

**THE CITY OF FREDERICK
ORDINANCE NO: G-16-03**

<u>LEGISLATIVE HISTORY</u>	
<u>HISTORIC PRESERVATION COMMISSION</u>	
PUBLIC HEARING:	OCTOBER 22, 2015
RESOLUTION SUBMITTED TO MAYOR & BOARD:	DECEMBER 29, 2015
<u>PLANNING COMMISSION</u>	
PUBLIC HEARING:	DECEMBER 15, 2015
RESOLUTION SUBMITTED TO MAYOR & BOARD:	DECEMBER 29, 2015
<u>MAYOR & BOARD OF ALDERMEN</u>	
WORKSHOP:	JANUARY 6, 2016
PUBLIC HEARING:	JANUARY 21, 2016

AN ORDINANCE concerning the zoning of the Ox Fibre Brush Company (Goodwill Industries of Monocacy Valley Main Office) property

FOR the purpose of amending the official zoning maps to apply the historic preservation overlay (HPO) zone while maintaining the downtown commercial/residential (DB) base zone.

BY repealing and reenacting, with amendments,

§ 402
Appendix A, "Land Management Code"
The Code of the City of Frederick, 1966 (as amended)

WHEREAS, the Land Management Code (LMC) of The City of Frederick (the "City") incorporates by reference the official zoning maps; and

WHEREAS, the City has the authority to designate the boundaries for sites, structures, or districts that are deemed to be of historic, archeological, or architectural significance, pursuant to the Annotated Code of Maryland, Land Use Article, § 8-105 and in accordance with LMC §§ 306 and 423; and

WHEREAS, the Historic Preservation Commission (HPC) has made an application to amend the official zoning maps by applying the HPO zone to property located at 400 East Church Street, consisting of 2.6 acres of land, more or less, and generally known as the Ox Fibre Brush Company/Goodwill Industries of Monocacy Valley Main Office property (the "Property"); and

WHEREAS, the HPC held a duly advertised public hearing on October 22, 2015, and at the conclusion thereof recommended that the Board of Aldermen apply the HPO zone to the Property; and

WHEREAS, the Planning Commission held a duly advertised public hearing on December 15, 2015, and at the conclusion thereof recommended that the Board of Aldermen apply the HPO zone to the Property; and

WHEREAS, on January 21, 2016, having received the recommendations and findings of the HPC and the Planning Commission, the Board of Aldermen held a duly advertised public hearing on the proposed application of the HPO zone to the Property; and

WHEREAS, in accordance with LMC §§ 306 and 423, the Board of Aldermen hereby finds as follows:

- (1) The HPO zone was established to safeguard the historical and cultural heritage of the City by preserving sites, structures or districts that reflect elements of cultural, social, economic, political, archeological, or architectural history and to promote the appreciation of those sites, structures, and districts for the education and welfare of the residents of the City.
- (2) The Property fulfills the criteria for designation in Section 423(b)(3)(B) because:
 - a. The structures on the Property are associated with events and cultural groups that have made a significant contribution to the broad patterns of history, including those that exemplify the heritage of the City. The former factory site of the Ox Fibre Brush Company is significant for its role in the history of manufacturing and industry in Frederick. The site represents local and national trends towards industrialization and urbanization after the Civil War.
 - b. It is an example of a small industrial enterprise that rapidly expanded into large scale manufacturing operation by the end of the nineteenth-century and into the early twentieth-century as a result of railroad expansion, a growing middle class, women entering the workforce, and the subsequent rise in demand for consumer goods. It is a key site in the development of the City where many successful industries located on the east side around transportation routes and spurring economic development and residential growth.
 - c. The Property is associated with the lives of persons significant in the history of the City, the region, the state, or the nation. McClintock Young (1836-1913) was a prolific inventor whose patented designs significantly influenced American manufacturing and industry in the late nineteenth and early twentieth centuries. Young's association with the Ox Fibre Brush Company, of which he was a founding member, is of particular importance to his career. Many of his patents were acquired while working for the company and his designs manufactured there, for use around the world, revolutionized the brush-making industry.
 - d. The Property exhibits significance in design or construction by embodying the distinctive characteristics of a type, period or method of construction, including characteristics particularly associated with the City. The former factory of the Ox Fibre Brush Company is a good example of a manufacturing plant from the late

nineteenth and early twentieth centuries. The buildings display typical features of industrial architecture of the period including a long, narrow footprint with repetitive window openings, which provided necessary interior illumination. Additional characteristic features include distinct bay divisions marked by engaged brick pilasters; corbel tables and corbelled cornices; segmental and full-arched window openings and walls constructed of locally made common brick.

- (3) The application of the HPO to the Property is compatible with the Comprehensive Plan, which sets forth policies to identify, document, designate, and protect significant historic resources and to encourage the retention, enhancement and maintenance of valuable historic resources.
- (4) The application of the HPO to the Property does not result in a population change; it does not impact present and future transportation patterns; and it is compatible with existing and proposed developments.

SECTION I. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that The Code of the City of Frederick, 1966 (as amended), Appendix A, Land Management Code, § 402, be repealed and reenacted, with amendments, by revising the official zoning maps by applying the historic preservation overlay (HPO) zone to the Property while maintaining the downtown commercial/residential (DB) base zone, as shown on Exhibit A, attached hereto and incorporated herein by this reference.

