation of \$ 20,403.06, and one time fees for hardware and training of \$ 17,900.40. The final total amount is \$ 25,310.24.

DATE OF PASSAGE: August 25, 2026

EFFECTIVE DATE: August 25, 2026

PURCHASE / CONTRACT / CONSENT FORM

City of Hagerstown Mayor and Council

Regular Session Date: _____ Special Session Date: August 11, 2026

Originating Department: City Clerk Division (if applicable): _____

Department Director or Manager: Donna K. Spickler, City Clerk

Account/Project Name: Meeting Management Software

Account No: 0103002 5513 CIP Control No. _____

Budget Amount: \$27,200.00 Account Balance: \$27,140.00 Unbudgeted Amount: \$

Fiscal Year: FY27 Source of Funds: City Clerk Operations Budget

[illegible]

ABOVE TO BE USED FOR: Meeting management system through Granicus - Year 3 subscription renewal of 3 year contract, credit for delayed implementation, and one time charges.

RECOMMENDED VENDOR: Business Name: Granicus

Business Address: _____

City/State/Zip: Denver, CO

Bid/Proposal/Quote No.: _____ Sole Source? X Yes No

[illegible]

PLEASE INDICATE WHICH FOCUS AREA OF THE MAYOR & COUNCIL'S STRATEGIC PLAN THIS PURCHASE/CONTRACT APPLIES TO		
Indicate with an X	FOCUS AREA	GOAL STATEMENT
	NEIGHBORHOODS REVITALIZATION & SUSTAINABILITY	The citizens of Hagerstown will experience a high quality of life.
	PUBLIC SAFETY	The City of Hagerstown ensures that all who live, work, and play in the City of Hagerstown will be healthy and safe.
	PUBLIC FACILITIES & INFRASTRUCTURE	The City of Hagerstown will maintain quality services and infrastructure that support residents and businesses in a cost-effective manner.
	ECONOMIC DEVELOPMENT	The City of Hagerstown will continue to grow a diverse, business-friendly economy that supports the community's needs.
X	CITIZEN-BASED GOVERNMENT	The City of Hagerstown is an ethical and financial responsible government.
X	FISCAL ACCOUNTABILITY	The City of Hagerstown will strive for continuous improvement of fiscal responsible decision making.
	PARKS & RECREATION FOR ACTIVE/HEALTHY LIVING	The City of Hagerstown supports a culturally vibrant community.
X	INNOVATIVE/PROGRESSIVE GOVERNMENT	The City of Hagerstown is committed to employee development, excellence in services, and adapting to meet the needs of the community and organization.
X	COMMUNITY PROMOTION/PRIDE	The City of Hagerstown will improve our community image.
	ECONOMIC DEVELOPMENT THROUGH SPORTS AND TOURISM	The City of Hagerstown will be creative and diversify opportunities for economic development through non-traditional means.
X	MISC. PROJECTS, GOALS AND LEGISLATIVE PRIORITIES	The City of Hagerstown takes a creative approach at finding solutions.

REVIEWED AND APPROVED AS FOLLOWS:

(1) Department Director and Division Manager

COMMENTS Granicus has acquired Novus, the meeting management system currently utilized. The City approved a three year contract. This is the third and final year of the contract. A credit has been issued due to a delay in implementation. The final costs also includes one time fees that were also delayed.

Donna K.
Spickler

Digitally signed by Donna K. Spickler
Date: 2026.08.05 23:16:15 -04'00'

Signature / Date

Signature / Date

(2) Purchasing Agent

COMMENTS

Approve

Tyler Rowe 8/7/26

Signature / Date

(3) Chief Financial Officer

COMMENTS

Approve

Michelle Apple 8/6/26

Signature / Date

(4) City Administrator

COMMENTS

Signature / Date



Invoice

Date	08/04/2026	Invoice #	235391
Terms	Net 30	Due Date	09/03/2026
P.O. Number:			

Payments via check can be directed to:
Granicus LLC
Dept #880806
PO Box 29650
Phoenix, AZ 85038-9650

Payments via ACH can be directed to:
Bank Name: JPMorgan Chase Bank
Account Name: Granicus, LLC
Routing #: 102001017
Account #: 678717375

Bill To

Hagerstown, MD
1 E Franklin St
Hagerstown MD 21740
United States

Sold To

Hagerstown, MD
1 E Franklin St
Hagerstown MD 21740
United States

Description	Term Start Date	Term End Date	Tax Rate	Tax Amount	Amount
Government Transparency Suite	09/02/2026	09/01/2027	0.00%	\$0.00	\$5,149.78
Granicus Encoding Appliance Software (GT)	09/02/2026	09/01/2027	0.00%	\$0.00	\$1,631.16
Peak Agenda Management	09/02/2026	09/01/2027	0.00%	\$0.00	\$13,733.21
Upgrade to SDI 720p Streaming	09/02/2026	09/01/2027	0.00%	\$0.00	\$1,674.34
VoteCast Standard Package (iLegislate)	09/02/2026	09/01/2027	0.00%	\$0.00	\$4,893.47

Subtotal	\$27,081.96
Tax Total	\$0.00
Total	\$27,081.96
Amount Paid	\$20,403.06
Amount Due	\$6,678.90 USD

Notes:

Credit memo 26273 applied in the amount of \$20,403.06, total amount due is \$6,678.90

For any questions about your invoice, please contact us at AR@granicus.com or 1-800-314-0147

Thank you for your business



Credit Memo

Date	07/31/2026
Credit Memo #	26273
PO #	20250392

Bill To

Hagerstown, MD
1 E Franklin St
Hagerstown MD 21740
United States

Sold To

Hagerstown, MD
1 E Franklin St
Hagerstown MD 21740
United States

Description	Term Start Date	Term End Date	Tax Rate	Tax Amount	Amount
Peak Agenda Management	09/19/2024	09/01/2026	0%	\$0.00	\$13,888.38
VoteCast Standard Package (iLegislate)	09/19/2024	09/01/2026	0%	\$0.00	\$6,514.68

Tax Total \$0.00

Total \$20,403.06

Applied \$20,403.06

Unapplied \$0.00

For any questions about your invoice, please contact
us at AR@granicus.com or 1-800-314-0147

Thank you for your business

Re: Hagerstown, MD - Granicus Invoicing / Credit Review (One Time Fee Services / Charges)

DP

Debbie Prette <debbie.prette@granicus.com>
To Donna Spickler; Janet Lung
Cc Nathan Perez; Justin Hidalgo; Michelle Middleton; Paola Picado Calderón
This sender debbie.prette@granicus.com is from outside your organization.

Hi Donna-

Sorry about this - it was in my drafts waiting for confirmation from the team. These items have yet to be billed from invoice 191613. The terms of your contract are to be billed upon completion.

OTF Services	Invoice	Description	Payment Term	Amount
	191613	Minutes - Online Training	In Progress	\$ 848.00
	191613	Granicus Encoding Appliance Hardware - SDI (AMAX) (GT)	Bill Pending	\$ 3,816.00
	191613	Granicus Video - Online Training	In Progress	\$ -
	191613	Peak Online Group Training	In Progress	\$ -
	191613	Granicus Encoding Appliance Hardware - Setup & Config	Bill Pending	\$ 1,325.00
	191613	US Shipping Charge C - Large Item	Bill Pending	\$ 132.50
	191613	VoteCast Display CPU (Dell) (ME)	Bill Pending	\$ 1,038.80
	191613	US Shipping Charge B - Medium Item	Bill Pending	\$ 63.60
	191613	US Shipping Charge C - Large Item	Bill Pending	\$ 132.50
	191613	IQM2 or Novus Data Migration (Requires Scoping) - Peak	In Progress	\$ 8,000.00
	191613	VoteCast - Online Training	In Progress	\$ 2,544.00
				\$17,900.40

Best regards,
Debbie

From: Debbie Prette <debbie.prette@granicus.com>
Sent: Monday, May 18, 2026 5:16 PM

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

American Change Agent: A Life & Legacy of Diversity, Equality, and Inclusion – *Anada Leeke/ Dr. John Leeke*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

American_Change_Agent.pdf

Description

American Change Agent



Ananda Kiamsha Madelyn Leeke
Ananda Leeke Consulting
ananda@anandaleeke.com
202.607.3509 and <https://anandaleeke.com>

August 6, 2026

Dear Mayor McIntire and Hagerstown City Councilmembers,

During the August 11th work session, we would like to discuss the issues below.

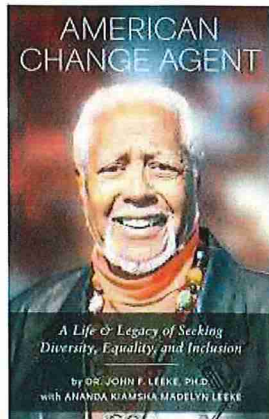
- Introduce our book, *American Change Agent: A Life & Legacy of Seeking Diversity, Equality, and Inclusion* and family's connection to Hagerstown and the Underground Railroad.
- Explore event opportunities with the City of Hagerstown for the purpose of sharing *American Change Agent*, our family's Hagerstown and Underground Railroad connections, and the power of honoring family history as American history during the U.S. 250th anniversary celebration and International Underground Railroad Month in September. visitmaryland.org/international-underground-railroad-events
- Obtain a City of Hagerstown proclamation honoring our family members' presence in and successful escape from slavery in Hagerstown via the Underground Railroad during International Underground Railroad Month in September.
- Discuss the process of applying for a historical marker honoring our family's presence in Hagerstown on Jonathan Street.

We have attached a summary of *American Change Agent* that includes our family's connection to Hagerstown and the Underground Railroad. Let us know if you need additional information.

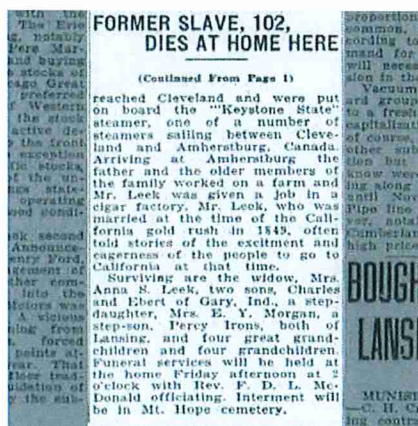
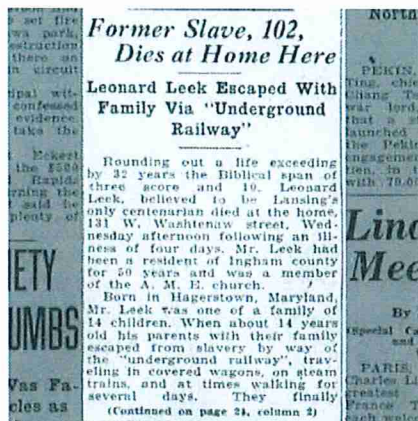
Sincerely,

Ananda Leeke and Dr. John F. Leeke

AMERICAN CHANGE AGENT



Dr. John F. Leeke and Ananda Leeke



Obituary of Dr. Leeke's great-great-grandfather Leonard Leek

LEARN ABOUT BOOK

ABOUT BOOK

During the global pandemic in 2020, Dr. John F. Leeke and his daughter, Ananda Kiamsha Madelyn Leeke embarked on the journey of writing his memoir, *American Change Agent: A Life & Legacy of Seeking Diversity, Equality, and Inclusion*. Five years later, they published his memoir which spans eight and a half decades and weaves together three compelling narratives: a remarkable family rooted in the Underground Railroad, Dr. Leeke's groundbreaking career spanning education and advocacy, and his continued influence as a change agent well into retirement.

As a result of their research efforts that included information from their family on Ancestry.com, a 1927 obituary of their ancestor Leonard Leek that was published in the Lansing State Journal, U.S. and Canadian Census records, Doleman Black Heritage Museum, Amherstburg Freedom Museum, Maryland Office of Tourism website, and Hagerstown-Washington County Convention and Visitors Bureau's Center website, they were able to trace their family's escape from slavery in Hagerstown, Maryland, to freedom in Amherstburg, Canada.

Dr. Leeke's memoir follows his path from his early years in Indiana, childhood and Catholic education at St. Augustine Elementary School and Archbishop Carroll High School in Washington, D.C., to his academic pursuits at Indiana State Teachers College.

Readers also learn about Dr. Leeke's path to becoming a diversity pioneer began in education, working as a teacher and guidance counselor in Flint, Michigan, followed by graduate studies at the University of Michigan. His career evolved into community organizing and organizational development, leading to transformative roles including his tenure at the National Education Association in Washington, D.C. and entrepreneurial ventures that solidified his commitment to institutional change.

Far from slowing down in retirement, Dr. Leeke continues his advocacy through church involvement, civic engagement, and online activism. His memoir explores how seasoned change agents can maintain influence and continue driving progress across generations, offering a blueprint for sustained social impact.

Co-author Ananda Leeke brings her own perspective to the narrative, creating a multigenerational dialogue about progress, setbacks, and the ongoing struggle for true equality. Their collaboration results in a nuanced exploration of how family values and historical awareness shape contemporary activism and celebrate personal and family history as American history.

HOW TO BUY BOOK

Visit <https://anandaleeke.com/drjohn> to learn more about and buy *American Change Agent* via all online booksellers websites. When you purchase the book from IngramSpark, we earn more profit on each sale as self-published authors. Please support our effort!

Website Link: <https://bit.ly/4wXlxNy>

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Additional Fireworks Event at Meritus Park - September 18, 2026 - *Jim Bender, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Additional_Fireworks_Event_at_Meritus_Park.pdf

Description

Additional Fireworks Event
at Meritus Park



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

August 11, 2026

TO: Scott Nicewarner, City Administrator

FROM: Jim Bender, City Engineer JMB

RE: Additional fireworks event at Meritus Park

1. Background

The City Council previously approved the schedule for fireworks events in 2026 during Flying Boxcars games. With the team's success this season, the Flying Boxcars will be in their league's playoffs. The team has requested permission to add an additional fireworks display during their playoff series. To allow this show to take place, the City Council must move to exempt the shows from the City's Noise Ordinance. The purpose of this memo is to present that request from the Flying Boxcars.

2. Mayor & Council Action Requested

Review this information, and determine whether or not to exempt a fireworks display on September 18th from the City's Noise Ordinance. If the Council is in agreement, the Flying Boxcars will apply for the necessary permit from the City Fire Marshal. Staff will be present at the work session to discuss.

3. Discussion

The Flying Boxcars have requested permission to stage a fireworks event after the team's playoff game on Friday, September 18th; the rain date for this event is Saturday, September 19th. Chapter 155.5 of the City Code, the "Noise Ordinance", lists exemptions from the ordinance; exemption "M" states: "Parades, fireworks displays, festivals, and other special events, subject to the terms of approval or permits by the City of Hagerstown and approval of the Mayor and City Council." The Flying Boxcars will be working with the City Fire Marshall to obtain the necessary permits and approvals; the Council would also have to approve the exemption.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Review of Nuisance Abatement and Property Maintenance Code, Weed Code Update -*Paul Fulk, Housing Manager*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Chapter_185_-_Nuisance_Abatement_Update_Memo_8.6.2026.pdf

Description

Chapter 185 - Nuisance Abatement Update



CITY OF HAGERSTOWN, MARYLAND

Department of Housing & Community Development

One East Franklin Street • Hagerstown, MD 21740

E-mail: codecompliance@hagerstownmd.org

Telephone: 301-739-8577, ext. 103 • Website: www.hagerstowndhcd.org

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Paul W. Fulk, Housing Manager *RF*
Amanda Gregg, Director of Housing and Community Development

DATE: August 6, 2026

SUBJECT: Chapter 185 – Nuisance Abatement and Property Maintenance Code, Weed Code Update

Staff will be present at the August 11th work session to discuss any desired changes to the Nuisance Abatement Ordinance and Property Maintenance Code weed code.

History

Chapter 185, Nuisance Abatement Ordinance, was adopted in 2001. Since that time, the code has been updated a few times with the last comprehensive revision occurring in 2010 and the definition of a nuisance in 2018.

The Property Maintenance Code definition for weeds has been the same since 1990. Prior to that date, the City has had a weed maintenance requirement since 1965 with a similar definition but at 12 inches.

Definitions

Chapter 185 defines a nuisance as:

"Any condition or use of premises or property, to include the public right-of-way, which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of property in the neighborhood in which such premises are located. For purposes of this section, such a condition includes, but is not limited to, uncontrolled weeds, grasses or other vegetation commonly referred to as "weeds" on the premises or right-of-way, uncontrolled vines and overgrown shrubs and trees on the premises or public right-of-way, the keeping, maintaining or depositing on, or scattering over the premises or public right-of-way of trash, debris, rubbish, garbage, weed cutting, or other similar material, and the scattering of leaves over the public right-of-way."

Chapter 64-8, Property Maintenance Code section 302.4 states:

"Weeds. All lots shall be maintained free from weeds in excess of ten (10) inches throughout the growing season. Weeds shall be defined as all grasses, annual plants and vegetation other than trees, shrubs or cultivated flowers and gardens. All noxious weeds shall be prohibited. Noxious weed shall be defined as any plant that is physically harmful to humans.

Exception: Where there is a non-residential parcel of land in excess of one acre in size, this section shall apply only to areas within ten feet (10) of any property line or public right-of-way."

The Property Maintenance Code Commentary states the word "cultivated" is important. Cultivated is defined as "to loosen or dig (soil) around growing plants." Uncultivated flowers and gardens should be treated the same as weeds and tall grasses.

The Maryland Department of Agriculture has identified the following vegetation as noxious weeds; Bull Thistle, Canada Thistle, Johnsongrass, Musk/Knocking Thistle, Palmer amaranth, Plumeless Thistle, Shattercane, and Tall Waterhemp.

Process

Our department issues between 1,750 to 3,000 notices each growing season for overgrown lawns meeting the definitions of weeds or nuisance. The City abates on average 315 properties each year.

Inspection staff respond to complaints and proactively patrol the City seeking out those in violation of these ordinances as they relate to weeds. When a violation is identified, an inspector will issue a notice for the violation to correct the violation. Depending on the egregiousness of the violation, a weed notice or nuisance abatement notice is issued with a deadline to comply ranging from 10 days to 1 day. If a property owner fails to correct a weed notice by the deadline date, an inspector will issue a second notice being an abatement notice or issue a fine. If an owner fails to correct an abatement notice, the inspector will submit a work order to Public Works or our third-party contractor. The abatement work will then be performed, both abatement agencies document their work through photographs, prior to work commencing and then immediately after the work is completed. Our department will then send a bill to the property owner for the work performed plus a \$100 administrative fee and \$30 technology fee.

A bill that has been unpaid for 30 days will receive a past due bill. When a bill is unpaid for 60+ days, our department will take one of two paths depending on the bill amount. If an abatement bill is under \$250, our department will send the outstanding bill to collections. If an abatement bill is over \$250, the bill will be lienied against the property. Currently, our department has \$63,308.87 outstanding in collections for abatements since 2024. We have collected \$3,791.75 through this process. \$6,103.77 has been removed from collections either due to the property being sold or paying the City of Hagerstown directly. Unfortunately, sending bills to collection has not been effective in collecting fees owed to the City for services performed.

Conclusion

Inspection staff respond promptly to reports of high weeds in neighborhoods to address concerns raised by citizens and proactively seek out those in violation. The Nuisance Abatement program has provided the concerned citizens with a benefit by holding property owners accountable for uncontrolled weeds.

Attachments: Pictures of lawn challenges
Abatements through the years

cc: Emily McFarland, Programs Coordinator

Exhibit 1 – Pictures of Lawn Challenges



Decorative ivy growth with high weeds



Wildflower area in front lawn



Wildflower area in front lawn



Native weeds

Abatements through the years

	Notices	Abated Items			Total
		Weeds	Snow	Securing	
2006		44	61		105
2007		60	25	0	85
2008		141	1	13	155
2009		227	12	37	276
2010		125	77	23	225
2011		216	9	17	242
2012	665	222	0	33	255
2013	591	225	7	63	295
2014	763	253	95	96	444
2015	893	226	11	84	321
2016	941	295	22	58	375
2017	1253	329	0	81	410
2018	1288	285	0	54	339
2019	1381	360	0	46	406
2020	1447	431	30	39	500
2021	1093	310	0	50	360
2022	1202	310	0	37	347
2023	1789	408	0	38	446
2024	1651	410	0	16	426
2025	985	362	0	14	376
*2026	554	141	22	15	178

Abatement Costs				
Weeds/Trash	Secure	Snow	Total	
				-
23,497.05		3,646.69		27,143.74
44,335.16	3,055.00	191.84		47,582.00
92,518.51	8,645.00	1,646.12		102,809.63
44,531.71	5,260.00	10,969.65		60,761.36
83,729.91	4,062.50	1,711.63		89,504.04
80,656.16	7,597.82	-		88,253.98
108,963.89	14,516.40	1,427.68		124,907.97
119,581.29	22,227.65	13,526.24		155,335.18
116,433.16	18,771.00	1,265.00		136,469.16
106,216.19	13,554.75	1,745.00		121,515.94
90,959.86	18,466.41	-		109,426.27
73,057.41	19,153.16	-		92,210.57
98,343.61	18,684.97	-		117,028.58
113,772.28	13,908.04	5,542.00		133,222.32
92,088.81	10,285.75	-		102,374.56
80,190.44	9,968.53	-		90,158.97
138,082.39	12,208.20	-		150,290.59
148,586.52	9,470.60	-		158,057.12
164,773.75	3,799.70	-		168,573.45
58,315.10	5,387.80	8,564.00		72,266.90

* As of July 31, 2026

2,147,892.33

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Rental Facilities Update - *Paul Fulk, Housing Manager*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Chapter_197_-_Rental_Facilities_Update_Memo_8.6.2026.pdf

Description

Chapter 197- Rental
Facilities Update



CITY OF HAGERSTOWN, MARYLAND

Department of Housing & Community Development

One East Franklin Street • Hagerstown, MD 21740

E-mail: codecompliance@hagerstownmd.org

Telephone: 301-739-8577, ext. 103 • Website: www.hagerstowndhcd.org

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Paul W. Fulk, Housing Manager *R*
Amanda Gregg, Director of Housing and Community Development

DATE: August 6, 2026

SUBJECT: Chapter 197 - Rental Facilities Update

Staff will be present at the August 11th work session to provide an update on the Rental Facilities program. The Rental Facilities Program, also known as Rental Licensing Program, is designed to promote safety, health, and habitability in rental housing and to encourage responsible management and operation of rental facilities and support property values, including those of neighboring properties. This update will include a review of the current ordinance along with the successes and challenges within the program.

History

The program was approved by Mayor and Council on October 22, 2002 and has been revised 15 times since the program's adoption. The revisions to the ordinance have included exemptions to the program, license fee changes, inspection schedules, and revocation/denial standards. These changes have also added the ability to transfer a license to a new owner.

Number of Units

Since the program's creation, the City of Hagerstown has seen an increase in the number of residential units being registered. Since 2006, there have been 1,881 rental units added to the housing stock. This is an average of 86 rental units a year. Entering this license year on July 1, there was 9,881 units registered in 3,803 structures across the City.

Exemptions

The Ordinance has been amended multiple times since the original adoption to provide exemptions to the program. A property containing only two units with one of the units being occupied by the owner, known as owner-plus-one, is exempt from the program. Properties that are owned and operated by the Hagerstown Housing Authority are exempt. One thing to note about the Hagerstown Housing Authority exemption is it does not include property owners that accept a Section 8 voucher. These units must register with the City as they are scattered across the City with Section 8 units mixed with non-subsidized housing. There are approximately 943 Section 8 units within the City. Another exemption is a single-family home occupied as a primary residence under a Land Installment Contract.

The program also exempts certain properties from paying a registration fee but must be registered with the City. A single-unit rental property that is occupied by an exempt tenant, which is related to the owner as a grandparent, parent, sibling, child, or grandchild, whether naturally, step or in-law. There are less than 100 units with an exempt tenant. Properties renovated to the Partners in Economic Progress (PEP) standards are fee exempt for 4 years from the Certificate of Occupancy. An newly constructed residential units utilized as a rental property are fee exempt for the first 4 years from the Certificate of Occupancy.

License Fees & Funding

The license fees established are to fund the program. The fees have been amended 3 times since adoption 23 years ago. The fee was \$39 per unit from June 2003 to June 2008. The fee was increased prior to the 2008-2009 license year to \$50 per unit. The last fee increase occurred in January 2015 with a license fee of \$75 per unit. The program also licenses residential rooming houses. There are 6 rooming houses in Hagerstown, comprising of 88 rooming units. This fee has remained the same since adoption in 2003. This fee is \$100 per structure plus \$10 per rooming unit.

The license fees funded 73.9% of the programs operating expenses in FY26. The remaining funds came from application late fees (4.2%), re-inspection fees (0.2%) and general fund (21.8%). The funding of the program goes towards salaries & benefits (88.6%), printings & mailings (4.2%), fleet & liability insurance (2.6%), vehicle operations (1.9%), phones (1.4%), office supplies (0.7%), and employee training and safety (0.5%).

Application Requirements

In addition to license fees, an applicant for a rental license must also provide the City with a mailing address, telephone number, and email address. The applicant must also identify a designated agent, which is "an individual expressly designated by a landlord who actively operates or manages the landlord's rental unit(s) for the landlord". The application is to include the designated agent's address and phone number. There is no distance requirements from Hagerstown for a designated agent. The applicant is to sign the application acknowledging obligations and responsibilities to comply with the rental facilities ordinance.

The Maryland General Assembly passed an amendment to COMAR in 2006 requiring any jurisdiction that has a rental licensing program to collect current Maryland Department of Environment (MDE) Lead Paint numbers on their application forms. Per the state law, a rental license cannot be issued if these numbers are not provided. As of June 2026, 101 properties have failed to provide the MDE Lead Paint Numbers on their applications. The City is required to report these properties to the Maryland Department of Environment Legal Division.

Inspection Trends

The program has required an annual inspection of the exterior of a rental property for 18 of the 23 years of the program. The 5 years when inspections were not performed annually, they were performed biennially. Exterior inspections have occurred annually since 2015. When looking at the program for the last 3 years (2023-2026) and comparing it to 10-13 years ago (2013-2016), there are trends in the violations cited. Common violations have been weeds, either high on the property or in the sidewalk, and sanitation, meaning trash/rubbish/debris on the property. Another common violation when comparing years is chipping paint on the structure. Other conditions being cited on the exterior vary from year to year as materials deteriorate over time. Approximately 10 years ago a common violation was stairs and porches being non-compliant. During that same time, several properties were identified as not having rear premises identification numbers. This was a new code the City adopted back then to aid our first responders when responding to an emergency. More recent items being identified have been window conditions and roofs. We have seen success with the rental exterior inspections as the number of violations cited over the years has decreased.

Unfortunately, inspection staff have not seen interior violations decreasing. The number of violations cited 10-13 years ago on an inspection have remained stagnant to this day. Inspectors have not observed improvements to the interior conditions of a residential unit. We have seen an increase in the number of electrical, plumbing, and mechanical violations. Smoke and carbon monoxide alarm violations have remained stable but inspection staff are consistently citing over 12% of properties inspected with missing alarms, wrong alarm power source, or wrong alarm locations of these life safety devices. Staff have observed less interior surface damage and window conditions.

Reporting Inspections

Exterior inspections are conducted by inspection staff throughout the license year. Inspectors receive checklists at the beginning of the license year and perform them as time allows through the workday. An owner may request to be present during these inspections. An exterior inspection is performed from the public right-of-way.

Interior inspection requests are made by the property owner, property management company, or owner representative when a rental unit is vacant. These inspections occur while the unit is vacant and are to occur no more frequent than every 4 years. Meaning that if a tenant turnover occurred after an inspection was performed less than 4 years from the inspection, no inspection is required. The inspection is performed at the next tenant turnover after the 4 year anniversary of the inspection. This could mean an inspection does not occur for 10+ years if the same tenant remains in the unit for multiple years.

Staff sends letters on the first Monday of each month after the 4 year interior inspection anniversary has past to remind property owners and property management companies that at the next tenant turnover for that unit is due for an inspection and they are to call our office.

The biggest challenge with the rental licensing program is ensuring property owners or property management companies comply with properly reporting tenant turnovers for the City to perform interior inspections. When evaluating the last couple of years of tenant turnovers in the City and the number of inspections performed, property owners/property management companies properly reported tenant turnovers 41% of the time. Staff made property owners and property managers aware of any unreported tenant turnovers by sending multiple letters requesting an inspection of

the unit. Staff performed inspections on 60% of the unreported units. The remaining 40% of the requests for inspection were ignored by the recipients.

Denials & Revocations

The City of Hagerstown has rarely denied a property owner from registering a rental property to receive a license. The last denials being in 2007. There have been applications received that have not resulted in a license since then due to not providing information required by the ordinance or by the state.

When the ordinance was revised in 2018, effective 2019, the requirements to revoke a license was standardized. Previously, no standard was established, the City could revoke a license as deemed appropriate. The change established a point system to receive a warning letter about potentially being revoked and a point threshold to revoke a license. The point system evaluates safety items identified during inspections, unreported Tenant Turnovers, municipal infraction citations (fines), excessive use of city Services, property taxes unpaid for 180 days, and rental license fees being lienied. If a license is revoked, the property is to be vacated 60 days after the revocation and cannot be reoccupied until inspections have been performed to ensure the structure is in compliance with the adopted code. Since the code change, no license has been revoked.

The point system standard has been a challenge to calculate regularly. There has also been changes within state law and City process that no longer exist that would assign points. State law does permit license fees to be lienied on a property but in recent years the City has decided to seek unpaid fees through collections rather than through liening. A property cannot be sold at tax sale if the outstanding balance is only liens. The State changed COMAR in 2023 prohibiting a link between rental licensing and crime free ordinances. Therefore, the current revocation point system would limit the number of licenses being issued warning letters or being revoked.

Fines

When a property owner is in violation of the ordinance; letters and notices are sent to the property owner, informing them of non-compliance and what corrective action is needed. Due to the number of violations of the ordinance, staff identify the most egregious violators through the year and issue fines to those in violation. The most common fines issued are for failure to register and failure to report tenant turnovers. Last license year resulted in 94 fines being issued for violating the ordinance, although

hundreds of fines could have been issued. Each fine is \$500, which can be doubled to \$1,000 by the court.

License Transfers

The revisions performed in 2018 permitted a license to be transferred to a new owner, previously licenses were non-transferrable. A property owner can obtain a license through a transfer in the first 30 days for no fee. If 31 to 60 days have elapsed since acquisition, the license can be transfer for a fee of \$25. When it has been more than 60 days since ownership change, a property owner must apply for a new license. Our department sends a letter to the new rental property owner within week of taking title to the property. We inform them of the ability to transfer a license and provide them with the form to transfer the license. We then follow up approximately 30 days after the first letter informing them the license can still transfer but for a fee. We then follow-up after 60 days informing the owner a new application must be completed and provide the property owner with the application. At the 90 day mark since property ownership change, a notice of violation is sent informing the owner they must register the property with the City.

Other Jurisdictions

The City of Hagerstown is not the only rental license program in Maryland. There are 31 jurisdictions with a population over 7,500 citizens in Maryland. Of those jurisdictions, 25 municipalities have a rental license program. There are also 5 counties in Maryland with a rental license program for the entire county. Some municipalities within those counties have their own license programs, some in addition to the county program.

Our department has performed rental license ride alongs with multiple jurisdictions. Those jurisdictions are Frostburg, Cumberland, Frederick, Bowie, Hyattsville, College Park, Riverdale Park, and Annapolis. We have also performed ride alongs with the Hagerstown Housing Authority and the Bough of Chambersburg, PA. These ride alongs have been on going since 2017. The purpose of these ride alongs is to observe how other jurisdictions process applications and perform inspections to ensure our processes and standards are similar to those within the region. In addition to our staff observing other jurisdictions processes and inspections, other jurisdictions have rode along with our inspection staff.

Conclusion

The Rental Facilities program has been successful in identifying rental properties in the community and holding them to a curb appeal standard. Licenses are being transferred to new owners saving them on license fees during their first year of ownership. Nonetheless, the City continues to have challenges with property owners, property management companies, and representatives understanding and complying with the interior inspection requirements. This challenge creates an adversarial role with individuals and our department. Finally, the license fee has remained consistent since 2015; however, the fee is not keeping up with rising costs and the fee is not funding the program as it did since the fee change.

C: City Attorney
Emily McFarland, Neighborhood Services Programs Coordinator

Attachment 1 – Maryland Rental License Information

Attachment 1				Who requests inspection and performs inspection			
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	Radius for owner's agent/emergency contact
Baltimore City	\$30 per unit - 1 & 2 family dwellings, \$35 per unit - 3+ units	2 years	Completed before renewal of license, not more than 90 days prior	Municipality or Landlord request - municipality, third-party home inspector perform inspection	2021 IPMC with local amendments	August 2018	No requirement
Frederick	\$240 per unit	2 years	Random selection, 15% of all rental properties inspected each year	Municipality	2015 IPMC with local amendments	December 2022	Within 60 miles from intersection of Market & Patrick St
Gaithersburg	\$150 per unit	2 years	Every 2 years, must be completed 90 days to expiration of license	Municipality	2003 IPMC with local amendments	June 1990	No requirement
Rockville	\$260 per unit for single family, \$154 per unit for multi-family	2 years single-family, 1 year multi-family	Biennially single-family at license renewal, Annually multi-family at renewal	Municipality	2021 IPMC with local amendments	2003	Agent living in the state

Attachment 1				Who requests inspection and performs inspection			
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	Radius for owner's agent/emergency contact
Bowie	\$120 per unit	1 year	Annually, performed during the license year	Municipality	Locally developed code, structured similar to IPMC	1989	Local agent within 50 miles of Bowie
Hagerstown	\$75 per unit	1 year	At vacancy, no more frequent than 4 years	Landlord at requests vacancy, Municipality performs inspection	2003 & 2006 IPMC with local amendments	June 2003	No requirement
Annapolis	\$120 per unit	1 year, except for 50+ unit building with 3 or more maintenance staff living onsite - license is 2 years if qualify	Annually prior to issuing license	Municipality	Locally developed code, structured similar to IPMC	1985	No requirement
College Park	\$244 single family, \$580 fraternity/sorority, \$150 condominiums, 6+ units - \$125 per unit, 2-5 units - \$207 per unit	1 year	Annual for single family home, biennial inspection of half dwelling units for apartments at license renewal	Municipality	Locally developed code, structured similar to PMC	July 1966	No requirement

Attachment 1				Who requests inspection and performs inspection			Raduis for owner's agent/emergency contact
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	
Salisbury	\$120 per unit in 1st year, \$75 per unit at renewals	1 year	Units are randomly selected in certain zoning districts, other zoning districts are performed at complaint or initiated by inspector	Municipality	Locally developed code, structured similar to IPMC	May 2004	No requirement
Laurel	\$40 per unit	1 year	1 to 11 units, inspected every 3 years during license year, 12 or more units - 1/3 of units inspected each year	Municipality	2021 IPMC with local amendments	August 1983	Must designate a legal agent living in Maryland, owner can be legal agent if they live in Maryland
Greenbelt	\$175 for single family, \$120 per unit for 2 or more unit structures	1 year	Annually during the license year	Municipality	Locally developed code, structured similar to PMC	1994	Agent must be within 50 miles of Greenbelt
Hyattsville	\$300 per unit single family, \$250 per unit Multifamily	1 year - Single Family, 2 year - 2+units	Annually at renewal and can perform periodic inspections to ensure continued compliance	Municipality	Prince George's County Code with local amendments	November 1978	No requirement

Attachment 1				Who requests inspection and performs inspection			
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	Raduis for owner's agent/emergency contact
Westminster	\$20 per unit	1 year	Complaint driven only	Municipality inspects unit based on tenant complaint	2012 IPMC with local amendments	June 2013	Agent must be within 50 miles of Westminster
Cumberland	\$25 per unit	1 year	At vacancy, prior to tenant moving-in unless performed within last 12-months	Landlord requests at vacancy, Municipality performs inspection	Locally developed code, structured similar to IPMC	September 2007	Agent must live within Allegany County
Takoma Park	\$135 per unit	1 year or 2 years, depend if rental facility is well maintained	To be conducted before expiration of license term	Montgomery County inspects	Montgomery County Code with local amendments	September 1985	No distance requirement, must have local Landlord Certification
Easton	\$50 per unit, plus \$100 rental inspection fee	1 year	To be conducted during license year	Municipality	2009 IPMC with local amendments	March 2008	No requirement
Havre de Grace	\$200 per unit - 1-2 units, \$150 per unit - 3+ units	1 year	Property owner performs annual inspections on forms provide by City. City performs tenant-requested inspections	Landlord inspects for program, City for tenant concerns	2021 IPMC with local amendments	March 2004	Agent must be within 25 miles of Harve de Grace

Attachment 1				Who requests inspection and performs inspection			
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	Raduis for owner's agent/emergency contact
New Carrollton	Single/Two Family - \$300 for structure, 3 or more unit - \$200 per unit	1 year	Annually at license renewal	Municipality	2018 IPMC with local amendments	October 1989	Local agent must live in Maryland
Cambridge	Registration - \$110 per unit, If inspection is required that year, must pay \$125 per unit for inspection	1 year	Every 3 years by City, years not inspected by City, landlord must complete checklist supplied by City and submit to City during renewal	Municipality	2006 IPMC with local amendments	June 2010	Local agent with Dorchester County or within 40 miles of Cambridge
La Plata	\$134 per unit - 1-4 units, \$168 per unit - 5+ units	2 years	Biennially at license renewal	Municipality	2018 IPMC with local amendments	February 2002	Agent within "reasonable distance" from property if contains more than 4 units
Bladensburg	\$50 per structure	1 year	Annually prior to renewal	Municipality	Locally developed property maintenance code, similar to IPMC	December 2025	No requirement
Mount Rainier	\$150 per unit for single-family, \$225 per year for multi-family	1 year	As needed but not less than every two years	Municipality	2018 IPMC with local amendments	June 1998	No requirement

Attachment 1				Who requests inspection and performs inspection			Raduis for owner's agent/emergency contact
Municipality/County	License Fee	License Term	Inspection Schedule		Code Enforced	Ordinance Adopted	
Riverdale Park	\$200 per single family, \$115 per unit - 2+ units	1 year	Annually	Municipality	2018 IPMC with local amendments	June 1994	Agent must reside in Maryland
Frostburg	\$48 per unit	1 year	Every 3 years by City	Municipality	2012 IPMC with local amendments	August 2014	Local agent must be within 25 miles of Frostburg
Ocean City	\$196 per unit, apartment buildings plus \$8 per each sleeping room	1 year	Annually prior to renewal	Municipality	2021 IPMC with local amendments	1972	Local agent able to respond within 60 minutes to the property
Montgomery County	\$130 per unit - Single family, townhouse, duplex, \$70 per unit - Condo, \$52 per unit - Multi-family housing, \$122 accessory dwelling unit	1 year	Every 3 years, could be annually based on previous inspection results	County	Locally developed property maintenance code, similar to IPMC	1972	No requirement
Howard County	\$93.50 per unit	2 years	Every 2 years	County	2024 IPMC with local amendments	1997	No requirement
Baltimore County	\$60 per unit - 1-6 units, \$100 per apartment complex plus \$60 per unit if County inspects	3 years	Every 3 years	County or Maryland licensed Home Inspector	Locally developed property maintenance code, similar to IPMC	1988	No requirement

Attachment 1							
Municipality/County	License Fee	License Term	Inspection Schedule	Who requests inspection and performs inspection	Code Enforced	Ordinance Adopted	Raduis for owner's agent/emergency contact
Anne Arundel County	2-4 units - \$30 per unit, 5 to 50 units - \$120 plus \$25 per unit, 51+ units - \$1,370 plus \$18 per unit	2 years	Every 2 years prior to renewal	County	2003 IPMC with local amendments	1985	Agent must be resident of County
Prince George's County	\$152 per unit - 1 unit, \$99 per unit 2+ units	2 years	Every 2 years prior to renewal	County	2018 IPMC with local amendments	1970	No requirement

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Habitual Offender Proposal - *Paul W. Fulk, Housing Manager, and Amanda Gregg, Director of Housing and Community Development*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Chapter_65_-_Habitual_Offender_Proposal_Memo_8.6.2026.pdf

Description

Chapter 65 - Habitual
Offender Proposal



CITY OF HAGERSTOWN, MARYLAND

Department of Housing & Community Development

One East Franklin Street • Hagerstown, MD 21740

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Telephone: 301-739-8577, ext. 103 • Website: www.hagerstowndhcd.org

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Paul W. Fulk, Housing Manager *R*
Amanda Gregg, Director of Housing and Community Development

DATE: August 6, 2026

SUBJECT: Chapter 65 – Habitual Offender Proposal

Staff will be present at the August 11th work session to discuss potential changes to Chapter 65, Habitual Offender Ordinance. The Habitual Offender Ordinance was adopted in 2001. It was amended twice since adoption in 2016 and 2022. The amendments in 2016 and 2022 added additional chapters to the qualifications as a Habitual Offender.

