

8. *Guidelines for Landscapes and Streetscapes*

A. **Definitions.**

- (1) **Landscape.** Landscape is used to reference those parts of the Historic District that are planted and that provide natural relief from building and street fabric. Landscaped areas include the settings or yards of buildings, institutional campuses, parks, and cemeteries. Historically, the major public landscaped areas were the park-like setting of the Frederick County Courthouse (now City Hall), the many cemeteries scattered around town, several churchyards, and the campus of the institution now called the Maryland School for the Deaf. Parks were not evident until the twentieth century but now a number of them are located in the Historic District. Cemeteries have dwindled, with gravesites now concentrated at Mt. Olivet and St. John's cemeteries, instead of in the several smaller cemeteries that once existed in the Historic District.
- (2) **Streetscape.** Streetscape refers to the visual appearance of a street, including the buildings, paving, utilities, signs, street furniture, plantings, and other design elements. Although the roots of Frederick's street plan are Colonial, its architecture and infrastructure present an eclectic streetscape. Elements of its infrastructure, including the paving, utilities, sidewalks, and lighting, are distinctly mid-twentieth century. The development along Carroll Creek ushered city streetscapes into the twenty-first century.
- (3) **Green space.** *Green space* refers to areas that are unpaved and devoid of buildings. Modern parking needs and increased density in the Historic District have eroded green space. The Commission will evaluate all proposals for new development, additions, parking, and other paving for their impact on green space in the Historic District. Green space should be maximized to the extent possible. Historically residential building types must maintain at least 30 percent green space outside of the primary structure. The Commission may approve alterations to a historically residential property type that reduces green space to less than 30 percent based on the following:
- a. The property has physical constraints that make it infeasible and alternatives have been adequately explored; or
 - b. Green space is not a character-defining feature of the setting; and
 - c. The reduced green space will not negatively impact historic resources or the streetscape.
- green space(4) **Yard.** A yard is the space on a lot not occupied by buildings or parking, generally characterized by plantings or turf. Yards in Frederick are usually at the backs of buildings.
- (5) **Setting.** Setting refers to the space surrounding a building, which may or may not be confined to the lot.

- B. Landscape and Streetscape Features the HPC Reviews.** The Commission considers the potential impact of rehabilitation, new construction, and demolition on the streetscape and landscape and on the settings of buildings. In addition, its review includes, but is not limited to, the following aspects of streetscape and landscape design in the Historic District:
- (1) The rehabilitation, new construction, and demolition of sites and settings, including but not limited to yards, parks, memorials, streets, alleys, and parking lots;
 - (2) Plantings and tree removals, as described in Section F, below;

- (3) Fences, gates, and walls;
- (4) Alley gates;
- (5) Paving;
- (6) Garden structures and permanently installed equipment;
- (7) Hot tubs and swimming pools;
- (8) Water features greater than four feet in diameter;
- (9) Street furniture;
- (10) Street lights (see Chapter 7 for other outdoor lighting);
- (11) Street signage;
- (12) Technological devices and structures; and
- (13) Public art.

C. Landscape and Streetscape Features the HPC Does Not Review. The Commission does not review the following:

- (1) Water features less than four feet in diameter, unless their installation requires any permit;
- (2) Items that are temporary in nature, such as patio furniture or plant containers not attached to a structure;
- (3) Removal of trees less than 12” in diameter; and,
- (4) Plantings except as outlined in Section F.

D. Prohibited Landscape and Streetscape Construction

- (1) **Decks.** A deck is a raised platform built of wood or synthetic wood, usually attached to the back of a house and without a roof. Decks project farther from buildings than the four- to five-feet that traditional Frederick porches project, and may span the width of the building and include a stair to the back yard. Deck railings typically differ from traditional porch railings and often include face nailed vertical pickets or a series of horizontal rails. Decks became popular in the mid-twentieth century and are associated with American suburbs. Decks are not appropriate in the Historic District, which is urban in character, and will not be approved.
- (2) **Planks used for paved surfaces.** The Commission will not approve the placement of boards or logs for patios.
- (3) **Gravel yards.** The Commission will not approve the placement of gravel in an area that that is more appropriately a planted landscape.

