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RECEIVED
DEC 23 2025
STATE HISTORIC PRESERVATION OFFICE

December 18, 2025

Mr. Arthur Krupicz
Administrator / State Historic Preservation Officer
Nevada State Historic Preservation Office
State Department of Conservation and Natural Resources
901 South Stewart Street, Suite 3002
Carson City, NV 89701

Re: LCB File No. R016-24

Dear Mr. Krupicz,

A regulation adopted by the Comstock Historic District Commission has been filed today with the Secretary of State pursuant to NRS 233B.067 or 233B.0675 as appropriate. As provided in NRS 233B.070, this regulation becomes effective upon filing, unless otherwise indicated.

Enclosed are two copies of the regulation bearing the stamp of the Secretary of State which indicates that it has been filed. One copy is for your records and the other is for delivery to the State Library and Archives Administrator pursuant to subsection 6 of NRS 233B.070.

Sincerely,

A handwritten signature in blue ink, appearing to read "Asher A. Killian".

Asher A. Killian
Legislative Counsel

Kelsey M. DeLozier
Senior Deputy Legislative Counsel

Karly R. O'Krent
Senior Principal Deputy Legislative Counsel

AAK/ay
Enclosure

Form for Filing Administrative Regulations

SECRETARY OF STATE FILING DATA FILED.NV.SOS 2025 DEC 18 AM8:51	Agency Comstock Historic District Commission <u>2016-24</u>	FOR EMERGENCY REGULATIONS ONLY Effective date Expiration date Governor's signature
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Classification PROPOSED ADOPTED BY AGENCY EMERGENCY

Brief description of action

The revisions to the NAC 384 aim to enhance clarity and efficiency for the Comstock Historic District Commission. They refine district boundaries, simplify administrative roles and processes, improve flexibility in operations, and clarify the Standards used in decision-making.

The regulations adopted on December 2, 2025 are an amendment by the Comstock Historic District Commission to address the Legislative Commission's comments from their meeting on October 28, 2025.

Authority citation other than 233B

NRS 384

Notice date April 19, 2025

Date of Adoption by Agency December 2, 2025

Hearing date December 2, 2025

APPROVED REGULATION OF THE
COMSTOCK HISTORIC DISTRICT COMMISSION

LCB File No. R016-24

Filed December 18, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§ 1-3, NRS 384.050 and 384.090; §§ 4, 11 and 13, NRS 384.090; § 5, NRS 384.080, 384.090, 384.115 and 384.190; §§ 6 and 7, NRS 384.060 and 384.090; § 8, NRS 384.090 and 384.100; § 9, NRS 384.090 and 384.110; § 10, NRS 384.090 and 384.140; § 12, NRS 384.090 and 384.190.

A REGULATION relating to the Comstock Historic District; eliminating the offices of Secretary and Treasurer of the Comstock Historic District Commission; requiring money due and payable to the Commission to be deposited in the Account for the Comstock Historic District; transferring certain duties of the Treasurer to the Chair of the Commission; revising the powers and duties of the Chair and Vice Chair of the Commission; revising the qualifications of members of an architectural committee; renaming the Office Manager employed by the Commission as the District Officer; establishing the duties of the District Officer; revising requirements related to meetings of the Commission; revising a map of the boundaries of the Historic District; revising requirements relating to an application for a certificate of appropriateness; requiring the Commission to consider certain standards when determining whether to issue a certificate of appropriateness; revising requirements relating to a preapplication review conducted by the Commission; clarifying the powers of a county or city building inspector designated by the Commission; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Comstock Historic District Commission and requires the Commission to establish a historic district in certain areas of Storey and Lyon Counties. Existing law also: (1) prescribes the procedure for the establishment of a historic district; and (2) authorizes the Commission to alter or change the boundaries of the historic district by following the same procedure as provided for the establishment of a historic district. (NRS 384.040, 384.100) Existing regulations set forth a map of the boundaries of the Historic District, as originally established. (NAC 384.150) **Section 8** of this regulation revises the map in accordance with alterations or changes made to the boundaries of the Historic District. **Section 8** additionally

provides: (1) a written description of the boundaries of the Historic District; and (2) that, if a conflict exists between the map and written description, the written description prevails.