SECTION II. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN that in the event any provision, section, sentence, clause, or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence clause or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

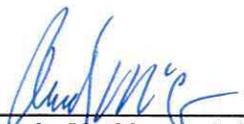
SECTION III. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN that this ordinance shall take effect on January 31, 2016, and all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance will as of that date be repealed to the extent of such inconsistency.

APPROVED: January 21, 2016

PASSED: January 21, 2016



Randy McClement, Mayor

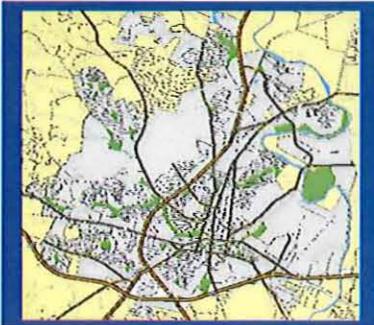
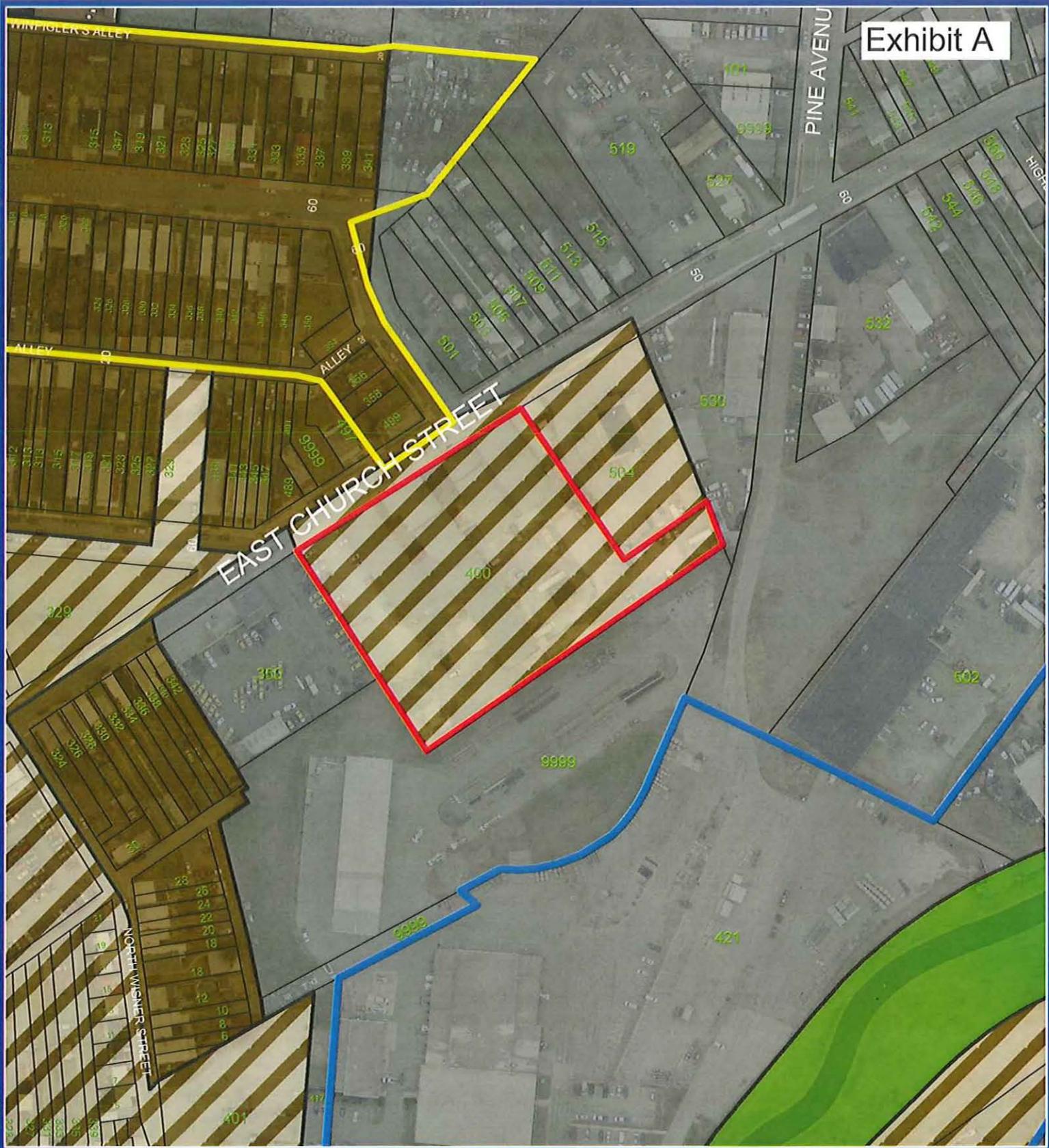


Randy McClement, President
Board of Aldermen

Approved for Legal Sufficiency:



City Attorney



Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. Data on this map was prepared from several original sources and is subject to change as source data changes. This map is not a legal document. Coordinates produced 03/07. Map produced by: mls/mann



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Ox Fibre Brush Company (Goodwill) 400 East Church Street

	Carroll Creek Overlay		PRK
	Proposed HPO Boundary		Light Industrial
	HPO Boundary		Downtown Business
	IST		Downtown Residential