Ordinance Summary

A Habitual Offender is any person, which is an individual, partnership, firm, corporation, association or other legal entity of whatsoever kind and nature. If a person pays a fine, convicted of or having judgment entered against them for violations of Chapter 64 (Property Maintenance Code), Chapter 140 (Land Management Code), Chapter 185 (Nuisance Abatement), Chapter 197 (Rental Facilities), Chapter 232 (Vacant Nonresidential Structures) or Chapter 233 (Vacant Residential Structures) in three separate and distinct times during a 24-months period, they shall be considered a Habitual Offender.

A person considered a Habitual Offender and in violation of this ordinance shall be guilty of a misdemeanor and punishable by fine not exceeding \$1,000 or imprisonment not exceeding 90 days in the County jail, or both at the discretion of the court. In addition to the penalties, the court may order a period of probation, order the abatement of violations at the cost to the defendant, and/or periodic inspections of the property. Since adoption, the City has charged two individuals as a Habitual Offender.

Challenges

Staff have issued an average of 200 municipal infraction citations a year since 2023. This is not 200 individual persons, some persons receive multiple citations at one time if multiple codes are violated. Most of the citation fine amounts go unpaid and result in court filings at District Court. It takes approximately 3-4 months to receive a court hearing date after the filing. The challenge is when citations proceed to court, some property owners correct the violations prior to the court date. On the advice of legal counsel, citations for violations abated prior to court are nolle prosequi or layman's terms, charges are dismissed. When these charges are dismissed, a person is not achieving the status of Habitual Offender. Property owners are utilizing this willingness by the City to drop charges on the day of court if violations are corrected to obtain more time to abate the violations. Or in some cases, property owners strategize if the City's will fine a person for violating a code versus investing in making code corrections.

Other Maryland Jurisdictions

Staff identified three other jurisdictions in Maryland with a similar law, Salisbury, Cumberland, and Cambridge. Although the titles of their ordinances are different, the purpose and language is similar.

Cumberland and Cambridge definitions of Habitual Offender are similar to Hagerstown's definition. Salisbury's definition goes further which includes five or more notices of violation within the same calendar year qualifying as a Habitual Offender.

The penalties with these jurisdictions vary. Cumberland's penalties are the same as Hagerstown. Salisbury requires two comprehensive inspections of the entire property within twelve months in addition to a \$500 fine. Cambridge designates a difference between non-residential and residential properties for penalties. All property maintenance fines levied against the properties are tripled for both property classifications. In addition to fines, each property type is subject to annual inside and outside inspections for the next five years. Residential properties with outstanding violations for more than one-year after Habitual Offender designation shall have their rental license revoked.

All jurisdictions identify a path toward removing the Habitual Offender status.

Proposal

Staff have recommendations for amendments to this ordinance.

- Amend the definition of habitual offender to include five or more violations of the chapters listed for the ordinance within a 12-month calendar year, excluding mandated inspections by the licensing programs. (50 properties would have qualified in 2025 with this amendment.)
- Increasing the fine amount to the maximum permitted by Maryland law. Currently this amount is \$2,500.
- Change the language for citations to the issuance of a citation rather than receiving a court conviction, judgment, or payment of a fine.
 - If desire is to have a judgment or payment of a citation, pursue a court hearing on civil citations issued regardless of the violation status on the court date.
- Develop a process for property owners to remove the habitual offender status

Next Steps

Staff will work the City Attorney to draft changes to the ordinance and present those changes at a future work session.

C: Emily McFarland, Programs Coordinator
City Attorney

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Historic District Design Guidelines Update - *Stephen R. Bockmiller, Deputy Director for Planning and Zoning Administration*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Description

2026_0811_WS_Historic_District_Design_Guidelines_Update_RED.pdf

Historic District
Design Guidelines
Update



MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM:  Stephen R. Bockmiller, AICP, Deputy Director for Planning and Zoning Administration

DATE: August 11, 2026

SUBJECT: Draft Update of the HDC Design Guidelines

Staff will attend the August 11 Mayor and City Council work session to present and review the attached draft update of the Hagerstown Historic District Commission Design Guidelines. This draft has progressed through a revision process with the Commission and a succession of staff members over the last few years as time allowed around other obligations. The existing guidelines have grown dated and topics have developed that necessitate adding to the document.

Staff will inquire whether the Mayor and Council are okay with endorsing the guidelines at this meeting, if they have had the time to digest it to their satisfaction. Otherwise, staff will arrange to return to a workshop in the near future to answer any questions and receive direction before the body officially acts on it.

Please be aware of the following:

1. This draft consolidates two existing sets of design guidelines that were adopted for the downtown district and for the three residential historic districts. The decision was made to consolidate them when review revealed that a majority of the material in them was duplicative.
2. Additional material has been added in order to make these new guidelines a “one-stop shop” for all information a property owner or developer will need regarding any historic preservation issue in the City.
3. Content in this draft in black print is existing language carried over from the two sets of guidelines currently in effect.

Content in blue print is new material but is generally policy-neutral and does not change or affect current procedure, policy or protocols. These materials consist of clarification of issues within existing text, additional historical and architectural information about Hagerstown’s resources, added terms to the glossary, information regarding tax benefits and credits for historic preservation at the county, state and federal levels, etc. A new section that explains the role of the HDC in demolition applications has been added. The existing guidelines barely touch on demolition issues, so adding information on this important topic is indispensable. Since the material added on this issue is current standard practice, it is included in blue font.

Content in red print is material that is new content related to implementing the policies of recent zoning ordinance text amendments – mostly dealing with signs. Some new material is also added explaining or expanding on relatively recent updates to the guidelines regarding substitute materials. The amount of new policy-based material in red font is limited to a few sections.

4. Staff embellished the document somewhat with historic photos and narrative of the City's historic streetscapes and resources. This was done in places in the document where its structure left all or large parts of pages blank, such as at the end of chapters. These illustrations were readily available in the department's photo archives and were easily inserted in the document. The intent of doing this was to elevate what could be a fairly dry government guide book to be more interesting to those reading it.
5. Staff requests that the action that will be taken to endorse the updated guidelines be worded in a manner that allows staff to make non-policy updates as needed without having to return to the elected body.

Information will periodically change. For example, if the City adopts a new "landmark" overlay or a property in the City is added to the National Register of Historic Places. That new information and other minor changes would require the document be updated for it to remain current. These types of changes do not involve information the Mayor and City Council would be concerned about, and staff requests that they and the Commission be allowed to make such non-policy changes without bringing it back to the elected body.

An aerial photograph of the Hagerstown City Building, a large red brick structure with a prominent white clock tower. The building features a classical portico with columns on the ground floor. In the foreground, several large trees with white blossoms are in full bloom. The sky is a mix of blue and soft orange, suggesting dawn or dusk. The overall scene captures the architectural grandeur of the historic building amidst nature.

*HISTORIC
DISTRICT
DESIGN
GUIDELINES*

Hagerstown, Maryland

*LOOKING TO THE
FUTURE WHILE
PROTECTING OUR
ARCHITECTURAL
INTEGRITY*

INSIDE FRONT COVER RESERVED FOR MAYOR AND COUNCIL MOTION TO APPROVE OR
LETTER FROM MAYOR.

ARCHITECTURAL DESIGN GUIDELINES FOR THE HISTORIC DISTRICTS OF HAGERSTOWN, MARYLAND

Originally adopted September, 1989 with subsequent revisions adopted in
1994, 2007, 2010, 2015, and 2016.

Adopted by the Mayor and City Council on [INSERT DATE HERE]

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2026

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The original version of this work, created in 1989, was commissioned by the City of Hagerstown and financed through a Community Development Block Grant. However, the contents and opinions contained herein do not necessarily reflect the views or policies of these agencies.

The 2026 updates to this document were predominantly the work of former Hagerstown Planner Joanna Wu, who served the City from 2023 to 2025. We thank her for her diligent efforts on this project.

Front Cover: Hagerstown’s City Hall (1940). Funded by the Works Progress Administration, Hagerstown’s current City Hall was designed by renowned Colonial Revival architect Robert E.L. Taylor (1881-1968). It replaced Hagerstown’s second town hall, which stood on the site from 1817 until demolished to construct this building. *(Staff Photo)*



West Washington Street, viewed eastward toward Public Square, 1938. (Library of Congress Photo)

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West Franklin Street, viewed to the east from approximately in front of today's United States Post Office building, circa 1875. Trinity Lutheran Church is seen at right. The church later relocated to North Potomac Street. Town Hall is seen in the background with the clock and bell tower. Although not seen here due to distance and lighting, the city's iconic "Little Heiskell" weather vane stood atop the town hall bell tower. Notice how street trees stood only on the left (north) side of the street, protecting the south-facing fronts of those buildings from the heat of the sun. The front (north) side of the buildings on the right did not receive direct sunlight. This photo was captured by pioneering local photographer Elias Recher. (*Library of Congress Photo*)

INTRODUCTION

Why Protect Historic Resources?

The City of Hagerstown is rich in nineteenth and early twentieth century architecture that is reminiscent of a time and place in the history of the City. These buildings and their settings are maintained and reused as a viable living and business environment that combine to form a unique asset to both the fabric of the City and community, [as well as its economy](#). It is within the public interest to preserve and strengthen the City's historic areas so their contribution to the [economy](#) and the image of Hagerstown may continue.

In February 1988, a portion of the downtown was designated a "preservation design district" under the Hagerstown Zoning Ordinance (renamed to "historic district", [effective September 26, 2008](#)). The purpose of the historic districts is to protect, enhance, and promote the use of historic resources. Preservation of these resources serves to contribute to [vibrancy of the economy](#), [improve](#) the quality of life of our citizens, and to safeguard the City's historic heritage.



University Plaza, West Washington Street (Staff Photo)

What is the Historic District Commission?

The Historic District Commission (HDC), previously known as the Preservation Design District Commission (PDDC), is a body whose legislated purpose is to protect and preserve the historical and cultural heritage of the City of Hagerstown. This Commission aids the City through review of proposed changes to buildings and sites in the historic districts and designated individual landmarks. More information about the HDC can be found in the Zoning Ordinance (Article 4 of the Land Management Code). The meeting schedule and agenda can also be found on the City website under "Historic District Commission."

The HDC is a body of seven voting members. At least five of those members reside in the City. There are also two additional ex-officio members representing the professions of structural engineering and sign design. An architectural historian serves as a consultant to the Commission. HDC members serve a three-year term and are appointed by the Mayor and City Council. All members must demonstrate special interest in historic preservation and/or specific knowledge or professional/academic training in fields such as history, architecture, architectural history, planning, archaeology, curation, conservation, landscape architecture, historic preservation, urban design, or related disciplines.

The HDC's Mission: Preservation and Progress

The HDC must weigh historic preservation and interest with the goal of a vibrant and valuable community. Most applications are approved by the HDC without amendment. Staff works with applicants to prepare applications consistent with these guidelines so almost all applications are approved either as submitted or with amendments made by the applicant to address concerns raised by Staff or the Commission.

Investment in the Historic Downtown



City Hall with East Franklin Street to the left (Staff Photo)

As part of an ongoing effort to revitalize Hagerstown's historic downtown, the City partners with private entities on catalytic downtown investment projects. In 2018, the City partnered with private entities, the State, and Washington County on an Urban Improvement Project which included the expansion of the Maryland Theatre, expansion of the Barbara Ingram School for the Arts, expansion of the University System of Maryland at Hagerstown (USMH), and the construction of a public plaza that connected the cultural trail through downtown. The Hagerstown Cultural Trail connects City Park to downtown while also providing public art in an effort to link assets and encourage revitalization of an underutilized portion of downtown. The HDC approved demolition of two contributing buildings to make way for new construction in publicly funded

aspects of the Urban Improvement Project. Public and private investment in downtown Hagerstown reflects the City's desire to protect historic resources while creating a new story to be told in the future. The chart beginning on page 1-4 details public investment in the Urban Improvement Project. The USMH Expansion is not included as there is no public funding involved in the project thus far.

Economic Development and Benefits

Protecting the City's historic resources has many benefits, both social and economic. In addition to maintaining the historic character and atmosphere of the districts, preservation of Hagerstown's historical features also has many economic advantages. Preservation means increased property values in the designated areas and increased local revenue for shops, restaurants, and businesses by increasing traffic in the downtown area. Rehabilitation of downtown brings consumers back to the downtown. They come to see the improvements being made, to enjoy the benefits of such a vital downtown, and to make the revitalized area their home. Downtown property owners benefit from the increased pedestrian traffic that a historically eclectic and rich downtown, like ours, attracts. Preserving architecturally impressive residential areas invites new residents to make our community their home.



The 100 block of West Washington Street looking east toward Public Square (Staff Photo)

As a benefit to property owners, the federal government, the State of Maryland, and Washington County each offer tax incentives to those property owners engaging in rehabilitation. Those tax benefits are as follows:

Federal Government:

- 20% federal income tax credit for approved rehabilitation.
- Applicable to both exterior and interior work.
- Rehabilitation [shall](#) meet the Secretary of the Interior's Standards and be approved by the National Park Service and the Maryland Historical Trust.
- Tax credits are only eligible for [income-producing](#) properties, including residential rentals. Owner occupied dwellings are not eligible for the credit.
- Rehabilitation costs [shall](#) exceed the adjusted basis of the property.

State of Maryland:

- Credits apply to state income taxes.
- [Sustainable Communities Rehabilitation Tax Credit Program](#).
- Available for single-family, owner-occupied residential properties.
- Offers income tax credit equal to 20% of the qualified renovation costs, with a maximum of up to \$50,000.

- To be eligible for the benefits, residential home rehabilitation must exceed \$5,000 in two years, and commercial rehabilitation must exceed the adjusted gross basis of the property.

Washington County:

- Credits apply to county property taxes.
- A tax credit in an amount equal to 25% of the owner's expense for exterior restoration and preservation as documented.
- A tax credit in an amount equal to 5% of the owner's expense of the cost of exterior rehabilitation of an architecturally compatible structure attached to an historic structure.

Based on the economic impact to the downtown community and the benefits for property owners, preservation is a growing movement across the country, resulting in much more than just the restoration of old buildings. It is a significant tool for economic development and revitalization. Preservation of local historic resources ensures the enrichment of Hagerstown's historic district.

City of Hagerstown:

The City of Hagerstown offers a variety of programs, which may benefit property owners and developers in the historic districts. Available funding may fluctuate from year to year depending on decisions made in crafting the City's annual budget. These programs include:

Program	Requirement/Explanation	Incentive
<u>Enterprise Zone</u>	In City Center: • \$5,000 construction or rehab investment of one new job created Outside City Center: • \$50,000 construction or rehab of five new jobs created	• The Enterprise Zone initiatives are available to commercial projects or commercial portions of mixed-use projects only • REAL PROPERTY TAX CREDITS: 10-year credit against local real property taxes on the value of a portion of real property improvement • The New Jobs Tax Credit Program provides eligible companies with a six-year tax credit against both real and personal property tax
<u>Partners in Economic Progress (PEP) Program</u>	• The project shall be located within the PEP Zone in the City Center • Minimum investment for upgrade and improvement of commercial properties on the amount of: - o \$250,000 for commercial project - o \$100,000 for resident project and - o \$200,000 for mixed-use project	• Annual Grant – equal to City Property Tax for five years • Utility Benefit – two free EDUs valued at \$13,800 • Parking Benefits – one year free and 50% discount for four years • Rent Assistant – provides a maximum total incentive of \$30,000 paid to the property owner/landlord for the first two or three years of a business' operation, with a commitment to occupy the space for a minimum of four years • Waiver of Development Fees – such as building permits, plan review fees, occupancy, and zoning fees • Fast Track Permitting – expedited review through PCAD and HDC and permitting

NOTE: As of 2026, this program has been temporarily paused and is being re-designed by the City for future reuse.

		• Code Flexibility – using Maryland Building Rehabilitation Code • Consultation on Historic Tax Credit Program – two hours of consultation on utilization of historic tax credits paid for by the City
<u>Hagerstown Revolving Loan Fund Program</u>	• Growth and Expansion • Rehabilitation • Code Compliance • Employee Recruitment and Retention • Façade Enhancement	• Maximum loan amount is \$200,000 or 80% of total project cost (whichever is less) • Maximum loan amount for working capital is \$30,000 • Minimum loan amount is \$10,000 • Additionally, micro-enterprise loans are available up to \$5,000 • The interest rate shall be fixed (rate established at LIBOR plus 1%, but shall not be less than 3%) • Term may not exceed seven years
<u>Arts & Entertainment District</u>	Maryland is one of the first states to develop Arts & Entertainment Districts on a statewide basis as a way to stimulate the economy and improve quality of life. Hagerstown's was one of the first designated in the State.	• The City and County both agreed to provide 50% property tax credit for 10 years on the increase in assessment, which results from a renovation project to create artist housing or space for A&E enterprises. • Enterprises are exempt from the collection of State of Maryland's Admissions and Amusement Tax.
<u>Sign & Façade Grant Program</u>	Provide an incentive to businesses and property owners to enhance their buildings presentation to the public with improved storefront designs and other façade elements to contribute to the overall enhancement of the City Center. This program is subject to funding availability and is on a first-come-first serve basis. All projects shall pertain to commercial, mixed-use and 100% residential buildings in the CC-MU Zoning District.	The program provides a 50% matching grant to approved project for the following amounts: • Grants range from a minimum of \$2,500 to a maximum of \$7,500 for façade projects • Grants range from a minimum of \$250 to a maximum of \$1,500 for sign projects • Grants require a one-to-one match from the applicant • Minimum project cost is \$500 for signs and \$5,000 for facades
<u>Invest Hagerstown City Center and City-Wide Redevelopment Grant</u>	Eligible applications • Available for office, retail, and mixed-use projects • Grants require 2:1 match from the developer or business	• Grants range from \$5,000 to \$25,000 for City-Wide and from \$150,000 to \$250,000 for City Center grants • Grants require 2:1 match • Minimum project cost is \$5,000 for City-Wide and \$450,00 for City Center • City Center grant is only available in City Center Mixed-Use (CC-MU) Zoning District • City-Wide grant is available within the corporate boundary of the City

About These Guidelines

These architectural design guidelines were prepared to assist property owners, developers, architects, and project designers in the historic districts. These instructions are meant to guide, rather than dictate, the design of alterations [to existing buildings](#) and construction of new buildings in order to achieve the goal of compatible new design in an area with a strong historic identity.

The guidelines set forth in this booklet are based on a broad view of the development of Hagerstown, its present-day physical condition, and anticipated future activity within the districts. These guidelines stress principles that will guide future building and preservation decisions.

These guidelines ARE intended to:

- Help reinforce the character of the districts and protect their overall appearance.
- Improve the quality of development.
- Protect the value of public and private investment.
- Preserve the [architectural](#) integrity of the districts [and landmarks](#).
- Indicate approaches to design encouraged by the Commission.
- Provide an objective basis for decisions made by the Commission.
- Serve as a tool to assist property owners and architects in making basic design decisions.
- Increase public awareness of historic architecture and design issues.

These guidelines are NOT intended to:

- Control how space is used in a building's interior. The City's zoning ordinance regulates how properties are used. [The HDC has no authority over the use of land or buildings \(see footnote\)](#).
- Control appearance of the interior of a building. The HDC process affects only the design of the exterior of the building and the site.
- Guarantee that all new construction will be compatible with a historic setting. Guidelines can only guide design. They may help block insensitive design, but they cannot ensure sensitive design.

Secretary of the Interior's Standards for Rehabilitation

These guidelines are based on the Secretary of the Interior's Standards for Rehabilitation. These standards are applied to rehabilitation projects, in a reasonable manner, and consider the economic and technical feasibility of the project. The Secretary of the Interior's Standards are as follows:

- 1.) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. ¹
- 2.) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

¹ The Historic District Commission has no authority to regulate the use of land or buildings and, as such, the HDC does not apply this standard in reviewing applications for work in the historic districts. The use of property and buildings is governed by the Zoning Ordinance which the HDC has no authority to supersede.

- 3.) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4.) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5.) Distinctive features, finishes, and construction techniques or examples of artisanship that characterize a property shall be preserved.
- 6.) Deteriorated historic features shall be repaired rather than replaced. When the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7.) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- 8.) Archeological resources affected by a project shall be protected and preserved. If such resources are disturbed, mitigation measures shall be undertaken.
- 9.) New additions, exterior alterations, or new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10.) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Preservation Easements



Hagerstown was once connected to other cities in the region by an inter-urban trolley system (*Public Domain Photo*)

There are times where the HDC will review projects that are also subject to the approval of the Maryland Historical Trust (MHT). This could be due to the use of State or Federal funds on tax credits for a project, or if the MHT holds a preservation easement on the property under review. While the HDC is independent of the MHT, generally, the HDC will defer to the expectations of the MHT in review projects. Oftentimes, the MHT's standards for work on a historic resource will exceed those of these guidelines. However, acquiescence to the MHT is not guaranteed. Although it rarely occurs, the final design of a project

may be subject to negotiating and arranging for a design that will satisfy both local and state authorities. As of the publications of these design guidelines, the MHT holds preservation easements on the following properties in the City (not all of which are located within HDC regulated local historic districts):

- Hagerstown Armory (328 North Potomac Street)*
- Hamilton Hotel (92 West Washington Street)*
- Elliott-Bester House (205-207 South Potomac Street)
- Henry's Theater (7 South Potomac Street – Barbara Ingram School for the Arts)*
- Maryland Theatre (21 South Potomac Street)*
- Fairgrounds Entrance Building and Keeper's Residence (412 North Mulberry Street)
- Independent Junior Fire Company (105 North Potomac Street)*
- Presbyterian Church of Hagerstown (20 South Prospect Street)*
- St. John Episcopal Church (101 South Prospect Street)*
- The Terrace (951 The Terrace)*
- Washington County Museum of Fine Arts (401 Art Museum Drive, City Park)
- Pythian Castle (16 West Franklin Street)*

* Located in a Hagerstown Local Historic District and subject to HDC review.



Hagerstown Armory and Elliott-Bester House are Maryland Historical Trust easement properties. (Staff Photos)



The Washington County Museum of Fine Arts is a Maryland Historical Trust easement property (Staff Photo)

Most of these easements affect only the exterior features of buildings, however some (e.g. The Maryland Theatre) also include agreements regarding interior elements of buildings. Before proceeding with work on a property subject to an MHT easement, the Commission strongly urges property owners, tenants, and contractors to contact the MHT to inform them of the planned work and seek its guidance on what reviews, if any, will be necessary to comply with the terms of the easement.

Advisory Sources

Preservation Briefs, published by the National Park Service, offer detailed information on various rehabilitation techniques such as cleaning masonry, repairing wooden windows, and exterior and interior finishes for [Downtown buildings](#). Preservation Briefs are available through the City's planning office.

In order to assist in the preservation of the community's historic character, the Historic District Commission is pleased to present [this](#) Architectural Design Guidelines and Historic Preservation Guide. These guidelines have been established to assist property owners and the Commission in the design review of additions, new construction, and alterations to properties in the historic districts. Under this review, the [historic](#) physical appearance that creates the district can be preserved [while accommodating new uses and community growth](#).



A summer Sunday afternoon shopping in downtown Hagerstown, circa 1938. The early 19th Century mixed use buildings in the background, and others to the left of this photo have iconically framed the north side of Public Square for approaching two centuries. (Library of Congress photo)



The Hamilton Hotel, circa 1905. The Hamilton was constructed in 1888 by former Maryland Governor and U.S. Senator William T. Hamilton, who was a Hagerstown resident. The building was recently renovated for commercial and residential apartment use (Washington County Historical Society Photo)

HISTORY OF HAGERSTOWN'S HISTORIC DISTRICTS

General History of Hagerstown, Maryland

Hagerstown, founded in 1762 by Jonathan Hager, has much history to offer its citizens and visitors. Initially, the town served the surrounding agricultural community via trading posts, grain mills, and as a center of local government (eventually becoming the county seat). Located near the Mason-Dixon Line and the Potomac River, Hagerstown became a major hub along transportation routes heading across the country in all directions, thereby acquiring the “Hub City” nickname. The

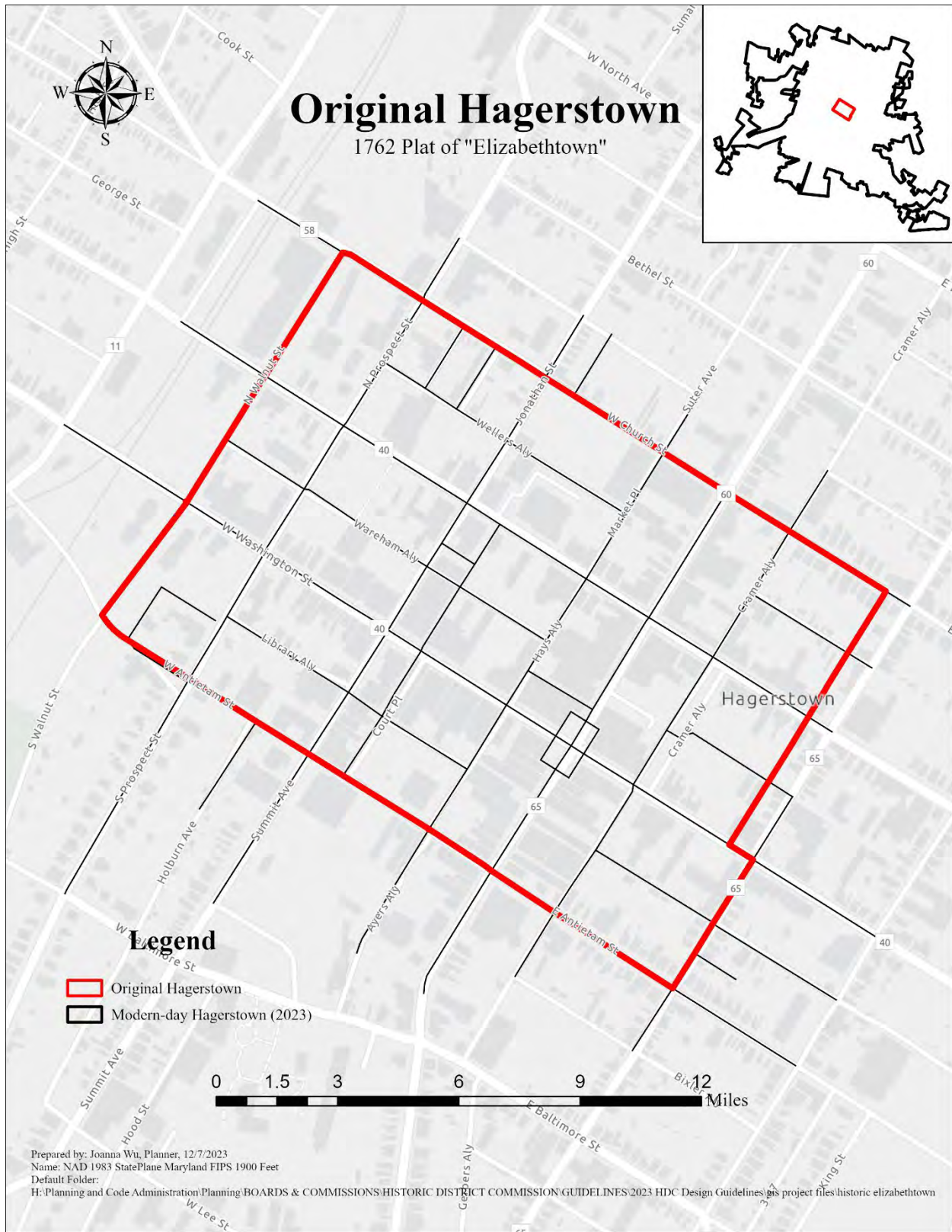


widespread development of the railroads in Hagerstown led to a boom in industrial and economic growth from 1880-1930. This historical period helped to establish the downtown area as the major institutional, commercial, and industrial hub of Western Maryland.

The Cumberland Valley Railroad Station was constructed in 1883. Demolished in 1967, it was located on Walnut Street where the Walnut Towers apartments stands today. (*Library of Congress Photo*)

As a result of the economic expansion of the 1880s to 1940s, redevelopment of downtown Hagerstown transformed it from a small, rural town center to the thriving urban core it is now. Unfortunately, many fine Georgian, Federal, and early vernacular structures that stood prior to the 1880s have been lost by the march of time or altered substantially in the late 19th century. Some select examples from this earlier era still dot the city's streetscapes.

The original plat of “Elizabeth Town” contained 124 lots and covered the area from Walnut Street on the west, Church Street to the north, Antietam Street to the south, and about two-thirds of the distance from Public Square to today's, Locust Street. In the early 1770s, when the Maryland legislature was considering severing what is now Washington County and all lands to the west from Frederick County, Jonathan Hager lobbied the legislature to make Elizabeth Town – which he named after his wife – as the county seat of the new county. In 1776, a year after Hager's untimely passing in a construction accident, Washington County was created – the first of many in the future United States to be named after the leader of the Continental Army and future first President of the United States. Elizabeth Town was selected by the legislature as the county seat. While some form of local government existed prior to the form of a corporation in 1791, the official charter for the municipal government of Hagerstown was approved by the legislature in 1813 with the official name of “Hager's Town.”



The town became the social and commercial center of the new county. The Maryland extension of the National Road was completed through the City in 1818, using what are today's West Washington Street, South Potomac Street, East Baltimore Street, and Frederick Street as its route through the City. The section of the National Road between Boonsboro and Hagerstown was the first "macadamized" road in the United States. A paved turnpike was later constructed on what is now Virginia Avenue, to improve access between the Chesapeake and Ohio Canal at Williamsport and Hager's Town.

The most significant development that propelled Hagerstown's growth was the development of the "iron horse." The first railroad to serve Hagerstown was the Franklin Railroad (later renamed the Cumberland Valley Railroad). The City was a stakeholder in the Franklin Road, which experienced periods of expansion and insolvency prior to the Civil War. It opened for business here in 1841, connecting our town to Chambersburg and Harrisburg.

In 1868, the Washington County Railroad connected the city with the Baltimore and Ohio Railroad at Weverton, and quickly became a branch of that historic rail network. In 1880, the Shenandoah Valley Railroad connected with the Cumberland Valley Railroad at its terminus on Walnut Street, connecting Hagerstown to Winchester, Roanoke, and the other cities in the Valley of Virginia.



The Western Maryland Railway line on Foundry Street, opposite the railway's Hagerstown passenger station. Foundry Street is now Burhans Boulevard. The station - now the headquarters of the Hagerstown Police Department - is to the right of this photo (*Library of Congress Photo*)

However, by far, the most important railroad development was the arrival of the

Western Maryland Railway in 1872. This railway provided direct access to Baltimore, and the Western Maryland Railway located its regional roundhouse and maintenance shops in Hagerstown in 1906. This resulted in an explosion of development in the city's "West End."

The community was heavily impacted by the Civil War. Residents fought for both sides, and possession of the City changed hands between Union and Confederate forces several times throughout the war. The war had great import for our community's African American residents. An example being the Robert Moxley Band, some of whose members gained their freedom by joining the United States Colored Troops. With its location at the terminus of the Cumberland Valley Railroad, Hagerstown was a major supply center for equipping Union forces operating in the Shenandoah Valley. After the nearby Battle of Antietam in 1862, Hagerstown's public buildings (and many homes) became a hospital complex for wounded soldiers. During the Confederate retreat from Gettysburg on July 6, 1863, the streets of Hagerstown

became the site of what is believed to be the largest cavalry battle of the war fought predominantly in an urban environment. Exactly one year later, local leaders arranged for payment of a “ransom” that kept the city from being burned by Confederate forces.

By 1875, the City had expanded its footprint to extend from Washington Square in the west, to North Avenue in the north, Jackson Street (now Cannon Avenue) to the east and “Locust Point” to the south. It is within this area that two of the City's four historic districts – Prospect Street and Downtown – and part of a third, Potomac-Broadway, are located.

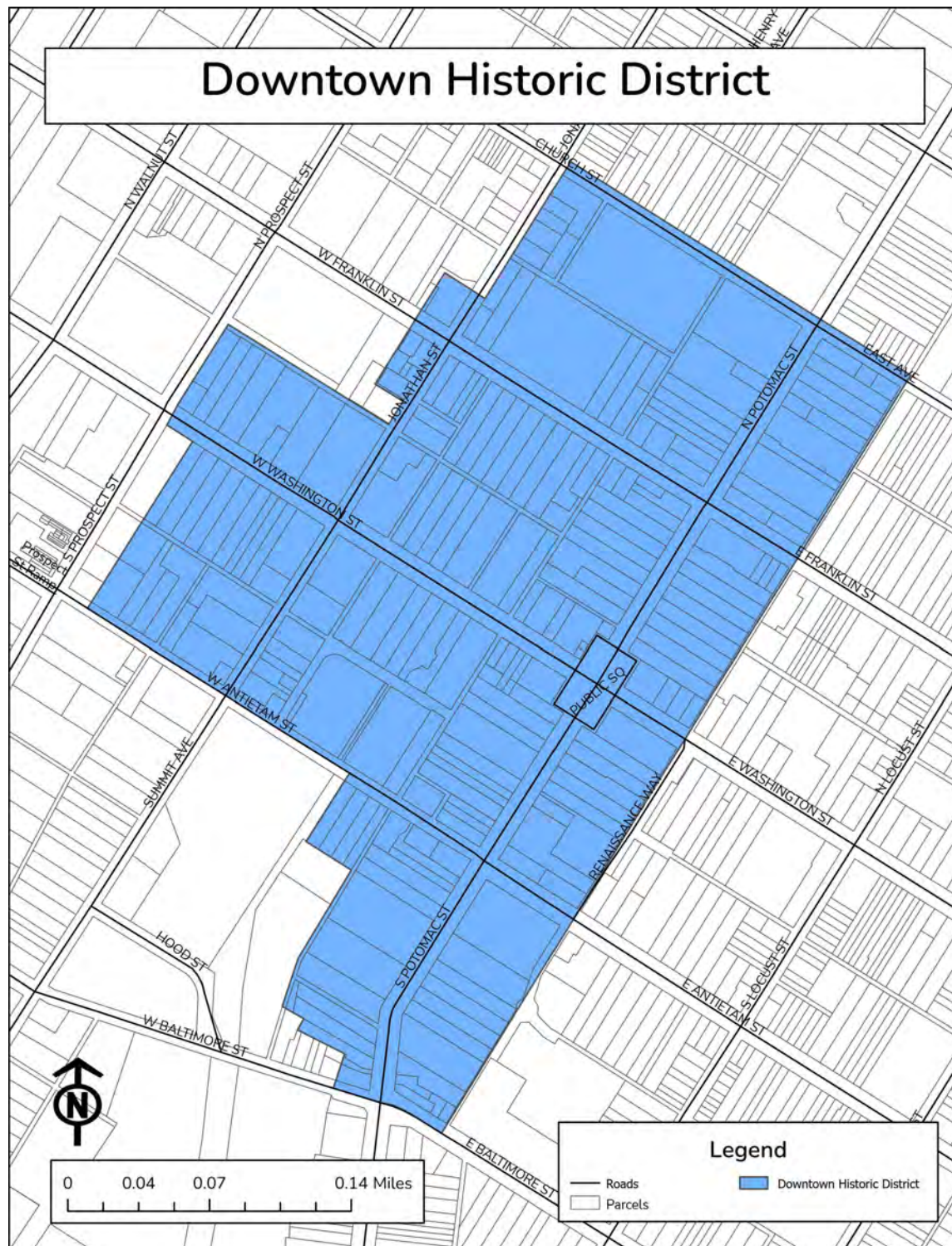
The zenith of Hagerstown's architectural history can be tied to its ascendancy as a manufacturing, banking, and transportation center – and its status as the second largest city in the State of Maryland – from the 1880s through the 1930s. It is during this period, much of what became the Potomac-Broadway, and the Oak Hill Historic Districts were developed. The Hub City's manufacturing industries contributed in many ways to victory in both World Wars, especially the construction of aircraft by Fairchild Aircraft Manufacturing Company during World War II.



Hagerstown citizens working toward victory in 1944 at the Fairchild aircraft factory on Pennsylvania Avenue. Here, they are assembling the C-82 "Packet" transport plane for military use. The C-82 was the precursor of the C-119 "Flying Boxcar" for which the city's new Atlantic League professional baseball team was recently named. Fairchild developed a system of using small local manufacturers to construct components of their planes and those components would then be delivered to this factory for inclusion in the final product. The defense industry came to refer to this as the “Hagerstown System”. (*Hagerstown Aviation Museum*)

Downtown Historic District

Listed in the National Register of Historic Places as part of the Hagerstown Commercial Core Historic District on January 17, 1983, and as part of the Hagerstown Historic District on February 2, 1994. Designated as a local historic district by the Mayor and City Council on February 4, 1988.



Founded in 1762, Hagerstown served the surrounding agricultural community and as a center of local government (eventually becoming the county seat). It was noted for its numerous rich Georgian and Federal-style and stone vernacular buildings, many of which were lost to redevelopment during the 1880-1930 boom.



North Potomac Street, viewed from the south side of Public Square, circa 1868. The building to the right-center with the clock is the second town hall which was constructed in 1817 and stood until 1938 when it was demolished for the construction of the current city hall. (*Washington County Historical Society Photo*)

During the Civil War, Union and Confederate troops occupied Hagerstown on several occasions on the way to or from campaigns in Pennsylvania and Virginia. The “Ransom of Hagerstown” has become part of the cultural identity of the city. Widespread development of the railroads in Hagerstown (many of which are still active today) led to a boom in industrial and economic growth from 1880-1940. This historical period helped to establish Hagerstown as the center of life in much of Western Maryland. As a result of the economic expansion that followed, redevelopment of the downtown transformed it from a small, rural town center to the thriving economic core that it is now and is the collection of resources from the period that formed the heart of these historic districts.

The changing economy in post-World War II America brought with it significant challenges for the City of Hagerstown. The move of commerce and residential development to “suburbia” did not bypass Hagerstown and regional shopping centers appeared on the edges of the city. This created challenges for the downtown area to adjust and compete for business occupancy. Partly to address these challenges, Hagerstown's historic districts were created to capitalize on the unique resource that is the city's grand architecture and put it to use in the economic repurposing of the city's inner core area.