Existing law grants the Commission various powers and duties related to the preservation and protection of any historic district established by the Commission. (NRS 384.080) Existing law additionally creates the Account for the Comstock Historic District in the State General Fund and requires the money deposited in the Account to be expended only for the maintenance of the Commission or to carry out the program of historic preservation and restoration within the District. (NRS 384.170) Existing regulations require the Commission to elect or appoint a Chair, a Vice Chair, a Secretary and a Treasurer and set forth the powers and duties of those officers. (NAC 384.020-384.080) **Section 1** of this regulation eliminates the offices of Secretary and Treasurer of the Commission. **Sections 2 and 13** of this regulation make conforming changes related to the elimination of these offices. **Section 2** transfers certain duties of the Treasurer to the Chair and **section 3** of this regulation authorizes the Vice Chair to perform such duties on behalf of the Chair. **Section 2** further requires the Chair, or his or her designee, to deposit money due and payable to the Commission in the Account. Under existing regulations, the Chair of the Commission is required to supervise and control all of the business and affairs of the Commission. (NAC 384.040) **Section 2** removes this requirement.

Existing law authorizes the Commission to appoint any committees and subcommittees necessary to carry out its duties. (NRS 384.090) Existing regulations authorize the Commission to appoint an architectural committee composed of members who have expertise and background in architecture, engineering or design, particularly as it relates to the architectural design and engineering methods used between 1865 and 1880. (NAC 384.090) **Section 4** of this regulation removes the requirement for such experience, thereby authorizing the Commission to appoint any person who has expertise and background in architecture, engineering or design to an architectural committee.

Existing law authorizes the Commission to employ such personnel as the Commission deems necessary to carry out its duties. (NRS 384.080) Existing regulations: (1) authorize the Commission to employ an Office Manager; and (2) prescribe the duties of a person so employed. (NAC 384.110) **Section 5** of this regulation renames the Office Manager as the District Officer and sets forth the duties of the District Officer, including certain duties previously performed by the Secretary of the Commission.

Existing law authorizes the Commission to establish requirements related to meetings of the Commission. (NRS 384.060) Existing regulations require the Commission to meet on the first Tuesday of each month. (NAC 384.120) **Section 6** of this regulation instead requires the Commission to hold at least one regular meeting each month unless: (1) inclement weather or other uncontrollable circumstances make it impossible, impracticable or inadvisable for the Commission to meet; (2) a quorum of members is unable to meet; or (3) the Chair determines that there is not sufficient business to warrant meeting.

Existing regulations: (1) authorize the Commission to hold special meetings; and (2) require that written notice of any such meeting be delivered personally or sent by mail or telegram to each Commissioner. (NAC 384.120, 384.130) **Section 7** of this regulation eliminates the option to deliver the notice by telegram and authorizes the electronic transmission of the notice.

In general, existing law requires a person to obtain a certificate of appropriateness from the Commission before building or altering a structure within the Historic District. Under existing law, an application for a certificate of appropriateness must be accompanied by such plans, specifications and other material as the Commission prescribes. (NRS 384.110) Existing regulations require that each application for a certificate of appropriateness be accompanied by drawings or plans of the proposed alteration, additions or changes. (NAC 384.160) **Section 9** of this regulation instead requires that each application be accompanied by a written description of the proposed alteration, additions or changes. **Section 9** also removes a requirement that certain applications for a certificate of appropriateness be accompanied by certain photographs. Finally, **section 9** authorizes the Commission to require an applicant to submit any additional information, documentation, drawings or photographs necessary to determine whether to issue a certificate of appropriateness to the applicant.

Existing law requires the Commission to consider certain factors in determining whether to issue a certificate of appropriateness. (NRS 384.140) **Section 10** of this regulation revises the principles that the Commission must consider when determining whether to issue a certificate of appropriateness. (NAC 384.170)

Existing regulations provide for the preapplication review of certain preliminary materials by the Commission. (NAC 384.180) **Section 11** of this regulation eliminates a requirement that certain notice be given to the Commission before a preapplication review.

Existing law prescribes the powers of a building inspector or other similar authority employed by the Commission. (NRS 384.190) Existing regulations authorize the Commission to designate a county or city building inspector to perform certain duties within the Historic District. (NAC 384.190) **Section 12** of this regulation clarifies the powers granted to a county or city building inspector so designated. Finally, **section 13** eliminates the authorization for certain officers of the Commission to enter into contracts or sign checks on behalf of the Commission.

Section 1. NAC 384.020 is hereby amended to read as follows:

384.020 1. The officers of the Commission consist of a Chair ~~1, a~~ and Vice Chair, ~~1, a~~ ~~Secretary and a Treasurer,~~ as determined by the Commission.

