

Rules of Procedure
City of Lexington
Historic Preservation Commission

Adopted November 29, 1987

Amended December 21, 1989

Reformatted October 17, 2025 (no content changes)

I. PURPOSE

To establish procedures for processing applications for certificates of appropriateness for (1) any changes in the external appearance of existing structures; (2) design of new structures; and (3) demolition of landmarks and existing structures within designated historic districts.

II. GENERAL RULES

The Lexington Historic Preservation Commission shall be governed by the terms of the Lexington Historic Preservation Commission Ordinance as contained in the Code of Ordinances for the City and by the terms of Georgia Code 44-10-20 through 44-10-31 as they may be amended or revised.

III. JURISDICTION

The jurisdiction for requiring certificates of appropriateness as required by the Historic Preservation Commission Ordinance shall be delineated on the official zoning map on file in the Planning Department (or where zoning is not in force, on an official map).

IV. MEMBERS, OFFICERS, AND DUTIES

- A. General. The Commission shall be composed of not less than three or more than five members, the majority of whom shall have demonstrated special interest, experience, or education in history, architecture, and other design-related professions.
- B. Chairman. A chairman shall be elected by the voting members of the Historic Preservation Commission; his/her term shall be for one year, and he/she may serve for no more than two consecutive terms. The chairman shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time. The chairman shall appoint any committees found necessary to investigate any matters before the Commission.
- C. Vice-Chairman. A vice-chairman shall be elected by the Commission from among its members in the same manner as the chairman and shall be eligible for re-election. He/she shall serve as acting chairman in the absence of the chairman, and at such times he/she shall have the same powers and duties as the chairman.

- D. Secretary.
1. A member of the planning staff, building department, or another employee designated by the (Mayor/Chairman), shall serve as Secretary to the Commission. The secretary shall not be eligible to vote on any matter.
 2. A recording secretary shall be elected by the commission from among its members in the same manner as the Chairman and shall be eligible for reelection. The Recording Secretary, subject to the direction of the Chairman of the Commission, shall keep all records, shall conduct all correspondence of the Commission, and shall generally supervise the clerical work of the Commission.
- E. Elections. Terms for officers shall begin on January 1. Members shall be notified in writing of the election of officers at least 30 days prior to the regular November meeting.
- F. Terms of Appointments. Terms of appointment for Commission members shall be three years from the date of appointment, ending December 31, except in the initial organization of the Commission.
- G. Attendance at Meetings. Should a member fail to attend three consecutive regular meetings of the Commission and, should there be no adequate excuse for such absences, the chairman, with the concurrence of a majority of the entire Commission, shall recommend to the appropriate authority that a vacancy be declared and that the vacated position be filled.
- H. Applications Involving Members. No Commission member shall take part in the hearing, consideration, or determination of any case in which he/she is personally or financially interested.

V. MEETINGS

- A. Regular Meetings. Regular meetings of the Commission shall be held on the first Monday of each month at 7:30 in the City Hall provided that meetings may be held at some other convenient place if directed by the chairman in advance of the meeting. Should there be a holiday on the Monday on which a meeting would ordinarily be scheduled, the regular meeting will be held the following Monday, provided that appropriate public notice is given for any change in date or time for such meeting.
- B. Special Meetings. Special meetings of the commission may be called at any time by the chairman. At least twenty-four (24) hours' notice of the time and place of special meetings shall be given, by the secretary or by the chairman, to each member of the commission, provided that this requirement may be waived by action of a majority of all members.
- C. Cancellation of Meetings. Whenever there is no business for the Commission, the chairman may dispense with a regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.
- D. Quorum. A quorum shall consist of 3 of the members of the Commission.
- E. Conduct of Meetings. All meetings shall be open to the public. The order of business at regular meetings shall be as follows: (a) roll call; (b) reading of the minutes of previous meetings; (c) report of committees; (d) unfinished business; (e) new business.