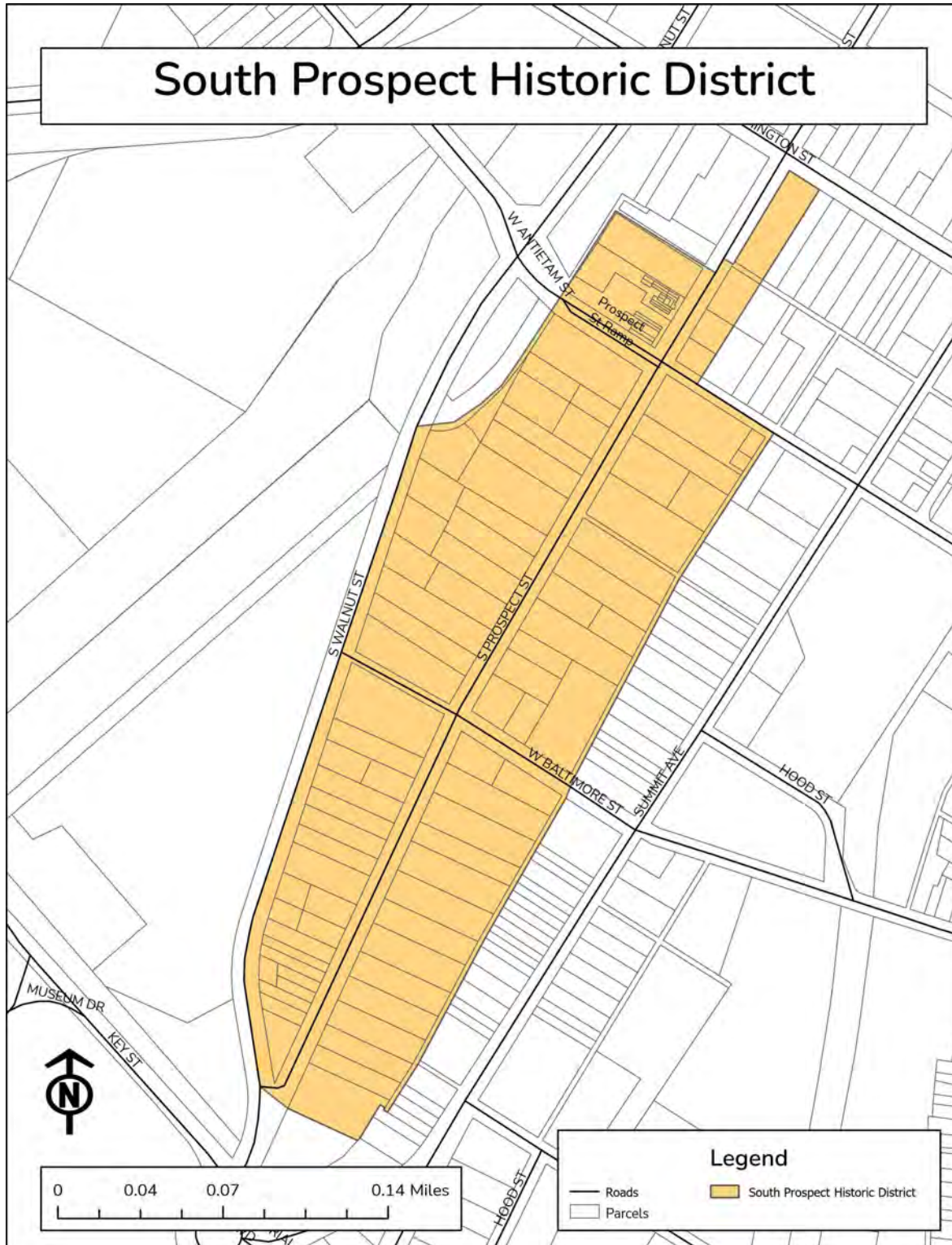


Downtown taken from the northeast (*Staff photo*)

The City has retained much of the architectural history of this booming period, helping to reflect life at the turn of the 20th century in Hagerstown. At the core of the City is a compact business and government center. Surrounding the Downtown are the urban row house and mansion house neighborhoods developed for Hagerstown's boom era workers, industrial magnates, and business managers. Some pre-Civil War homes of Hagerstown's early settlers also dots the map. All of these historical periods have led to a vast and eclectic city. Hagerstown's inner core is comprised of many different styles, all of which overlap and create a unique place steeped in its own rich history, which spans the course of American History as well.

South Prospect Street Historic District

Listed in the National Register of Historic Places on October 1, 1979. Designated as a local historic district by the Mayor and City Council on February 4, 1988.



South Prospect Street is a nineteenth and early twentieth century residential neighborhood located along the crest of a hill [on the southwest edge of today's downtown](#). The street stretches for three blocks and is lined with more than 50 structures (mostly residential) representing America's varied and strong architectural heritage. They express a uniformity of quality and scale which ties South Prospect Street into an important urban streetscape yet offer an array of architectural styles. Although many of the buildings have been adapted for purposes other than their original uses and some have undergone renovations, most of the structures and the street as a whole retain the environmental characteristic of the area in the early 1900s.

The variety of architectural styles represented gives South Prospect Street its strongest and most significant character. The styles represented include Neoclassical, Classical, Gothic [Revival](#), Italianate, Second Empire, and Queen Anne. The only non-domestic buildings are two stone Gothic [Revival](#) Church buildings erected in the early 1870s: Saint John's Episcopal Church and the First Presbyterian Church.



Saint John's Episcopal Church on South Prospect Street at the "Dry Bridge". Saint John's Church was constructed circa 1872 after the congregation's previous house of worship on Summit Avenue was consumed by fire. *(Staff photo)*



South Prospect Street is said to have been opened in 1832 by William D. Bell, who widened a small alley into the present street. It spans Antietam Street, via a bridge known locally as the "Dry Bridge." It was improved with an ornamental metal railing and a flight of masonry steps leading down to the lower-[level cross](#) street. The bridge was rebuilt in the summer of 1976. The railing appears to date from the early 1900's and bears the name "B.F. Null and Son, Hagerstown." Many of the early brick sidewalks remain, contributing to this District's historic charm and character.

The intersection of Prospect Street and West Washington Street, looking toward Public Square, circa 1880. The Presbyterian Church is on the right *(Washington County Historical Society Photo)*

Potomac-Broadway Historic District

Listed in the National Register of Historic Places (December 12, 1990). Designated as a local historic district by the Mayor and City Council in 1992.



The Potomac-Broadway Historic District consists largely of a late nineteenth and early twentieth century residential area with most buildings dating from 1870-1930. Major architectural styles found in the district are Second Empire, High Victorian Gothic, Queen Anne, Colonial Revival, Spanish Colonial Revival, and American Foursquare. The district contains large prestigious mansions, slightly smaller scale single-family houses, more modest houses and duplexes, apartments, and urban townhouses.

A large percentage of this district is in the [RO](#) and [N-MU](#) zoning districts which permit a mixture of commercial and residential uses. The mansions on the west side of North Potomac Street and Oak Hill Avenue are set well back from the street by tree-shaded front lawns [along the crest of a hill](#). The homes on the east side of North Potomac Street and Oak Hill Avenue and on Broadway and East North Avenue contain smaller front yards than those of the mansions. The townhouses on lower North Potomac Street and North Locust Street are set against the sidewalk. Together these buildings and settings portray the growth and development of Hagerstown from the late nineteenth century through its major commercial and industrial boom period from about 1880 to the 1930s. The 400 block of North Potomac Street and 600 block of Oak Hill Avenue contained the homes of Hagerstown's business leaders who either created or rode the tide of the economic boom to great prosperity.

This district was also home to insurance brokers, jewelers and executives with numerous manufacturing companies and banking establishments. Many salesmen, clerks, mid-level executives and craftsmen lived on Broadway and North Avenue. The district is located between the Oak Hill and Downtown Historic Districts. [Arguably Hagerstown's most elaborate historic homes are located on the west side of North Potomac Street on the crest of the hill. This district is also the home of Bloom Park, which has the distinction of being the third-oldest war memorial to the veterans of the Spanish-American War in the country. Dedicated on July 4, 1900, it was preceded by mere weeks by memorials in Los Angeles and Grand Rapids, Michigan.](#)



Early postcard depicting Bloom Park and homes in the Potomac-Broadway Historic District (*Public Domain Photo*)

Oak Hill Historic District

Listed in the National Register of Historic Places (September 18, 1987). Designated as a local historic district by the Mayor and City Council (February 4, 1988).



The Oak Hill Historic District is an early-to-mid twentieth century neighborhood. Historically, the district is associated with a period, circa 1900-1941, in which Hagerstown experienced industrial and population growth unprecedented in the City's history. The district is also important for its association with significant people in local history. Oak Hill was home to many, if not most, of the City's industrial, commercial, social, and cultural leaders of this period.



The Oak Hill Addition to Hagerstown was laid out in 1909 for Mrs. Clara Jenness Hamilton, the widow of [Governor William T. Hamilton](#). The properties were sold by [Mrs. Hamilton and her daughter Julia Hamilton Briscoe](#), with covenants in the deeds affecting type, use, cost, siting, and settings of buildings. Only residential structures were allowed. The minimum cost of a house was designated as \$2,500. "Objectionable and unsightly" outbuildings were forbidden. Mrs. Hamilton also retained rights to the trees lining the streets.

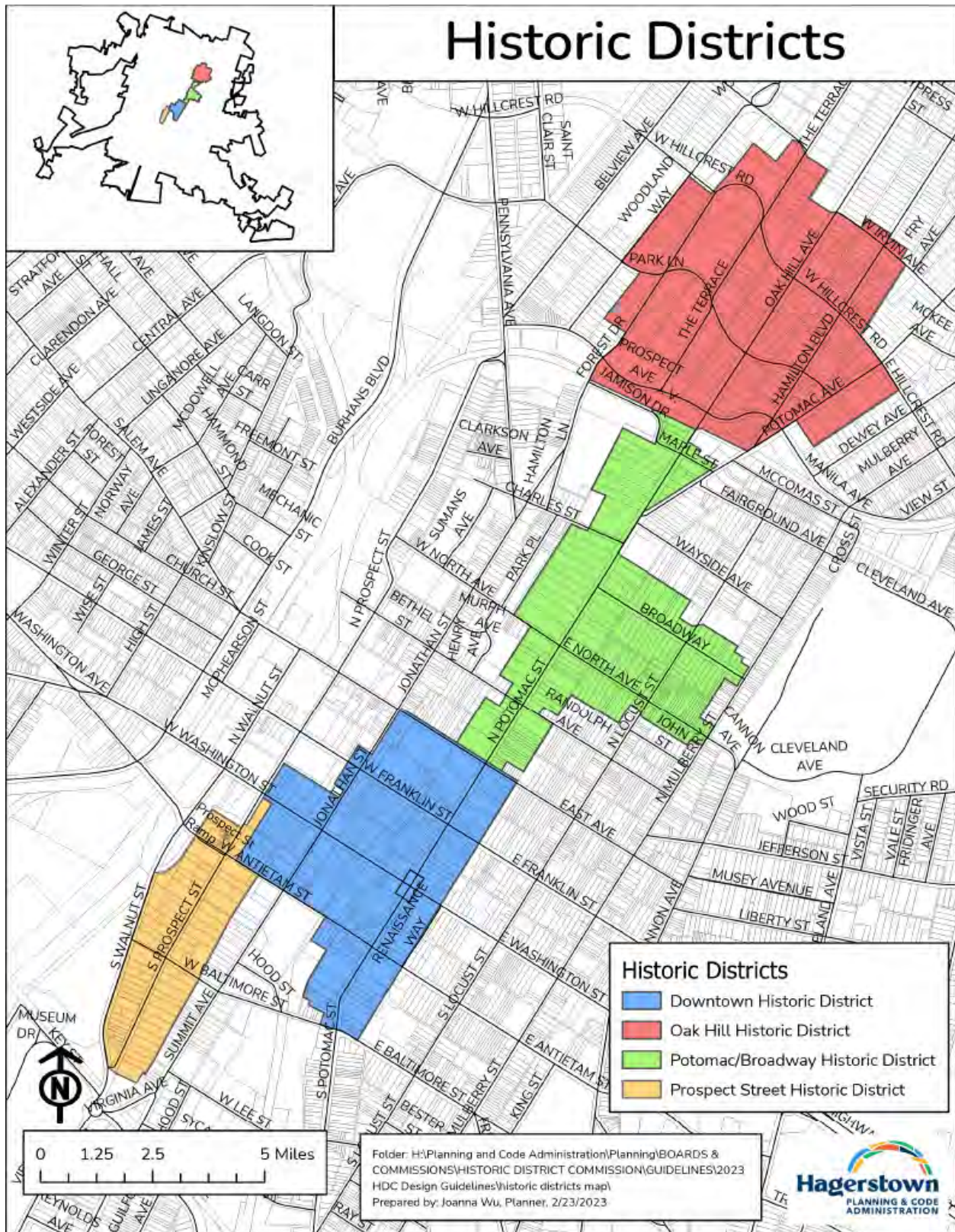
View north along The Terrace from Oswald Park. The original "Oak Hill" mansion - the Gothic-style summer home of Governor and Senator William T. Hamilton - can be seen in the background (*staff photo*)

Architecturally, the houses in the district represent examples of the major architectural styles popular for residential construction in the first third of the twentieth century. The major styles found within the Oak Hill district are generally Colonial or Georgian Revival in stylistic influences; however, excellent examples of Spanish and Tudor Revival, American Foursquare, Queen Anne, Dutch Colonial, and Bungalow also exist. The buildings include some of the finest examples of these styles found in Hagerstown and collectively exhibit a range of architectural expressions, artisanship, and technique of the period.



From the point of community planning, the Oak Hill area is important as the first and only significant section of Hagerstown to be developed along the lines of the Garden Suburb Movement that began in America in the late nineteenth century. The district is characterized by large lots, open spaces, deep setbacks, curving streets, and tree-lined boulevards.

A prominent Tudor-influenced home on The Terrace in the Oak Hill Historic District (*Staff photo*)



Local Landmarks

The Hagerstown Zoning Ordinance (Article 4 of the Land Management Code) provides a process to establish a “landmark.” A landmark is a single-property historic district that, once created, is subject to the same design reviews as it would be if it were in a historic district. As of 2023, the City has established the following nine landmarks:

- **Verdant Mead (Leitersburg Pike)**
Verdant Mead, also known as “Simon’s Rackt” is a two-story, two-section stone house with a wide porch that was built sometime in the late 18th century or very early 19th century, possibly by Ludwick Young, who sold the property in 1814 to Benjamin Barr. It was the main home for a 455-acre farm. When this property was annexed into the city, it was assigned commercial zoning. The lands around the house were developed for a shopping center and the house itself was renovated for commercial use.



Verdant Mead (Staff photo)

- **Leonard Middlekauff House (Pennsylvania Avenue)**
Constructed in 1845, the Leonard Middlekauff House is located at the intersection of Pennsylvania Avenue and North Burhans Boulevard, it is zoned commercial and cannot be used for residential uses. Leonard Middlekauff Jr. constructed the home of cut stone, and it retains its original ornamental massing and form, although with some later alterations.



Leonard Middlekauff House (Staff photo)

- **Alms House (North Locust Street)**
Constructed in 1799, the Washington County Alms House is located on North Locust Street. It was the main building of a complex that stood on the edge of town constructed by the County to house the destitute, mentally ill, and others who could not care for themselves. Local lore states that it was briefly used as a Confederate army hospital after the Battle of Gettysburg. No proof has been found to document this but its cemetery, which was located to the northeast, was used to inter Union and Confederate soldiers who died in Hagerstown throughout the war. It ceased operations as the county alms house in 1880 when Bellevue Asylum (a new almshouse) was constructed on Pennsylvania Avenue. Purchased and stabilized by the City for years, it was sold by the City into private ownership in 2023.



The Washington County Almshouse (*Staff photo*)

- **Greystone Manor (Security Road)**
Greystone Manor is a 2.5-story stone farmhouse influenced by the Georgian style. It was constructed in the 1830s on what was then a 93-acre farm. Greystone Manor was owned in the early 20th century by John L. Cost, a Union Civil War veteran who is memorialized at Fairgrounds Park with a monument to his efforts as a leader of the Washington County Fair for many years.



Greystone Manor (*Staff photo*)

- **Middlekauff House (Concord Street)**
On the south side of Concord Street, the Middlekauff House was constructed in 1890-1891 by Calvin and Cornelia Middlekauff in the subdivision known as "Eyerly's Addition to Hagerstown." It is a 2.5-story, brick Victorian period dwelling, five bays wide, with a full-width covered front porch. A rear ell projects to the rear off the western portion of the house.

Middlekauff House (*Staff photo*)



- **F. Stevens House (West Washington Street)**
Constructed around 1850, the F. Stevens house is located on the north side of West Washington Street. This pre-Civil War home is a three-bay wide Federal style influenced two-story brick dwelling with a rear ell centered in the former rear façade. It was constructed right on the right-of-way of the National Road, and its occupants witnessed the use of it as the main east-west highway through the city in the mid-19th century.

F. Stevens House (*Staff Photo*)



- **Ridenour's Folly (West Washington Street)**
Constructed in the mid-19th century, Ridenour's Folly is a five-bay wide, center-hall Georgian style influenced dwelling. It is located on the north side of the National Road and served as the principal residence on that farm property.



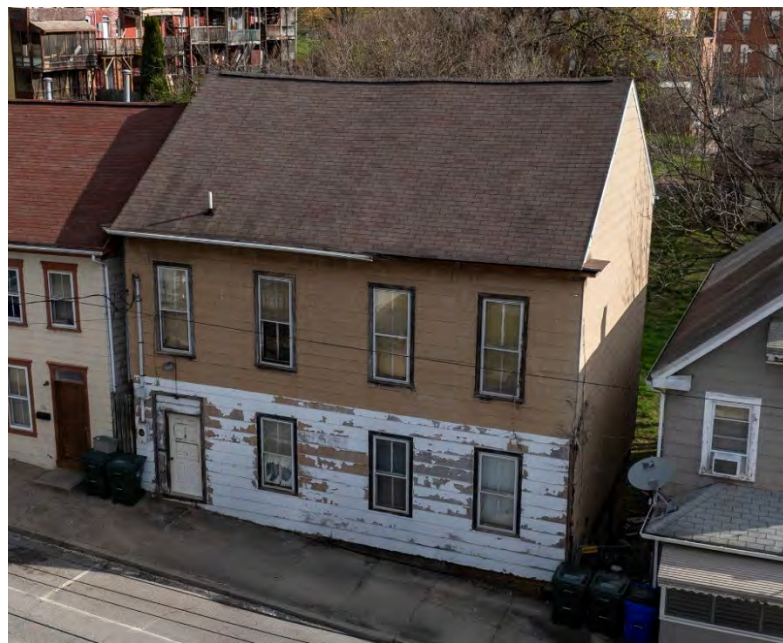
Ridenour's Folly (*Staff photo*)

- Saylor House (Dynasty Drive)
Located in Kiwanis Park, the circa 1800, vernacular stone dwelling is perched on a knoll with a sweeping view of Antietam Creek. A derelict shell when acquired by the City, it is used as an outdoor classroom by a local historic preservation group to teach old-world preservation skills.



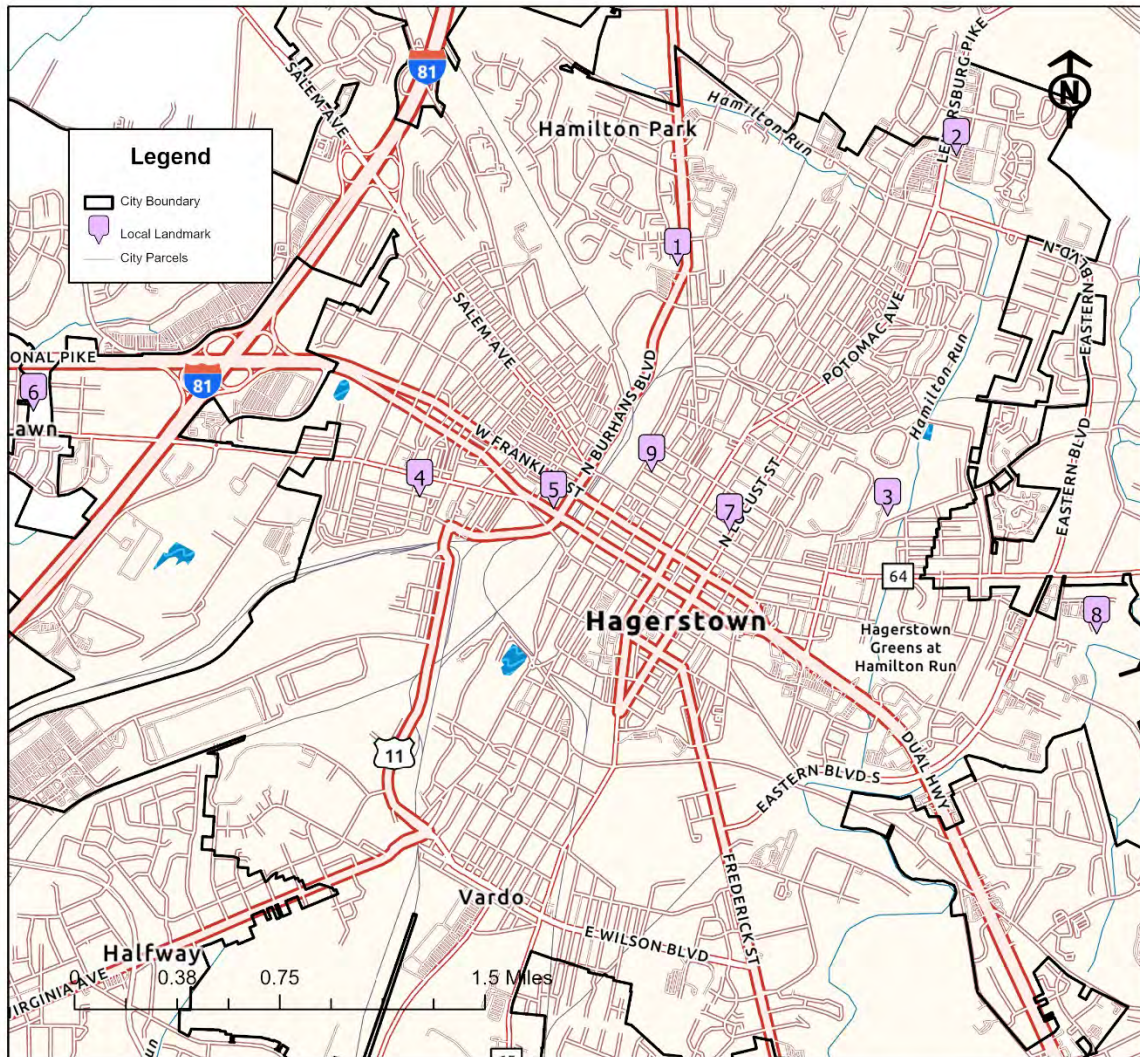
Saylor House (*Staff Photo*)

- American Hall (Bethel Street)
Constructed in 1883, American Hall is tied with another in St. Michaels as the oldest standing Grand United Order of Odd Fellows (G.U.O.O.F.) lodge building in the State of Maryland. It is one of the most historic buildings associated with the African-American community in Western Maryland. The G.U.O.O.F. was the organization for African-Americans interested in the Odd Fellows fraternity. This building was the home of the General Nathaniel Lyon Post #31, Grand Army of the Republic (G.A.R.) from the time it was completed until around World War I. It is also identified with significant Civil Rights figures Jacob Wheaton and his son, John Francis Wheaton. It is currently undergoing restoration which is slated for completion in late 2027.



American Hall (*Staff photo*)

Local Landmarks in Hagerstown, Maryland



Address	Number
Leonard Middlekauff House	1
Verdant Mead	2
Greystone Manor	3
Middlekauff House	4
F Stevens House	5

Address	Number
Ridenour's Folly	6
Alms House	7
Saylor House	8
American Hall	9



ARCHITECTURAL STYLES

As an ever-evolving community, our neighborhoods and historic districts are not limited to one or a handful of specific architectural styles. Rarely are historic districts a window to one specific period of time. Hagerstown and her historic districts have been influenced over a quarter of a millennium by numerous styles and forms of construction that became popular, then receded from popularity over the course of time. Basic historic preservation theory dictates that each historic building should be preserved as a product of its own time and not modified to fit in with some overarching thematic period of time assigned to the district. The following styles are the primary architectural influences on Hagerstown's historic districts.

Late 18th and Early 19th Century Vernacular C.1760-1830

This early style of architecture, found only in the earliest of Hagerstown homes, is characterized by a smooth façade and [steeply](#) pitched roof, simple trimming, vertical windows with [small](#) panes, and exterior detail that focuses on the main entranceway, [most surviving examples are of stone or log construction](#). Few urban examples of this type of architecture survive. The Jonathan Hager House in City Park is a rural Germanic example of this form of architecture. The Almshouse on North Locust Street is a more urban example, as well is the Elliott Bester House and the Saylor House.



The Jonathan Hager House in City Park (*Wikipedia – Acroterion*)

Federal/Neoclassical, C. 1780-1830

The Federal style was the dominant formal architectural influence during the early years of the new nation. They are delicate in decoration, while still mimicking the general form of their Georgian predecessors. English architect Robert Adam is credited with popularizing the style, which is characterized by:

- symmetrical façade, three or five bays wide
- two-story heights
- entrances with rectangular transoms or elliptical fanlights above the door and a classical surround
- sash windows, usually with six panes per sash
- three-part windows, a central six-over-six sash, flanked by narrow sidelights
- design elements such as swags, garlands, urns, and geometric patterns
- the addition of a third floor with small window dormers.



The Federal/Neoclassical-style Kneisley Building at 152 West Washington Street (Staff photo)

Greek Revival, C.1830-1860

This style spread across America between 1830 and 1850, as migrants from the northeast built houses in the new territories. Archeological excavations heightened American awareness of ancient Greek Architecture, which was characterized by this revival. The major characteristics of the style include:

- low-pitched gable or hipped roofs
- porches across the entire façade
- classical details such as square posts, columns, and pilasters
- entrances with transoms and sidelights
- broad frieze below cornices, occasionally with rectangular attic windows.



The Greek Revival-style Hagerstown Women's Club at 31 South Prospect Street (Staff photo)

Italianate Residential, C. 1830-1880



The Italianate-style house at 120 S Prospect Street (Staff photo)

This style of architecture is based on Italian townhouses, especially in the Tuscan Valley. It is characterized mainly by bracketed cornices above simple masonry walls. Other characteristics include:

- colors that reflect nature
- classical ornamentation
- finished walls, usually stucco
- rounded arches
- low-pitched gable or hipped roof
- porches or arcades that span the façade or a small portico surrounding the entrance
- tall windows/large ground level openings.

Italianate Commercial, C. 1860-1900

This style of commercial architecture is based on Italian country homes, especially in the Tuscan Valley. It is characterized mainly by bracketed cornices above simple masonry walls. Other characteristics include colors that reflect nature, classical ornamentation, rounded arches, a flat roof, and tall windows/large openings at the ground level.



The Italianate Commercial-style Shockey Building located at 26 Summit Avenue (Staff Photo)

High Victorian Gothic, C. 1870-1890

The Gothic Revival, which drew upon Medieval English country houses, gained popularity in the mid-19th century. In an attempt to reject classical symmetry and design and create a picturesque effect via exotic forms and romantic compositions, this style is characterized by:

- steep gabled roofs, often with multiple gables
- towers and/or cupolas
- [angular](#) gingerbread eave decoration
- complex, decorative, chimney stacks
- frame or masonry construction
- board-and-batten siding
- pointed or three-centered arches.



Governor Hamilton's Gothic-style home on The Terrace (Staff Photo)

Eastern Stick, C. 1860-1890

The Eastern Stick style derives its name from the decorative exterior “stick work” which often simulates structural members on frame buildings. The style also expresses angular braces on porches, balconies, and gables. Other characteristics of this style include:

- wood [siding](#)
- large verandas or covered porches
- steep roofs
- simple railings, posts, and details.



Eastern Stick-style house at 121 S Prospect Street (Staff Photo)

Second Empire, C. 1860-1900

This style of architecture is loosely based on French examples and originated during the reign of Napoleon III. The main distinguishing features between this style and Italianate are the double-sloped Mansard roof [with dormer windows](#) and [sometimes the](#) presence of a tower. Other characteristics include:

- highly decorative exteriors
- prominent projecting and recessing façades
- [Mansard roofs with dormer windows](#)
- classical features such as pediments and balustrades
- symmetrical and rectangular floor plans.



Second Empire style house at 202 S Prospect Street (Staff Photo)

Queen Anne, C. 1880-1910

The Queen Anne style derives from an English Medieval style. The major characteristic of the style is the irregular massing and the use of round or polygonal towers, which is seen in most versions of the style. Other characteristics of this period include:

- asymmetrical plans
- variety of surface treatments, textures, and colors
- elaborate decoration, especially trim, shingles and brickwork
- irregular roofline with multiple steep gables
- conical-roofed tower at a front façade corner
- projecting bays
- double-hung windows with multiple small lights in the upper sash
- stained glass windows and transoms
- porches.



Queen Anne style home on Reynolds Avenue (not in historic district) (Staff Photo)

Richardsonian Romanesque, C. 1870-1910

This style of architecture is named after its founder, Henry Hobson Richardson, and is a revival of the Romanesque architectural style of medieval Europe. Its distinguishing characteristics are massive stonework or brickwork and textured masonry detailing. Major characteristics include rounded arches, turrets, hipped or pointed roofs, and large proportions (both in size of buildings and in detail).



Richardsonian Romanesque-style Nicodemus House
at 170 West Washington Street (Staff Photo)

Colonial Revival, C. 1880-1930

Born at the time of the American Centennial in 1876, this architectural style marks a return to the building forms and details of the Colonial Period. Houses built in this revival style often combined turn-of-the-century building forms with decorative elements derived from eighteenth century architecture. The majority of the houses in the Residential Historic Districts are based on Georgian prototypes, the characteristics of which include:

- symmetrical façades
- gabled, hipped or gambrel roof forms
- masonry or frame construction and Flemish bond brickwork patterns
- multi-pane sash windows
- porches with heavy tapered columns and balustrades with square balusters
- entrances located at the center of the façade with transoms and sidelights.



Colonial Revival-style House at 945 Forest Drive
(Staff Photo)

Beaux Arts/Classical Revival, C. 1880-1920

This architectural style was named after the Ecole des Beaux Arts (the national French institute for fine arts) and is a sub-section of neo-classicism. Major characteristics of the style include:

- bold, sometimes flamboyant, ornamentation
- paired columns, domes, pavilions, and intricate carvings
- projecting façades, grand staircases, and a variety of stone finishes.



Historic postcard photo of the Beau Arts-style Independent Order of Odd Fellows Building at 111 South Potomac Street, which was constructed in 1913.
(Public Domain Photo)



Terra Cotta Commercial, C. 1900-1930

This architectural style is used in conjunction with the Beaux Arts style. It marks and represents the introduction of a new construction material-glazed terra cotta. The defining feature of the style is that it uses terra cotta to create classical elements in a decorative way. The style uses a wide variety of colors and incorporates many details.



The Terra Cotta Commercial-style Colonial Theatre at 11 South Potomac Street (*Staff Photo*)

Tudor Revival, C. 1910-1940

Tudor Revival is an architectural style inspired by the English Tudor style. Tudor homes often have a distinctive half-timber detailing to pay homage to the original Tudor style. Characteristics of this style include:

- one to two stories
- use of natural materials
- stone, brick, or stucco exteriors
- half-timbered exteriors walls with wooden beams
- asymmetrical forms
- multiple gables and eaves
- tall, multi-pane windows
- use of arches, including Tudor pointed arches on doorways and windows
- parapets
- large-scale stone or brick chimneys that sometimes include multiple flues.



Tudor Revival-style house at 815 The Terrace (*Staff Photo*)

Tudor Professional, C. 1910-1940

This architecture style is inspired by the English Country Cottage and involves a revival of the Tudor Style. The major characteristics include the use of stucco, presence of a massive chimney, and irregular massing. This revival involves:

- perpendicular features
- heavy brickwork
- dormer windows
- round-headed arches
- oak paneling
- relief plaster detailing.



Tudor Professional-style Tiger Eye Investments building at 147 West Washington Street (Staff Photo)

Spanish Colonial Revival, C. 1915-1940p

This architectural style is a form of Colonial Revival. While less popular in Hagerstown than the Georgian revival, there are still several excellent examples throughout the city. Characteristics of this style include:

- stucco finishes on exterior walls
- tiled roofs
- wrought iron trim, window grilles and balconies
- carved and molded details
- irregular plans.



Spanish Colonial Revival-style house at 811 The Terrace (Staff Photo)

Dutch Colonial Revival, C. 1915-1940

The Dutch Colonial style is a subtype of the Colonial Revival. The style is derived from the buildings constructed in New York and New Jersey by Dutch settlers in the seventeenth and eighteenth centuries. Major characteristics usually include:

- one and one-half story buildings
- broad, sloping gambrel roof
- extension of the front slope of the roof to create a porch across the façade.



Dutch Colonial-style house at 1208 Hamilton Boulevard (Staff Photo)

Mission Revival, C. 1890-1920

The Mission Revival architectural style began in California and grew in popularity during the early 20th century. It is often noted as a counterpart to the Georgian inspired Colonial Revival, with more of Spanish influence. Some identifying features include:

- mission shaped dormer or roof parapet
- red tile roof covering
- widely overhanging eaves, typically open
- porch roofs supported by large, square piers, commonly arched above
- wall surface usually smooth stucco.



Mission Revival-style house at 810 Oak Hill Avenue (Staff Photo)

American Foursquare, C. 1900-1930

This architectural style was very popular in the early twentieth century. The style was named for its blocky, cube-like form and reflects turn-of-the-century trends toward increased economy and efficiency. The square plan enclosed large living spaces, and the plain exteriors reduced costs of construction and maintenance. These homes were built across America, often from mail-order plans or pattern books. Foursquares are found in a range of materials including weatherboard siding, brick, concrete block, or combinations of all of these. The major characteristic of the style is the square shape, however other characteristics include:

- two-story height
- hipped roof with dormers and deep, overhanging eaves
- large porch across the front façade or wrapping around two or more sides of the house
- decoration and detail mimics popular fashions of the time.



American Foursquare-style house at 903 Potomac Avenue (Staff Photo)

Bungalow, C. 1910-1940

This architectural style became popular in the first quarter of the twentieth century. The style is derived from prototypes [started in California, as the “California Bungalow”](#), where the shading eaves and open veranda were perfect for the tropical climate. Characteristics of the style include:

- one or 1 ½ story height
- broad, gently sloping, gable roof
- deep, shaded porch on the street façade
- frame construction with wood shingles, stucco, [brick](#), or [stone](#).



Bungalow-style house at 1217 Potomac Avenue (Staff Photo)

Art Deco, C. 1920-1940

This style of architecture is based on highly geometrical patterns and contemporary materials. Art Deco marks the first American style, which breaks the tradition of mimicking classical styles, and is the modernist's reaction to art nouveaux. In addition to geometrical shapes, other major characteristics include crisp symmetrical forms, bright colors, streamlined features and decorative effects based in geometry. This style was very popular in the early to mid-twentieth century and is sometimes referred to as “Moderne” [in its later phase after 1930](#).



Art Deco-style Professional Arts Building in the Public Square (Staff Photo)

Germanic Vernacular Revival, C. 1920-1940

Several of the homes in the Oak Hill District and elsewhere throughout Hagerstown reflect an interesting, local variation on the Colonial Revival style; their design incorporates elements of eighteenth century Germanic colonial architectural forms and traditions. Migrants from southern Pennsylvania carried this style throughout western Maryland. Major characteristics include:

- forms similar to the Hager House or other Germanic Vernacular
- local limestone building materials
- [irregular elevations](#).



German Vernacular-style house at 806 the Terrace (Staff Photo)

ORDINARY MAINTENANCE

All changes to the exterior appearance of a property [are required to](#) be reviewed by the Historic District Commission [unless deemed “ordinary maintenance” by the guidelines](#). According to the Zoning Ordinance for the City of Hagerstown, “ordinary maintenance” is “work that does not alter the exterior features of a site or structure and has no material effect on the historical, archaeological, or architectural significance of the site or structure.” [It may be beneficial to consult with design professionals or HDC staff regards to best practices and products on old structures.](#)



The impact of historic review is illustrated in this example property which is located in Chelsea, Michigan. Without historic review the Queen Anne Victorian house on the bottom can be slowly transformed over time to be the house in the upper photograph. Also, location in a historic district can guide renovation and rehabilitation over time so that the house in the upper photo can progress to its former character as changes and updates are proposed. Which house would you prefer to live next to? They are the same house. ([Reddit r/oldhouses](#))

Activities that are considered ordinary maintenance do not require the application or approval of the Historic District Commission. Ordinary maintenance generally refers to the repair, and [exact](#) replacement of exterior features with like materials. Therefore, any changes in style, material, or design shall be filed for review by the Commission.

The City of Hagerstown and its regulatory agencies pride themselves on encouraging new development and investment. As part of the City government, it is not the intent of the HDC to exercise any more oversight of changes than is necessary to protect Hagerstown's historic architectural resources. Therefore, the HDC has adopted the following additional interpretations and clarifications of the provision for "ordinary maintenance." No HDC application, review or approval is required for the following work:

- repainting existing painted surfaces ([even if it is a different color](#)).
- tree or hedge removal or planting.
- routine landscaping and planting.
- basic grading (except grading associated with a site plan for a significant site improvement).
- installation or removal of private mailboxes.
- house numbering (regulated by the Fire Department).
- paving repair using like materials.
- spot pointing mortar (where the mortar matches existing in color, texture, and joint profile).
- replacing individual damaged bricks, stones or concrete blocks with new units that exactly match the existing material.
- replacing individual damaged gutter or downspout pieces, exactly in kind, (comprehensive gutter or downspout replacement will require review).
- installation of weather-stripping.
- installation of window air conditioners that do not require permanent alteration to windows.
- installation of heat pumps, central air conditioning condensers, etc.; in locations that are not visible from any public way.
- installation of a micro-wireless antenna array; however, it is recommended that these be screened or painted to disguise them from view.
- [installation and maintenance of grave markers within cemeteries.](#)



The Women's Club on South Prospect Street (Staff Photo)

Administrative Assistance

In-kind repair and in-kind replacement of exterior features is considered ordinary maintenance and is, therefore, not subject to review. However, to ensure that the work is, in fact, “in-kind,” the planning staff will review [inquiries](#) for any ordinary maintenance projects.

If the applicant is unsure whether the proposed work is ordinary maintenance, contact planning staff and ask to complete an “in-kind certificate.” On this form, the applicant provides staff a complete description of the work and staff will sign it as “confirmed exempt” if they agree that the work is “in-kind.” By doing so, an applicant will be provided with written verification that their proposed work does not require HDC review. There is no fee for this process. The form can be found online at

<https://www.hagerstownmd.org/DocumentCenter/View/391/In-KindReplaceCert?bidId=>.

New construction and demolition are never considered routine and always require the appropriate review process.