2. The Commission may elect or appoint such other officers as it deems desirable. These officers shall perform the duties prescribed from time to time by the Commission.

3. Any two or more offices may be held by the same person, except the Office of Chair.

Sec. 2. NAC 384.040 is hereby amended to read as follows:

384.040 1. The Chair is the principal executive officer of the Commission. ~~1 and shall supervise and control all of the business and affairs of the Commission.~~

2. The Chair shall preside at all meetings of the Commission.
3. The Chair may sign, with the ~~Secretary, or any other proper officer of the Commission authorized by the Commission,~~ **Vice Chair**, any deeds, mortgages, bonds, contracts, or other instruments which the Commission has authorized to be executed, except in cases where the signing and execution is expressly delegated by the Commission, or by statute, to some other officer or agent of the Commission.
4. The Chair shall perform the duties incident to his or her office and such other duties as may be prescribed by the Commission from time to time.

5. *The Chair, or his or her designee, has charge and custody of and is responsible for all funds and securities of the Commission. The Chair, or his or her designee, shall receive and give receipts for money due and payable to the Commission from any source whatsoever and shall deposit all such money in the name of the Commission in the Account for the Comstock Historic District created by NRS 384.170.*

Sec. 3. NAC 384.050 is hereby amended to read as follows:

384.050 1. In the absence of the Chair, or in the event of his or her inability or refusal to act, as determined by a majority of the Commission, the Vice Chair shall perform the duties of the Chair.

2. When acting as Chair, the Vice Chair has all the powers of and is subject to all the restrictions upon the Chair.

3. The Vice Chair shall perform such other duties as from time to time may be assigned to him or her by the Chair or by the Commission.

4. The Vice Chair may perform any of the actions described in subsection 5 of NAC 384.040 on behalf of the Chair.

Sec. 4. NAC 384.090 is hereby amended to read as follows:

384.090 1. The Commission, by resolution adopted by a majority of the Commissioners, may designate one or more committees, each of which must consist of two or more Commissioners.

2. The committees, to the extent provided in the resolution, have and shall exercise the authority of the Commission and the management of the Commission; but the designation of such committees and the delegation of authority to them does not operate to relieve the Commission or any individual Commissioner of any responsibility imposed upon the Commission or the Commissioner by law.

3. The Commission may appoint an architectural committee composed of members who have expertise and background in architecture, engineering or design. ~~I, particularly as it relates to the architectural design and engineering methods used and employed in the Comstock Era between 1865 and 1880.~~ This committee's purpose is to advise and consult with the Commission on applications for certificates of appropriateness, make recommendations to the Commission, and perform such other duties and functions as the Commission deems advisable. The members of this committee need not be members of the Commission.

4. Other committees not having and exercising the authority of the Commission may be designated by a resolution adopted by the Commission. Except as otherwise provided in the resolution, the members of such a committee need not be members of the Commission. The Chair shall appoint the members of the committee. Any member of the committee may be

removed by the Chair whenever in his or her judgment the best interests of the Commission will be served by the removal.

Sec. 5. NAC 384.110 is hereby amended to read as follows:

384.110 1. The Commission may employ ~~an Office Manager~~ *a District Officer* to ~~supervise all~~ *carry out the powers and duties described in subsections 2 and 3.*

2. *The District Officer shall:*

(a) *Supervise:*

- (1) *The office and day-to-day ~~routine~~ operations of the Commission* ~~and supervise the~~ ;
- (2) *Any personnel employed by the Commission pursuant to NRS 384.080; and*
- (3) *Any building inspectors* ~~and handle violations.~~

~~2. The Office Manager shall advise~~ *designated by the Commission pursuant to NAC 384.190;*

(b) *Advise* the Commission of pending business and applications ~~and report~~ ;

(c) *Report* violations ~~to~~ ;

~~3. The Office Manager shall interview~~ *of this chapter or NRS 384.010 to 384.210,*

inclusive, and handle any such violations in any manner required by the Commission;

(d) *Interview* and advise applicants according to law and practice, ~~and shall advise them~~ *including, without limitation, advising applicants* of approved standards and details ~~to~~ ;

~~4. The Office Manager shall review~~ ;

(e) *Review* applications for presentation to meetings of the Commission ;

(f) *Keep the minutes of the meetings of the Commission in one or more books provided for that purpose;*

(g) See that all notices are given in accordance with the provisions of this chapter or as required by law;

(h) Be custodian of the records of the Commission, including all applications for certificates of appropriateness, and their disposition, drawings, photographs, maps, and the library of the Commission;

(i) Keep a register of the mailing address of each member of the Commission; and [shall perform]

(j) Perform such other duties as the Commission from time to time may assign.