E. Rehabilitation Treatments for Landscapes and Streetscapes

- (1) **Retain historic landscape and streetscape features.** Historic features must be identified, repaired and preserved. The National Park Service publication, [*Guidelines for the Treatment of Cultural Landscapes*](#), edited by Charles Birnbaum and Christine Capella Peters, contains useful information on this subject.
- (2) **Replacement features.** If upon review the Commission determines that replacement of a historic feature is necessary, the replacement must be the same as the existing. If the exact appearance of the historic element is not known, the replacement must be based on documentation or physical evidence. If evidence is not available, the replacement must be in keeping with the landscape or streetscape.

- (3) Materials.** The materials used in landscapes and streetscapes must be materials outlined as appropriate for rehabilitation or new construction in the Historic District (see Chapter 4 and Chapter 10) or materials specified in this chapter. All materials must be compatible in color and texture with historic streetscapes and landscapes. Non-historic materials may be approved on a case-by-case basis.

F. Plantings and Tree Removals

- (1) HPC review.** The Commission must approve the following regarding plantings in the Historic District:

- a. Tree removal.** Mature trees contribute to the character and setting of the historic district and require regular maintenance. Since the loss of mature trees may negatively impact the historic district, the removal of all trees over 12 inches diameter at breast height (DBH) must be approved by the Commission. The removal of a healthy tree or groups of trees that are part of a planned, historic landscape is discouraged. The Commission will only approve the removal of trees greater than 12 inches DBH if one of the following pertains:
 - i.** The tree is dead, dying, or hazardous as documented by a certified tree expert;
 - ii.** The tree is causing damage to a structure or site feature that cannot be mitigated with pruning;
 - iii.** The tree is identified as an invasive tree in the State Forest Conservation Technical Manual; or
 - iv.** A tree that is in an area of a planned patio, parking pad or other improvement to the property that is otherwise consistent to the Guidelines and the removal of that tree will not negatively impact historic resources or the streetscape.
- b. Replacement trees.** If the Commission approves the removal of a tree it considers important to the character and setting of the historic district, it may require the planting of a replacement tree.
- c. Street trees.** Street trees are the trees planted on the public right-of-way in established tree wells. The Commission may require street tree plantings in the context of new construction or where changes are being made to the streetscape. With the advice of the City arborist and in compliance with City Code, it will approve the species to be planted and the size and location of tree wells. The Commission will encourage the use of tree species that were planted historically in Frederick. Tree wells may be covered with metal grates. Flexible porous pavements or bound “rubber mulch” type products that closely replicate natural materials may be approved for tree wells on a case-by-case basis.
- d. Plantings for screening.** The Commission may require HVAC equipment and other utilities to be screened from view from the public way. Screening approved by the Commission may be fencing, plant materials, or a combination. Fencing must comply in material and design with fences described in this chapter. It must be high enough to screen, but cannot exceed six feet unless otherwise permitted by Code. If plant materials are required for screening, shrubs must be at least two feet high when planted and trees must be at least five feet high when planted. Evergreen species must be planted if the conditions would foster the healthy growth. The Commission will approve the spacing of plant materials used for screening.