Does Repair and Replacement Work in Historic Districts Have to be Reviewed by the Historic District Commission? If the work is an EXACT replacement in-kind, with no change in appearance and materials, it does not have to be reviewed and approved by the Historic District Commission (HDC). The Zoning Ordinance exempts the following work from having to be reviewed by the HDC: <i>The Historic District Commission shall consider only proposed changes to structures visible or intended to be visible from a public way. In-kind repair and in-kind replacement of exterior features is considered ordinary maintenance and, therefore, not subject to review by the Historic District Commission.</i> Ordinary Maintenance - "... work that does not alter the exterior features of a site or structure and has no material effect on the ... architectural significance of the site or structure. This includes repair or replacement in-kind of roofs, gutters, siding, trim, external doors and windows, awnings, porch floors and ceilings, lights, fences, and other appurtenance fixtures with like material of like design; landscaping, paving repair using like materials of like design and repainting of surfaces. See the back of this sheet for examples of what is “in-kind” and what is not. In order to protect your property interests, the community, and the process from misunderstandings regarding what may constitute “in-kind” work, the Planning Office provides this form for you to complete and submit with photographs of work to be performed. This will allow the Planning Office to confirm for you that work you propose is “in-kind” and, as such, exempt from HDC review. Failure to complete “in-kind” work truly in-kind is at the owner’s risk. Obtaining confirmation through this process will safeguard your investment in your work while ensuring that historic resources are protected. If you have any questions, please contact the Hagerstown Planning Office at 301-739-8577, extension 138, or via email at planning@hagerstownmd.org.	What Does Repair/Replacement “In-Kind” Mean? <i>As a general rule, new work should be a replica of the old feature in all respects, except improved condition.</i>
For Planning Office Use Only: _____ Confirmed Exempt? Yes No Date: _____ Staff: _____ Please complete the following and remit with photos of the existing conditions to the Hagerstown Planning Office to confirm whether work is exempt from HDC project review: Applicant Name: _____ Property Address: _____ Mailing Address (if different): _____ Telephone: _____ Description of Work: _____ _____ _____	Windows: ☐ Replace wood windows with vinyl, metal or wood-clad windows <i>(Not in-kind. HDC review required.)</i> ☐ Replace 6/6 double hung wood windows with true divided lights with custom made 6/6 double hung wood windows with true divided lights <i>(In-kind. No review required.)</i> ☐ Replace 6/6 double hung wood windows with true divided lights with custom made 6/6 double hung wood windows with “snap-in” muntins <i>(Not in-kind. HDC review required.)</i> Doors: ☐ Replacing a flat wood door with a flat metal door <i>(Not in-kind. HDC review required.)</i> ☐ Replacing a 6 panel solid wood door with a 6 panel solid wood door with same panel configurations <i>(In-kind. No review required.)</i> ☐ Replacing a modern metal storm door for another modern metal storm door of a different design <i>(Not in-kind. HDC review required.)</i> ☐ Replacing a modern metal storm door for another of exactly the same design <i>(In-kind. No review required.)</i> Decorative Wood Trim: ☐ Replacing existing wood porch trim, railings, etc. with metal, vinyl, or mass-produced stock wood trim products that are not the same as existing <i>(Not in-kind. HDC review required.)</i> ☐ Replacing existing wood porch trim, railings, etc. with custom cut/milled or stock wood trim products that are identical in profile and cut as existing <i>(In-kind. No review required.)</i> Paving: ☐ Replacing broken concrete sidewalks (not public) with new poured concrete <i>(In-kind. No review required.)</i> ☐ Replacing broken concrete sidewalks (not public) with new brick <i>(Not in-kind. HDC review required.)</i> Roofing: ☐ Replacing a black, composite shingle roof with another black composite shingle roof <i>(In-kind. No review required.)</i> However, the old roof must be removed before installing the new roof. Built-up layers of roofing is contrary to the Design Guidelines. ☐ Replacing a slate or metal roof with composite shingles. <i>(Not in-kind. HDC review required.)</i> ☐ Replacing a roof with the same materials <i>(In-kind. No review required.)</i> Gutters and Down Spouts: ☐ Replacing a section of gutter or down spout with same shape and material <i>(In-kind. No review required.)</i> ☐ Replacing half-round gutters and/or round down spouts with box or ogee gutters and down spouts <i>(Not in-kind. HDC review required.)</i> Porch Floors: ☐ Replacing a tongue-and-groove porch floor with concrete or pressure-treated decking material <i>(Not in-kind. HDC review required.)</i> ☐ Replacing a tongue-and-groove porch floor with tongue-and-groove wood of same width <i>(In-kind. No review required.)</i> Painting: ☐ Painting a brick or stone wall that is not currently painted <i>(Not in-kind. HDC review required.)</i> ☐ Repainting the wood siding, brick or stone on your house, which is already a painted surface, even if in a different color <i>(In-kind. No review required.)</i> Siding: ☐ Replacing rotted sections of wood siding with wood cut to match <i>(In-kind. No review required.)</i> ☐ Placing vinyl siding on a building with wood, asbestos, brick or concrete siding <i>(Not in-kind. HDC review required.)</i>

This review will provide property owners and project managers with helpful insight, as well as confirm that replacement and repair projects are in-kind. This review process will safeguard the investment of property owners as well as ensure that the historic districts are [protected](#).

Property owners who do not wish to avail themselves of the Department of Planning and Economic Development's assistance in evaluating what constitutes "in kind" work may still proceed with in-kind repairs and replacements. However, the HDC does reserve the authority to require post-construction review of projects, which were intended to be in-kind, but were not completed as such **and must be reviewed as if the work had not been started. Procedurally, the application shall be treated as if the work had not occurred.** The HDC also reserves the authority to reject such work when inconsistent with these guidelines. Projects denied by the HDC, post-construction, will require alteration; the additional expense of which will be incurred by the property owner. Therefore, it is highly recommended by the Commission that property owners utilize the planning staff's assistance and confirm, prior to construction, whether the work they contemplate is, in fact, in-kind.



As a good rule of thumb, if a description of work being considered includes the word "but" or "except", it is mostly likely not "in-kind".

If you are contemplating a significant project on your property, it is recommended that the owner reach out to the Commission's staff for assistance and feedback. Issues and inconsistencies are best worked out before submitting an application, in order for your request to navigate the review process smoothly. Staff is available to help applicants with analysis of proposals for Guideline compliance and offer suggestions.



A grand celebration on Public Square, circa 1900. Note the Hagerstown fire pumper to the left center of the scene. (Washington County Historical Society Photo)

REHABILITATION

Rehabilitation [shall](#) carefully consider and protect those elements of a building that are important architectural characteristics. Rehabilitation also considers those characteristics that can be changed or enhanced. Rehabilitation is extremely important to the character of the [historic districts and the architecture of the buildings in them](#). It preserves and protects those historic features that are irreplaceable while still allowing property owners to update their structures to modern uses. The following guidelines identify [preferred strategies of approaches](#) for rehabilitation and restoration of buildings in the Historic Districts.

A. Storefronts

Historically, downtown was the only [major](#) retail center for the City of Hagerstown [and surrounding areas](#). Therefore, a majority of the properties contain storefronts, which add a rich architectural fabric to the downtown district. They are important for their contribution to the visual character of downtown as well as the image desired by merchants to attract customers. Many of downtown's storefronts are original to the building; others are more modern following alterations during some point of the building's history. Therefore, the first step for applicants is to determine if the existing storefront is the original or an alteration. To do this, consider the following:

- If there is a shared appearance between the upper façade and the storefront, it is likely original to the building.
- If there is little relation between the upper and lower façades it is likely an altered storefront and a complimentary modern design, or restoration of the original storefront, is acceptable.
- Occasionally, a remodeled storefront is as valuable architecturally as an original and preservation of this storefront is acceptable.



When the building in the photo to the left was rehabilitated in the late 2000s, no good photographs of the historic appearance of the storefront were available. Therefore, a modern design that is consistent with the general character of the district is appropriate.

The former Gourmet Goat restaurant at 41 North Potomac Street (*Loopnet*)

In addition to the originality of the storefront itself, many storefronts still possess many of the original building elements and design details. The following are guidelines for the treatment of these features:

- Preserve original materials or details and leave them uncovered. Preserve the original form of the storefront.
- Replace missing original elements or repair existing elements. If elements are irreparable, replace them with like materials and design.
- Retain, maintain, and/or uncover the original kick plate material, marble bases, and ceramic tile entryway floors whenever possible.
- Occasionally, leaded glass transoms are in their original state. Restore these via careful cleaning and [appropriate](#) treatments.
- When physical or photographic evidence exists for the original storefront [and the current storefront needs to be rebuilt](#), reconstruct the storefront to its original form if the altered front has not achieved historical significance of its own.
- When attempting to restore and/or clean historic details or building elements, do not use harsh abrasives or treatments.

There are also several [additional](#) design guidelines to take into consideration:

- Relate the design of first floor storefronts to design details of the upper levels of the building façade. Design new storefronts to fit within the first-floor building openings as formed by columns, piers, and cornices. Repeat the window and door rhythms that already exist on the building.
- If appropriate, doorways should be in a recessed entranceway to provide a protected area for customers and to add more window visibility for merchandise displays.
- Doors should contain large glass panels as opposed to solid or residential-type doors with small areas of glass.
- Remove non-historic false fronts and siding. This includes metal cladding, fascia panels, pent roofs, and other materials that cover or disrupt the original detailing and materials of the storefront.
- Pent roofs (narrow, continuous shed roof) are a design element added to storefronts in the 1960s-1970s to modernize and draw attention to storefronts but are out of character with the historic streetscape. Therefore, these are not acceptable to new additions or modifications to existing storefronts, [and when present, should be removed when alterations are planned](#).
- Vinyl siding, aluminum siding, and T1-11 are not acceptable materials for a storefront restoration.
- Do not add trim or details that did not exist on the building during its historic period.
- Primary storefront windows should not be used or opened for the purpose of installing Automated Teller Machines (ATMs), [walkup service windows](#), or other similar devices.
- [Television monitors as digital signs displayed in storefront windows are subject to certain performance requirements in the Zoning Ordinance. The presence of such a sign attracts interest in the storefront while also being easily removable. They do not impact or change the historic architecture of a building; therefore, the Commission should treat them no differently regarding location and size than if it would other window signs on commercial and industrial buildings.](#)

B. Building Elements

Building elements are the individual parts that make up the building. These elements include windows, doors, roofs, and porches or stairways. These elements are often very character-defining features of an architectural style, and as such, are important features to protect and preserve. The following are guidelines for each individual building element.



Historic postcard photo of the Myers and Eyerly buildings on West Washington Street, depicting multiple adjoining buildings displaying a variety of architectural elements. *(Public Domain Photo)*

1. Windows

The windows of many [historic](#) buildings are extremely important to the architectural and historic character of the building, the streetscape, and to the character of the entire district. They are excellent tools for determining and maintaining the scale and character of a building. The ratio, [scale](#), and placement of windows can have a large effect on the appearance of the building, as can the details of the sashes and frames. The shape and style of a window can help to determine the period of the building.

Some buildings have experienced the modernization of windows. When windows are inconsistent from one level of the façade to another, property owners should install windows that are consistent with each other and the period of the building. In addition, consider the following guidelines when considering window restoration and repairs:

- Retain and repair original windows, frames, sashes, sills, lintels and trim or replacements that have acquired their own historical significance.
- Replicas or replacements of like design and style are appropriate for those windows that are beyond repair or deteriorated to a point that requires high levels of maintenance.

- The preferred replacement treatment, when feasible, is a wood replacement sash kit with insulated glass panes. Complete unit replacement is also acceptable.
- Attempt to maintain original glass or finishing.
- Choose window frame finishes that fit with the colors and textures of the building.
- Avoid conflicts of style. A colonial window does not belong on an Art Deco building. Replace modern windows unfitting of the building style. When the fenestration pattern of the window contributes to the character of the building, preserve this pattern using simulated or true divided lites.
- If simulated muntins are used, they should appear on the outside, between the panes and on the inside of the sash. When the existing windows are not historic material, muntins [should replicate the original windows](#) or a pattern acceptable to the historic period of the building.
- Models and manufacturers used by the Hagerstown Community [Development](#) Office for projects approved by the Maryland Historical Trust are generally appropriate for use in the district.
- Blocking down or filling in openings to fit stock window sizes is not acceptable. Restore damaged or filled in window openings.
- Plate glass and safety glass are appropriate glazing materials. Wire glass, textured glass, mirrored glass, or plastic/acrylic replacements are not appropriate. Stained glass is acceptable for certain locations such as door transoms, as part of a larger window, or in restaurants.
- Storm windows [shall](#) not damage or obscure the window or frame. These should be an appropriate size and color, similar to the window sash. Install these to ensure proper maintenance and avoid damage to the original window. Consider installing interior storm windows.
- If additional windows are required for a new use, install them on a rear or non-character defining façade to avoid damaging the ratio and scale of windows to wall space on the original façades.



Above: In June, 1917, an epic hailstorm struck the Hagerstown region, laying waste to thousands of windows - mostly on western-facing facades. Here, evidence of the damage wrought on the Antietam Paper Building's windows is abundant. The metal casement windows and storefront on the front of the building appear unaffected. The Antietam Paper building stands today just outside the left field wall of Meritus Park. (Public Domain Photo)

Right: Restoration and maintenance of historic windows (preferred for state-regulated projects) coupled with quality interior storm windows can preserve the historic character of a building and reduce utility bills. (Staff Photo)

2. Replacement Windows



Another Hagerstown success story! The owner of the “Cannon Coffee” building on Public Square inquired about replacing metal, single-pane 1970s windows on the upper floors of this highly visible building. The upper photo - taken circa 1890 - was used to guide the owner to find modern replacement windows with 6-over-6 grilles that were consistent with the historic architecture of the building. Architectural appearance was restored and the owner’s window and heating budgets were preserved! (Upper Photo: Public Domain Photo. Lower Photo: Staff Photo)



(Photo from manufacturer's website)

The HDC recognizes that maintaining historic wood windows can be costly and time consuming. They may also contain lead paint. However, they are usually made of old growth wood which lasts longer than modern wood replacements. Therefore, while preserving and repairing historic windows is preferred, the HDC will accept applications for the installation of modern replacement windows made of non-wood materials. There is no requirement to keep old windows.

While it is preferred to retain or replace-in-kind historic windows on front and other facades visible from a public way, non-wood replacement products shall be allowed if the new window replicates the appearance of original window designs for the specific building, or its architectural style generally in design and in the width and depth of individual window elements. For facades not visible from a public way, replacement windows would not be required to replicate the appearance of original windows.

Since this policy was adopted in 2016, many property owners have received approval to replace their windows with modern units using modern materials. Property owners eliminate sources of lead and ongoing maintenance headaches, while the general appearance of the historic buildings have been preserved. In some cases, where existing non-historic windows were

incompatible 20th century replacements, replacing them with new replacement units using this policy significantly improved the appearance of their buildings.

- Select a model that the Commission will find closely approximates the windows that would have been original to the building or appropriate to its architectural style with the width and depth of the elements.
- Muntins should be used when appropriate to the building or architecture of its period, when applicable. The muntins should be a simulated true divided lite, with muntins on the outside and inside of the pane.

- When larger openings are required for fire egress, manufacturers carry models of casement windows that appear at a distance to be a double hung window made of wood and other materials.
- Preserve detailed millwork surrounding the unit preserved or have new wood milled to match.

When seeking State and Federal tax or grant support, you should assume the Maryland Historical Trust will not agree in most cases to the use of modern replacement windows made of materials that would not have been historically used. The State's requirements have higher expectations than the City's.



The room behind the left window is a bedroom requiring fire egress. But the opening was too small for a double-hung window to be used and meet fire code. A casement window - which swings out in its entirety - was used. Narrow vertical and extra-wide horizontal muntins were used to approximate the double-hung windows on the rest of the building. (Staff Photo)

3. Window Shutters

Window shutters are associated with certain architectural styles present in the districts. Where shutters are present on a building, they should be carefully maintained and painted. Shutter hardware should also be preserved. In addition, consider the following:

- When shutters need to be replaced, use functional shutters (or ones that appear to be functional) and make sure that they open flat against the exterior wall.
- The size and shape of shutters should match the window opening. Shutters should cover the window when shut.
- Shutters should be mounted to the window frame, not the wall, and should be installed with appropriate hardware, hinges, and holders.
- Replacement shutters should match the original in material, size, texture, etc., and should not mimic a style different from that of the building. Non-functional metal or plastic shutters are not appropriate on contributing historic resources.
- Typically, first floor shutters were panel shutters while louvered shutters were used on upper floors.

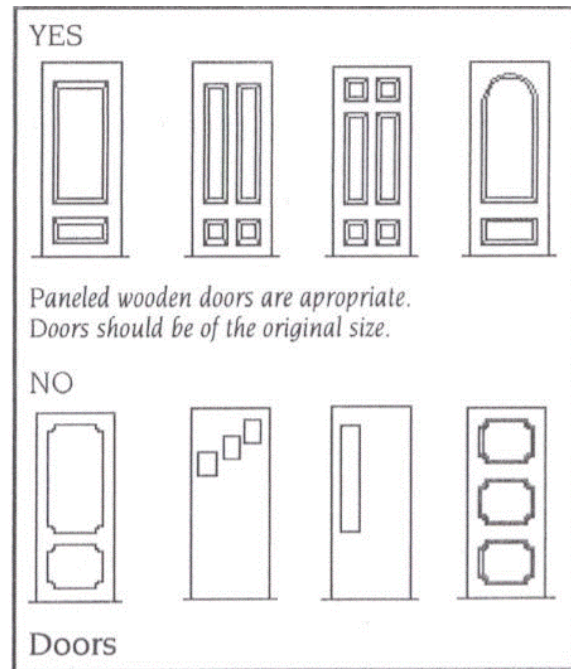


First floor shutters on the Congressman Roman House (also known as the Kneisley Building) on West Washington Street. Congressman James Roman led the local effort to meet Confederate demands during the "Ransom of 1864". (Staff Photo)

4. Doors and Entranceways

Doors and entranceways are extremely important to the character of the building. Many historic buildings feature elaborate entranceways with great detail and historical character and maintaining this is highly important. This building element is often a primary focal point of the building; therefore, the guidelines for restoration of doors are extremely important to protecting the historic qualities of the district. An inappropriate style or location can throw off the entire historic character of the building as well as the streetscape. Therefore, it is important that modern convenience doors (such as “doggie doors” or security doors) for modern uses be located out of view from any public thoroughfare.

It is also very important to avoid conflicts of style. Victorian or Colonial doors do not belong on buildings designed in the Beaux-Arts period, nor do Beaux-Arts doors belong on a simplistic Federal style building. The following are additional guidelines to consider when performing door restorations:



(Howard County DPZ)

- Secondary entries should be unobtrusive in design so as not to conflict with the primary entranceway.
- Maintain and repair original doors, frames, sills, lintels, and transoms. Weather-stripping is an appropriate modern change.
- Exterior building hardware should be appropriate to the style and period of the building.
- Replacement doors should be of similar style and finish to the style of the building. Restore covered or missing transoms and remove infills that removed side lights so narrowed double doors to a single door.
- Replace inappropriate modern doors with replicas of historical ones. Maintain the appropriate style when replacing or adding doors for new uses.

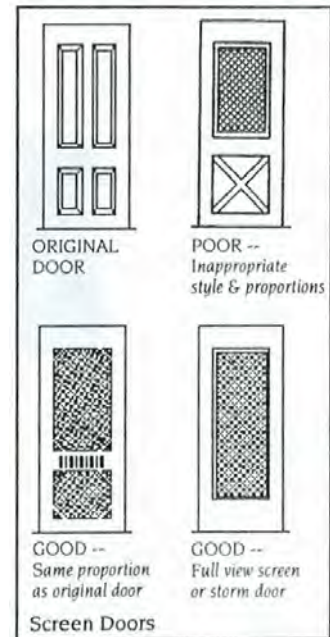


Before and After - Mixed use building on North Potomac Street at Bethel Street replaced a residential door retrofitted onto a commercial space with a more consistent unit. (Left Image: Google Street View. Right image: Staff Photo)

5. Screen and Storm Doors

In addition to the actual entranceway, many property owners desire screen or storm doors. Install these with considerable attention to the detail and style of the door, so as not to obstruct the detail of the door behind it. Therefore, consider the following:

- Simple wooden screens or storm doors are most appropriate for historic primary entranceways. Screen doors on secondary entranceways or those not located on a public façade can be painted metal. The paint color should match the main door.
- The proportion and style of these doors should coordinate with that of the main door.
- The majority of the screen or storm door should be open to allow for visibility of the main door behind it. Doors with only half screens are not appropriate.



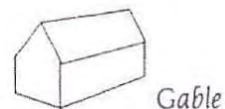
(Howard County DPZ)

6. Roofing

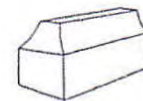
Roofs are an important characteristic in defining the overall historic character of the building. Roof shape, decorative features and materials all determine the character. They are highly visible from the public ways and are instrumental in determining the historic period and shape of a building. Therefore, consider the following when restoring or repairing the historic roof:

- The roof's original shape, decorative features (dormers, chimneys, balustrades, etc.), and roofing should be preserved and maintained during a repair.
- Retain historic roofing material. When necessary, repair damaged sections with materials that match in size, shape, color, and texture of shingle. Avoid extreme colors or patterns along rooflines unless historic or photographic documentation exists.
- Dormers and skylights, necessary for new uses, should be inconspicuous from the public right-of-way and not damage or obscure character-defining features. Avoid adding dormers unless they fit with the architectural style of the building. Repair existing dormers and skylights as needed.
- Lower rooftop mechanical systems below sight lines from the street or screen and paint them a color that blends with the building.
- Appropriate gutter shapes and material include concealed, ogee, and semicircular in galvanized steel, copper, or aluminum. Downspouts should be circular and located along natural vertical lines and corners of the building.

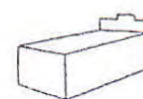
Roof Styles



Gable



Mansard



Flat with
Cornice or
False Front

(Howard County DPZ)

- A variety of modernized substitution materials are available for those historic materials found in the districts. The Commission will consider these cost-effective materials if they blend with existing materials and are properly labeled and explained during the application process.



A variety of roof shapes define Hagerstown's skyline. (Staff Photo)

7. Synthetic Slate

Slate shingles were used on buildings in the historic district. When a slate roof is well maintained, the lifespan of that roof ranges from 50 to 200 years. Slate possesses benefits such as its durability as well as its waterproof and insect-proof nature.



A single shingle of simulated slate. The upper half would be hidden by the lower half of the shingle above it. (Staff Photo)

However, slate materials weigh up to 5 to 11 pounds per square foot, while synthetic slate tiles weigh less than 2 pounds per square foot. The material cost of slate is also significantly higher compared to its synthetic counterpart. It can be expected that the price of a new slate roof

is up to three times more than a conventional roof. Slate roof replacement and repair also must be done by certain qualified professionals, which can pose a challenge if no professionals are available to do the work.

Several companies make simulated slate shingles. Synthetic slate shingles are manufactured of rubber or plastic, often made from old tires. This can greatly improve the cost of a replacement slate roof because it eliminates the processing of quarrying and shipping slate. Overall, synthetic slate is more cost-effective, lighter, and easier to install while not compromising the integrity of the historic nature of the building. Individual shingles cost



Repairing historic slate roofs can be very expensive, and craftsmen hard to find. (Staff Photo)



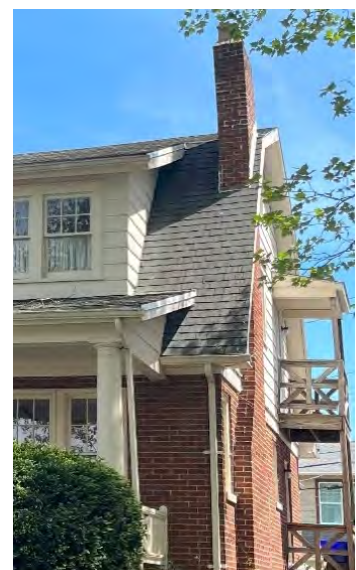
Slate material used on a mansard roof on the architectural front of a building. Is it real? Or is it rubber? (Staff Photo)

between \$3 and \$6 per piece, depending on the supplier. Synthetic slate looks very similar to natural slate. Manufacturers also provide a multitude of color and shape options for roofing, making it easier to match the original roof color, pattern, and texture. Even the National Park Service – the keeper of the Secretary of the Interior's Standards – has used synthetic slate on historic roofs. The HDC will not require replacing slate roofs in-kind. Synthetic slate use is supported by the Commission. However, if you are pursuing State grant, loan, or tax credits involving a slate or tile roof, contact the Maryland Historical Trust to learn what that agency considers acceptable for its funding programs.

8. Chimneys

Chimneys of brick and stone are important character-defining features of buildings in the historic districts. Therefore, consider the following guidelines when restoring or repairing the chimney:

- Use historically appropriate mortar to prevent damage to chimney brick.
- Ornamental brickwork and corbels should be retained. Deteriorated bricks should be replaced with new bricks to match the originals in size, shape, texture, and color.
- Cement parging to cover existing brick chimneys is not appropriate.
- Even when they no longer serve ventilation use, historic chimneys are important architectural elements to a building. When found on contributing structures, they should be retained and maintained when visible from public ways.



Chimneys can be significant elements of the historic architecture of a home. (Staff photo)

9. Porches, Stairways *and Awnings*

Porches and stairways have an important influence on the character of a building. Porches, particularly those on the front of the building or those visible from a public way, have an especially important effect as they can completely alter the façade of a building. Therefore, consider the following guidelines when repairing or restoring porches and stairways:

- Restore, repair, and maintain historic porches and stairways. Removing historic porches, especially those original to their building's first construction, is devastating to the architectural character of a historic structure. Avoid harsh cleaning treatments that would damage the original materials.
- Avoid removing or enclosing architecturally contributing porches that are visible from a public way. If a porch is a modern addition, a property owner may remove it to restore the façade to its original elevation if photographic evidence is available and if the more recent porch addition has not achieved its own historical significance.
- Enclosing or removing rear porches that do not contribute to the historic character of the building, and are not visible from a public way, is appropriate. Enclosing front porches is not recommended.
- If it is necessary to replace character-defining porches, stairways, or other individual elements, the replacements should match the original in material, size, detail, and form.
- Removal of stairways should not affect the historic façade or the view of the historic property from a public way.
- Enclosures should not obstruct the view of the original porch or stairwell.
- Utilizing photographic evidence to restore missing porches or stairways is recommended (see Chapter 5: New Construction).
- Historic awnings should be retained and repaired as needed.
- For new awnings, shed-style awnings of canvas or low-gloss canvas-like materials are preferred.
- When associated with a business, signage should be limited to the vertical valance on the front of the awning.



Ornate chimney on the Richardsonian Romanesque house on West Washington Street (Staff photo)



This replacement porch was constructed onto the front of a 19th Century home that was subject to major facade changes before the downtown historic district was created. Nonetheless, the owner created a new porch that is architecturally consistent with the nature of the home. (Staff Photo)

C. Materials

When considering rehabilitation and restoration projects, the materials that are used are extremely important. Modern materials *may be* cost effective and easier to install; however, they *may be architecturally* inappropriate in a historic district. Historic materials, on the other hand, often require some repair but their contribution to the historic fabric and character of the district is astounding.

The following section will help property owners preserve, repair, and restore materials commonly found in the Historic District as well as offer modern alternatives for those materials requiring replacement.

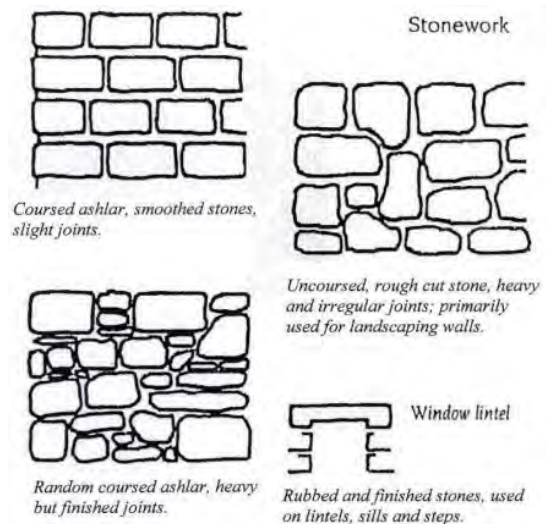
Masonry

Brick and stone are the most common materials found in the historic districts. The brick ranges from hard glazed in yellows and browns, to red face brick. Stonework includes granite, limestone, cast stone, and decorative marbles. Other masonry includes exterior plaster and stucco. When restoring properties, consider the following:

- Maintain historic masonry in its original condition. Repair cracks or imperfections in masonry rather than replacing an entire wall. This includes stonework around windows, entrances, chimneys, etc.
- Refrain from power washing old bricks as it may not be able to withstand constant high pressure.
- When replacing large segments of masonry, do so with like materials in color, texture, and composition.
- Do not paint masonry unless the masonry was previously painted or historical documentation is available.
- Avoid applying surface treatments whenever possible.
- Avoid applying form stone to any building façade.
- In cases where stucco needs repair, use a mixture that matches the original in texture and color.
- When cleaning masonry, test any cleaning techniques on a small area, out of view from any public way. If the technique damages the masonry, abandon its use.
- When duplicating mortar, joint size, and profile, use like color and texture to maintain a consistent wall appearance.



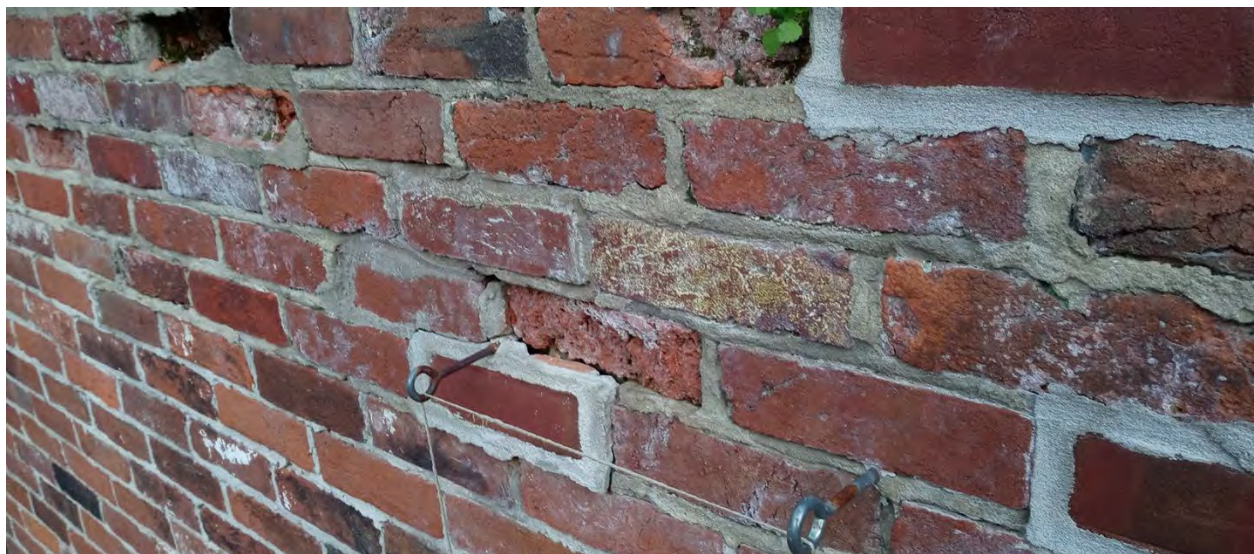
Differences in masonry patterns on the front of this building reveal that the third floor was added at some time after the building's original construction. (Staff Photo)



Howard County DPZ



Use masonry mortar, not Portland cement mortar on contributing buildings. Mortar should match the existing in color, texture, composition, and tooling. Modern mortars can destroy the historic brick because it expands and contracts less than the brick with temperature and humidity changes. The brick, which expands more, has nowhere to go when surrounded by constricting mortar. This results in the face of the brick “spalling” (popping off), ultimately causing the brick to go to powder. Spalling ultimately leads to compromising the structure of the wall or surface. For mortar recipes, please refer to National Trust for Historic Preservation guide sheets.



Use of modern cement and modern brick to touch up missing mortar and fill holes in this wall has resulted in spalling. Eighteenth, 19th and early 20th Century brick is not as solid as contemporary brick. Use of incompatible mortars will result in damage to the brick material and lead to compromise of the structure. (Staff Photo)

Metal

Metal is another material found [occasionally](#) in the [historic](#) districts. Some storefronts have been constructed or renovated with porcelain steel, stainless steel, or aluminum panels. These materials offer an image of the modern period and have often become of historical value themselves. Other buildings have cornices, fascias, and other items of trim constructed of sheet metal or cast iron. Consider the following:

- Retain and restore existing metalwork. Repaint surfaces requiring repainting and patch surfaces requiring small amounts of replacement. Do not remove metal.
- Replacement metal should match existing material in color, width, texture, and style.



(Staff Photo)

- Replacement panels fabricated with sheet metal should match the existing material in color and texture.
- Patch deteriorated metalwork with sheet metal pieces. Match these to the same profile as the existing work.
- Reproduce intricate details in materials, such as fiberglass, and install them to match existing work.
- Avoid adding metal to a building unless it conforms to the architectural style and historic period of that building.

Terra Cotta

Terra cotta is a highly glazed, fired clay, molded into shapes, and then used as decorative elements. Sometimes the glaze contains many colors, while other times it is natural. [Preserving terra cotta elements is highly encouraged](#). This material has great historic character and therefore needs to be preserved. Consider the following guidelines:

- Avoid removing terra cotta detailing from the historic property. Be careful to avoid cracking or damaging terra cotta during phases of restoration.
- When repainting terra cotta, avoid harsh chemicals that could damage the clay. Painted terra cotta should remain painted, natural should remain natural.



Bridge of Life Church - formerly the Colonial Theater
(Staff Photo)

Carrara Glass

Carrara glass is a trade name for a pigmented structural glass, popular in the early twentieth century. It is often associated with Art Deco, Streamline, and Moderne architectural styles. This glass is no longer readily available. Therefore, take into consideration the following:

- Preservation of this glass is on a case-by-case basis. Preservation depends on the extent of any damage to the existing glass and the availability of replacement or substitute glass.
- To replace Carrara glass, substitute a similar material such as “spandrel glass.” This or a similar material should approximate the appearance of the original glass.
- Avoid harsh cleaning agents or treatments on Carrara glass.

Wood

Wood is a common building material in many buildings, not just historic ones. However, wood on historic buildings is often deteriorating or in need of replacement due to its age. Therefore, consider the following:

- Preserve any historic or original wooden features. Repairs should maintain wooden structures or details. Replacement should occur after repairs are exhausted or a structure becomes unsound.
- Avoid leaving wood in its natural state or stained unless historically documented.
- When replacing wood do so with like materials, color, and texture.

D. Detail

All buildings have some decorative architectural details of one kind or another. Some building details span over the entire length of the building, which establishes a visual continuity. Several features, such as a uniform molding, coping line or parapet, or columns and piers, give a rhythm and scale to the front of the building and help define this continuity. Occasionally, original details are found behind roof panels, false fronts, and large sign panels. Such additions destroy not only the building or the streetscape, but they damage the character of the historic districts one property at a time. Details are a vital part of the historic districts, and the following guidelines will help property owners discover and restore such elements.

- Maintain and repair original ornamentation.
- Match repaired portions to original portions to avoid visual inconsistencies.
- Replacement details should match the original. Consult an artist or specialist for examples of adequate replacement designs and materials.
- Uncover details hidden by false fronts, signs, or new additions. If damage occurred as a result of that addition, repair the damage.
- Maintain and protect existing decorative elements during all stages of rehabilitation.
- Do not add decorative elements that clash with the architectural style of the building. If existing false ornamentation exists, restoration to the original façade requires historic documentation.
- Exterior wood should be painted. Complex trim details can be reconstructed. In some cases, custom millwork is required, but many trim elements are readily available.
- Wood and masonry shall not be covered with materials that do not allow free and adequate airflow as temperature and humidity change.
- When at or above a third floor, replacing unsalvageable, deteriorated wood trim with “fypon” or other modern material may be acceptable if it replicates the size, mass, and style of the detail being replaced.

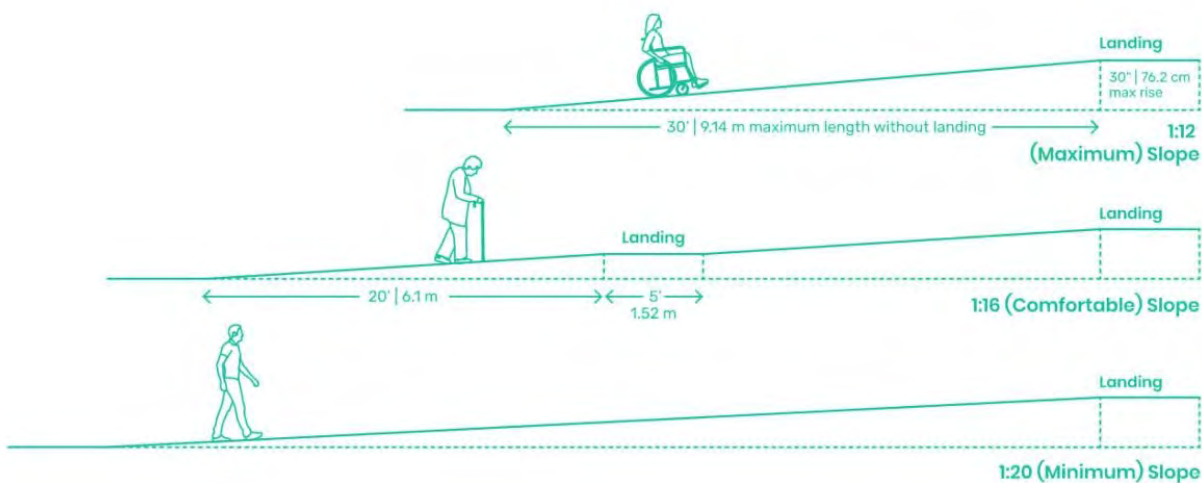


Detail can be rather simple and plain, blending with the overall facade. It can also be especially elaborate and ornate, serving as very prominent visual features of a facade. Do you know where this lion resides? (Staff photo)

E. Handicapped Access

When updating the historic property to meet accessibility regulations, it is important to identify the applicable accessibility requirements, to explore alternatives, and to implement solutions that provide independent access and are consistent with preservation standards and guidelines. Therefore:

- Solutions for accessibility should not destroy a property's significant materials and features but should increase accessibility as much as possible.
- Lifts or major ramps should be avoided if at all possible on the front façade of contributing resource buildings.
- If new or secondary entrances required for providing accessibility *shall* be located on a primary façade, they should blend with existing entrances or remain unobtrusive.



F. Alterations of "A" Resource Buildings

An historic district is a collection of individual resources of varying significance to the overall character of the district. Buildings rated "A" on the National Register nomination inventory – are sites of exceptional architectural integrity and/or those associated with a significant historical event. Preservation and accurate restoration of these buildings is *strongly* encouraged, and changes are discouraged.

The following buildings are "A" resources in the four historic districts, with a few adjustments identified by the Historic District Commission:

- The Roslyn – 17-21 East Franklin Street
- Knights of Pythias Castle – 16-18 West Franklin Street
- Pioneer Hook and Ladder Firehouse – 23 West Franklin Street
- United States Post Office – 44 West Franklin Street
- Grunnell Building – 101-105 West Franklin Street
- Wolf Building – 107-109 West Franklin Street
- 37 West Antietam Street – Antietam Paper Company

- 25 West Church Street – City Market
- 1 East Franklin Street – City Hall
- 18 East Franklin Street – Noland’s Garage
- 24 Jonathan Street – Grice Building
- 51 Jonathan Street – Thomas Building
- 2-4 North Potomac Street – Elizabeth Hager Center
- 105-107 North Potomac Street – Junior Fire Company
- 119 North Potomac Street – Showe Optician
- 122-130 North Potomac Street – WOW Building façade
- 130-132 North Potomac Street – Stone House
- 149 North Potomac Street – Old YMCA
- 328 North Potomac Street – Hagerstown Armory
- 2-4 South Potomac Street – Cannon Coffee
- 14 South Potomac Street – Colonial Theatre*
- 21 South Potomac Street – Maryland Theatre*
- 28 South Potomac Street – Schindler Rohrer Building
- 33 South Potomac Street – First Hose Fire Company
- 50-54 South Potomac Street – Masonic Temple Buildings
- 57 South Potomac Street – Colonial Hotel
- 111-113 South Potomac Street – RBC Wealth Management
- 128 South Potomac Street – Frederick, Seibert and Associates
- 141 South Potomac Street – St John’s Lutheran Church
- 5 Public Square – Professional Arts Building
- 20-22 Public Square – Fleisher Building
- 21 Summit Avenue – Old Library*
- 26-30 Summit Ave – Shockey’s Building
- 49 Summit Ave – New Frontiers
- 50 Summit Ave – Dagmar Hotel
- 821 The Terrace – Governor Hamilton’s Mansion
- 7 East Washington Street – Alexander House
- 4-6 West Washington Street – Towne Center Building
- 27 West Washington Street – Kohler Building
- 34-46 West Washington Street – USMH
- 40-48 West Washington Street – Baldwin House
- 49-53 West Washington Street – Updegraff Glove Factory
- 95 West Washington Street – Washington County Courthouse*
- 90-96 West Washington Street – Hamilton Hotel
- 135 West Washington Street – Miller House*
- 152 West Washington Street – Kneisley Building
- 145-147 West Washington Street – Tiger Eye Investments

**Individually listed on the National Register of Historic Places*

When considering a restoration project for an “A” resource property, consider the following:

- Study and research the written and photographic records, as well as the physical character of the building prior to beginning any project.
- Detailed restoration of deteriorated building elements will be necessary.
- Construction of missing parts and details of a landmark building requires prior research and design.
- Consult a specialist or architect for assistance in the design of any [significant work on an “A” resource](#).