3. The District Officer may:

(a) Issue certificates of appropriateness on behalf of the Commission in accordance with NRS 384.115; and

(b) Exercise the powers granted to a building inspector or similar authority by NRS 384.190.

Sec. 6. NAC 384.120 is hereby amended to read as follows:

384.120 1. [Regular meetings of the Commissioners must be held] Except as otherwise provided in subsection 2, the Commission will hold a regular meeting at least once each month at the Office of the Commission in Virginia City. [on the first Tuesday of each month.]

2. The requirements of subsection 1 do not apply if:

(a) Inclement weather or other uncontrollable circumstances make it impossible, impracticable or inadvisable for the Commission to meet;

(b) A quorum of members is unable to meet; or

(c) The Chair determines that there is not sufficient business to warrant meeting.

[2.] 3. Special meetings of the Commissioners may be called by or at the request of the Chair or two Commissioners. The Chair shall fix the time of the special meeting and the place of the meeting, which may be within or without the Historic District.

[3.] 4. If less than a majority of Commissioners are present, a majority of the Commissioners present may adjourn a meeting from time to time without further notice.

Sec. 7. NAC 384.130 is hereby amended to read as follows:

384.130 1. **[Notice]** *Written notice* of a special meeting of the Commission must be given at least 7 days before the meeting. **[, by written]** *The notice [delivered] must be:*

(a) *Delivered* personally **[, or sent]** *to each Commissioner;*

(b) *Sent* by *regular* mail **[or telegram]** to each Commissioner, at his or her address as shown on the records of the Commission **[; or]**

(c) *Transmitted by electronic mail.*

2. Any Commissioner may waive notice of any meeting.

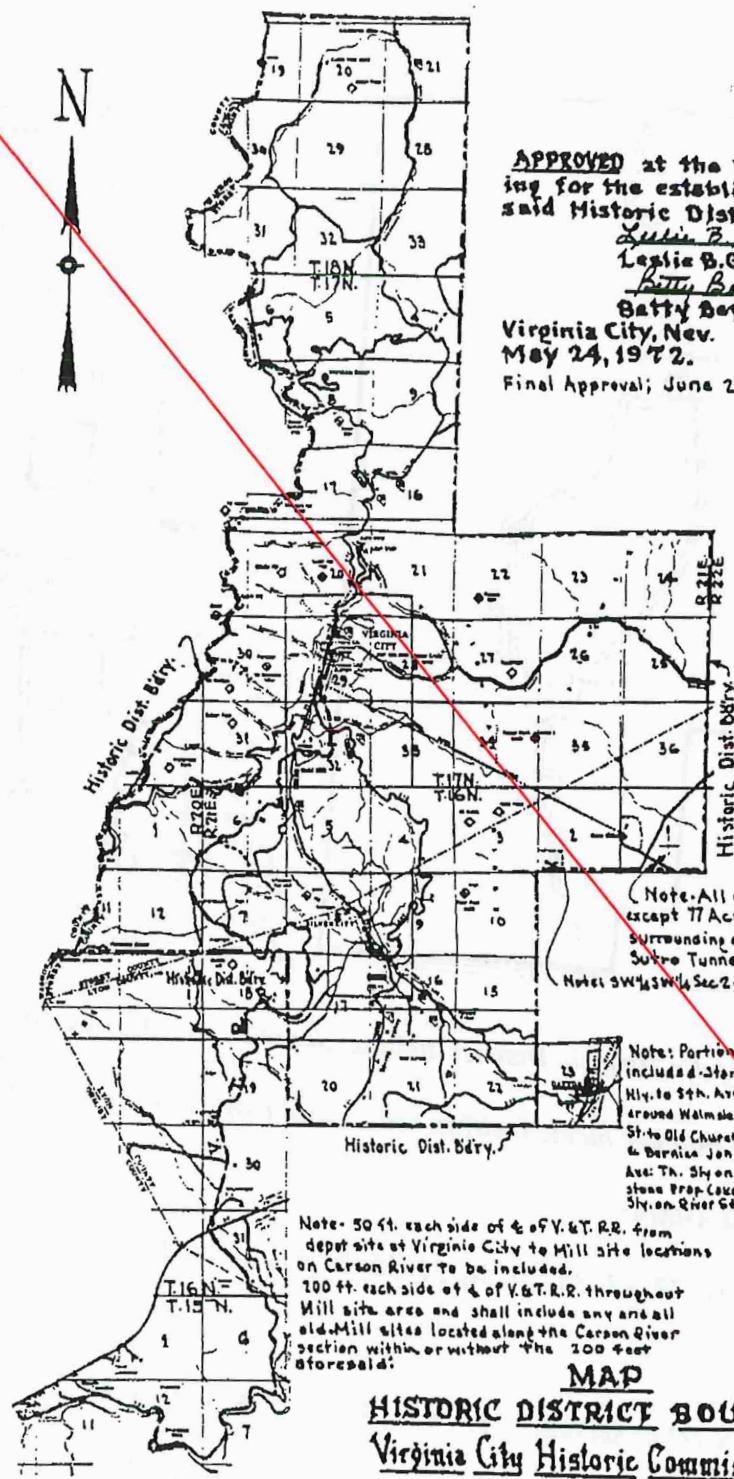
3. A Commissioner's attendance at a meeting constitutes a waiver of notice, except where the Commissioner attends for the express purpose of objecting to the transaction of business because it was not lawfully called.