- e. **Attached window boxes.** The Commission must approve the placement of window boxes that are attached to the building with screws or other devices that may penetrate the wall or window frame or sill. Only mounting hardware and drainage features that do not damage historic fabric will be approved. Window boxes should not sit directly on wood window sills and should include airspace between the house and box. Plastic or vinyl windows boxes are not permitted.
 - f. **Designed landscapes.** Historic designed landscapes, such as formal gardens or an allée, should be retained, and preserved. Alterations to a property should be designed to avoid the removal of historic landscape features.
- (2) **Plantings that do not require HPC review.** Commission approval is not required for the following plantings:
- a. **Plantings in tree wells.** Property owners can plant annual or perennial flowers in tree wells. In order to maintain the health of the tree, such plantings should be 12” from the base of the tree and soil and mulch cannot be built up around the trunk.
 - b. **Tree removal less than 12” diameter.** The Commission does not review the removal of trees less than 12 inches in diameter.
 - c. **Free-standing planters.** The Commission does not review the placement of free-standing planters but their placement must be compliant with City Code.
 - d. **Window boxes, not attached.** The Commission does not review the placement of window boxes that are not attached to the building with screws or other hardware that penetrates or otherwise damages the wall or window frame or sill.
 - e. **Garden plantings.** The Commission does not review tree, shrub, perennial and annual plantings; however in the context of new construction must approve landscape plans, including the full range of plant materials.

G. Fences, Gates, and Walls

- (1) **Definition.** Fences and walls are constructed barriers that help define and screen parking lots, yards, and walkways. Gates are movable portions of fence that allow passage.
- (2) **Removal of fences, gates, and walls.** The removal of all fences, gates, and walls must be approved by the Commission.
- (3) **Historic precedence for fences, gates, and walls.** New fences and walls must resemble those that were built historically in the district and must be built of the same materials. Some modification to historic fence and wall styles may be allowed to accommodate modern desires for backyard privacy on Frederick’s narrow lots. For example, six-foot fences can be made less foreboding with lattice or scalloped tops.
- (4) **Location of fences and walls.** The placement of fences and walls must correspond with the City Code, which specifies that front yard fences (fences that extend beyond the front façade of a building) are not permitted. Fences and walls on corner lots must leave the sight triangle unfenced, as specified in the City Code.
- (5) **Height of fences and walls.** The height of fences and walls is regulated by the City Code. The code allows fences and walls to be six feet high, including posts, as measured from the outside of the fence or wall. The Commission might not approve a fence at the maximum height allowed. In fact, the Commission encourages lower fences in backyards to correspond with historic patterns and to preserve sight lines.

- (6) **Appropriate fence materials.** The following materials are permitted for fencing in the Historic District: wrought or cast iron; aluminum or steel; wood boards or pickets; and wire or woven wire. Pressure-treated wood may be used for fences and gates that are not facing the street. Framed wooden lattice may be approved as a fence detail, but is not permitted alone as a fence material.
- (7) **Appropriate fence styles.** The following fence types are evident in historic photographs of Frederick and are approved for construction in the Historic District. Some fence types are only approved at low heights. Other fence types may be approved on a case-by-case basis.
- a. **Solid board fences, with and without cap boards.** The width of boards ranges from about 4 inches to 14 inches. Board fences may have posts that extend above the posts, but they cannot exceed six feet in height. Posts can be topped with metal or wood caps, but not vinyl caps. The use of “dog-ear” boards is acceptable.
 - b. **Scalloped-top board fences.** The boards are cut to create a sweeping scallop between posts. Historically, this fence type seems to have been unusual and reserved for front yards. It will be approved on a case-by-case basis.
 - c. **Picket fences.** The low wood fences are built of narrow, vertical boards with pointed tops, known as pickets. Traditionally, the pickets, which are attached to a top and bottom rail, were spaced an inch or less apart; however, the Commission will accept wider spacing. Some variation was shown on the top points of the pickets and the posts. Historically, picket fences may have been the most common fence type, used in front yards and back yards, at modest and more elaborate buildings.
 - d. **Wire fences.** Various types of wire, including woven wire, are stretched between wood or metal posts. This fence type was very common in Frederick, but it is vanishing from the Historic District as owners replace them with more secure and less transparent fencing.
 - e. **Wrought and cast iron fences.** Iron fences are the most ornate fences in the Historic District, although simple versions of the fence also exist. The installation of fences of alternative materials that mimic wrought or cast iron fencing will be evaluated on a case-by-case basis.
- (8) **Inappropriate fence types and materials.** Several fence types are not appropriate in the Historic District, because of their relatively recent popularity or their rural or industrial nature. Fences that will not be approved include board-on-board (alternating board) fences, stockade fences, and split rail fences. Chain-link fences will only be approved on a case-by-case basis at some recreational, institutional, and industrial sites provided there is no negative impact to the streetscape. Fencing materials that will not be approved include plastic, including vinyl post caps, fiberglass, and other non-traditional materials. Pressure treated wood is permitted for fences and gates that do not face streets.
- (9) **Finishes for wood fences.** Wood fences may be painted or stained.
- (10) **Required orientation of fences.** In general, all fences must be installed with the “beauty” or finished side facing outward, meaning that the structural components of fencing must face the yard being fenced.
- (11) **Appropriate wall materials.** Brick and stone are permitted wall materials. Manufactured stone; traditional, rectangular, un-tinted concrete blocks; split-face