Public Square, viewed from the southwest above the Hub City Parking Deck on West Antietam Street (Staff Photo)

NEW CONSTRUCTION

Select and well-designed new construction within the historic [district](#) area is vital to the preservation of the area [and the ongoing economic vibrancy of the community](#). Building functions and uses change over time, as does the community, and it becomes necessary to add features and even buildings. However, to continue to enhance and preserve the historic integrity of the district, the following guidelines help to protect the historical value of [historic](#) districts. These guidelines are meant to help property owners, architects and designers plan their [new](#) projects to fit accordingly with the existing historical character of a district. All new construction projects require submission for review with the Commission. In order to maintain the character of a historic district, new construction should blend with existing structures and streetscapes.

When building a new addition, if a property owner has clear evidence of historic elements on their building, the Commission will weigh the merits of restoration with the historic value of the existing condition when reviewing the requested change. The guidelines below offer direction on how to achieve this.

A. Design

New construction, whether an addition or a new building in a historic district, has a dual responsibility:

- New buildings [and additions should](#) both relate to the design of neighboring buildings and be able to stand on their own as contemporary architectural design.
- New construction should reflect the time in which it was designed, the use to which it will be put, and be compatible with the character of the district. [It should not try to deceive the observer into believing the building is older than it actually is.](#)

The design of new construction should complement the character of the existing [surrounding](#) structures, not duplicate any existing design. Details from surrounding structures can be integrated into the overall design for new construction, but the replication or near complete duplication of existing buildings is discouraged. Buildings may be similar, but it is through individual character that the identity of the district is further developed.



The addition to the Barbara Ingram School for the Arts was completed within the last 10 years. Its more modern elements are on the rear of the building. It is clearly contemporary yet is consistent with the scale and massing of nearby buildings. (Staff Photo)

Therefore, it is important to keep in mind the following when designing and planning new construction:

- Conjectural historic design is not acceptable for new construction.
- New construction that is a restoration project [shall](#) be based on historical, pictorial, or physical documentation of its accuracy.

- New construction should be compatible with the historic character of the districts in terms of scale, design, material, and texture.

B. Rhythm

The character of streetscapes in the districts are influenced by the “rhythm” of the streetscape. Rhythm refers to the overall appearance of the street based on several characteristics:

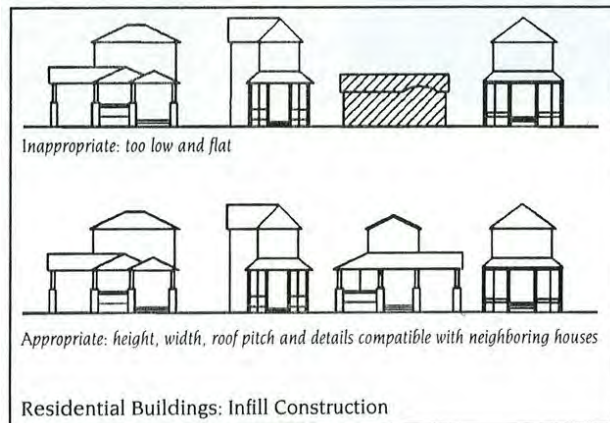
- Building width
- Building height
- Setback
- Floor levels
- Door and window openings

This pattern, or rhythm, should be analyzed as follows and considered during the design process for new construction within the district. This will vary from district to district, and from block to block within a district.



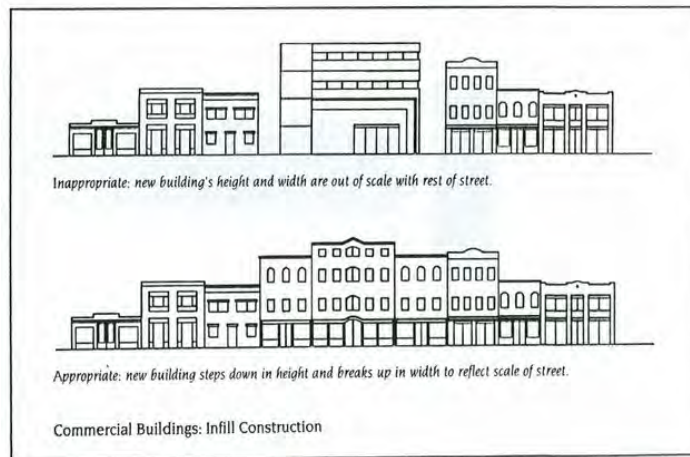
The addition to the front of the Maryland Theatre and the expansion of the Barbara Ingram School for the Arts (on the right) are recent developments that were well designed in height, scale and proportion to be consistent with the surrounding historic district. The First Hose Company building on the left was constructed in the 1880s. The Art Deco styled Professional Arts located to the right of this scene was constructed in the 1930s. (*Maryland Theatre*)

Width



(Howard County DPZ)

Buildings in the [Downtown Historic District](#) can be built out to the side property lines. Typically, properties in the residential historic districts are in zoning districts that require setbacks from streets and property lines. Historically, the buildings located in the Downtown District have been built to the full width of the property. This avoids any unnecessary and unusable space between buildings, which should be continued by new construction projects [when possible](#). Maintain the existing building wall by building from side lot line to side lot line.

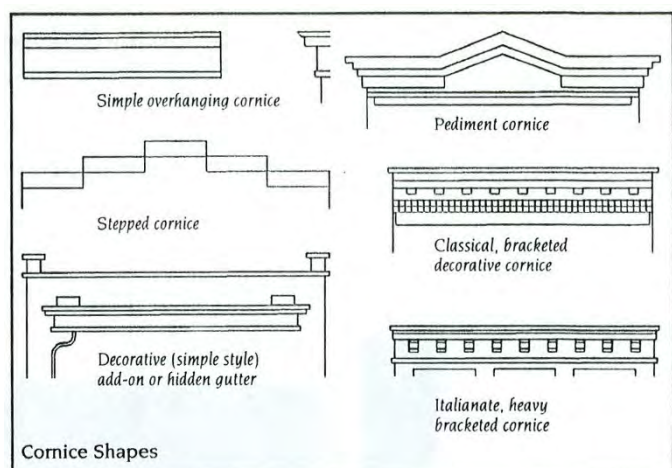


(Howard County DPZ)

When an infill building is noticeably wider than adjacent buildings, incorporate elements in the front façade that breaks up the mass of the building and approximates one or more narrower buildings.

Building Height and Cornice Line

The buildings in the [Downtown Historic District](#) generally range in height from 35 feet to 60 feet tall, depending on the architectural style of the building, as well as the precedent set by other [buildings](#) along the streetscape. Buildings in the residential historic districts are more modest in scale, necessary for 25-40 feet in height. Height is defined by the roof shape or the cornice line. This height varies within each block and each block generally contains a consistency in height that should be maintained by new construction. The following should be kept in mind when deciding upon the height of the new construction:



(Howard County DPZ)

- The cornice line should be maintained at a height of no more than 10% higher or lower than adjacent buildings.
- Setbacks of the upper levels, the addition of dormers, or a change of materials, can be a way to gain additional floor area. However, the continuity of the cornice line *shall* be maintained.

Setback

There is no minimum setback requirement in the CC-MU District. For new construction, the Zoning Ordinance requires a “build to” line – requiring new construction to be in line with existing development on the block often having been built to the right-of-way line of the front street. The majority of buildings in the Downtown Historic District are set directly on the front lot line, thereby forming a distinct street wall. This street wall should be continued in new construction. To do this, consider the following:



(Staff Photo)

- Maintain the alignment of façades along the sidewalk edge.
- In the event a building has a proposed setback, the street wall can also be continued with design elements such as low walls and landscaping. Greater setbacks will be evaluated on a case-by-case basis.

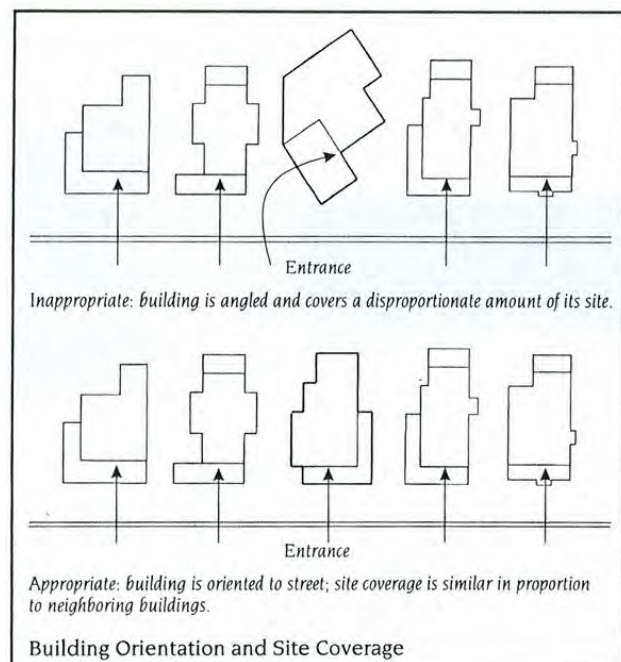
In designing new construction in the residential historic districts, the applicant should consult the Zoning Ordinance. Any mandated setbacks in ordinances or deeds (such as the Oak Hill District), and the established setback of the streetscape *should be considered* when deciding upon the location of a building on the property. In addition, consider the following:

- Maintain the alignment of façades along the streetscape edge.
- Greater setbacks will be evaluated on a case-by-case basis.

Scale

Scale refers to the visual perception of the size of a building and its elements in relation to other buildings and to people. Due to the overall size, detail, and ornamentation of the buildings and the streetscape, Hagerstown has a human scale. This means that structures and their features are based on the human, adult body. Each district possesses its own scale, which may vary by block or street. This scale should be maintained in new construction.

(Howard County DPZ)



Floor Heights

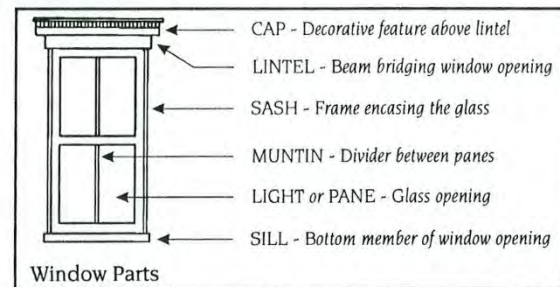
The first-floor height and the floor-to-floor height of existing buildings should be a consideration when designing adjacent new construction. Varying heights has often made it difficult to join two adjacent buildings as one since there would be no easy or space-saving means to move from one building to another through an interior opening. The floor-to-floor heights are an often-forgotten method of bringing proper scale to new construction. New construction tends to use lower ceiling height through standardization of building materials. This can be avoided by materials that will allow a correspondence of floor heights between buildings.



Duplex dwellings were constructed within the last 40 years flanking the three-story apartment building in the center. Which do you think was constructed since use of these Design Guidelines began? (Google Street View)

Window and Door Openings

Windows and doors are critical design elements in the districts. Typically, windows appeared on every floor, with a consistency in spacing and openings. New construction should consider the rhythm and proportion of windows and door openings already existing in a building or along a street. The general relationship of opening area to wall surface area should also be considered and maintained. When plotting doors and windows, it is important to keep in mind the following:



(Howard County DPZ)

- The overall area of window and door openings in a building wall should be maintained in proportion with the structure and the architectural style.
- Blank front façade walls, at any floor level, are strongly discouraged.
- Typically, the proportion of doors and windows are vertical. Ground floor openings should relate to or align with upper floor openings.

Windows with double-hung sashes dominate the residential historic districts. New construction should respect these proportions, but in certain cases, may introduce casement and fixed-sash windows. Doubled windows are present in the districts, but individual sets of sashes should maintain a decidedly vertical proportion. If combined windows are used as a focal point in the design of an elevation, they should relate to other features of the façade. In general, double-hung sashes in new construction should have a one-over-one configuration (a single pane of glass in each sash). *If fire egress is an issue, there are models of modern casement windows that appear to be double hung windows.*

Windows with muntins are typical as an integral part of an overall design, but if such sashes are used, they should have simulated true divided glazing. Many name brand window manufacturers offer quality wood windows with thermo-insulated construction features. Modern materials are also acceptable on new construction.

Windows, doors, and entranceways are very important focal points. Therefore, consider the following when designing entryways:

- Proportion, size, and detail should match that of the existing structure or streetscape.
- Architectural styles different from the existing building or those not found within the historic district should not be used.
- Secondary entries should not detract from the main entrance.
- When selecting windows that use muntins, a simulated true divided lite muntin is preferred. Muntins sandwiched between glass panes are strongly discouraged.



Muntins are a vital architectural feature in the historic districts, as evidenced here on the Historical Society headquarters. New construction benefits from borrowing such elements in new design. *(Staff photo)*

The following recommendations apply to newly constructed storm doors or windows:

- Pre-finished storm window units are preferred; avoid mill finish aluminum.
- Locate storm sashes within the window frames.
- Match the storm sash to the window sash and align the meeting rail of the storm sash with that of the window.
- Screen or storm doors should be simple in design with ample open area for maximum door visibility.
- Screen or storm doors should not mimic an architectural style incompatible with that of the building.

Handicap Accessibility

Ramps for handicapped accessibility should provide access to users while also remaining sensitive to the overall design of the property. *The main entrance should be accessible and compliant with the American with Disabilities Act (ADA) and the International Building Code (IBC), however when significant ramps are necessary, they should be integrated into the design of the new building and not become a dominant architectural feature of the new building or addition.*

C. Roofing

The cornice line and the profile of the roof shape against the sky are an important part of the overall form of a building's mass. Many buildings [downtown \(and some in the residential districts\)](#) are flat roofed, sloping away from the street behind a parapet, but other roof styles are present in the district. It is important that the orientation of a new roof conforms to the predominant orientation of roofs on the street.



When selecting roof [shape and materials](#) for the new construction, it is important to keep in mind the following:

- The roof design should continue the design of the building in the case of an addition.
- Standing seam metal in copper, tin or terne coated steel, [simulated](#) slate, and mineral fiber slate substitutes are traditional materials that work well in contemporary structures.
- Fiberglass asphalt shingles can be used, provided they are flat and of a uniform color and texture.
- Except in well-documented restoration work, wooden roof shingles are not acceptable.

D. Skylights and Dormers

Skylights are both an historic and contemporary method of bringing light into the interior of buildings. [Their use is far more prevalent in commercial and mixed-use buildings in the downtown area than in the residential historic districts.](#)

When considering a skylight, recommendations include:

- Integrate skylights into the overall roof form.
- Locate skylights on the rear and side facing slopes not readily apparent from the street and other public spaces.
- Use flat, sloped skylights rather than bubble or domed lights.

Dormers are also a common element in the districts. The gable ends of the building usually have a single, double-hung sash window, while dormers facing the street have a gable or hip roof with smaller, paired windows. In addition, consider the following guidelines:

- Design dormers with the same roof pitch as that of the main building.
- Dormers should not overpower the roof slope or the elevation.
- Use shed dormers only on building elevations not visible from a public street.
- Align dormers with windows on the façade or locate them between windows.

E. Materials

There are various building materials in the districts, which generally include a predominance of brick, stucco and some stone [in the Downtown Historic District](#) and generally includes a predominance of brick, stucco, [wood siding](#), and stone [in the residential districts](#). The building material of new construction should respond to the general rule that the surrounding context indicates the choice of materials. The proper

selection of building material will help determine whether a new structure is integrated properly into [its surroundings](#).

When adding any kind of new construction, it is important to remember that the ultimate goal of construction is to blend with the existing fabric of the street, structure, and these guidelines. The proper use of materials is an important method of controlling the appearance of the historic district. Therefore, keep in mind the following:

- Avoid creating new brickwork patterns. Common, Flemish, and English bonds are the predominant brick patterns for the districts.
- Painting brick, stucco, or stonework should be documented by historic reference, photographs, etc.
- Masonry veneers are a more cost-effective alternative to an entirely masonry building, however, veneers [shall](#) blend with existing masonry work.
- Use new materials, such as [vinyl](#), only if they can be properly shielded from public view or assimilated with current materials on non-contributing structures.
- See additional recommendations in Section G of these guidelines.



The City of Hagerstown and the Historic District Commission welcome new investment in our historic districts, especially the downtown area. New construction should fit within the context of the district. But it should not attempt to deceive the viewer into believing a building is older than it actually is. In 2013, the Washington County Free Library demolished its modern 1960s-era central library building and constructed a new state-of-the-art facility that, while of contemporary design, fits within the context of the historic district. (*Washington County Free Library*)

“HardiPlank” or fiber cement siding, “Eldorado Stone” veneers and select models of new window units are acceptable on new construction, including new buildings and subordinate additions to historic buildings, require less maintenance and/or are more energy efficient:

F. Texture

The texture of a building refers not only to the physical texture of the surface materials but also to its visual texture. This texture comes from a building’s materials, details, and the ways in which these materials cast shadows or reflect light. New construction should be compatible with the textures of the materials and detailing of the surrounding buildings.

G. Siding

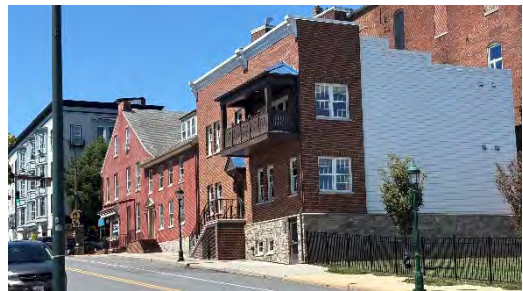
When considering siding for the new structure, use the following recommendations to help create a sense of consistency between old buildings along the street and the new structure:

- Beveled siding and German lap siding are common traditional materials that have use as a contemporary material.
- The type of siding used is dependent upon what is most appropriate for each building.
- Window trim, door trim, and corner boards should be included.
- The Commission will consider siding made of modern materials for new construction and/or additions depending upon the location of the construction on the building and the surroundings of that building. Environmental settings may also be considered.
- Window, door, corner trim boards and siding **shall** not cover up cornice or eave details **when constructing an addition onto an existing historic building**.

H. New Additions

A modern addition to an older building is a sensitive design issue. The character of the building and its historic materials and features should be preserved. Additions should be sympathetic to the base building, yet still be a product of its own time. When considering an addition, it is important to keep in mind the following:

- Avoid construction on the primary façade or other character-defining façades.
- Minimize loss of historical material on exterior walls.
- Building finishes used for the additions should be similar in material, quality, color, and dimension to those used on the original structure, **but not attempt to duplicate them**.
- The scale (size and proportion) of the addition should be compatible with the existing building.
- **If visible from a public street, use common elements between the historic building and the addition to create a sense of visual consistency while differentiating between the historic building and the new construction.**



The Schmankerl Stube received a preservation award from the Commission for the design of this addition to the back of their mid-19th Century building which is used as a restaurant. (Staff photo)

When **constructing an addition to** your historic structure, preserve historical features **by**:

- Avoiding damaging or obscuring any historical features [on the existing building](#), such as cornices, eaves, etc.
- Designing additions so that historical features will not be sacrificed if the addition is removed in the future.

I. Chimneys

Chimneys are very important design elements in that they anchor a building's overall form as well as help define the roofline. Location, dimensions, and detailing of the chimney are part and parcel of the overall roof design. When designing a new chimney, consider the following:

- Ensure that chimneys are wide and deep enough to provide the visual mass to balance their height.
- Masonry chimneys are preferred; stovepipes and zero-clearance metal flues are only permissible when not visible from a public street.
- Chimneys in frame [buildings](#) should be less massive than those in masonry buildings. Frame house chimneys should be located along the ridgelines, set in from the building's end walls.
- In masonry construction, chimneys should always be located along exterior walls.
- [Chimneys should not attempt to replicate a historic design on new construction.](#)



J. Porches and Decks

Porches and decks are common [features on](#) historical structures. They provide shade from the sun, a place for children to play or for adults to entertain, as well as a private space on a public street and can be a valuable asset to buildings. However, when [constructed](#) inappropriately, they can destroy the historic character of the streetscape. Therefore, it is important to note that porches/decks [on new buildings](#) should not mimic an architectural style not found in the district.

Porches are very common in many of the architectural styles found in the [historic](#) districts. When considering a new porch, keep the following guidelines in mind:

- [New](#) porches should not obscure historical features on the [primary](#) façade.
- [Porches and decks incorporated into new construction should be consistent with the design of the new building.](#)
- Design of porches [added to existing buildings](#) should be historically accurate to the architectural period of the building.



Porches on new construction should be generally consistent with those in the surrounding community. (Google Street View)

- On [existing](#) structures where simplicity is part of the historical detail, porches should be considered only with great care and planning as to how the porch will affect the historical nature of the building. These porches should be very simplistic.
- Design, colors, and materials should coordinate with those used on the structure. Painted wood rather than natural or stained wood is recommended for porches or decks that can be seen from a public thoroughfare or are located on a primary façade.

Typically, decks are located on the rear of a property and as such are not part of the primary façade. However, this is not to say that they cannot be obtrusive. Therefore, the following are recommendations for deck building:

- Decks should not be proposed with walls or roofs [although covered porches are common](#).
- On structures where significant detail exists on the rear of a building, decks should not obstruct the detailing.
- Design and materials should coordinate with those of the structure [and visible from public ways](#), and decks should have a design similar to the detailing on the building. Simple structures call for simple decks.
- Modern materials, such as pressure-treated lumber, should not remain in their original or raw state. These should blend with the historic character of the district as well as materials used on the building or along the streetscape.

Before [reconstructing](#) a porch [visible from public ways](#) that no longer exists on a [contributing resource building](#), consider the following:

- Follow photographs of the prior porch to design a structure that adheres with the architectural style of the building as well as the guidelines above.
- Research and study photographic evidence of the previously existing porch or deck and provide any evidence with the application.

In addition to the presence of porches and decks, the railing systems on these structures can have a very large influence on the appearance of the streetscape. Therefore, consider the following when deciding on railing for the porch or deck:



When available, use historic evidence when reconstructing porches on contributing structures. *(Staff photo)*

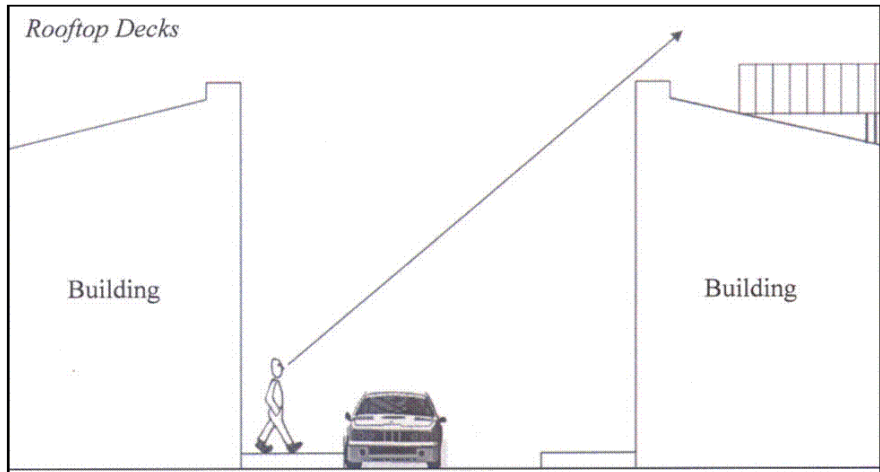
- Railings should coordinate with the features of the new porch/deck and the existing structure in details, materials, scale, and texture.
- Railings should be of similar material to the porch/deck; wood is preferred. [Modern designs, specifically those that have the tops and bottoms exposed and oriented to the outside, are strongly discouraged.](#)

K. Rooftop Decks

The Downtown area is currently undergoing a renaissance. As more interest is being generated in the renovation and reuse of downtown buildings, the [Commission's staff](#) has begun to receive more inquiries about possible rooftop decks. These decks are popular in other downtown environments.

In the downtown district, residential rooftop decks can add valuable private open area for residents; however, attention should be paid to design to ensure that their installation does not affect streetscapes or historic resources.

- Rooftop decks and appurtenances (rails, etc.) should not be visible from the sidewalk on the opposite side of fronting streets. It is assumed that rooftop decks will be visible from alleys and adjacent properties to the rear.
- Materials should be consistent with the character of the district and the architecture of the building. When on a [new](#) or non-contributing building, materials should be consistent with the architecture of that building, but still respectful of the adjoining properties in the district.
- Care should be taken with design to ensure piers and supports are placed on load bearing walls that will not compromise the structure of the building.



L. Details

Detail is an important part of older construction styles, and the architectural detail in Hagerstown is an important part of its character. New buildings can respond to this context by mirroring detail in an abstract, simplified way. When designing details for your new construction, consider the following:

Trim

[The](#) trim should be wood with a good paint grade, of the appropriate type [after adding to a contributing building](#). Fir, pine, cedar, and poplar are suitable and should have the smooth side exposed for painting. Wood trim should be painted. [On new construction, modern compatible materials are acceptable](#). In addition:

- For exterior trim, 5/4 stock is preferred. However, standard, one-inch-thick boards are an acceptable minimum thickness.



This photo of “Potomac Walk” illustrates how architectural details, such as water tables, window design and lintels, lighting fixtures and door trim are important to consider when designing a new building. They take a building that otherwise could have been seen “anywhere” and make it part of the character of the community. The features on the front of Potomac Walk make it really “pop” at night! *(Staff photo)*

- Size gutters and downspouts so they serve roof area adequately.
- Use gutters and downspouts of copper, painted (galvanized) metal, or aluminum pre-finished in white.

Lighting

Lighting is an important design tool that is very rarely explored. New buildings should be [lit](#) to reflect the character of the neighborhood. Recommendations for lighting [historic](#) structures include:

- Exterior recessed or simple wall-mounted cylinder down lights are suitable for new construction.
- The style of exterior lighting fixtures should match the overall style and design of the building [or designed to be hidden](#).
- **Sodium vapor lamps should be avoided because of their harsh light; incandescent lights are preferred because of their warmth, effect on color, and non-glaring qualities.**
- **Lighting should not adversely affect neighboring buildings, pedestrians, or automobile traffic.**

- The design determines the trim width; however, trim should not be less than four inches wide.
- Cornice and eave trim is an important detail where the wall meets the roof and sky and must be included in new construction.
- Details [should complement](#) the historic style of the streetscape as well as the style of the new construction.
- [In some cases, custom milled wood may be needed.](#)

Gutters and Downspouts

Gutters and downspouts on sloped-roof buildings are important in the design of the building. With care, these elements can be incorporated into new construction in a way that does not detract from the appearance of the building. Consider the following:

- Concealed gutters and drains give a clean, crisp profile to the building mass and are an appropriate method of gutter treatment.
- If eave-hung gutters are used, integrate their profile into the design of the cornice,
- Ogee gutters add a classic profile to the eave and mirror the design of a more elaborate trim; box and semicircular style of gutter should reflect the design and detail of the building.
- Use circular downspouts and locate them along natural vertical lines and corners of the building.

- If original lighting fixtures are present, these should be preserved and repaired. If original fixtures are not present, and there is no sound evidence supporting its use on the structure originally, new fixtures should be appropriate to the style and scale of the building and the element to which it is attached.
- New fixtures should be attached to the mortar of masonry buildings to avoid damage to historic masonry.

In residential historic districts, landscape lighting should be subtle and restricted to lighting pathways, walkways, and major landscape features. In general, lower levels of lighting are more appropriate than higher ones and existing or historic lighting colors and intensities should be matched wherever possible.

While not used historically, directed lighting that draws attention to architectural features of a building can add appeal to the appearance of a building and is acceptable if installed in a manner that does not damage the fabric of a building. Doing so will have no short or long term impact on the historic building.



Substantial rehabilitation of long-vacant buildings necessitates significant associated new construction. Elevator towers, outdoor dining areas, new loading docks and other new construction is often necessary when returning vacant buildings to use and designers should generally preserve the historic character of the building while designing necessary new building elements. Here, the Updegraff Glove factory (circa 1888) was renovated for first floor commercial use and upper-level apartments. The adjacent pocket park (right) was created by the City after the adjoining circa 1850s Updegraff Hat Store had to be demolished. Concerned with leaving a hole in the streetscape, the Historic District Commission worked with City staff to design a connecting wall to define the park using the elements of the original first two floors of the building's design. This created a feature that reflected the history of the site while maintaining the street wall. (Staff Photo)

SIGNAGE

Signs are a very important characteristic of the historic districts as they have a great impact on the visual appearance on the streetscape. They provide an announcement for business location and a design image for businesses. Commercial properties should design signage with the character of the specific historic district in mind. For this reason, it is important to follow the guidelines below when considering a business or residential sign in the historic districts.

A. General Guidelines

These basic guidelines help to define the materials, placement and lighting of signs in the historic districts.

Many signs require building permits. Some don't. Also, please note that certain signs that may be exempted from compliance with the requirements of the Zoning Ordinance, such as temporary banners, may still be subject to review and approval by the Historic District Commission. Please consult with the Commission's staff before installing signage to determine whether building and/or electrical permits and/or historic district review will be required.

Material

The most important concept to grasp when designing the sign is that signage material should be compatible with the materials of the façade. In general, painted wood or metal is the preferred background. In addition to this, the following should also be taken into consideration:

- Lettering may be painted, carved into the material, or individually mounted.
- Plastic may be used if it is carefully designed and is fabricated with another finish.
- Signs should be made in a professional manner.
- Mass produced signs do not blend with the character of the historic district nor the overall streetscape, and as such, they are discouraged.
- National franchise signs should be compatible with the building and streetscape. Franchise and corporate logos and colors will be accommodated, but size, material, location, and general design should be consistent with the same requirements of non-franchise applicants.
- Glossy backgrounds that reflect glare and reduce legibility should be avoided unless the material is appropriate to the façade.
- Buildings consisting of more than one commercial tenant should combine signs onto one sign board.
- Back-lit sign cabinets are generally inconsistent with contributing structures, especially if mounted on the building and especially if the building is of a residential design.



(Staff Photo)

Placement

When deciding on the placement of the sign it is important to remember that all signs for storefront tenants and single-occupant buildings be located below the second floor of the building, while multiple-tenant buildings should locate a shared directory beside the entrance doorway. In addition, the following guidelines should also be considered:



The historic cornice-level signage for the Maryland Theater was recently refreshed. This sign is part of the historic character of the building. (Staff photo)

- If there is historic precedent (during the architectural period of the building) for upper floor signage on the building, upper floor tenants may place signs above the first floor. These signs **shall** meet these guidelines and follow those listed in the Zoning Ordinance.
- Signs painted directly on storefront windows are allowed and do not require review by the Historic District Commission, **provided they do not cover more than half of the window. Window scrims and appliqués require review.**
- The placement of a new sign should take into consideration any existing sign line in the streetscape.
- Signs may not project above the parapet wall or cornice of the building, **except in the case of bona-fide roof signs.**

Lighting

Lighting of signs is an excellent way to show the artisanship of the sign as well as illuminate the place of business at night. Lighting also provides a very important effect along the streetscape. When considering the lighting of the sign, it is important to keep in mind the following guidelines:

- Indirect light should be used to illuminate signs.
- Incandescent, rather than florescent lighting should be used to achieve a truer color rendition. Gooseneck lamps are an appropriate and attractive lighting solution.
- Flashing or blinking lights are prohibited.
- Back-lit cabinets are mostly inconsistent with the character of the districts. They should not be used in the three predominantly residential districts and are strongly discouraged on or adjacent to any contributing building in the Downtown District.



The Gardenbelle sign is a unique projecting sign on a contemporary building in the downtown. (Staff Photo)

B. Sign Designs

Building Mounted Signs (Flat)

The overall design of the sign should reflect the architectural period of the building on the location of the sign. In addition, the following should be considered:

- Trademarks should cover no more than 25% of the sign face.
- The number of colors used should be limited to colors that complement the colors on the façade.
- [Mounted signs](#) should not obscure the existing architectural detail.
- [For more detailed information, refer to Article 4 \(Zoning\), Section I of the Land Management Code.](#)

Wall Signs and Window Signage

In addition to these general guidelines, wall signs on the front façade should be located directly above the storefront and not extended above the first floor. Signs on side façades may be placed on or above the first floor.

The sign should fit within the lines and panels of the storefront as defined by the building frame and architectural detailing. Signs should not obscure any detailing or building element and should be compatible with the architecture of the building. Wall signs should only be considered for buildings which are commercial in nature and should not be used on residentially assigned buildings. For multi-tenant buildings, the preferred method of listing tenants is a single wallboard on the front of the building.

[Window signage](#) should not occupy more than 50% of the window area and other than lettering, should not be on doors. A person outside of a business should be able to see through at least 50% of the window and all of the door. For zoning regulations pertaining to signs on windows and doors, please consult Section I of the Zoning Ordinance (Article 4 of the Land Management Code).



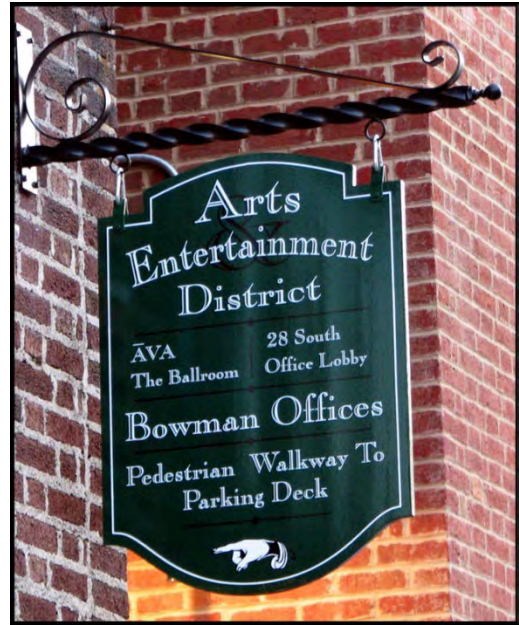
Window signs are loosely regulated by the Zoning Ordinance, however, in the historic district, they should not cover more than 50% of the window when located in the historic district. *(Staff photo)*

Projecting Signs

Projecting signs allow for easy wayfinding and navigation for both visitors and residents. They are an effective form of signage in a downtown environment since the message faces oncoming traffic, as opposed to flat mounter signs on the front of a building oriented 90° away from the driver's line of sight. Business owners looking for the best exposure for their business should consider a more conservative approach of using a projecting sign over larger sign mounted flat.

An example of this type of sign is the Washington County Historical Society on West Washington Street. Projecting signs in the historic districts are permitted and shall follow regulations detailed in Article 4, Section I (Zoning Ordinance) of the Land Management Code. When considering a projecting sign, the maximum size limitations found in the Zoning Ordinance and basic design parameters when creating a design:

- Projecting signs shall not project more than 52 inches from the building wall or within two feet of the curb line.
- Projecting signs should be suspended at a 90° angle or placed flat against the building in the signage area that is defined in the lines and panels detailed by the architecture.
- The maximum area for single-user buildings and upper floor occupant in multi-use buildings is no more than one 36-square foot vertically oriented sign.
- The minimum vertical clearance is 8 feet, and the maximum vertical clearance is below the second floor for storefront occupants and below the roof line for upper floor occupants.
- Trademarks should cover no more than two-thirds of the sign face.
- The number of colors used should be limited to colors that complement the colors of the façade.
- The maximum area for a property sign for a storefront or strip store occupant is 8 square feet.



(Staff Photo)

In the 18th and 19th Century, signs were often designed in shapes – both two-dimensional and three dimensional – in order to communicate with potential customers. This is because illiteracy rates were significant. The Commission encourages such signage creativity.



In recent years, two three-dimensional signs have appeared in downtown Hagerstown.

The University System of Maryland installed a projecting sign that was fabricated in the shape of a graduation cap.

When Hatter's Plaza was completed across from the University, the City installed a three-dimensional sign in the shape of a top hat to connect with the site's long association with the Updegraff family of hatters. If you stand under the hat and look up into it, you will even see a reproduction of the label the Updegraffs placed inside the hats and caps they produced!

U.S.M.H. graduation cap sign. (Staff Photo)

Rooftop Signs

After many years of being prohibited, the Land Management Code was amended in 2022 to allow rooftop signs in the signage provisions of the Zoning Ordinance (Article 4 of the Land Management Code).



There weren't many rooftop signs in downtown Hagerstown, but several did exist. The most prominent one was located on the roof of the Alexander House. Signage in the mid-20th Century was dominated by illuminated projecting signs, as illustrated in this colorized photo, circa 1940. (Washington County Historical Society)

Rooftop signs can add interesting context to a commercial area, and photographs exist showing numerous rooftop signs in downtown Hagerstown in the mid-20th century. The most prominent example is the 20-foot-tall sign on the Alexander Hotel in Public Square. This was placed to be seen several blocks to the west as visitors approached downtown from the west on Washington Street or walked from the Western Maryland Railway Station. They can be inappropriate for certain buildings, depending on the architectural style, period of construction, or height of the building. Previously prohibited, in 2022, the Planning and Historic District Commissions recommended, and the Mayor and City Council adopted amendments to the Zoning Ordinance to permit rooftop signs under certain conditions.

When considering rooftop signage in the historic districts, the following guidelines should apply:

- Rooftop signs should carry only the name of the building or the primary business or entity occupying the building. It shall not be used to advertise products or services, especially those not available on the property. Off-premise signs or billboard are governed under the City Code, Chapter 204, ("Signs").

- Rooftop signs should only be considered on 20th century buildings and non-contributing buildings that are at least five stories in height. The sign should be oriented to a vehicular travel corridor for it to affect its intended purpose.
- Rooftop signs should consist of metal framing, with individual letters (which may or may not be illuminated) secured to that framing.
- Electronic message boards are inconsistent with any historic precedent for rooftop signs and shall not be used.
- Rooftop signs should not be considered in the residential zoning districts.

Building-Mounted Neon Tube Signs

In the mid-20th century, neon tube signs (not fluorescent), usually designed in unique shapes, or used for wording, were used to advertise such businesses as restaurants and nightclubs. They were usually projecting signs. Such signs, typically, are not consistent with the late-19th and early-20th century character of the Downtown area and as such, their use should be carefully considered by the Commission. Surprisingly, a review of photos of the downtown area from the 1930s to 1950s shows more of these signs existing than one may think (see photo on preceding page). For entertainment or dining use, such a sign may not be out of place in the Arts & Entertainment District, particularly on a building of Art Deco design or on a non-contributing building that has a mid-twentieth century appearance. In such cases, the Commission may consider such signage on a limited case-by-case basis if it determines that the design and use of such a sign would complement the architecture of a specific building.