4. The general nature of the business to be transacted at the special meeting must be set forth in the notice.

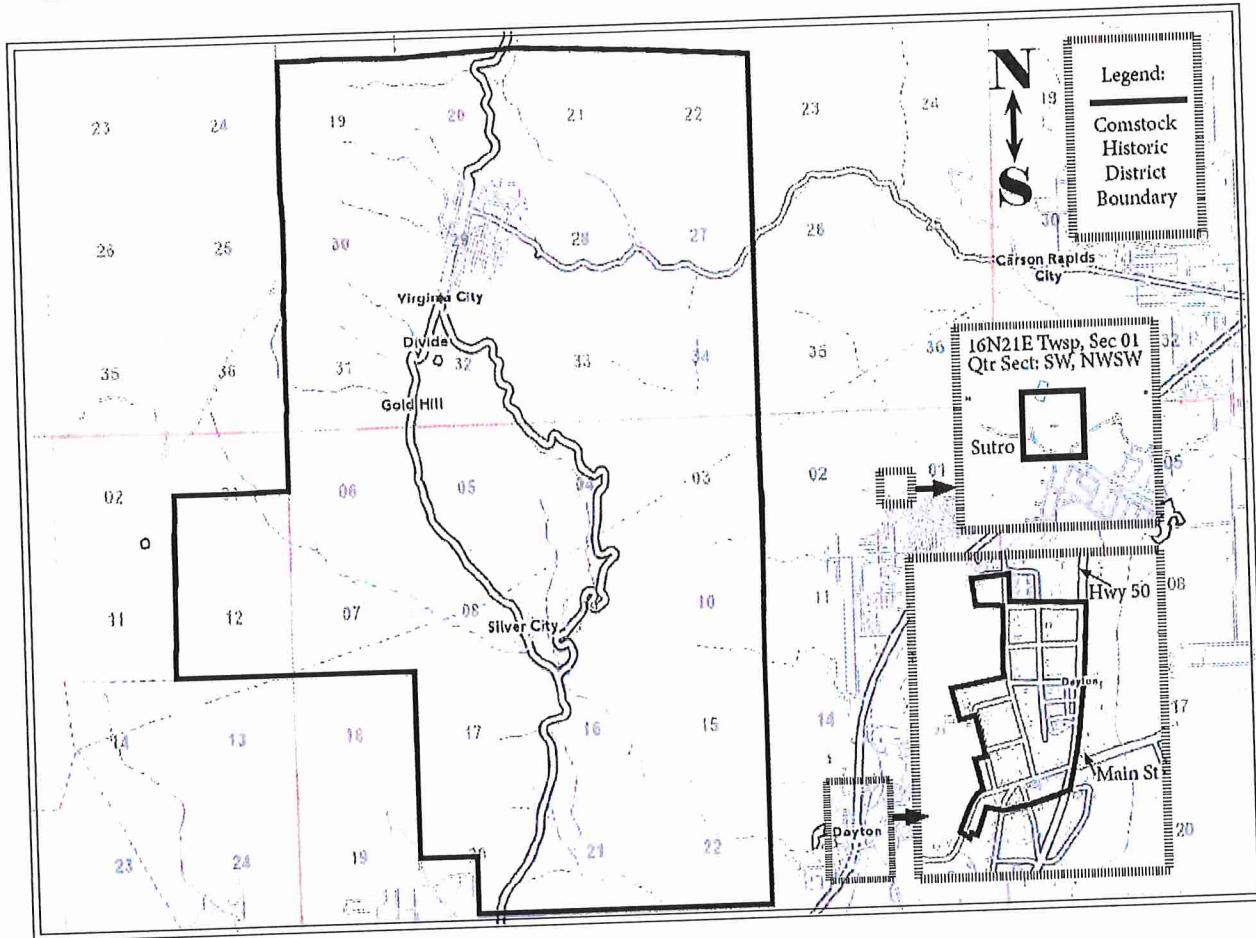
Sec. 8. NAC 384.150 is hereby amended to read as follows:

384.150

N



1.



2. *The boundaries of the Historic District include all portions indicated on the map included in subsection 1 that are located within Storey and Lyon counties east of the Washoe County line and situated within:*

(a) *Sections 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34, T. 17 N., R. 21 E., M.D.B. & M.;*

(b) *Section 12 and S 1/2 of section 1, T. 16 N., R. 20 E., M.D.B. & M.;*

(c) *Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 21, 22 and N 1/2 and SE 1/4 of section 20, T. 16 N., R. 21 E., M.D.B. & M.;*

(d) *The NW 1/4 of the SW 1/4 of section 1, T. 16 N., R. 21 E., M.D.B. & M. that surrounds the entrance to Sutro Tunnel; and*

(e) *The portions of Old Town Dayton located within section 23, T. 16 N., R. 21 E., M.D.B. & M.*

3. *If a conflict occurs between the map included in subsection 1 and the description of the boundaries of the Historic District set forth in subsection 2, the boundaries of the Historic District set forth in the written description included in subsection 2 prevail.*

Sec. 9. NAC 384.160 is hereby amended to read as follows:

384.160 1. The Commission will prepare and make available applications for certificates of appropriateness to applicants desiring to erect, reconstruct, alter, restore, move or demolish any structure within the **Historic** District, and may establish a reasonable fee to cover the cost of processing an application.

2. The Commission may issue guidelines or bulletins and instruction sheets from time to time setting forth the general policies of the Commission, design criteria, projects or work that may be undertaken without a certificate of appropriateness, and such other information and data which the Commission deems necessary to better inform and assist applicants in submitting their applications for such certificates. *The guidelines, bulletins or instruction sheets issued pursuant to this subsection may include, without limitation, specific information concerning requirements related to exterior signage within the Historic District.*

3. All applications for certificates of appropriateness must be filed with the Office of the Commission and must remain a part of its records.

4. Every application must be accompanied by *a written description of the proposed alteration, additions or changes and may include, without limitation*, drawings or plans of the proposed alteration, additions or changes, ~~[and for new construction of buildings or property use,]~~ signed by the person, architect ~~H~~ or draftsman who prepared them. ~~[As used in this subsection, “drawing” means plans and exterior elevation drawn to scale with sufficient detail to show, so far as they relate to exterior appearances, the architectural design of buildings, including proposed materials, textures and colors, including samples of materials or color samples, and the plot plan or site lay out, including all improvements affecting appearances, such as walls, walks, terraces, planting, accessory buildings, signs, lights and other elements.]~~

5. *The Commission may require an applicant to submit any additional information, documentation, drawings or photographs necessary to make a determination regarding the application.*

6. In the case of an application to alter or add to a structure within the *Historic* District, the application ~~[must]~~ *may* be accompanied by legible photographs of all sides of the structure. In the case of applications for demolition of structures, the applicant shall submit legible photographs of all sides of the ~~[building]~~ *structure* under consideration and photographs showing contiguous properties. In the case of an application to construct a new building in the *Historic* District, the application ~~[must]~~ *may* be accompanied by legible photographs of the adjoining properties. *In accordance with subsection 5, the Commission may require an applicant to submit any photographs described in this subsection.*

7. *As used in this section, “drawing” means plans and exterior elevation drawn to scale with sufficient detail to show, so far as they relate to exterior appearances, the architectural*

design of buildings, including proposed materials, textures and colors, including samples of materials or color samples, and the plot plan or site layout, including all improvements affecting appearances, such as walls, walks, terraces, planting, accessory buildings, signs, lights and other elements.