concrete block; stackable, interlocking concrete blocks; and cast-in-place concrete walls may be approved for retaining walls, sitting walls, planter walls, and low landscape accent walls in rear yard locations interior to a property and not visible from the street but will not be permitted in cases where the purpose of the wall is to screen or create a visual barrier.

- (12) **Inappropriate wall materials.** Composite or plastic materials will not be approved as a wall material in any form. Existing cinder or concrete block walls can be repaired but will only be approved as materials for new walls as outlined in (11).

H. Alley Gates

- (1) **Background.** Alley gates are the gates that face the street and city sidewalks, usually opening to walks that lead to back yards. Such walks are sometimes known as “horse trots” in Frederick. Alley gates are most commonly made of wood or cast iron, and they may have a short piece of fencing on one or both sides. An alley gate may be shared by adjoining properties, or two gates may be placed side-by-side with the property line between them. Some alley gates are the height of doors and incorporate a doorframe and decorative elements. Those that are gates cannot exceed six feet in height.
- (2) **Preserve historic alley gates.** Historic alley gates, doors, frames, and decorative elements must be identified, repaired and preserved.
- (3) **Replacement.** If the Commission determines an alley gate, door, frame, or decorative element cannot be repaired, but must be replaced, the new gate, door, frame, or decorative element must be the same as the old gate. If the gate to be replaced is not historic, the design of the new gate must be based on documentation showing a previous gate that existed at the location. If documentation is not available, the new gate should be based on other historic gates in the neighborhood.

I. Paving

- (1) **Definition.** Paving refers to the surface treatment of horizontal surfaces intended for pedestrian or vehicular travel. Paved surfaces must be a durable and dust free, according to standards issued by the City’s Engineering Department. The Historic Preservation Commission reviews paving proposals for sidewalks, private walks and patios, driveways, parking areas, and parking lots.. A parking area is a small number of spaces located on private property and a parking lot is larger and publicly or commercially operated.
- (2) **Materials.** New paving materials must be selected from the list in Chapter 4; however, the method of installation can reflect modern needs and technology.
- (3) **Paved Surfaces for Specific Uses**
- a. **Public sidewalks.** Public sidewalks may be paved with brick or concrete, according to the City standards, with some exceptions. Brick shapes and patterns not included in the City standards, including hexagonal-shaped, may be approved on a case-by-case basis. Acceptable brick patterns from the City standards are limited to herringbone and running bond. The brick on existing sidewalks can be removed and re-laid, according to the current City standard. Only broken bricks should be replaced. New brick that matches the old sidewalk brick in Frederick can be used to replace concrete sidewalks with brick. Commission approval is not needed to re-lay