Although at one time they were common, few neon tube signs remain in Hagerstown. Although Main's Ice Cream has long-since closed, its sign continues to serve as a landmark on Main Street in nearby Middletown. (Staff Photo)

Large Projecting Signs

In an effort to highlight the early-to-mid-20th Century influence on the downtown commercial area, the Planning and Historic District Commissions recommended to the Mayor and Council new regulations for

larger projecting signs in the CC-MU Zoning District. These new accommodations, which went into effect in 2025, require review and approval by the Historic District Commission regardless of whether the property is in the historic district or not. Permitting such signs is subject to a number of dimensional and operational requirements found in Section I.5.c of the Zoning Ordinance. The marquee on the recently constructed front area of the Maryland Theatre and the historic sign on the Shockey's Building on Summit Avenue are examples of this type of signage.

The Historic District Commission will consider applications for such signage throughout the CC-MU Zoning District – inside and outside of the historic district – on buildings of a commercial, industrial or mixed-use design, constructed in the 20th Century or later, in accordance with the directions of the Zoning Ordinance.

Neither the Commission nor the Board of Zoning Appeals have the authority to grant variances to the bulk requirements for a “large projecting sign.”

Freestanding Signs

Given the built environment of the downtown historic district, there is little need or opportunity for freestanding signage for buildings located in the downtown district. However, a few places here and there in the CC-MU Zoning District have the available street frontage to consider freestanding signs. In conjunction with the 2025 zoning ordinance amendments regarding large projecting signs, additional provisions were adopted allowing for larger freestanding signs than those permitted by right in the CC-MU Zoning District. A special exception is required for these larger and height, area and setback requirements were established that cannot be reduced by the variance by the Board of Zoning Appeals.

Unlike “large projecting signs,” the authority of the Historic District Commission does not extend outside of the historic districts in this matter. When an application is made to the Board of Zoning Appeals for a sign outside of the historic district, the Commission may consider offering comment to the Board regarding the compatibility of its design to the downtown area. When the property is in the historic district, the ordinance requires the applicant to first secure approval of the design from the Historic District Commission before moving onto the Board of Zoning Appeals process.

When reviewing an application for a freestanding sign, the Commission will give consideration to the location of the sign in relationship to historic resources and its potential impact on or relationship to those buildings. It will also consider the relationship of its design to the architecture and period of the building it is intended to serve. The color of the sign should complement the building it serves.



The Hamilton Hotel, photographed in 1937. Notice the large projecting sign for the hotel above the canopy. (Library of Congress Photo)



Billboards are regulated by Chapter 204 of the City Code and are not permitted in mixed use or residential districts. The HDC cannot accept an application for construction of a billboard.

C. Awnings and Canopies

Awnings and canopies are traditional methods to advertise businesses, as well as shade homes. They also protect pedestrians from the weather and guard merchandise from the sun. They are part of the historic character of the historic districts; however, when designing the awning, it is important to consider these guidelines:

- Heavy canvas and vinyl material should be used for awnings. Plastic and aluminum are not recommended.
- Canopies should be constructed in materials and colors that blend with the building.
- Awnings can be retractable or built on permanent pipe frameworks.
- A clearance of eight feet above the sidewalk is required by the Building Code.
- The valance of the awning should be free to move and be between 10 and 12 inches high. The valance is the appropriate area for store identification. [The roof of the awning should not be used for signage.](#)
- Awnings for upper story windows should extend at least halfway down the windows and should complement the street level awnings in color and style.
- [The material used shall be for the intended purpose of awnings.](#)



Awnings on the Antietam Street façade of the Schmankerl Stube restaurant. (Staff Photo)

D. Banners

Due to the atmosphere of the [historic](#) districts, occasions may arise when property owners request banners for advertisement of events. Such events include but are not limited to grand openings, store closings, festivals, and recreational activities. The following guidelines should help lead banner design and location:

- Banners should be of a temporary nature, advertising events that would not require the banner to be in place for more than a span of two weeks unless the Commission has approved an alternate time arrangement.
- Design should be simple so as not to detract from the historic features of the building it hangs on. Solid backgrounds and single- or two-color fonts are recommended.
- Architecturally significant features/details should not serve as the mounting points for banners to avoid [damaging](#) or destroying the feature.
- Ideally, banners should be located above the ground floor. If this cannot be done, they [shall](#) be eight feet above the public walkway in accordance with the Zoning Ordinance.

[Permanent signage should not be made of banner material. This section addresses short-term temporary use only. Banners suspended over the public streets are in the public right of way and beyond the authority of this Commission. However, other City permits and approvals will be required.](#)

E. Signs in Residential Districts

Given the institutional uses, nonconforming commercial uses and offices found within the Potomac-Broadway District, and to a lesser extent the South Prospect and Oak Hill District, it is difficult to qualify guidelines for signs in the Residential Historic Districts.

The Zoning Ordinance sets maximum standards for signs in residentially zoned districts. The following are recommendations for the historic districts:

- Signs for commercial activities conducted from dwelling structures on typical lots should be residential in size and character consistent with the Zoning Ordinance requirements.
- Freestanding signs of appreciable size should only be permitted on the large lot properties on Potomac Avenue.
- Changeable electronic message board signs should only be permitted on larger properties with institutional uses (churches, funeral homes, etc.).

F. Historic Signs

Although the Zoning Ordinance states signs for discontinued business should be removed, many older buildings still display the names of their original owners who were proud of their contributions to the community. *These are mostly found in the Downtown District.* These names are usually located on the upper part of buildings or above the doorways at the street level. Some are formed in sheet metal on fascias and cornices, but most are incised in stone panels or molded in terra cotta relief. *Some signs are painted on the building, such as the Leiter Building, the Updegraff Glove Factory, and on the back of the Maryland Theater.* Due to their age, these types of signs become a fabric of the building and iconic in the district. These should be preserved as part of the *property's and district's* history and character.



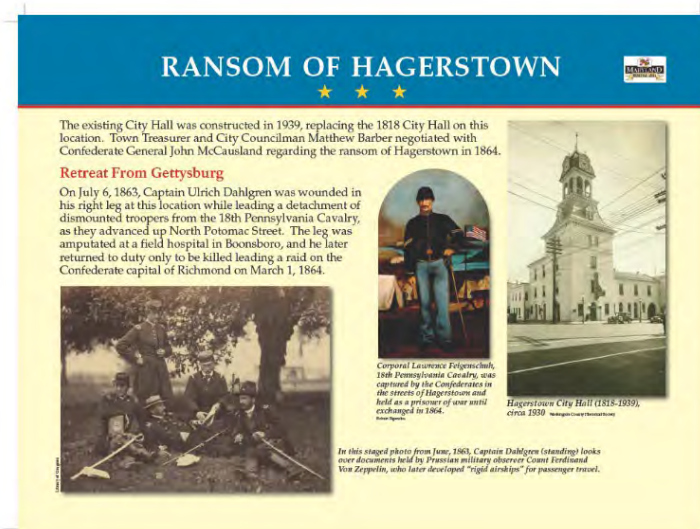
Exactly when the sign on the east side of the Updegraff Glove Factory was added is not known, but it appears in this photo of the site taken circa 1910. In 2024, as part of the renovation of the building for mixed commercial and residential uses, the developer refreshed the historic sign as part of the historic character of the building. The building in the foreground had to be demolished. In order to define the front of the pocket park created from it, the design of the original first two floors of the building inspired the creation of the entrance feature to "Hatter's Plaza." (Above: Washington County Historical Society. Left: Staff Photo)



The former Massey Ford complex, located in the unit block of East Baltimore Street, just outside of the Downtown Historic District. This photo from around 1960 shows a variety of mid-20th Century signage that was common in Hagerstown and on businesses in the surrounding area. The building on the left has been repurposed for "Hub City Vinyl" which is now the largest record store in Maryland. (Hagerstown Magazine)

G. Interpretive Plaques

Plaques placed on historic buildings to identify their construction date and original use are encouraged. In order to streamline such requests, the Commission will adopt a standard design (size, material, color, font style) that can be used in the Historic Districts without requiring Commission approval. Use of the



approved design for historic plaques will help to unify and identify the district. Deviations from this standard are not prohibited, but a Certificate of Appropriateness from the Commission will be required. Interpretive panels for such programs as the National Road Historic Trail or the Civil War Trails program require a Certificate of Appropriateness.

The HDC has no authority over content. However, applicants should consult with the Commission's knowledgeable staff for fact checking and suggestions.

SITE DESIGN

Individual site elements such as planting, paving, curbing, fencing, etc., can contribute significantly to the visual quality of a building and its surroundings. While the Commission has the authority to require reviews of all landscape design and changes by code, the Commission does not review routine landscaping improvements. However, landscaping associated with a major site improvement, such as a large addition, visible driveway, or other significant hardscape work, should be reviewed as part of the application for a significant project.

The following are types of projects the Commission does review, as well as suggestions for those projects that are not reviewed but still influence the streetscape. When considering the site design of the property, keep the following guidelines in mind.

A. Plantings

Trees, shrubs, flowers, and grass have a strong visual impact upon a building. Plantings can offer shade, provide energy efficiency, and privacy while also adding color to the property. Plantings are only reviewed by the HDC if an applicant is proposing work that requires a site plan. While the Commission does not regulate plant species, colors, or routine landscaping, the following are suggestions:



The Womens Club on South Prospect Street (Staff Photo)

- Trees or large shrubs should be located with their full size in mind.
- Plantings should be considered just as building elements should. They should be balanced and proportioned in accordance with the building they surround.
- Where the sidewalk is wide, or a building is set back, plant beds or boxes can be installed.
- Window boxes provide additional opportunities for color throughout the seasons and are highly recommended. A landscape architect or a local nursery will be able to help provide additional information on site improvements.

Street trees are critical to the historic character, charm, and economic draw of a neighborhood. Real estate studies indicate increases of property values of up to 20% in neighborhoods with a mature tree canopy. As trees die or are removed, new trees should be replanted in accordance with the City's landscaping standards and Public Ways Construction Standards and Engineering Guidelines.

The street trees in the Oak Hill Historic District were protected by covenants when the subdivision was created. If the tree needs to be removed or treated, please contact the City's Engineering Department.

B. Courtyards

Gardens and courtyards visible from the street are an important design element and provide a welcome touch to the overall streetscape. When deciding on the plans for a courtyard keep the following guidelines in mind:

- Walls and building elements should provide continuity to the building wall along the street and separate private spaces from the public way.
- Courtyard plantings should be selected to provide interest and color throughout the year.
- Walls and fences should follow the guidelines listed below for these elements.



University Plaza, West Washington Street (Staff Photo)

C. Walls and Fences

Walls and fences are important streetscape elements. Large, paved areas for off-street parking should be visually screened from the street by walls, fences, or plantings. Simplicity is the basic design guideline for fences and walls in historic districts. Natural stone or brick walls work well, as do painted wood board fences. Unless they can be concealed by plantings, concrete block walls and natural wood board or split rail fences should be avoided. In addition, keep the following guidelines in mind:

- Flat, vertical board fences painted or stained, with straight tops are the most suitable in interior lot and other secondary locations. These screen yards, driveways, and walkways, as well as providing privacy.
- Chain link fencing is not a preferred material in the historic district and its use should be carefully scrutinized [and limited locations not visible or minimally visible from public ways and areas](#).
- Consider decorative fences of simple flat top rail design or simple repeated elements (picket, balusters, etc.) for area readily visible from the street.
- Walls and fences should be appropriate to the time period and style of the building and the streetscape.
- Due to their size, retaining walls can significantly alter the appearance of the street. Timber retaining



Corner property on North Potomac Street showing retaining walls along two streets. (Staff Photo)



Wood, board-on-board fences with cap rail are the preferred design of privacy fences in the historic district. (Staff Photo)

walls are not appropriate in front yards or side yards, which are visible from a public street. More permanent materials, such as stone, brick, or ornamental block are more appropriate.



Fences also require a zoning certificate from the Dept. of Planning and Economic Development. Zoning regulations regarding fences are found in Section K.1 of the Zoning Ordinance.

D. Appurtenances and Accessory Buildings

Appurtenances and accessory buildings are permanent or semi-permanent fixtures, structures, or details added to the property or the building. These have a large impact on the appearance of the streetscape from the public ways. The most common requests are for outbuildings, such as garages and sheds; however, other appurtenances include, but are not limited to, pools, gazebos, and large statuary/fountains. When considering an appurtenance or accessory building, keep the following guidelines in mind:

- Style, scale, color, materials, and textures should be compatible with those of the building.
- Avoid appurtenances and accessory buildings that clash with the architectural period of the building and the streetscape.
- Appurtenances and accessory buildings should not draw attention away from the historic building. Statuary and fountains should be discrete and consistent with the architectural style of the property.
- Maintain the ornamentation of the building. Highly decorative fountains and gazebos do not fit with the property of a federal style building, for example.
- Do not mimic an architectural style not found in the corresponding historic district.
- Metal garden sheds are not compatible with the historic character of the districts and are not recommended.
- Consult the Zoning Ordinance for maximum limitations for the height, area, and setbacks of accessory structures and appurtenances.

E. Swimming Pools (Private Residential)

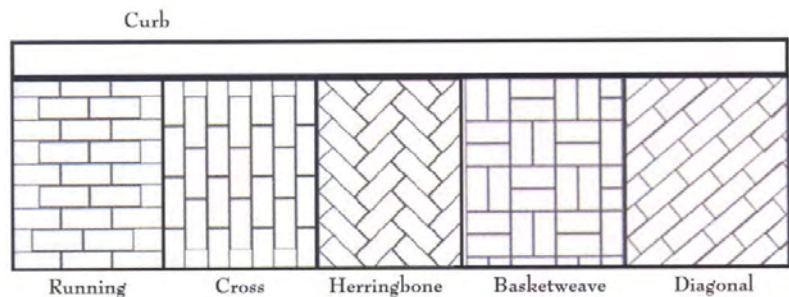
Swimming pools are a common request by residential property owners. Unfortunately, they can also have a great impact on the historic nature of the districts. Therefore, the following guidelines apply to the construction of pools:

- Swimming pools should not be located in the front yard. Since pools are not permanent features, it is the policy of the HDC to generally assume a pool is permitted, but will consider design, location, visibility, and screening when reviewing applications for them especially when considering an above-ground pool, a corner lot, and those very visible from public ways.
- In-ground swimming pools, not easily seen from the public streets surrounding a historic property are preferred. These should be concealed even further from public view with an appropriate fence (refer to “Walls and Fences”).
- Above-ground swimming pools should be screened with landscaping and fencing from the public streets.

- Landscaping and paving surrounding swimming pools, either in-ground or above, should comply with the historic nature of the property as well as these guidelines.
- Additional features, such as diving boards and ladders, should be simple and located out of view from the public streets.

F. Sidewalk Paving

Sidewalk materials and design vary from structure to structure. This variety adds to the visual texture and color of the streetscape. Sidewalk surfaces should be designed to continue the visual texture of the streetscape and building. When appropriate, they can be integrated with the materials and textures of the building. Brick and concrete are acceptable for paving, and many brick patterns are allowed. Specific construction information is available in the City's Public Ways Construction Standards manual. When repairing curbs and sidewalks, curbs may be retained and raised as necessary to current City standards.



In addition to these general sidewalk guidelines, the following are [additional](#) guidelines for walkways and patios:

- Brick, stone, and concrete are the most common materials; poured concrete is acceptable if it blends with the existing sidewalks. The Commission will consider [alternate](#) materials if they are appropriate to the streetscape.
- Patterns for patios and walkways should blend with the existing pattern along the sidewalk. Patterns may be drawn from the same sampling above.
- Front walks should not take away from the historical nature of the building; simple structures do not require ornate front walks.

Per City Code requirements, replacement of existing public street sidewalks on South Prospect Street shall be done in brick. The Commission has no authority to waive this requirement.

G. Trash and Dumpster Enclosures

Trash and dumpster enclosures in the historic district can influence the overall appearance of the property if not treated correctly. [The Land Management Code requires a gated enclosure for all new dumpster placements.](#) Consider the following:

- Avoid complicated structures that draw attention away from the main building.
- Enclosures should blend with the surroundings of the property in color, texture, and material. Redwood privacy fences are preferred.
- Vinyl enclosures are acceptable if they are well disguised and unobtrusive.
- [Simple masonry enclosures, or those made of wood or vinyl, with a simple flat top rail design, are preferred.](#)
- [Chain-link fencing with privacy slats is incompatible and is therefore discouraged.](#)

H. Parking Lots

Off-street parking should be located to the rear of a building lot, but in general, new parking lots should not be located in the primary front yard of any building in historic districts. This is mainly a concern in downtown on a business or institutional property, or at an apartment building. Article 5 of the Land Management Code details requirements for parking and design of parking lots. Special attention should be given to landscaping to make parking lots as unobtrusive as possible. Therefore:

- Planting strips and ground cover should border the parking areas. This provides a break between the parking area and the building as well as lessening the visual impact.
- Fences and walls that blend in with the style of the adjacent building should be used to further screen parking areas.



I. Telecommunications

According to the Zoning Ordinance, wireless telecommunications facilities (also known as cell phone towers) located within the historic districts should not be intrusive or incompatible with the historic character of the neighborhood. The Zoning Ordinance also provides added protection when located in historic areas. Therefore, the following guidelines should be followed when planning for wireless communications:

- Wireless facilities should be hidden from view by means of a stealth design. The Ordinance suggests locating the antenna inside a steeple, chimney, or disguising a supporting monopole as a flagpole. If the equipment is not of stealth design, it requires review by the HDC.
- If facilities or antennas are located on the ground, a minor site plan approval is required by the Zoning Ordinance.
- Hide outdoor cabinets, shelters, and other facilities from view via landscaping and privacy screening and possibly fencing.
- When attached to the pent roof on an existing building, panel antenna should be painted to blend with their background.

J. Cemeteries

When cemeteries are located in a historic district and fall under the Commission's jurisdiction, installation, repair and alteration of grave markers, individual grave fencing, and other funerary objects placed in a cemetery will not be reviewed by the Commission.

Downtown Hagerstown had several cemeteries that no longer exist which were removed for development or due to the 19th Century misperception that cemeteries were the source of disease. Many urban cemeteries were relocated throughout the U.S. in the 19th Century for this reason. Typically, those that were removed from the core area of town were reinterred in mass graves at Rose Hill Cemetery. The few remaining cemeteries in the core of the City are invaluable connections to its founding and their relocation is strongly discouraged by the Historic District Commission.

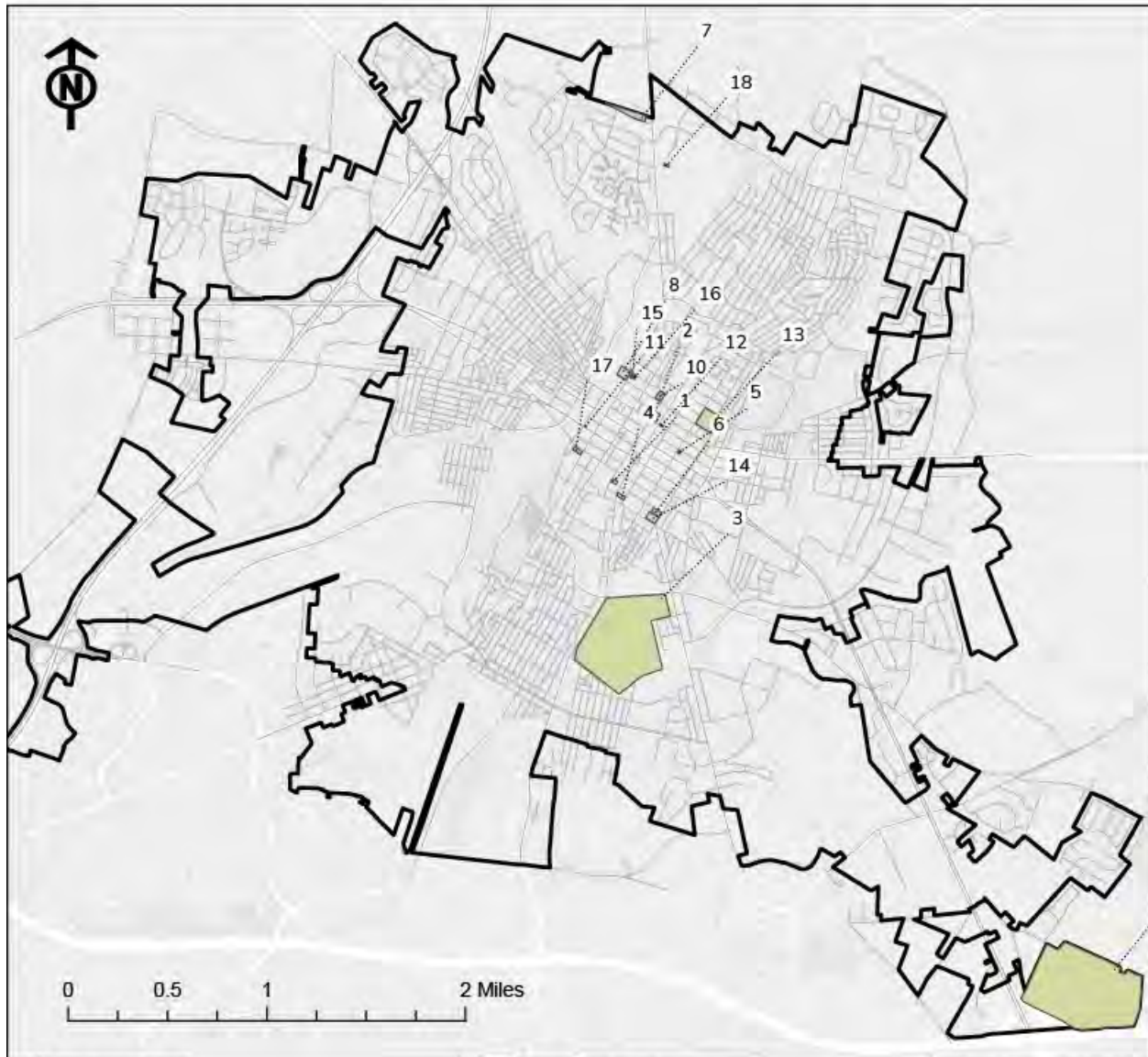
Removal and relocation of cemeteries, usually intended for development purposes, would have to be reviewed by the Commission. The Zion Reformed Cemetery, the St. John's Lutheran property, St. John's Episcopal Church, and St Mary's Catholic Church are the known human burial sites located in a historic district or boundary.

The Commission also serves as the Cemetery Preservation Advisory Board which provides advice and guidance on the treatment of human burial sites throughout the city. It's role in that capacity is discussed later in this document.



Zion Reformed Church Cemetery on Church Street. Many prominent early citizens are buried here. The city's founder, Jonathan Hager, is buried at the large monument near the side wall of the church. *(Staff Photo)*

Historic Human Burial Sites in Hagerstown, MD



ID	Cemetery Name	ID	Cemetery Name
1	St John's Lutheran Church	10	Ebenezer Church Cemetery
2	Zion Reformed UCC	11	St Mary's Catholic Church
3	Rose Hill Cemetery	12	Wingard's Sepulcher
4	Hagerstown Presbyterian Church	13	Almshouse Cemetery
5	St Paul's Cemetery	14	Former Methodist & Lutheran Burying Ground
6	St John's Episcopal Cemetery	15	Asbury 'New' Burying Ground
7	Rest Haven Cemetery (portion in City)	17	St. Johns Episcopal Columbarium
8	St Mary's Catholic Church Cemetery	16	Asbury 'Old' Burying Ground
9	Doub Farm	18	Bellevue Asylum Cemetery

Legend

- Cemeteries
- City Boundary
- Roads



Prepared By: Joanna Wu, Planner, 4/17/2023

K. Subdivisions and Site Plans

Subdivisions (the creation of property lines), while not an improvement to a building, can still greatly plat the character of a historic district. While the Commission cannot approve or deny a subdivision application, they can testify before the Planning Commission when a request for a subdivision will affect historic resources and districts. When planning a subdivision, consider the following:

- Take into account and maintain the historic character of the district including street input, building masonry, setbacks, and general appearance of buildings.
- Subdivisions should remain compatible with their historic surroundings at all times.
- Building and site design are subject to Commission approval and should follow the guidelines set forth in the “New Construction” section of these Guidelines.

The Commission has more influence over site plans submitted for single properties. The Commission can influence the location of buildings on the site plan, as long as they do not contradict the Zoning Ordinance’s setback or “build-to” requirements.

L. Air Conditioners

Central and window air conditioners are often a necessary feature in the summer months in Hagerstown; however, if not carefully placed, these units can detract from the historic character of the district. Placement and construction of these units is very important; therefore, air conditioning units and wires should comply with the following guidelines:

- Ground-based units should be placed in the rear of buildings out of public view. If it is necessary to place it where it could be viewed from public ways, it should be shielded from view by fencing, landscaping, or some other permanent method. Ground units should not be visible from any public way.
- Cords, pipes, and wires running along buildings should be painted or disguised to blend with the color of the façade.
- Cords, pipes, and wires should not disturb the historic character of any feature on the building.
- Historic features, such as windows and doors, should not be damaged to provide space for any part of an air conditioning unit. Window air conditioning units should not destroy the historical quality of a window (Use of window air conditioning units does not require HDC review unless the installation would damage the window).

M. Utilities, Including Solar Panels

When arranging with a utility provider to install or upgrade utility services to a building, please consider addressing the historic or architectural character of your building to devise the least disruptive and least noticeable location and placement of meters and other necessary utility elements.

Solar panels are becoming more popular to reduce the cost of utilities as well as greenhouse gas emissions. However, they are inconsistent with preserving the historic character of a building. Consider preserving the character of the building by avoiding installation on the front of the building (rear, non-historic additions, or accessory structures). The roof of the building must not be architecturally significant or a character-defining feature.

DEMOLITION

Demolition is the intentional destruction of all or part of a building or structure. Demolition of structures that contribute to the character of a historic district is highly important as the primary role and responsibility of the Historic District Commission is to preserve historic resources in Hagerstown and be a safeguard against their unnecessary loss. The loss of historic buildings can disrupt the streetscape and decrease the historical and architectural integrity of the entire district. Demolition of “contributing structures” will only be considered by the Commission if all other alternatives are not deemed feasible or appropriate, or if a hardship application is deemed appropriate.

A. Demolition and Relocation of Structures

Every regulated historic district in the nation is created for the primary purpose of preventing the unnecessary loss of buildings or their historic features that contribute to the collection of historic resources defined by the district’s boundaries. If the building(s) contributes to the district, it is presumed they are to be retained, barring certain circumstances discussed in this section.

Requests to demolish or relocate all or parts of buildings sometimes arise in historic districts for a variety of reasons. For example, the prospect of funding and completing the rehabilitation of a severely deteriorated building would not likely result in a reasonable return in property value for the investment made. Another would be to make way for redevelopment of some type. Occasionally it would be to remove blighting conditions where there is no likelihood of the building’s rehabilitation. And finally, the building is too “new” or too compromised due to inappropriate work over the decades that it does not contribute to the character of the district.

Demolition of any structure requires the approval of the Commission. Since the demolition of a historic structure is a permanent and disadvantageous action to the historic fabric of the district, the Commission will consider demolition of “contributing structures” as a last resort. It is recommended that all other alternatives and methods of rehabilitation be exhausted before requesting to demolish your historic structure. However, the Commission understands that the demolition of historic resources may be necessary at times. As of 2023, there have been 41 approved applications by the HDC for major demolitions. See Appendix G for more information.

When a demolition is approved, the post-demolition treatment and condition of the site is subject to adherence to these guidelines and the review and approval of the Commission.

Given the irreversible nature of a demolition, intentional demolition of a building in a historic district, or a designated or recognized potential landmark, without obtaining the appropriate approvals from the Commission is a misdemeanor criminal offense, subject to prosecution.

B. Appropriate Justifications for Demolition

Demolition Comes in Several Forms and Ways

There are several ways in which demolition of a building in a historic district, or a landmark may be justified, even when the building is a contributing or premier architectural/historic resource. The justification necessary varies depending on the building and the circumstances.

Hagerstown's Zoning Ordinance and these Design Guidelines are written to be as accommodating as reasonable for property owners and developers. However, unless a request fits within one of the following categories, it is presumed that contributing buildings should remain standing and be maintained, renovated as necessary and put to use permitted by the Zoning Ordinance. Those categories are:

1. Buildings ordered down as a public safety hazard by the Chief Code Official.
2. Demolition of non-contributing buildings and those clearly beyond salvage.
3. Demolition of contributing buildings where restoration is an undue financial hardship on the owner.
4. Demolition of buildings that are a deterrent to a major public improvement program of substantial benefit to the City.
5. Demolition justified as a "Major Economic Development Opportunity" as defined and governed by the Land Management Code in Article 3 and Article 4 Section T.4.

Although the main duty of the HDC is to protect and preserve the historic nature of local districts, the members of the Commission are not opposed to all demolition. The purpose of this Commission is to prevent the unnecessary loss of contributing resources, while also allowing Hagerstown to prosper in the modern era.

The Commission is committed to administering the law and these Guidelines objectively. Given the permanent nature of demolition, it must do its "due diligence" and require sufficient documentation to justify the demolition of buildings that are "contributing resources" to the character of the districts. The justification, review expectations and processes vary depending on the nature of the demolition.

Buildings Ordered Demolished by the Chief Code Official.

Occasionally, a building may be determined to be an immediate public safety hazard by the Chief Code Official. This could be due to fire, other calamities, or the ongoing deterioration of a neglected building causing structural failure. When the Chief Code Official determines that a building is a public hazard, they can order a building demolished in the interest of the safety of the public and the occupants of adjoining properties. Historic District Commission review is not required, and demolition can proceed upon the issuance of the necessary demolition permit and utility disconnections.

The property owner, however, is still responsible for applying to the Commission for approval of plans for the treatment of the site post-demolition. Even though the demolition was ordered by the City, it still results in a change to the condition of the property, necessitating Commission review. This usually involves filling basements and grading and planting grass, but circumstances may vary. If the building was attached to another building, treatment of the now exposed formerly interior wall must be addressed. Failure to obtain approval of post-demolition treatment is a violation of the Zoning Ordinance.

As of 2023, only one building (a dwelling in the Prospect Street Historic District) and the top floor of a mixed-use building on West Antietam Street in the Downtown Historic District have been demolished by order of the Chief Code Official since 2010. Both were the result of catastrophic fires.

For all other demolition justifications (addressed in the following items 2, 3, 4 and 5), a property owner must apply for either a Certificate of Appropriateness or Certificate of Hardship from the Commission.

Demolition of Non-Contributing Structures and Those Clearly Beyond Salvage.

When a property owner desires to demolish a building that is a “non-contributing building” to the architectural and historic character of the district, they can apply to the Commission for a “Certificate of Appropriateness” for approval, like most other types of work proposed for buildings in the historic districts. For example, if contributing buildings are considered those that pre-date 1945, and the owner decides to demolish a building (or a later addition to a contributing building) that was constructed in 1975, there is no need to go through a more involved review process. The demolition of a 1970s building or building addition does not negatively impact the character of the district. As it is on all work on non-contributing buildings, the law, practice, and these Guidelines advise the Commission to treat such requests leniently, including demolition.

Where the condition of a “contributing resource” building is well known to all parties through City property inspections, violation cases, etc. as being beyond reasonable expectation of renovation and reuse, the owner may apply for a Certificate of Appropriateness to obtain approval of the demolition at the direction of the Zoning Administrator. If the Zoning Administrator believes there are factors that would create difficulties in the Commission approving the request, they may direct the applicant bypass the Certificate of Appropriateness process and instruct them to proceed directly to application for a Certificate of Hardship.

When Renovation of a Contributing Resource Is An Undue Financial Hardship On The Owner.

Of the five avenues to demolition, this requires the most diligence and attention from the Commission, the most justification and documentation from the applicant, and harbors the most potential for controversy.

This occurs when the building cannot earn a sufficient return for the money invested in rehabilitating it. This is done through the “Certificate of Hardship” process. There are numerous buildings that have been demolished over the years with the Commission’s approval using this standard. The Commission understands its responsibility under this provision and has approved the demolition of a number of contributing buildings through this process. Conversely, it also understands its “prime direction” and has denied applications for demolitions when hardship is not proven.

The general negative appearance and poor condition of a building can mask a structure that, with proper attention and renovation, can be saved, put to good economic use, and continue its presence as an integral part of the district. However sometimes, the “numbers” just do not work.

Since the prime directive of any historic commission is to safeguard against the unnecessary loss of historic resources, it is imperative that an applicant demonstrate with sufficient documentation that a building cannot be renovated or restored in a manner that makes economic sense. As a practical matter, the Commission cannot require a person or party to invest more money than the building is worth after the renovation.

In these cases, the burden of proof is on the applicant. When preparing an application for a Certificate of Hardship citing the financial justification, provide as much documentation as necessary for the Commission to make an educated evaluation of the case and render an appropriate decision. This may include a detailed construction estimate from a licensed contractor projecting the cost of renovation, analysis of post-renovation value (either in real estate market price or in potential income generation if the building is a

commercial, mixed-use, or multi-family building), current property value, and any other relevant details supporting the request.

If the Commission determines the application complete, including supporting documentation sufficient to make a determination, and the data shows that the cost will not be justified through property value upon completion or projected income generation, these Guidelines advise the Commission to approve the Certificate of Hardship.

If the data shows that the building can be renovated and put to best use in an economically justifiable manner, then these Guidelines advise the Commission to reject the application for a Certificate of Hardship. When this occurs, the building should be repaired and secured to the degree necessary to arrest further deterioration. Vacant buildings can be “mothballed,” or put in a secure state by securing window and door openings and addressing utilities as the property waits for new attention in the future.

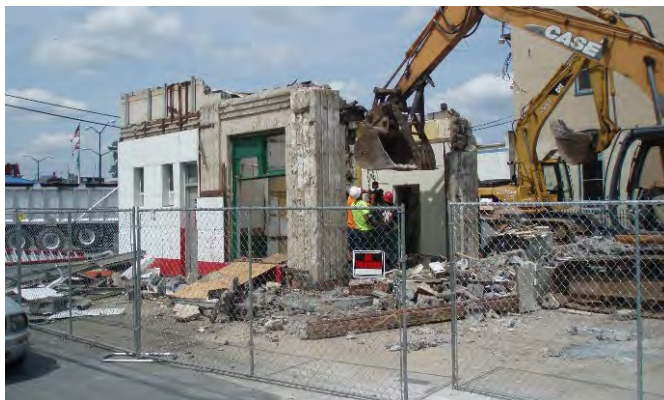
As of 2026, in recent years, Certificate of Hardship for economic hardship have been approved for:

- 66-70 West Washington Street (The Delta Building)
- Multiple buildings on West Antietam Street
- 14-16 East Antietam Street

Demolition of Buildings That Are a Deterrent to a Major Public Improvement Program.

The public need of new infrastructure (school, courthouse, road/bridge, etc.) sometimes takes priority over retention of the historic resource. Typically, these are publicly funded using local, state and/or federal funds and may be subject to historic review by the Maryland Historical Trust. As the seat of Washington County government, downtown Hagerstown has a nucleus of public services, buildings, and spaces.

There are times where new uses and facilities are planned to serve the community. When this is the case, it may be necessary to remove contributing resource structures to provide space for those facilities. For example, in 2017, the former “Edison Building” was identified as the planned location for an addition to the adjacent Barbara Ingram School for the Arts. This site was the only logical place on which to add to the existing school and the existing building could not be reasonably utilized for the project. Therefore, the Board of Education applied for a Certificate of Hardship to demolish the circa-1920 mixed-use building in order to expand a facility of the Washington County Public Schools. Another example was the demolition of the McBare building for the expansion of the Maryland Theatre. Although non-governmental, it was considered a public improvement program due to the large amount of grant funding



awarded to the project by the local and state governments. The left front area of the theater’s new primary façade is where the McBare building formerly stood.

Sometimes historic resources are not discovered until it’s too late. This gas station on Jonathan Street did not appear to be of any significance and was excluded from the downtown historic district when the district was created. When it was demolished in 2021, contractors uncovered a rare Art Deco style gasoline station building under the late 20th Century veneer. (Staff Photo)

Demolition of Buildings Justified by a “Major Economic Development Opportunity” (MEDO).

Hagerstown has been on a long journey to revitalize its downtown area ever since major retail and hospitality operations left for suburban shopping centers and malls in the 1950s to 1970s. Hagerstown was once the second largest city in Maryland. Since the retail exodus in the third quarter of the 20th Century, vast amounts of building square footage have gone unoccupied and unused in the downtown area. There were certain successes in the 2000s, such as the University System of Maryland facility on West Washington Street and the Bowman project on South Potomac Street. Still this effort has been a struggle with the rise and fall of economic cycles and due to the cost of bringing vacant historic commercial and mixed-use buildings up to Code.

Sometimes a natural “tension” occurs between the HDC’s mission of protecting historic resources and the mission of economically revitalizing the central core of the City. Often, historic preservation and economic revitalization can work hand in hand and result in a better outcome than if one priority entirely wins out over the other. Smaller historic districts (not in the downtown of a major city) usually have smaller buildings and spaces, which find it easier to thrive on the reintroduction of new small storefront businesses and their upper-level apartments don’t often go into multi-decade “mothball” status. With its large downtown core and inventory of very large buildings, reuse of some downtown buildings in Hagerstown is challenging.

There are times when goals conflict. On the one hand, some buildings are too important to lose. On the other hand, an opportunity may come along for a project that would bring significant economic development to the downtown. This project would have long-term positive effects on the district and spur reinvestment in remaining historic buildings. However, the targeted site involved requires removal of a building or buildings that contributes to the character of the district.

The Historic District Commission is a partner with the rest of City government and the rest of the community in the ongoing drive to revitalize Hagerstown’s downtown area. It has adopted numerous policies that streamline review of proposals and tries to strike the right balance between preservation and economic development.

After much work, in 2016 the Commission proposed and the Mayor and City Council approved zoning ordinance amendments that created the “MEDO” process. Definitions and objective standards spell out when historic preservation may necessarily need to be subordinated to the imperative of a “game changing” large economic development proposal – described and defined as a “major economic development opportunity” or “MEDO.”

The MEDO provision was uniquely crafted by the Commission for downtown Hagerstown. This provision was created so that major and important “game changer” uses proposed for the downtown are not thwarted by the legal expectation and process’s presumption to protect contributing, “B”-rated resources. There are parameters as follows:

- A. It cannot be used to remove an “A” rated resource – individually significant resource.
- B. The work cannot be speculative. It is based on a use that is committed to move forward. For example, an office building with no secured large employer committed to occupy it would not qualify for this provision. This provision is intended to lure targeted uses to the downtown.

- C. The intended use is viewed by the City as a “game changer” use, such as a major hotel or significant entertainment venue or a building containing a large number of market rate or luxury dwelling units. The MEDO provision is not to be used to circumvent the normal demolition process for buildings viewed as inconvenient or in the way of uses that will not be major driving influences in the redevelopment of downtown. In those cases, the preservation of the historic resource should prevail or demolition achieved by one of the other methods available and described here.
- D. The demolition permit is the last item released in the permit process. For the demolition permit to be released, the site plan for the replacement development must be complete, building permits ready to be issued, and documentation by the developer that the financing necessary to complete the development is committed once it begins. This is necessary in order for the Commission to uphold its responsibility to protect the district from the unnecessary loss of historic structures. The historic resource must not be lost for a project that ultimately fails to launch.

As of 2026, this provision has not yet been used to justify a demolition.

Procedures, documentation, and other relevant information can be found in Appendix E.

Since 2017, Hagerstown’s downtown core has seen a major upswing in investment and revitalization. The expansions of Barbara Ingram School for the Arts and the Maryland Theatre opened their doors. A vacant firehouse was adapted to offices for a local architecture firm. An expansion of the Schmankerl Stube restaurant was completed. The former Updegraff Glove Factory went under renovation in 2023 for first floor commercial uses and upper floor market-rate apartments. Renovation of the former Masonic Lodge for new offices, service and hospitality uses continued in 2023. A new multi-use stadium and event facility opened in 2024 on the edge of the Downtown Historic District, along with a new parking deck. The stadium and deck are anticipated to spur redevelopment of several vacant lots and underutilized buildings on West Antietam Street in the Downtown Historic District.