Sec. 10. NAC 384.170 is hereby amended to read as follows:

384.170 ~~1. Preservation is the first responsibility of~~ *In addition to considering the factors set forth in NRS 384.140, in passing upon the appropriateness of an application pursuant to NRS 384.115 or 384.130, the Commission ~~1. and preservation is preferred to restoration.~~ will consider:*

1. The Secretary of the Interior's Standards for the Treatment of Historic Properties set forth in the version of 36 C.F.R. Part 68 that was in effect on December 17, 2025.

2. The following principles:

(a) Architectural integrity ~~is~~, authenticity and retention of historic building materials are preferable to ~~synthetic style~~.

~~3. Change~~ substitute building materials and conjectural changes.

(b) Alterations should be ~~considered~~ in ~~relation to~~ keeping with the ~~remainder~~ character of the ~~building~~ structure and ~~its neighboring structures~~.

~~4. Change~~ the Historic District.

(c) Rehabilitating or restoring a structure to ~~authentic~~ its historic appearance is desirable.

~~(d) In ~~all~~ planning new ~~building plans,~~ construction within the Historic District, extreme care should be observed. ~~Each new building should be worthy of the area and a pride to the neighborhood. Since all~~ All new construction ~~aims to capitalize on the merits of the historic~~~~

~~background of the District, it~~ should ~~also~~ contribute ~~its share of~~ to the quality, character and desirability ~~H~~ of the Historic District. All new construction should be compatible with the historic character of the Historic District and should not detract from the integrity of the Historic District.

16. (e) Economic consideration should have little effect on the Commission's judgment insofar as permitting cheaper means of construction, decoration ~~H~~ and ~~fabrication~~.

7. ~~Imitations~~ building material selection.

(f) Direct imitation of ~~old~~ historic styles ~~and fake architecture are~~ is not desirable. It is more important that new construction be in scale with older structures and ~~not detrimental~~ be differentiated from them in order to ~~buildings with historic and architectural worth~~ not lend a false sense of history.

Sec. 11. NAC 384.180 is hereby amended to read as follows:

384.180 ~~H.~~ Prior to a preparation of working drawings or calling for proposals or bids from contractors, prospective property developers, owners or agents may prepare preliminary ~~scale~~ drawings, ~~and outlines,~~ specifications, including color samples for outside work, and photographs for review and informal discussion with the Commission. The purpose of this review is to acquaint the developer, owner or agent with the standards of appropriateness of design that are required of his or her proposed development.

~~12. Preapplication review does not require formal application but does require notice to be given to the Commission at least 10 days before the date of the meeting in which the preliminary drawings are to be discussed.~~

Sec. 12. NAC 384.190 is hereby amended to read as follows:

384.190 1. The Commission may designate any county or city building inspector within the **Historic** District to investigate, inspect and examine any structure, place or area within the **Historic** District. ~~[in accordance with NRS 384.190.]~~

2. ~~[When a certificate of appropriateness is granted,]~~ Upon request, a **county or city** building inspector ~~[may be authorized by the Commission to make]~~ designated pursuant to **subsection 1 may:**

- (a) **Make** periodic inspections ~~[and make]~~ of a structure, place or area within the **Historic District**;
- (b) **Provide** progress reports to the Commission ~~[~~
- ~~3. The inspector may also be requested to report any]~~ ; and
- (c) **Report** violations of chapter 384 of NRS to the Commission and other appropriate authorities.

3. *Except as otherwise provided in this section, a county or city building inspector designated by the Commission pursuant to subsection 1 does not have the authority granted to a building inspector or similar authority by NRS 384.190.*

Sec. 13. NAC 384.060, 384.070 and 384.080 are hereby repealed.

TEXT OF REPEALED SECTIONS

384.060 Duties of Treasurer.

1. If required by the Commission, the Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Commission determines.
2. The Treasurer has charge and custody of and is responsible for all funds and securities of the Commission. The Treasurer shall receive and give receipts for money due and payable to the Commission from any source whatsoever and, in accordance with subsection 3 of NAC 384.080, shall deposit all such money in the name of the Commission in such banks, trust companies, or other depositories as are selected by the Commission.
3. The Treasurer shall perform all the duties incident to his or her office and such other duties as from time to time may be assigned to him or her by the Chair.