- F. Review Criteria. In reviewing applications for certificates of appropriateness, the Commission shall take into account the historic and architectural significance of the structure and shall maintain maps showing the historic and architectural significance of structures. In its review the Commission shall also take into account the following elements to ensure that the exterior form and appearance of the structure is consistent with the historic or visual character of the district.
1. The height of the building in relation to the average height of the nearest adjacent and opposite buildings.
 2. The setback and placement on lot of the building in relation to the average setback and placement of the nearest and opposite buildings
 3. Exterior construction materials, including textures and patterns but not to include color ...Verify permanent color that is integral to the material, verses paint color.
 4. Architectural detailing such as lintels, cornices, brick bond, and foundation materials.
 5. Roof shapes, forms, and materials.
 6. Proportions, shapes, positionings and locations, patterns, and sizes of any elements of fenestration.
 7. General form and proportions of buildings and structures.
 8. Appurtenant fixtures and other features, such as lighting.
 9. Structural condition and soundness.
 10. The Commission may designate more explicit design criteria as it deems necessary.
- G. Consideration of Applications. Any party may appear in person or by agent or attorney at the meeting. The order of business for consideration of applications for certificates of appropriateness shall be as follows:
1. The chairman, or such person as he or she shall direct, shall give a preliminary statement concerning the application.
 2. The applicant shall present the arguments in support of his or her application.
 3. Persons opposed to granting the application shall present the arguments against the application.
 4. Statements of arguments submitted by any official, commission, or department of the City of Lexington, any state agency, or any location historical, preservation or neighborhood association shall be presented as directed by the chairman.
 5. The chairman, or such person as he or she shall direct, shall summarize the evidence which has been presented giving all parties an opportunity to make objections or corrections;
 6. The Commission shall thereafter proceed to deliberate whether to grant the application or deny it;
 7. Testimony shall be sworn unless all parties agree to waive the oath.
 8. Procedures may be modified by concurrence of all parties and the Commission itself.
 9. The Commission may, in its discretion, view the premises and obtain additional facts concerning any application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and where necessary to effectuate the purposes of the ordinance, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances.

10. In considering applications, witnesses may be called, and factual evidence may be submitted, but the Commission shall not be limited to consideration of such evidence as would be admissible in a court of law.
- H. Vote. The vote of a majority of those members present shall be sufficient to decide matters before the commission, provided a quorum is present. No Commission member shall participate in the decision of any matter in which he or she has a personal or financial interest.

VI. APPLICATION PROCEDURES

- A. An application must be filed in the Planning Department at least ten (10) working days prior to the next meeting of the Commission, accompanied by sketches, drawings, photographs, specifications, descriptions, etc., of the proposed project.
- B. Using stamped, self-addressed envelopes supplied by the applicant, the Planning Department shall notify by mail, not less than one week prior to the meeting at which the matter is to be heard, the affected property owners within:
 1. 100 feet on all sides of the subject property for applications which involve a material change in the property;
 2. 500 feet on all sides of the subject property for applications which involve a demolition or relocation.
- C. The applicant and affected property owners shall be given an opportunity to be heard at the meeting at which the application is presented.
- D. In cases where the Commission deems it necessary, it may hold a public hearing concerning the application.
- E. The Commission must issue or deny a certificate of appropriateness within forty-five (45) days after filing if the application, except when the time limit has been extended by mutual agreement between the applicant and the Commission.
- F. If the application is approved, the secretary for the Commission shall transmit a certificate of appropriateness in letter form, clearly describing the nature of the work which has been approved. The secretary shall attach a copy of the minutes of the meeting at which approval was granted and placard for of the certificate of appropriateness to be displayed on the project. A copy of this information shall be forward to the Inspections Department which is responsible for its enforcement.
- G. If an application is denied, a copy of the minutes of the meeting and written reasons for denial shall be made available to the applicant.

VII. AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than three fourths (3/4) of the members of the Commission, provided that such amendment shall have first been presented to the membership in writing at a regular proceeding the meeting at which the vote is taken.