When proposed, the Commission viewed the MEDO provision as a temporary measure, used sparingly and targeting a limited number of properties to “jumpstart” an ongoing and permanent move to revitalize downtown Hagerstown. The boom of development and redevelopment activity in the downtown area since 2017 seems to be setting the stage for this. If this is the case, it is the Commission’s hope that after a few “game changer” uses arrive and drive revitalization, increase property values and improve the financial viability of rehabilitating downtown’s historic buildings, this provision will no longer be necessary. Perhaps some time in the foreseeable future, enough permanent momentum and significant new uses will have been created to warrant removing this provision from the Code as a once necessary but no longer needed compromise of historic resources.

C. Post-Demolition Conditions and Plans

Part of the consideration of a demolition will be the post-demolition result. Often, demolition is proposed due to a plan to immediately redevelop the property and the plans for the new improvements will be reviewed by the Commission. However, there are times that the desire is to remove a building with no immediate plans for the site.

In such cases, a plan shall be provided by the applicant showing how the site will be treated. The plan should be considered as permanent or semi-permanent as it is impossible to predict how long it will take the owner to redevelop the property or transfer it to another person or corporation that will redevelop the

site. Temporary measures, such as gravel, should not be approved on an open-ended basis. If the demolished building was attached to an adjacent structure, the plan will include plans for the stabilization of that building's former interior wall or walls.

D. Relocation of Contributing Structures

Although never done in a Hagerstown historic district as of 2023, relocating or moving historic buildings is a serious matter. Moving a building can threaten its structural integrity. Removing a building from the original location on which it was built changes the historical character and context of the property and the surrounding area.

Relocation therefore will be permitted only after all other efforts have been exhausted and as an effort to prevent the structure's demolition.

E. Facadectomy

Facadism was a technique of redevelopment in historic districts that received wide-ranging acceptance or criticism when it was popular in the 1970s and 1980s, depending on the community. This practice can be best described as preserving the front facade of a building and allowing demolition and new development behind it. Generally, it is a compromise between redevelopment pressures and preservation. The aesthetics of the historic streetscape are preserved, new construction is allowed, and total demolition is avoided.

Facadism is not historic preservation and cannot be considered by the Commission as an alternative to retaining and rehabilitating a contributing structure when rehabilitation is feasible. The overwhelming majority of the historic structure is lost with such a proposal. Facadisms should only be considered as a last resort when 1) it has been otherwise determined that a building cannot or should not be retained, 2) the façade is of such importance to the streetscape that it should not be entirely lost in a demolition, and 3) the structure of the façade retains sufficient engineering integrity that it is possible to do so.

The Commission shall not consider facadism as an alternative to logical and achievable rehabilitation. However, the Commission may (but is not required to) consider such a proposal either 1) initiated by the applicant in a justifiable demolition application, or 2) as a condition of approval of a demolition application. Due consideration should be given to engineering and budgetary considerations of the replacement project and the relationship of the replacement project to the City's economic development efforts. Facadecomies are very expensive.

There are no known facadectomies in Hagerstown.

F. Guidelines for Demolitions

When considering an application for demolition, the Commission should:

- Treat applications for demolition of buildings and additions rated as an "E" Resource with significant leniency. "E" Resources do not contribute to the character of the district and their removal will be of no loss to the historic character of the district.
- Weigh applications for the demolition of "C" Resources carefully. "C" Resources have been modified over time in ways that compromise their historic integrity and contribution to the district,

but it is possible that they could be rehabilitated in a manner consistent with their historic appearance and raise their level of contribution to the district to “B” Resource status.

- Be generally accommodating to requests for partial demolition of buildings that only affect the rear of buildings and do not significantly affect the front 50% of a building or the appearance of the portion of the building that remains visible from public ways.
- Safeguard, to the degree possible, the integrity of the “street walls” in the Downtown Historic District and discourage the unnecessary creation of openings in the street wall for surface parking or open space.
- When demolition must be approved for buildings with facades of significant historical or architectural value to the district, give consideration to requiring the stabilization and reuse of the façade in a planned replacement building, or as a defining feature of a planned open space area thereby preserving the street wall. This is not necessary when the façade is not architecturally significant or not historic, nor should it be required when cost prohibitive.
- All demolition applications shall include a plan for the stabilization or redevelopment of the site, including materials for any paving, fencing or any other temporary or permanent improvements planned for the site.
- Evaluate strictly applications for demolition of historic alley-facing accessory buildings made of brick and/or stone and constructed during or before a district’s “period of significance.” There are a few remaining examples in the City’s historic districts, and they can be repurposed as part of the rehabilitation of a site.

When considering an application for demolition, an applicant should:

- Determine what resource rating is applied to the building in order to anticipate the level of review that will be required.
- Provide a complete and defensible assessment of the condition of the building, cost of rehabilitation, and appropriate property value and/or rental value upon completion when applying for a Certificate of Hardship using the financial hardship justification.
- Be sure to include plans for the post-demolition treatment of the site.



Demolition occurred in 2002 for the construction of University Plaza. The former Baldwin House Hotel is shown to the right, undergoing renovation to become the University System of Maryland Hagerstown Campus. Since its inception, the Historic District Commission has approved over 90% of the demolition applications submitted for review. (Staff photo)

DEMOLITION BY NEGLECT

The Land Management Code defines “demolition by neglect” as follows:

The failure to provide ordinary and necessary maintenance and repair to a landmark or site or structure within an historic district, whether by negligence or willful neglect, purpose, or design, by the owner or any party in possession of such a site, which results in any of the following conditions:

1. The deterioration of the foundations, exterior walls, roofs, chimneys, doors, or windows, so as to create or permit a hazardous or unsafe condition to exist; or
2. The deterioration of the foundations, exterior walls, roofs, chimneys, doors, windows, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of or loss to foundations, exterior walls, roofs, chimneys, doors, or windows.

Demolition by neglect is not:

1. The mere aesthetic deterioration of a building.
2. The loss of non-structural architectural elements due to neglect or delayed maintenance.

This definition was intentionally written with the high standard that the deterioration is so significant to critical structural elements that it threatens the future existence of the building. It was not written to permit the City to compel work to remedy merely aesthetic issues and this provision cannot be used for that purpose.

An example of demolition by neglect may include an unsound roof or rotted siding that can result in water damage to the interior and degradation of the building’s frame. Such deterioration may threaten the entire structure if left unchecked. This is “demolition by neglect” and is prohibited by the Zoning Ordinance.

The Zoning Ordinance authorizes the Zoning Administrator to order work be performed to prevent such situations and/or arrest further deterioration. This decision may be appealed to the HDC, and enforcement measures are outlined in the Ordinance. This is an avenue of last resort for the City and would be considered only in extreme circumstances.



Additional information on the ordinance that addresses demolition by neglect, please consult the Land Management Code, Article 4 (Zoning) Section T.7.

North side of East Washington Street at Public Square, circa 1910. (Public Domain Photo)



After the three-story Updegraff Hattery was ordered down due to advanced deterioration, the City repurposed the site for a pocket park and gateway to the Cultural Trail. Research concluded that the circa 1830 building was built as a two-story structure with a third floor added around 1855. In order to maintain the street wall and connect the new use to the site's past, an approximation of the original two-story front façade was constructed. Designers used measurements of the original irregularly spaced window and storefront openings and adopted brick patterns used in the original construction. Note the projecting signs, including the three-dimensional top hat sign. (Staff Photo)

CEMETERY PRESERVATION ADVISORY BOARD

In 2012, the City added to the Land Management Code provisions for inventorying known and former human burial sites (cemeteries) within City limits, and codified procedures for addressing properties containing human burial sites slated for development and for treating the unintentional discovery of human burial sites during site construction. Part of this provision was the creation of the Human Burial Sites Preservation Advisory Board (HBSPAB). The role of the HBSPAB is to “provide advice and guidance to the Department of Planning and Economic Development and to the Planning Commission on human burial sites preservation issues as may be required by Article 5, (Staff Photo) Section K of the Land Management Code.” This role is fulfilled in the following ways:



- 1) Review evidence discovered by or brought to the attention of staff regarding sites within the city that contain, are suspected to contain, or have formerly contained a human burial site and advise staff whether to add them to the official inventory and map of sites maintained as required by the Ordinance.
- 2) Provide advice and consultation to the Department of Planning and Economic Development as it determines if an alleged human burial site inadvertently discovered during construction activities is a human burial site.
- 3) If staff determines the site is a human burial site, provide advice and consultation to staff and the Planning Commission regarding stop-work determinations and other steps necessary for the developer to comply with the requirement to protect human remains, which may include (but is not limited to) revising plans to avoid the cemetery and protect it, or relocating the cemetery in accordance with Maryland law.

Given that the role of the HBSPAB is comparable to that of the HDC, rather than appointing a separate new board that would rarely meet, the Code states that the HDC serves in the role of the HBSPAB. When HBSPAB business needs to be conducted, it is placed on the HDC’s meeting agenda as an item of business. The decisions of the Historic District Commission (sitting as the HBSPAB) on such matters is advisory only, except where the property is located in an historic district or landmark, and the proposed work would have otherwise come under the jurisdiction of the Historic District Commission. Since 2012, the HBSPAB has met three times; to create the initial inventory and map required by Code, and other times to add newly discovered sites to that inventory and map. Since it has been created, the process requiring review of the discovery of human burial sites during site construction has never needed to be put into use.

See the map on page 8-7 for the locations of current known, believed and past human burial sites in town.



North Potomac Street, viewed from Public Square, circa 1868. The Town Hall bell visible in this photo is displayed in front of the City Council Chambers in City Hall. Little Heiskell is a ghostly figure atop the bell tower. Notice the huge coffee pot used as signage for a grocery store located just north of Public Square. (*Washington County Historical Society Photo*)

APPENDICES



In the late 19th-Century, the Independent Junior Fire Company (Station 3) had to reconstruct its pre-Civil War fire house. After the reconstruction was completed, the site also housed the Pioneer Hook and Ladder Company until a new station was built for the ladder truck on West Franklin Street. Here, the crew of Pioneer Hook and Ladder pose with their apparatus and team in front of the Juniors' building. The building stands today and the upper levels of the façade and bell tower were restored in recent years by the owner. The owner hopes to complete a restoration of the first floor façade with working panel doors in the future. (*Hagerstown Fire Museum*)



Hagerstown's African-American soldiers who served in World War I gathered for a group photograph in front of Good Samaritan Hall upon their return and discharge, circa 1919. Good Samaritan Hall stood on Jonathan Street and was a community focal point for the African-American community. (*Washington County Historical Society Photo*)

Appendix A: Glossary of Terms

The following glossary defines terms used in the design guidelines text and other common terms for design elements.

Alley – A public or private way which is used primarily for vehicular service access to the rear or the side of properties otherwise abutting a street. Double-lane alleys are considered public ways.

Appurtenance – A permanent or semi-permanent fixture, structure, or detail added to the property or building, such as a shed, gazebo, large statuary or fountain and garage.

Arcade – A covered passageway with a series of open archways on one or both sides.

Barge Board – A decorative board under the eaves that covers the face of an exposed rafter.

Bay – One unit of a building that consists of a series of similar units commonly defined by the number of window and door openings per floor or by the space between columns and piers.

Balustrade – A railing with upper and lower rails, balusters, and pedestals.

Base – The lowest part of a wall or pier.

Bay Window – A protruded bay on a façade that typically has windows on the primary, and smaller secondary vertical surfaces. The side surfaces of the bay can either be perpendicular to the façade, or constructed at an angle.

Board and Batten – A type of wall cladding for wood frame structures, consisting of closely spaced vertical boards, the joints of which are covered by narrow wood strips called battens.

Bond – The physical arrangement and placement of either brick or stone to create a wall pattern and to strengthen the wall.

Bracket – A support element under the eaves or other overhangs, often more decorative than functional.

Brick Veneer – A facing of brick laid against a wall and not structurally bonded to the way.

Capital – The topmost member, usually decorated, of a column or pilaster.

Clapboard – A long narrow board with one edge thicker than the other, overlapped to cover the outer walls of frame structures. Also known as weatherboard, bevel siding or lap siding.

Column – A vertical support member.

Columbaria – A structure for the reverential and usually public storage of funerary urns, holding cremated remains of the deceased.

Common Bond – The pattern of laying bricks in which several horizontal rows, usually an odd number, of stretcher bricks are placed between rows of header bricks.

Context – The surroundings, both historical and environmental, of a building or town.

Contributing Structure – A structure that, through its history and/or architectural design is one of the several buildings or properties that create the collection of individual resources that form a historic district.

Coping – A cap or covering at the top edge of a wall, either flat or sloping, to shed water.

Corbel – A slightly projecting architectural element, usually in masonry, cantilevered from upper exterior walls; usually topped by a cornice or coping.

Cornice – The upper projecting section or molding along the top of a building or wall.

Cupola – A small structure projecting above a roof that provides ventilation or is used as a lookout.

Demolition – The intentional destruction of all or part of a building or structure; in restoration or renovation projects, may include removal of structural elements, partitions, mechanical equipment, and electrical wiring and fixtures (see Chapter 9 for more detail).

Dormer – A small window with its own roof, that projects from a sloping roof.

Eaves – The edge of a roof that projects over an outside wall.

English Bond – Brickwork in which every horizontal row consists of alternating header and stretcher bricks.

Façade – The face of a building; the elevation of a building that faces the viewer.

Facadism – The practice of preserving a structure's façade, or face, while constructing a new building behind it. It is a method that compromises between complete building renovation and restoration.

Fanlight – A window in the arched opening over an entry door.

Fascia – A flat, wide, horizontal band on a wall surface, especially the bands of an architrave. A projecting brick course in an exterior wall anywhere below the top story.

Fenestration – The arrangement of windows on a building façade.

Flemish Bond – Brickwork in which every horizontal row consists of alternating header and stretcher bricks.

Gable – Triangular wall segments at the end of a double pitch or gable roof.

Gambrel Roof – A ridged roof with two slopes on each side; the lower roof having the steeper pitch.

German Siding – An exterior wall cladding of wooden boards that are tongued and grooved (or rabbeted and overlapped) so the lower edge of each board interlocks with a groove in the board below it. The face of the board is molded with a curve along the upper edge. Also called drop siding or novelty siding.

Gingerbread – A pierced wooden curvilinear ornament, executed with a jigsaw or scroll saw and located under the eaves of the roof.

Half-timber – External wall design of timber frames with brick or plaster in the spaces between.

Header – In masonry a stone, brick or tile presenting its end in the front surface.

Herringbone – Masonry or tile work in which the units are laid slant, reversing the angle in alternate rows to form a zigzag effect.

Hipped Roof – A roof with slopes on all four sides.

Kickplate – A metal or brass plate applied to the bottom rail of a door for protection.

Landmark – A single-property historic district that, once created is subject to the same design reviews as it would be if it were located in a historic district.

Light – A pane of glass, a window, or a glazed component of a window.

Lintel – A horizontal structural member similar to a beam over an opening which carries the weight of the wall above it.

Mansard Roof – A roof having a double slope on all four sides; the lower slope having a steeper pitch.

Mass – The overall three dimensional shape of a building; height depth and width.

Mullion – A vertical member separating (and often supporting) windows, doors, or panels in a series.

Muntin – A secondary framing member to hold panes within a window, window wall, or glazed door. Also called a glazing bar or sash bar.

Ogee – A molding with a double curve in the shape of an elongated S.

Panel – A small plane surface surrounding by moldings or depressed below or raised above the adjacent surface.

Parapet – The part of the wall that projects above the adjacent roof.

Pavilion – A summerhouse or outbuilding not fully enclosed by walls.

Pediment – A wide, low pitched gable surmounting the façade of a building in a classical style; any similar element used over doors and windows.

Pent Roof – A small roof with one major pitch, attached to the wall of a building below the principal roof line or cornice line.

Pier – A square or rectangular masonry or wood post projecting less than a store above the ground that carries the weight of a structure down to the foundation.

Pilaster – A pier or pillar attached to a wall, often with a capital and base.

Portico – A large porch or covered walk with a roof supported by columns or piers.

Preservation – Maintaining a building's current appearance through diligent maintenance and repair.

Rehabilitation – Repairing and altering a structure to make it usable again, preserving distinctive architectural features or style.

Remodeling – Changing a building without regard to its distinctive architectural features or style.

Restoration – Returning a building to its documented past appearance by removing later work and repairing and replacing distinctive features.

Rhythm – A pattern in spacing of buildings or architectural elements (doors, windows, porches, etc.) giving a cadence to the visual aspect of the district.

Ridge – The horizontal line where two roof planes meet. The highest point of a roof.

Sash – A part of a window frame that hold the glazing, especially when movable.

Scale – The apparent size, and mass of a building's façade and form relative to the other buildings in the general area. The physical relationship of elements such as window area to wall area. The shape and size of fenestration forms such as the subdivision of windows into lights, brick, cornices, trim, etc., are important factors in establishing the scale of a façade.

Setback – The required minimum horizontal distance between the building line, as defined herein, and the related front, side, or rear property line.

Shed Roof – A roof with only one sloping plane.

Side Light – A framed area of fixed glass alongside of a door or window opening.

Sill – A horizontal timber at the bottom of a wood frame structure which rests on the foundation. The horizontal bottom member of a window, door, or other frame.

Soffit – The exposed undersurface of an overhead component of a building.

Stovepipe – A metal flue that connects a stove to a chimney or the exterior.

Street Wall – The line formed by the facades of buildings at a common height and setback from a street.

Stretcher – In masonry, a brick, stone, or tile that is set with the long horizontal edge facing out.

Surround – An encircling border or decorative frame.

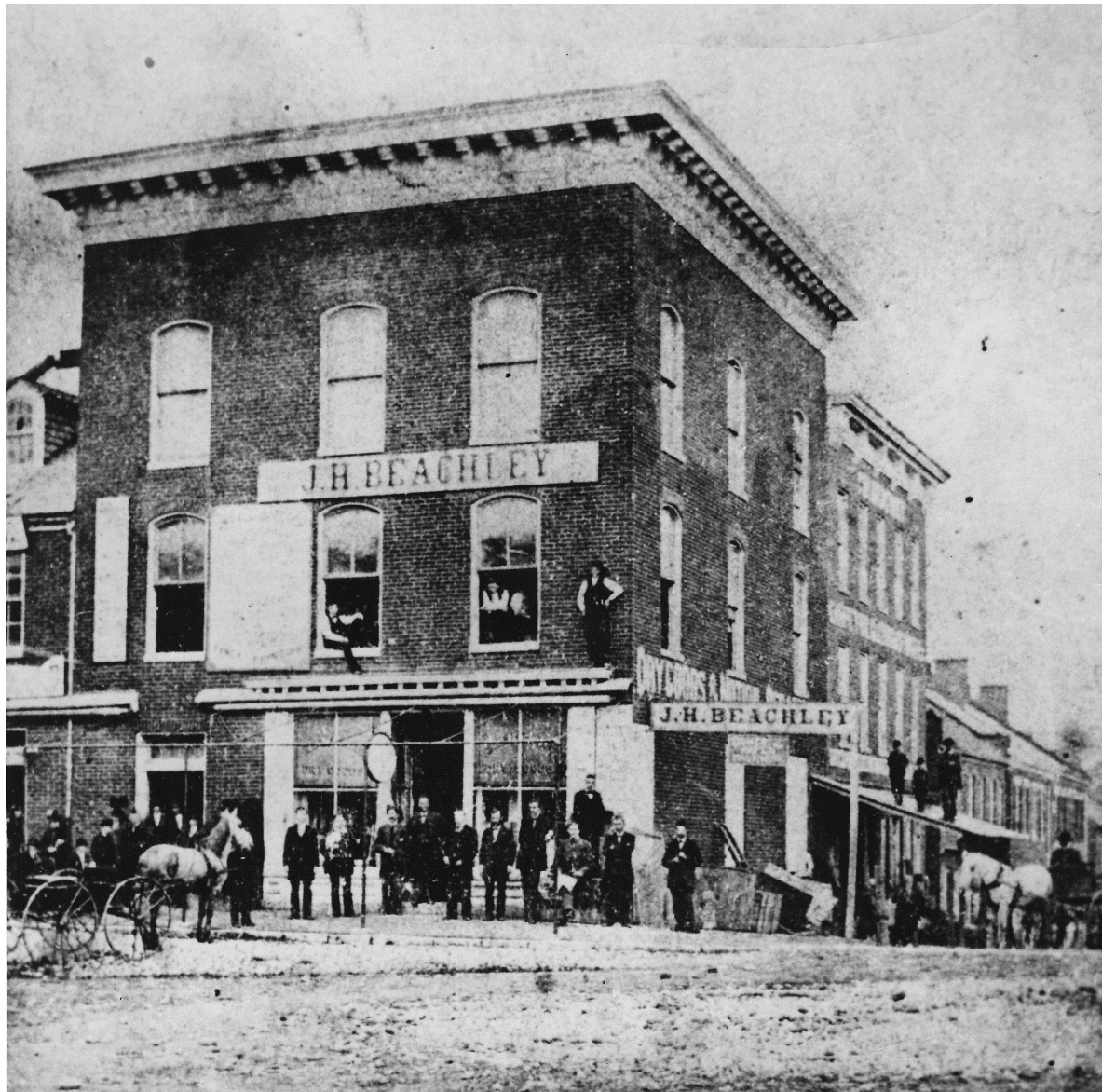
Texture – The visual pattern on a façade created by building materials and details.

Transom – A window immediately above a door, usually hinged or sashed.

Turret – A small, projecting tower at the corner of a building, or above the roof a larger tower; types include pepper box turret; roof shapes include rotunda, dome, broach and spired.

Veranda – A covered porch or balcony extending along the outside of a building, planned for natural ventilation, shading and summer leisure.

Vernacular – Build according to traditional designs and methods of a region, usually without the direct involvement of an architect.



The Beachley Building on the east side of Public Square, circa 1880. The building was destroyed by fire and reconstructed. The building to the right stands today. (*Washington County Historical Society Photo*)

Appendix B: Façade Terms



Appendix C: Affected Addresses

Downtown Historic District

The following addresses are located within the Downtown Historic District and should adhere to these guidelines:

Street	Block #	Addresses
North Potomac Street	0 100	All All
North Prospect Street	0	Even Only
South Potomac Street	0 100	All All
Summit Avenue	0	All
East Washington Street	0	1-20
West Washington Street	0 100	All All (except 163)
East Antietam Street	0	1-24
West Antietam Street	0 100	All 100-140 even
East Baltimore Street	0	10 and 12
Church Street	0	Odd Only
East Avenue	0	15 and 17
East Franklin Street	0	1-21
West Franklin Street	0 100	All 100-109 ½
Jonathan Street	0 100	All Even Only

Oak Hill Historic District

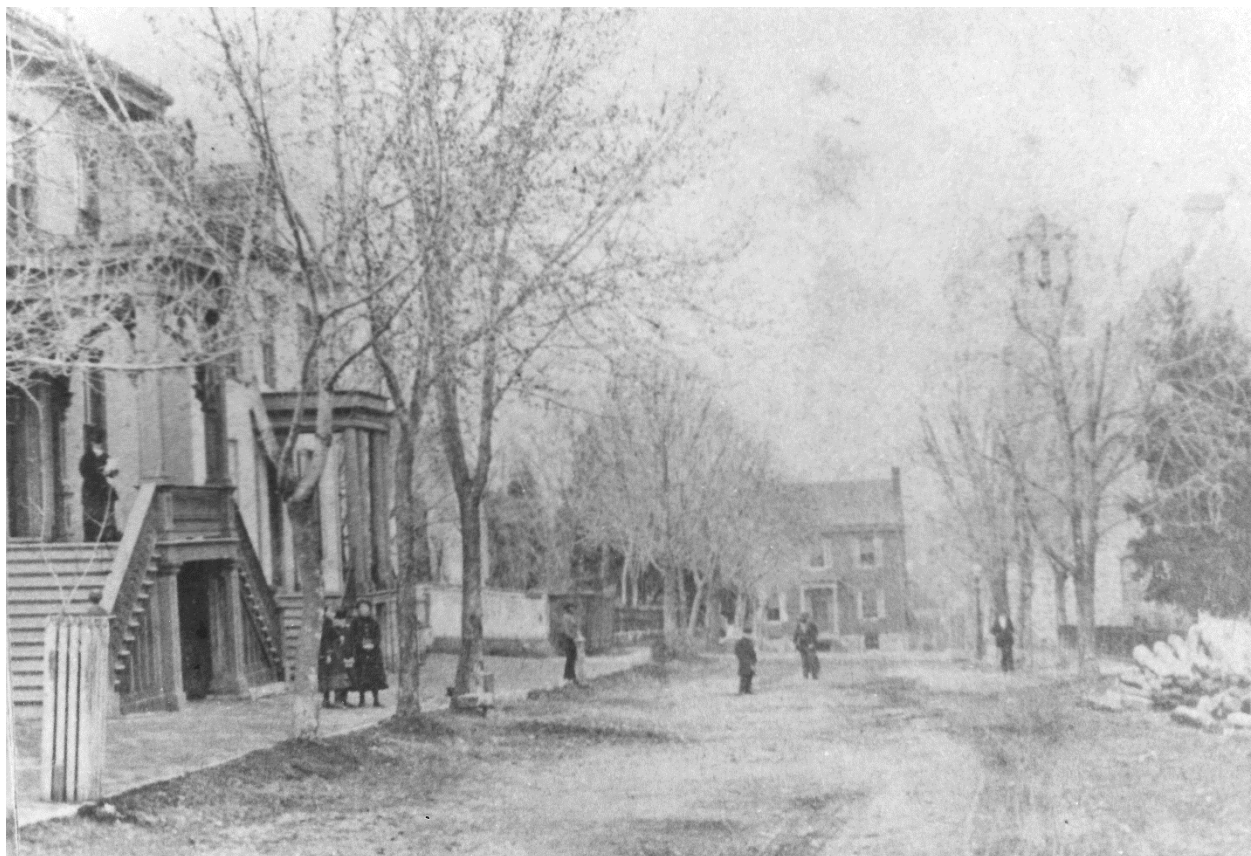
The following addresses are located within the Oak Hill Residential Historic District and should adhere to these guidelines:

Street	Block #	Addresses
Forest Drive	800	Even: All
	900	Odd: 815-829 All
Hamilton Boulevard	700	785-799
	800	All
	900	All
	1000	All
	1100	1100-1103
West Hillcrest Road	0	25 and 50
Oak Hill Avenue	700	720-722
	800	All
	900	All
	1000	All
Park Lane	100	All
	400	400
Potomac Avenue	800	810-834
	900	All
The Terrace	800	All
	900	All
	1000	1000-1042

South Prospect Street Historic District

The following addresses are located within the South Prospect Residential Historic District and should adhere to these guidelines:

Street	Block #	Addresses
South Prospect Street	0	30-43
	100	All
	200	All
South Walnut Street	100	Even Only
	200	Even Only
West Washington Street	100	163



Stereo view photograph of South Prospect Street, looking north from the Dry Bridge, circa 1885. The Hagerstown Women's Club can be seen to the left. Hagerstown Presbyterian Church, constructed about 10 years earlier, is on the right. The house in the background was later removed when an alley was widened to create North Prospect Street. (Public Domain Photo)

Potomac-Broadway Historic District

The following addresses are located within the South Prospect Street Residential Historic District and should adhere to these guidelines:

Street	Block #	Addresses
Broadway	0	All
	100	All
Charles Street	0	29
North Locust Street	400	All
	500	501
Maple Avenue	0	5
East North Avenue	0	All
	100	All
Oak Hill Avenue	600	All
	700	703-717
Potomac Avenue	600	Odd Only
	700	715-717
North Potomac Street	200	All
	300	All
	400	400-481



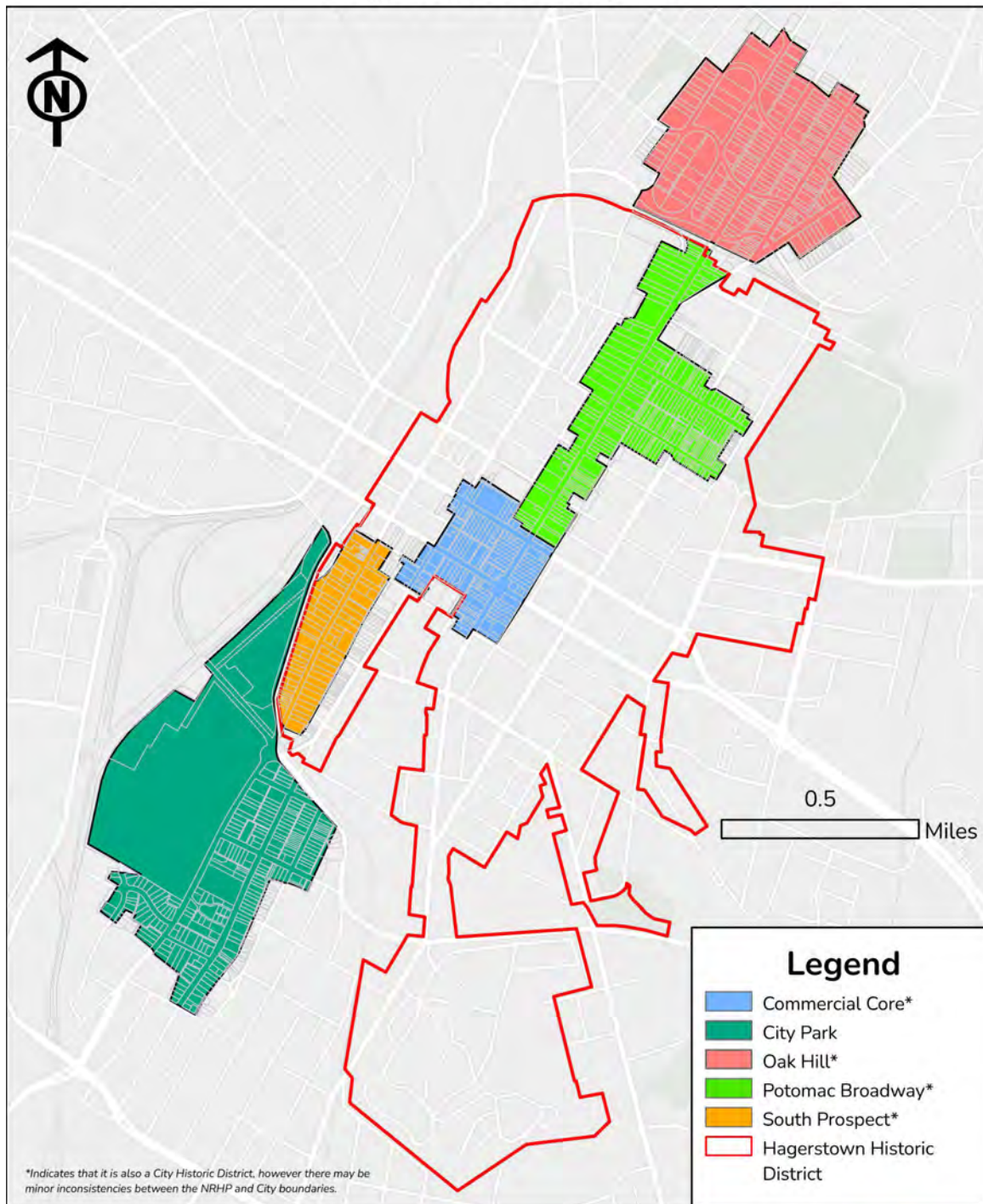
Bloom Park, the Spanish-American War Veterans Memorial and Mayor Bloom's home (right) are now located in the Potomac-Broadway Historic District (*Public Domain Postcard Photo*)

National Register of Historic Places Properties

The National Register of Historic Places is the official list designated by the National Park Service of historic places worthy of preservation. This differs from the Local Historic Districts, designated by the City of Hagerstown, where the Historic District Commission has the jurisdiction to uphold the historic nature.

Name	Address	Listed Date
Hagerstown Charity School	102 East Washington Street	12/16/1982
Hagerstown Armory	328 North Potomac Street	9/25/1985
Colonial Theatre	12-14 South Potomac Street	8/2/1978
Maryland Theatre	21-23 South Potomac Street	11/13/1976
Washington County Court House	West Washington Street and Summit Avenue	12/24/1974
Price-Miller House	131-135 West Washington Street	5/24/1976
Old Washington County Library	21 Summit Avenue	10/2/1978
Elliot-Bester House	205-207 South Potomac Street	5/2/1975
Houses at 16-22 East Lee Street	16-22 East Lee Street	11/25/1977
Western Maryland Railway Station	Burhans Boulevard	4/22/1976
Hager House	19 Key Street	11/5/1974
Western Maryland Railway Steam Locomotive No. 202	City Park	6/7/1984

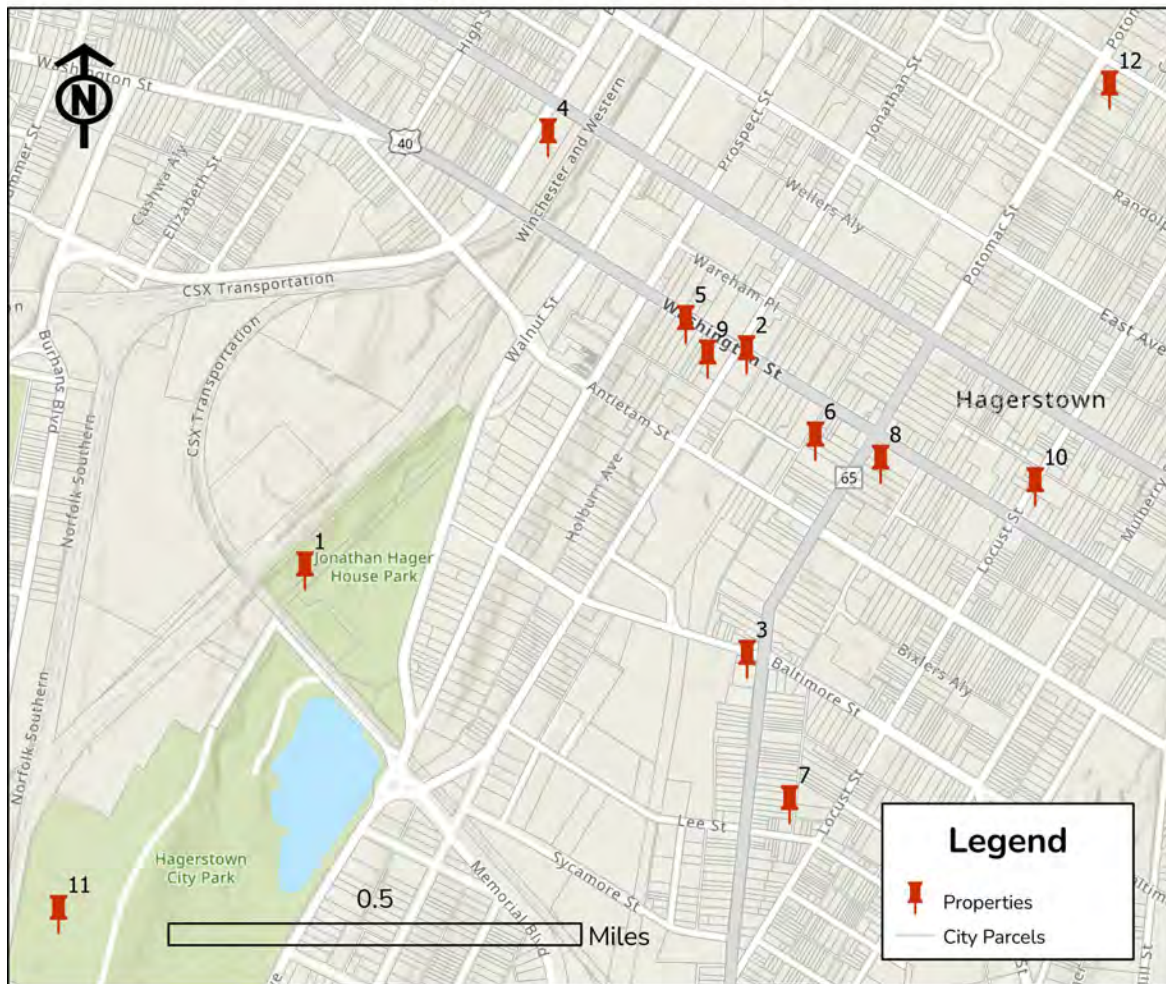
National Register of Historic Places Districts in Hagerstown, Maryland



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Prepared By: Joanna Wu, Planner, 3/9/2023



National Register of Historic Places Properties in Hagerstown, Maryland

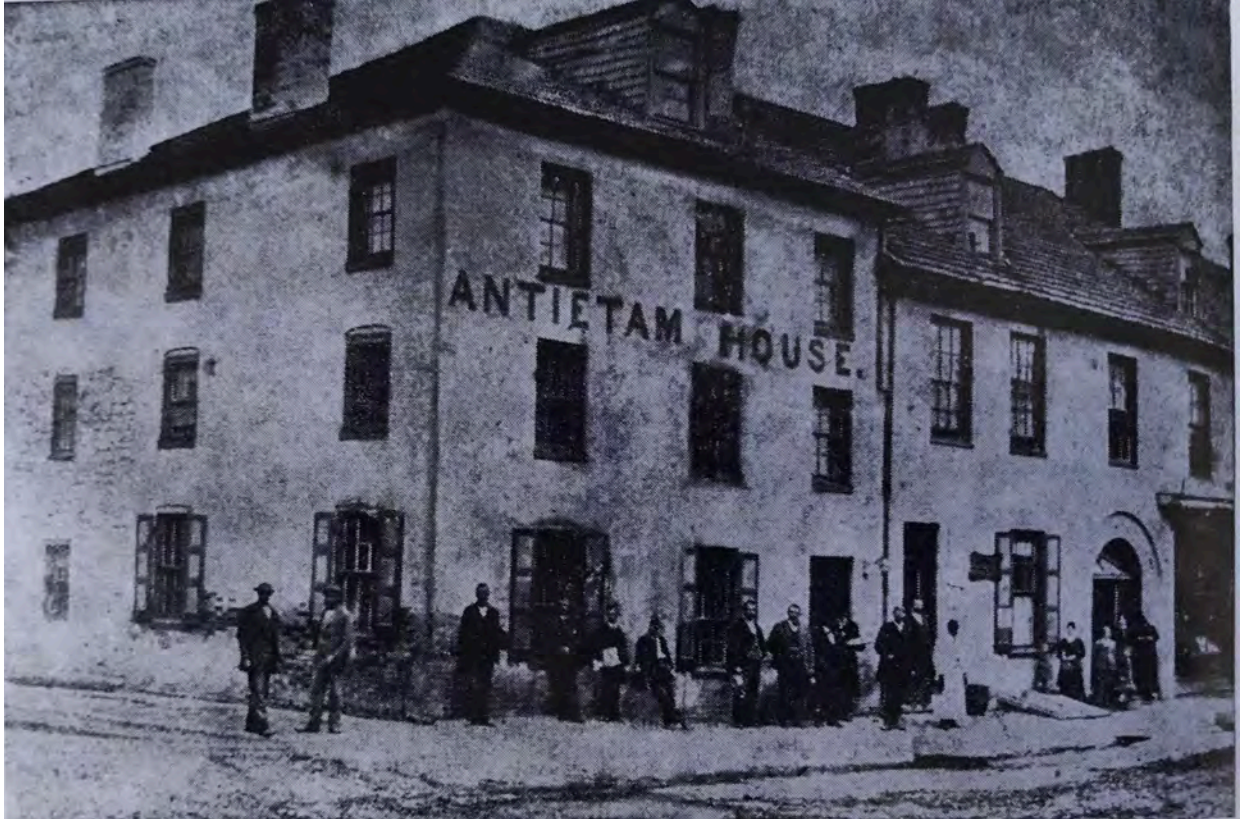


	NAME	LISTED DATE
1	Hager House	1974-11-05
2	Washington County Courthouse	1974-12-24
3	Elliott-Bester House	1975-05-02
4	Western Maryland Railway Station	1976-04-22
5	Price-Miller House	1976-05-24
6	Maryland Theatre	1976-11-07
7	16-22 East Lee Street	1977-11-25
8	Colonial Theatre	1978-08-02
9	Old Washington County Library	1978-10-02
10	Hagerstown Charity School	1982-12-16
11	Western Maryland Railway Steam Locomotive #202	1984-06-07
12	Hagerstown Armory	1985-09-25

Note: There are no National Landmarks in the City of Hagerstown.