- brick sidewalks, to replace concrete sidewalks with brick, or to re-pave concrete sidewalks with concrete. Commission approval is required to replace brick sidewalks with concrete. Property owners should contact the Engineering Department for more information on paving City sidewalks.
- b. Public streets and alleys.** Streets and alleys in the Historic District will be consistent with the City Code. The Commission will approve new streets and alleys in the Historic District and changes in materials on existing streets and alleys. Traffic control devices must be approved by the Commission.
 - c. Private walkways and patios.** Paving for private pedestrian walks and patios may be brick, concrete, stone, or other masonry pavers. Crushed gravel may be used for private walks. A private walk that abuts a City sidewalk must be brick or concrete.
 - d. Driveways, parking lots, and parking areas.** Parking areas and driveways near alleys can be asphalt, brick, concrete, or other masonry pavers approved by the Commission, but those visible from a public street must be consistent with the surrounding streets and sidewalks. Parking lots must be located behind buildings and not visible from streets. The Commission may require screening to block the view of parking lots from streets and alleys. Screening requirements may involve vegetation, fencing, walls, or a combination. Drawings for parking lots submitted to the Commission should include the delineation of spaces and a description of the appearance and placement of stops.

J. Garden Structures and Permanently Installed Equipment

- (1) Definition.** Garden structures include gazebos, arbors, pergolas, and similar features that provide shaded seating areas and may support plants.
- (2) HPC review.** The Commission reviews the scale of permanently installed garden structures, their visual impact on the setting, their effect on green space, and the appropriateness of their materials and construction.
- (3) Materials.** Garden structures are usually made of wood or metal. Pressure treated wood can be used for garden structures, but it must be painted or stained with a solid, opaque stain.

K. Hot Tubs, Swimming Pools and Other Water Features

- (1) Commission approval.** Hot tubs, swimming pools, other water features and their settings that require any permit for installation are subject to Commission approval. The Commission will evaluate the impact on the yard or setting, the appropriateness of the scale and materials, visibility from the public way, screening, and the impact on green space. An archaeological investigation may be required as part of installation.
- (2) Screening required.** Hot tubs, swimming pools and other water features will not be approved without adequate screening from view from the public way.

L. Street Furniture

- (1) Definition.** Street furniture includes, but is not limited to, benches, trash receptacles, commercial mail boxes, and drinking fountains placed on public sidewalks or in other public spaces. The design and location of permanent street furniture must be approved by the Commission.

- (2) **Prohibited street furnishings.** City code does not permit vending machines on streets and sidewalks in the Historic District. Vending machines on private property must be placed so that they are not visible from the street.
- (3) **Materials.** In general, street furniture must blend with the historic nature of the streetscape through the use of materials that are consistent with approved materials. Plastic, fiberglass and other non-historic materials are not acceptable.
- (4) **Newspaper boxes.** Newspaper boxes shall be in accordance with standards maintained by the Planning Department.
- (5) **Benches.** The design, material, and placement of benches shall not detract from the streetscape or nearby historic structures. They must be made of metal, wood, concrete, or a combination. Benches constructed in part from composite materials may be considered on a case-by-case basis. In some cases, benches may provide opportunities for public art (see Section P).
- (6) **Trash receptacles.** The design, material, and placement of trash receptacles shall not detract from the streetscape or nearby historic structures. Free-standing, permanently installed receptacles specifically for cigarettes and associated ashes are discouraged. Cigarette receptacles should be incorporated into existing trash receptacles and other street furniture as appropriate. Portable cigarette receptacles or ash trays temporarily placed on the sidewalk do not require Commission review.
- (7) **Drinking fountains.** Drinking shall not be installed on public sidewalks, but can be placed in parks and other public spaces that encourage passive recreation.
- (8) **Mail and package receptacles.** Mail and package receptacles must be approved by the Commission.
 - a. **Commercial mail boxes and parcel receptacles.** Commercial mail boxes and parcel receptacles are those placed for or by private carriers. Commercial boxes and receptacles cannot be placed in locations that are visible from public rights-of-way and should be placed inside buildings whenever possible.
 - b. **Postal Service Boxes.** Cluster box units are free-standing, pedestal-mounted mailboxes with individually locked mailboxes and package compartments intended for centralized delivery of mail. When required by the United States Postal Service, cluster box units must be placed so as not to negatively impact the historic streetscape.
- (9) **Bus passenger shelters.** The Commission will evaluate the impact of all bus passenger shelters on the historic streetscape and nearby historic buildings. The Commission will consider the size, scale, form, materials, signage, and lighting of all bus passenger shelters.
- (10) **Bicycle sharing stations.** The Commission will evaluate the impact of all bicycle sharing stations on the historic streetscape and nearby historic buildings. The Commission will consider the size, scale, form, materials, signage, and lighting of all such stations.

M. Street Lights

- (1) **Definition.** Street lights are lights that are installed by the City of Frederick to illuminate streets and sidewalks in the Historic District. Street lights also are used to illuminate parks, parking lots, and other public spaces.

- (2) **Preferred models.** The preferred street lights in the Historic District are “acorn” fixtures according to the City standard, installed on 14 foot cast iron or aluminum poles. Such lights should be installed throughout the Historic District.
- (3) **Replacing other lights.** The preferred model street light should be installed any time work is undertaken that results in the replacement of major parts of the infrastructure. All streetlights on Market and Patrick streets in the Historic District shall be acorn fixtures on cast iron or aluminum poles. Elsewhere, such lights shall be installed as other lights need replacing or as the City budget allows.
- (4) **Other outdoor lighting.** Lighting attached to buildings or located in places other than City streets is discussed in Chapter 7.

N. Street Signage

- (1) **Definition.** Street signage refers to public signs displayed by the city, county, state, or federal government to provide directions, control traffic, identify locations, and to provide emergency information.
- (2) **Amount and placement.** Unnecessary and redundant signage should be avoided to reduce the amount of streetscape clutter that such signage can present. The number of poles containing signs should be as minimal as possible. To that end, signs should be placed together on poles as much as possible.
- (3) **Wayfinding signs.** Wayfinding signs require Commission approval.

O. Technological Devices and Structures

- (1) **Definition.** This section refers to any permanent installation that is intended to assist or facilitate the use of technology in daily activities. Since technology is constantly advancing and evolving, not every device or structure will be addressed in these guidelines. The Commission will consider the impact of all technological devices and structures on the streetscape and landscape.
- (2) **Payment and charging stations.** Payment stations for parking or public transportation and electric vehicle charging stations should be the minimum size available. Their form, size, materials, lighting, signage, and placement shall not detract from the historic streetscape or landscape.
- (3) **Antennas and towers.** New antennas and related equipment must be located on existing towers or poles unless there is no alternative available. New towers or poles will be permitted only when existing structures cannot be utilized. All new antennas, towers, and related equipment shall be located so as not to detract from the streetscape, landscape, or setting of the historic district. New towers or poles should be no larger than existing towers or poles and should be of a similar material and appearance.

P. Public Art

- (1) **Definition.** Public art refers to works of art that are placed or created outside and intended for public appreciation. Such artwork includes, but is not limited to, sculpture, murals, and mosaics. Functional aspects of streetscapes and landscapes, such as bridges, benches, and fencing may provide opportunities for artistic expressions and in certain situations will be evaluated as public art.
- (2) **Review of Public Art.** The Commission reviews all applications for public art with respect to its relationship to character-defining façades or features or its placement within

a historic streetscape or landscape in addition to the effect of its attachment on any historic materials. The Commission shall not consider the content, color, subject matter or style of the proposed artwork. The Commission shall have final approval authority regarding height, massing, scale, materials, and placement. The Commission shall give great weight to the recommendation of the Public Art Commission when reviewing public art.

- (3) Placement.** Public art should be located in a manner that complements the existing site design and streetscape, while not necessarily dominating the character-defining elevations of historic buildings or the streetscape. When selecting the location of public art, consideration should be given to the height, scale and massing of the installation, so that the artistic work does not irreversibly alter the character-defining features of historic buildings or damage historic materials.