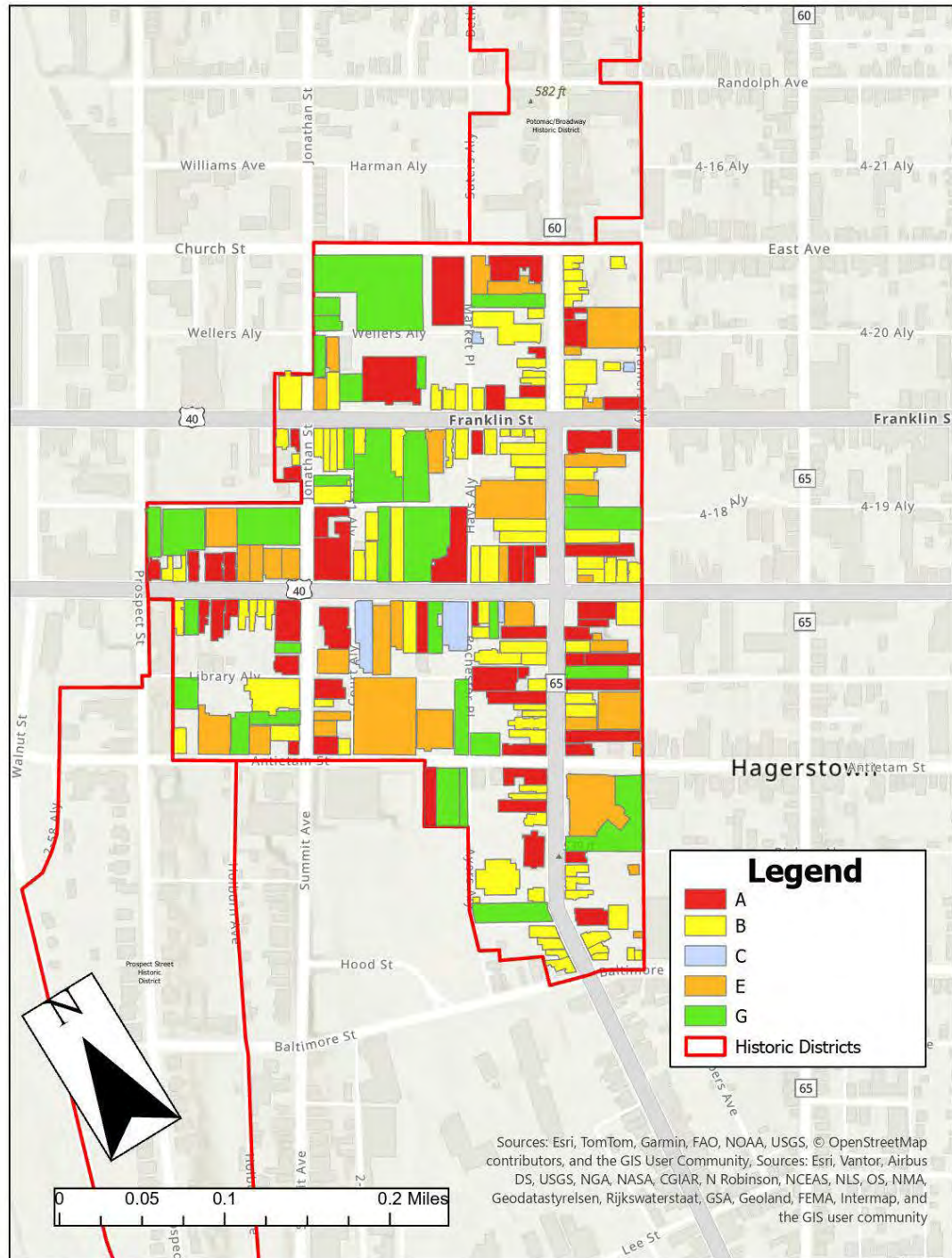
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Prepared By: Joanna Wu, Planner, 3/8/2023



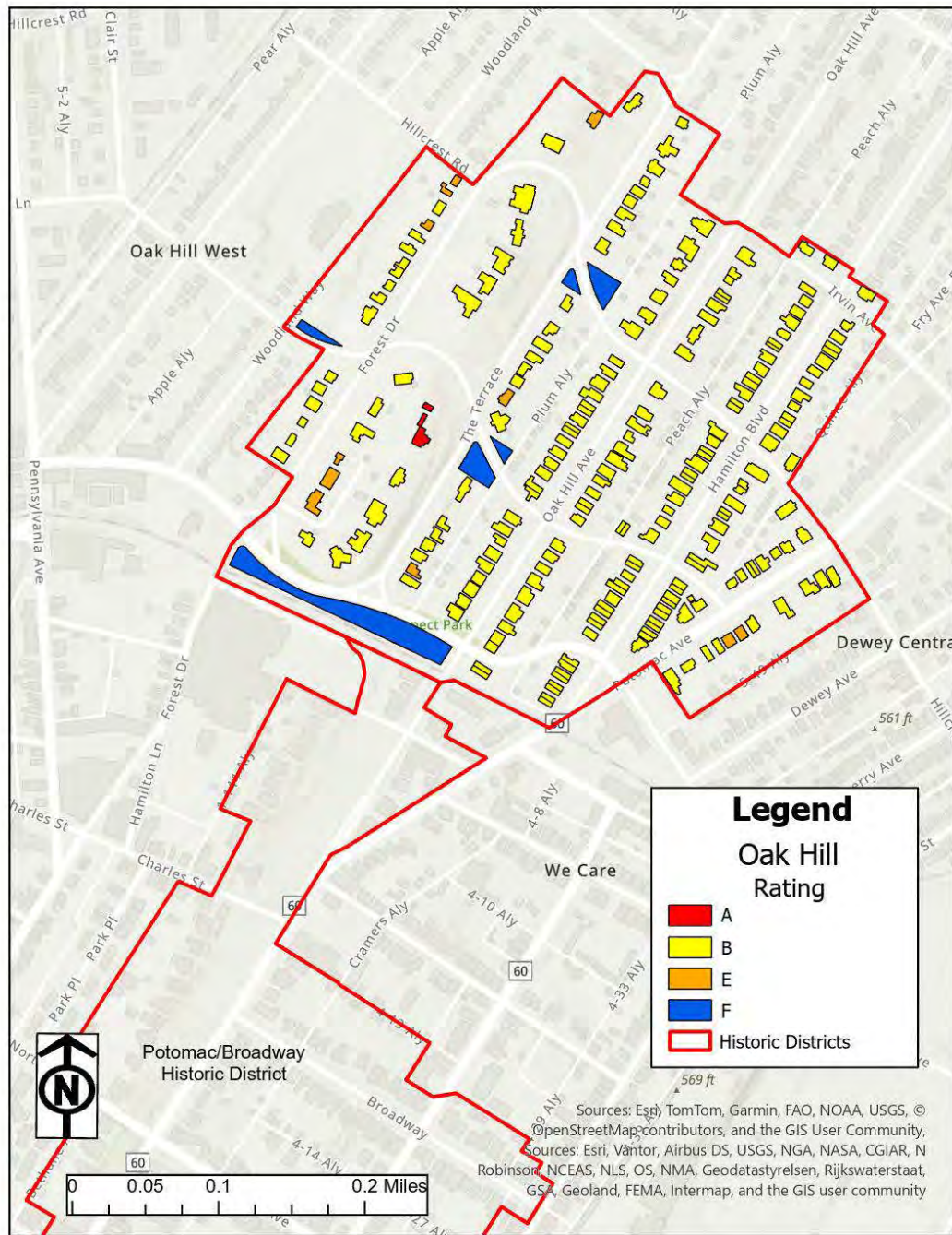
Many interesting and important buildings have been gone from our streetscapes for generations. The Antietam House Hotel was one of the primary rest stops for travelers along the National Road in the era before rail travel became commonplace. The Antietam House was demolished in the 1880s to make way for the Hamilton Hotel, which stands to this day on the northeast corner of West Washington Street and Jonathan Street. *(Public Domain Photo)*

Appendix D: Historic District Resource Rating Maps

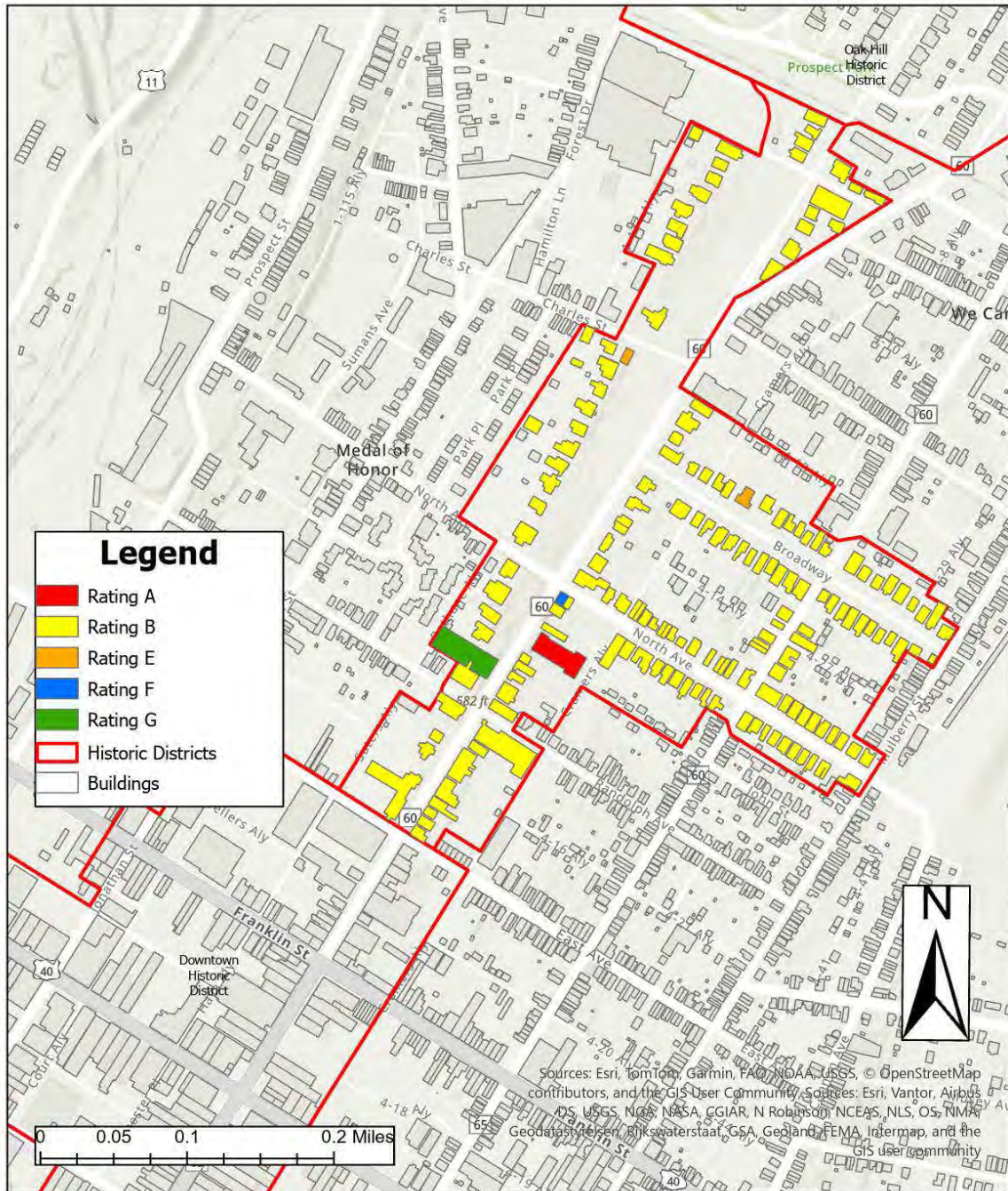
Downtown Resource Classification



Oak Hill Resource Classification



Potomac Broadway Resource Classification



Prospect Street Resource Classification



Appendix E: Major Economic Development Opportunity Submittal Requirements**HAGERSTOWN HISTORIC DISTRICT COMMISSION
Certificate of Hardship*****Major Economic Development Opportunity Submittal Requirements***

Any individual seeking a Certificate of Hardship from the Hagerstown Historic District Commission must follow the procedures outlined in Article 4 (Zoning) Section T.4 of the Land Management Code. A Certificate of Hardship application which is based on a claim that retention of an historic resource will not be in the best interest of a majority of persons in that community due to its obstruction or serious complication of a bona fide **“Major Economic Development Opportunity”** for the city, as defined in the Land Management Code, must complete the following procedures and include the following supporting documentation or the application will not be considered complete and ready for review by the Historic District Commission.

I. Preliminaries

This provision shall not be used until and unless the City of Hagerstown adopts objective standards for the consideration of a request made of the City Administrator for an endorsement as a “Major Economic Development Opportunity.” The purpose of creating such standards is to:

- A. Ensure that this provision is used judiciously, and
- B. The City Administrator has pre-determined parameters within which he or she will consider such a request before forwarding an endorsement of the use of this provision to the HDC, and
- C. The proposal or opportunity is real and not speculative and
- D. Will not result in its widespread use as a means to circumvent the Commission’s traditional and appropriate role to promote the preservation of historic resources in the Downtown Historic District and prevent the unnecessary loss of those resources.

This process was created for limited use in extraordinary circumstances where a proposed development, business or institutional proposal may be of vital importance to the revitalization of the economy of the City Center area and the City Administrator determines that the importance of such proposal outweighs and must supersede the normal preservation goals and mission of the Commission as it may relate to a resource that is rated “B” or “C” in the District. It will not be used on “A” Resources.

II. Alternate Means of Obtaining Objective

If a building is in a state of deterioration or so architecturally compromised that the Historic District Commission may legitimately approve its demolition through the Certificate of Appropriateness process or the “Financial Hardship” provision (Article 4, Section T.4.C(1)), or if the project

qualifies for the “Major Improvement Project provision (Article 4, Section T.4.c(2)(a)) due to it being a public (government) project, it is preferred such processes be used to obtain the Commission’s approval of the demolition rather than resorting to the Major Economic Development Opportunity standard for consideration. This is intended to be a “process of last resort.”

III. Procedure

This procedure is a two-step process.

A. Presentation of Credentials and Workshop

1. *Certification.* In the first meeting the applicant has with the Commission, the certification of the project as a “Major Economic Development Opportunity” from the City Administrator will be provided by the applicant to the Commission. The City Administrator’s statement will provide information, study or other data explaining the real impact of the planned project on the economic revitalization of the city center area, and cite how this proposal meets the definition of a “Major Economic Development Opportunity” in the Land Management Code and the pre-established uniform guidelines for this certification to be presented. If these factors are included in the City Administrator’s certification, the Commission will proceed from this point that it will approve the demolition as a ministerial act later in the process once outstanding procedural requirements are met.
2. *Workshop.* Regardless of this certification, the Commission’s role and authority of the treatment of the property after the demolition remains in full force and effect. The applicant will provide schematic drawings and preliminary architectural information and details on the replacement project for the Commission to consider and provide guidance to the applicant before they move forward to structural and site engineering design of the project.

B. Additional Workshops

The applicant may request additional workshop meetings with the Commission as it develops the final engineering and design of the project and site for guidance through its design process.

C. Final Approval

1. *Review and Approval of New Development.* This process is constructed to permit the loss of a Contributing Resource in consideration for a bona-fide and concrete development deemed by the City to be a “Major Economic Development Opportunity” and known use. It is not to be used for speculative proposals. The applicant will submit all of the required building plans, architectural samples, product literature, etc. for the replacement development as if the existing building does not exist and the Commission will review that proposal for compliance with

the duly adopted Historic District Design Guidelines regarding new construction.

2. *Approval of the Demolition.* The Commission, once satisfied that the new development can be issued a Certificate of Appropriateness, will move and adopt such a certificate. Subsequently, a second motion to approve the demolition will be approved and will include the following conditions:
 - a. The Zoning Administrator shall not approve a building permit for the demolition until such time as all appropriate grading and building permits have been issued to the applicant for the replacement development.
 - b. The Zoning Administrator shall not approve a building permit for demolition until such time as sufficient sureties or guarantees are in place to ensure the replacement development and the end user are irrevocably committed to building the development and occupying the development for the use that justified utilization of this provision.

D. Prohibitions

1. This procedure shall not be used for the purpose of demolishing a building identified as an “A” Resource in the Downtown Historic District.
2. This procedure is only to be used to accommodate an intended use of property that is proposed for the Downtown Historic District. It is not to be used for the purpose of demolishing a contributing resource for the purpose of speculative construction of a new building without a known end-user that will occupy the project upon completion and result in the major economic revitalization activity that was cited to obtain this approval.



West Washington Street, facing west from Jonathan Street, circa 1900. The future home of the Washington County Historical Society can be seen on the left. (*Washington County Historical Society*)

Appendix F: Design Review Process

The Commission – The Commission consists of seven voting members, 5 of which must be City residents. Owning property in or living in a historic district is not required. The members are qualified by special interest or training in such fields as history, architecture, preservation, engineering and other disciplines. The Commission also has three non-voting ex officio members; a structural engineer, a sign and advertising specialist and an architectural historian. The purpose of the Historic District Commission is to be a Commission that is an informational and educational tool.

Authority – The Hagerstown Zoning Ordinance authorizes the creation and function of the Historic District Commission and the designation of historic districts and landmarks throughout Hagerstown. The Historic Districts subject to the review authority of the Commission are delineated on the Hagerstown Zoning Map. This map divides the City into zoning districts. Historic districts are “overlay” zoning districts, which mean they are in addition to the base zoning applicable to an area, which governs land use, building locations, etc. For example, a property could be located in the RMOD Residential Zoning District and the Oak Hill Historic District.

Meetings - The Historic District Commission (HDC) meets twice per month. At the time of the publication of these guidelines, the Commission’s meetings occur at 4:30 p.m. on the second and fourth Thursdays of each month. This schedule may be altered in order not to conflict with holidays. A schedule for the entire year is published by the Planning Staff in December of the preceding year. The meetings are typically held in the Hub City Boardroom on the first floor of City Hall and an agenda is posted on the City’s website a few days prior. On the day of the meeting, the agenda and meeting location will be posted on the front door of City Hall.

Deadline for Submission – In order to have time to compile an agenda and prepare a staff report in each case and mail meeting packages to the Commission members and applicants, applications shall be submitted by close of business on the Wednesday eight days prior to the meeting. In cases where the regular schedule is deviated from in order to avoid a holiday, please consult the annual schedule published by the Planning Staff.

Application – Applications are available through the Department of Planning and Economic Development and on the City’s website. In order for an application to be considered by the Commission, an application needs to be completed and submitted to the Planning Staff, including a detailed description of the proposed work, and any necessary supporting documentation, such as architect’s drawings, photographs and/or manufacturer’s literature for materials proposed for use, etc. If the staff determines that the application does not have sufficient detail or documents to prepare a staff report and recommendation, the application may be delayed to the next available meeting, and the Planning Staff will contact the applicant and provide what additional necessary materials are needed for the application to be officially accepted for processing.

At the Meeting – The applicant or their representative shall attend the meeting. Failure to appear or send a representative will result in the case being postponed to the next meeting or possibly dismissed. The Commission handles cases in two ways:

1. *Consent Agenda* – In cases where the application is 1) very routine, 2) clearly consistent with the Guidelines and 3) staff recommends approval without further comment, the Planning Staff will place these applications on the “consent agenda.” All consent agenda items will be handled in a single motion by the Commission at the beginning of the meeting, and a presentation by the applicant will not be necessary. Any Commission member may request cases be removed from the consent agenda and handled as a standard review if they feel it is necessary for an application to be given appropriate consideration. Therefore, it is important that applicants attend the meeting, even when their application is on the consent agenda. This “consent agenda” process was adopted in order to simplify and shorten the meeting for applicants with routine requests. Applicants with cases on the consent agenda may receive their approval quickly at the beginning of the meeting.
2. *Standard Review* – When the case comes up, staff will present an analysis of the request and a recommendation on how the Commission should decide the case. The applicant will be invited to the table to discuss the application with the Commission. The Commission can act only on what has been submitted in the request. If it is apparent that the Commission has concerns about elements of the application, it is perfectly acceptable to discuss the concerns, and if necessary, amend the request at the meeting to address their concerns. The Commission cannot amend the application; it can only rule on the application as presented (including amendments made by the applicant). The Commission will 1) approve the application as submitted or as amended to address concerns raised, 2) deny the application, or 3) dismiss the application (usually due to insufficient documentation, allowing the applicant to re-file at a later date with better supporting material). The Commission votes at the meeting and the applicant will know the results at that time.

By Code, the Commission has 45 days to act on applications from the date completed applications are received by the Planning Staff. This deadline may be extended at the mutual consent of the Commission and applicant. If the Commission votes to deny an application, City Code requires that the Commission not hear an application for the same work for at least one year after the initial application was denied. This standard does not apply if the applicant makes substantive changes to the proposed work, since it is no longer the same work as was rejected.

Review Standards – Decisions are based on the guidance provided by these Guidelines and “The Secretary of the Interior’s Standards for Rehabilitation of Historic Structures.”

Workshops – The Commission is happy to discuss proposals informally at their regular meetings when an applicant desires to gauge the Commission’s reaction prior to submitting an official application. Requests for a “workshop” shall be received by the same deadline for an official application, as it needs to be included on their meeting agenda. Submitting materials for distribution to Commission members before the meeting is encouraged but not required.

Demolition – Once demolished, a historic resource can never be recovered. Separate and more stringent standards apply when requesting demolition of a building or structure that contributes to the character of

the historic district. For more information on the demolition process, [refer to Chapter 9 and 10](#) or contact Commission's staff in the [Department of Planning and Economic Development](#).

Appeals – Applicants who are unhappy with a decision made by the Commission may appeal that decision to the Circuit Court for Washington County. In an appeal, the Court will review the Commission's actions and determine whether they were defensible within its authority enabled through State Code and as cited in the City's Zoning Ordinance, and the Guidelines that it uses to guide its decisions. Pursuant to Maryland Law, the court will not substitute its personal opinion on whether a change to a property is appropriate and should or should not be permitted. The judge will evaluate the appeal solely on the basis of whether the Commission had the authority to render the opinion, and whether its decision was "fairly debatable" based on the materials presented on the record at the meeting.

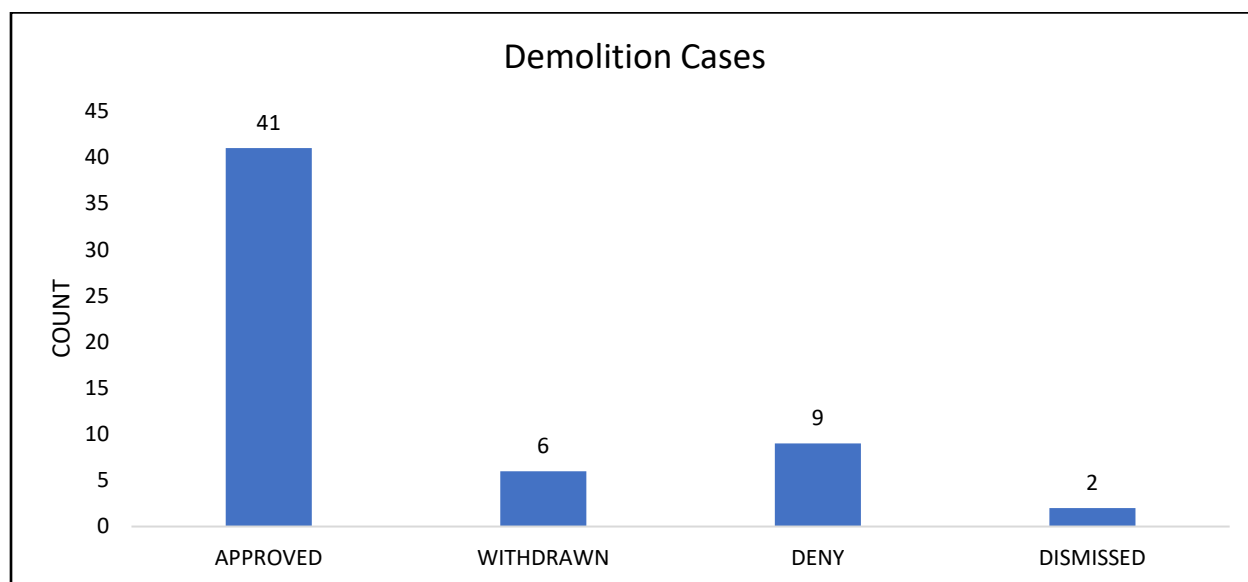
Approval Rate – Most cases are approved by the Commission without amendment. The vast majority are approved either as submitted or with amendments made by the applicant to address concerns raised by the [Staff](#) or Commission. Very few applications are rejected by the Commission.

Enforcement – Violations of the historic preservation elements of the Zoning Ordinance are enforced as a zoning violation by the Planning [Staff](#). Typical violations of the Ordinance include performing work subject to HDC review without first obtaining approval and performing work that is different than that approved by the Commission.

The Planning [Staff](#) first contacts the owner or occupant to notify them of the violation in the hopes of resolving the problem without enforcement action. Should the initial contact not resolve the problem, the owner and the occupant (if different than the owner) will be issued a violation notice, officially informing them of the violation, and the need to correct the problem within a prescribed amount of time, or proactive enforcement action will be taken. Such action could include issuing a civil citation for violation of City Ordinances, which carries a fine of up to \$500 per day for each day the violation continues, and may include the City seeking an injunction in the courts to compel compliance. It is the Planning [Staff's](#) desire, however, to achieve compliance with the least amount of enforcement action possible. Once demolished, a resource can never be restored. Therefore, intentional demolition of a structure subject to HDC review without the requisite approvals is a misdemeanor offense as stated in Article II of the City Code.

Please note that the Commission is charged with review proposals based on compliance with applicable design and preservation standards. The Commission does not take into account the existing nature of improvements when applicants seek retro-active approvals for work they completed without HDC approval. Therefore, if the applicant fails to obtain HDC approval of the work, they may be required to remove or alter those improvements in order to comply with the Ordinance. Therefore, it is very important for all owners to secure the required reviews and approvals *before* beginning work.

Appendix G: Demolition Cases Data



NOTE: This case study, performed in 2023, depicts the number of applications that were approved, withdrawn, denied, or dismissed since the formation of this Commission. Cases considered were major demolitions, which does not include demolition of minor structures, such as walls, garages, rear additions, etc.

In the history of the PDDC and HDC, there have been instances where demolition cases were reviewed multiple times and granted approval after more than one submission. All three of these cases were withdrawn, dismissed, or denied and then approved at a later date after working with staff and the HDC. Although the Commission's purpose is to restore and maintain these buildings, it is understood that not all resources can be protected.

Some examples include the following:

- 51 W Washington St (1997)
- 46-48 S Potomac St (2000-2002)
- 14-16 E Antietam St (2020-2022)

**Years in the parentheses indicate duration of first application submission to demolition approval.*

Historic Preservation Success Story

In 2008, the HDC received an application for demolition. This property was located at 140 South Potomac Street and is a contributing resource, with a "B" rating. The HDC granted a Certificate of Appropriateness for demolition based on the findings that the property was inhabitable and structurally unsound. There was extensive water, structural, and mold damage, as well as a collapsing roof. However, in 2009, the City of Hagerstown bought the building to restore and renovate it. The property underwent restoration and in 2013, the property was sold and used for commercial office space.



In the late 1800s and early 1900s, traveling circuses and wild west shows traveled the country, mostly following rail lines that transported their animals and voluminous equipment. As the “Hub City,” where several rail lines crossed, Hagerstown regularly hosted such shows. This photograph from a collection in the possession of the Western Maryland Room, Washington County Free Library, shows a parade organized to promote a traveling circus working its way north through Public Square, around 1900. Several photographs were taken in Public Square of this procession, which showed a train of wagons with exotic animals traveling north and the square packed with local residents taking in the spectacle. The future site of the Alexander House is to the left. Note the balcony that used to be located over the front entrance to Cannon Coffee and the many people standing on it. (*Western Maryland Room, Washington County Free Library Photo*)



Downtown Hagerstown, 1931. (Hagley Museum Collection)

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Review of Cline Farm Annexation - *Stephen R. Bockmiller, Deputy Director for Planning and Zoning Administration*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

2026_0811_WS_Review_of_Cline_Farm_Annexation.pdf

Description

Review of Cline Farm
Annexation

MEMORANDUM

TO: Scott Nicewarner – City Administrator

FROM:  Stephen R. Bockmiller, AICP, Deputy Director for Planning and Zoning Administration

SUBJECT: A-2026-01 - Annexation of Cline Farm – Jefferson Boulevard and Eastern Boulevard

DATE: August 11, 2026

Staff will attend the work session on August 11 to follow up on the July 28 public hearing for the annexation referenced above. Staff anticipate that a motion and vote to adopt the annexation would be held at the August 25th Mayor and City Council meeting and it would become effective 45 days thereafter (on or about October 9, 2026).

Regarding questions from the City Council and comments made by Roger Schlossberg, Esq., counsel for Washington County, and others at the hearing, please be advised of the following:

1. Water and Wastewater Service. Per Councilmember Aleshire's inquiry, the property is designated "Hagerstown W1" for water service and the "Planned Service Area S5" of the County's Water and Sewerage Plan.
2. Eastern Boulevard is a principal arterial road serving the entire region. Comment was made that had the County known that the City would annex this property, it may have planned differently for the impending improvement of Eastern Boulevard. This road is depicted as an "other principal arterial" road in the transportation section of the County's Comprehensive Plan.

Staff do not understand what Mr. Schlossberg was implying. Eastern Boulevard carries 22,000 trips per day. A large percentage of that traffic is generated by development beyond City boundaries and in Franklin County. The County may want to investigate if there is data available in traffic studies generated by its own Engineering Department for that project which shows demand for usage of this road by non-city residents. The City does not have access to this data.

The County's representative fails to note that thousands of county residents drive Hagerstown City streets every hour of the day without contributing to their maintenance and improvement. Development of this property outside of City jurisdiction will only add to the number of vehicle trips per day within city limits by non-City residents. Given the tract's location, future residents will be using city streets on a daily basis. Without annexation, they will be doing so at the expense of the city taxpayer.

-
3. Regarding Mr. Schlossberg's assertion that the City does not cooperate with or notify the County on matters such as this, please note that the applicant and staff of the Department of Planning and Economic Development made repeated overtures to County staff regarding this site and these proceedings. Contacts include:

Background – the Cline Family's representatives had been in discussions with the County's staff in 2024-25 on this matter, attempting to get Board of County Commissioners (BOCC) cooperation on development regarding this site. They were denied an audience with the BOCC. Having exhausted their patience with County officials, they submitted their annexation petition.

March 3 – Planning staff contacted County planning staff to confirm whether this tract was redesignated High Density Residential in their Comprehensive Plan and asked if the County would be willing to provide express approval. Response was received the same day confirming the designation and characterizing the chance of securing express approval as "unlikely".

May 20 – Planning staff forwarded the introduced resolution and other required documents to County planning staff in accordance with Maryland law.

May 22 (two interactions) – Having received no response, City planning staff followed up. Receipt was acknowledged same day. The Deputy Director followed up with County staff stating that comment is not required, but please provide before the scheduled hearing if they do.

Current - Other than the commentary provided by Mr. Schlossberg at the hearing, Planning staff have no evidence of a response being provided by the County.

4. Regarding concerns voiced about school capacity, please be aware of the following:
- The City has no APFO and has no control over the development of schools. The property is zoned residential in the county and housing will ultimately be developed on this tract regardless of whether it is inside or outside of City limits.
 - Capacity issues are a result of combination of two factors: First, failure to implement substantive redistricting to shift some of the excess demand to adjacent school zones with available seats. Second, the lack of priority in the County of including additional high school capacity in the central county area in the capital budget. The four high schools adjacent to the attendance zone for North High and South High are all well under capacity. June enrollment figures were from Board of Education staff on August 3, are reflected in the chart below. The school-specific enrollment data provided by WCPS is attached.

Level	State Rated Capacity	Enrollment (Percent of Capacity)	Open Seats
Elementary	11,577	10,742 (92.8%)	835
Middle	6,162	4,854 (78.8%)	1,308
High	8,194	6,653 (81.2%)	1,541
Other	150	108 (72.0%)	42
Total	26,083	22,357 (85.7%)	3,726

-
- This issue is not a result of an “out of control city engaging in rapacious annexation.” In the last 9 years, the City has averaged fewer than 80 housing starts per year, city-wide. System-wide, between 2012 and 2024 the County’s school enrollment increased at an annual average of 33.5 students. This is a rate of 0.14% or roughly one classroom per year.
 - The County has had an APFO for schools for many years, even though the system is well under state-rated capacity and its student population growth rate is nearly flat. Several schools have been closed and replaced with new ones. This raises the question of how much new seating capacity has been added in that time to justify the exaction of APFO funds.
 - The County recently amended its APFO and Building Excise Tax Ordinance to address capital funding disparity due to the City’s lack of an APFO. The County increased the excise tax on new construction. This helps address this disparity and the City did not object to this County decision.
 - The “express approval” privilege the County appears to be invoking is a planning tool used to ensure the County can sufficiently plan for infrastructure needs. This is the justification for this process the County cites when it opposes proposed amendments to the State Code pertaining to express approval. By invoking its privilege to withhold “express approval” the County now has 5 years after the effective date of the annexation to ensure sufficient school capacity is in place for development which may produce school children in 2032 at the earliest.
5. There are numerous reasons why a property owner may choose to annex into the City. Greater permitted residential density and the City’s development-friendly review and approval processes that improves “speed to market” are reasons that have been cited by some property owners for seeking inclusion in the City.

This annexation was initiated at the request of the Cline family after many months of attempts at communication with County staff and the BOCC. The family does not have the resources to retain zoning counsel in an attempt to rezone the site which offered no assurances of success.

The City did not approach the property owner demanding annexation. Both individual family members and agents for the family attempted over many months to find a path forward with the BOCC and its staff for making the property available to develop at logical urban densities given its location. Without progress and after finally receiving a response of “our counsel advised us not to talk to you. Please communicate with the County attorney” the Cline family initiated the annexation process.

After the treatment they received, the Cline family gave up on the County and moved to subject their property to development control in a jurisdiction that welcomes economic development and new housing opportunities as well as offers a speedier, more collaborative development culture – even if it meant enduring the five-year wait required by “express approval.”

Staff’s conclusion is that this annexation meets all requirements of state law and that there are regulations and systems in place to address future transportation and school capacity issues when

development is formulated five or more years in the future. There appears to be no grounds in State law, the City's Comprehensive Plan or City Code to decline to annex the property, nor for third parties to challenge approval of an annexation resolution.

Attachment: June enrollment figures provided by the Board of Education

Copy:

Jill Thompson, Director of Planning and Economic Development

Doug Reaser, Economic Development Manager

Matthew Ross, Planner I

James Bender, City Engineer

Ann Rotz, Esq., City Attorney

Jason Morton, Esq., City Attorney

Kevin Best, Esq., Special Counsel for Annexation Issues

BOARD OF EDUCATION OF WASHINGTON COUNTY

Hagerstown, Maryland 21740

June 2026

OFFICIAL ENROLLMENT

as required by Section 5.3 and 5.5 (c) of the current Adequate Public Facilities Ordinance (APFO) for the determination of the available capacity at school facilities.

2025-2026

	School	State Rated Capacity	Enrollment	
E L E M E N T A R Y	Bester	628	529	
	Boonsboro	499	534	
	Cascade	278	141	
	Clear Spring	386	372	
	Eastern	572	425	
	Emma K. Doub	297	384	
	Fountaindale	365	401	
	Fountain Rock	271	312	
	Greenbrier	274	272	
	Hancock	295	181	
	Hickory	268	317	
	Jonathan Hager	471	468	
	Lincolnshire	545	488	
	Maugansville	755	687	
	Old Forge	366	341	
	Pangborn	745	747	
	Paramount	408	401	
	Pleasant Valley	225	178	
	Potomac Heights	294	342	
	Rockland Woods	751	697	
	Ruth Ann Monroe	692	594	
	Salem Avenue	722	669	
	Sharpsburg	471	368	
	Smithsburg	431	377	
	Williamsport	568	517	10,742 Sub-Total Elementary Schools
M I D D L E	Boonsboro	870	672	
	Clear Spring	605	291	
	E. Russell Hicks	841	896	
	Northern	913	813	
	Smithsburg	839	547	
	Springfield	1,096	823	
	Western Heights	998	812	4,854 Sub-Total Middle Schools
H I G H	Barbara Ingram	553	361	
	Boonsboro	1,098	740	
	Boyd J. Michael, III			
	Technical	642	555	
	Clear Spring	656	414	
	Hancock Middle/High	591	182	
	North Hagerstown	1,423	1,479	
	Smithsburg	897	670	
	South Hagerstown	1,240	1,418	
	Williamsport	1,094	834	6,653 Sub-Total High Schools
O T H	Marshall Street Ed. Ctr.	90	50	
	Job Development Center	60	58	108 Sub-Total Other Schools
	TOTAL		22,357	

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

EXECUTIVE SESSION - Council Chambers, 2nd floor, City Hall

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

August_11__2026_Executive_Session.pdf

Description

Executive Session Agenda



MAYOR AND CITY COUNCIL EXECUTIVE SESSION AUGUST 11, 2026 AGENDA

Vision Statement:

The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe and vibrant neighborhoods.”

Mission Statement:

“We are dedicated to creating a thriving community where diversity is celebrated, economic development flourishes, and the quality of life is enhanced through collaborative and consistent representation.”

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

4:00 p.m. EXECUTIVE SESSION – Council Chamber, 2nd floor, City Hall

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State; (#4)

** Business Proposal*

***AUTHORITY: Annotated Code of Maryland, General Provisions Article: Section 3-305(b)
(Subsection is noted in parentheses)**

****Please note all times are approximate and subject to change. Portions of this meeting are televised and recorded.****

City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740

301.766.4183 • TDD 301.797.6617

CITY OF HAGERSTOWN, MARYLAND

PUBLIC BODY: Mayor & City Council

DATE: August 11, 2026

PLACE: Council Chamber, 2nd floor, City Hall

TIME: 4:00 p.m.

AUTHORITY: **ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE: Section 3-305 (b) :**

1. To discuss:
 - ☐ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - ☐ (ii) any other personnel matter that affects one or more specific individuals;
- ☐ 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- ☐ 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- ☒ 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- ☐ 5. To consider the investment of public funds;
- ☐ 6. To consider the marketing of public securities;
- ☐ 7. To consult with counsel to obtain legal advice;
- ☐ 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- ☐ 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- ☐ 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- ☐ 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- ☐ 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- ☐ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- ☐ 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- ☐ 15. Administrative Function

EXECUTIVE SESSION AGENDA

****Please note all times are approximate and subject to change. Portions of this meeting are televised and recorded.****

City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740

301.766.4183 • TDD 301.797.6617