384.070 Duties of Secretary. The Secretary shall:

1. Keep the minutes of the meetings of the Commission, in one or more books provided for that purpose;
2. See that all notices are given in accordance with the provisions of this chapter or as required by law;

3. Be custodian of the Commission's records, including all applications for certificates of appropriateness, and their disposition, drawings, photographs, maps, and the Commission's library;
4. Keep and maintain a card index system, as required by statute, and keep a register of the mailing address of each member of the Commission which must be furnished to the Secretary by the Commission; and
5. Perform all duties incident to his or her office and such other duties as from time to time may be assigned to him or her by the Chair or by the Commission.

384.080 Contracts, checks, deposits.

1. The Chair and Secretary may enter into any contract or execute and deliver any instrument in the name of and on behalf of the Commission.
2. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtednesses issued in the name of the Commission must be signed by the Treasurer and countersigned by the Chair or Vice Chair of the Commission.
3. All money of the Commission must be deposited from time to time to the credit of the Commission, in such banks, trust companies, or other depositories as the Commission may select. The Commission may also purchase time certificates of deposit.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066**

LCB File: R016-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 384.

1. A clear and concise explanation of the need for the adopted regulation.

The proposed NAC 384 revisions clarify and streamline the definitions, responsibilities, duties, and processes that pertain to the Comstock Historic District Commission (CHDC) and its ability to carry out the requirements of NRS 384. Revisions to NAC 384 include: Revising the district boundaries to remove the Virginia City Highlands residential area that does not contain historic resources; revising and clarifying the district boundaries at downtown Dayton and at Sutro Tunnel to include only the historic resources; streamlining the Certificate of Appropriateness (COA) process; eliminating the unnecessary officer positions of Secretary and Treasurer; clarifying the duties of the “District Officer” staff position; clarifying and streamlining processes including meeting notices, submission of COA applications, committee memberships, preapplication reviews, and assistance from outside building inspectors; allowing for greater flexibility in scheduling meetings; and clarifying the principles that the CHDC must consider when determining whether to issue a COA.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Public workshops were held in-person on February 13 and March 13, 2023, to solicit public comment from interested parties. There were no participants during the February 13, 2023 public workshop. There were two public attendees during the March 13, 2023 workshop, but neither attendee offered public comment. An adoption public hearing was held on July 10, 2024. Members of the public were invited to participate both in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing.

Additionally, copies of the proposed regulation changes, agenda, Small Business Impact Statement, and Notice of Intent to Act Upon Regulations were posted to the CHDC/State Historic Preservation Office website, the Nevada State Legislature website, and the public notice website. Notices and copies of the proposed regulations were also posted at public libraries, all locations where the State Historic Preservation Office has an office, the Bryan Building in Carson City, the State Library and Archives, and the Grant Sawyer Building in Las Vegas. The CHDC also allowed the public to submit written comment. One public comment was received via email in advance of the hearing, and summarized

into the record during the hearing. The public comment stated that the Lyon County Community Development Department preferred that the CHDC meetings be held on a consistent day each month so that the public could plan in advance.

Interested parties may obtain a summary of public comment by contacting the State Historic Preservation Office.

The Nevada Legislative Counsel Bureau (LCB) suggested changes to the permanent regulation. The CHDC included all of the changes suggested by the LCB, and an adoption public hearing was held on October 7, 2025. Members of the public were invited to participate both in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing and no written comments were received.

Additionally, copies of the proposed regulation changes, agenda, Small Business Impact Statement, and Notice of Intent to Act Upon Regulations were posted to the CHDC/State Historic Preservation Office website, the Nevada State Legislature website, and the public notice website. Notices and copies of the proposed regulations were also posted at public libraries, all locations where the State Historic Preservation Office has an office, the Bryan Building in Carson City, and the State Library and Archives. The CHDC also allowed the public to submit written comment.

The Nevada Legislative Commission suggested changes to the permanent regulation at their meeting held on October 28, 2025. The CHDC included all of the changes suggested by the Commission, and an adoption public hearing was held on December 2, 2025. Members of the public were invited to participate both in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing and no written comments were received.

Additionally, copies of the proposed regulation changes, agenda, Small Business Impact Statement, and Notice of Intent to Act Upon Regulations were posted to the CHDC/State Historic Preservation Office website, the Nevada State Legislature website, and the public notice website. Notices and copies of the proposed regulations were also posted at all locations where the State Historic Preservation Office has an office, the Bryan Building in Carson City, the State Library and Archives, and the Las Vegas State of Nevada Campus. The CHDC also allowed the public to submit written comment.

3. The number of persons from the public who:

a. Attended each hearing:

Four members of the public attended the public hearing on July 10, 2024.

Three members of the public attended the public hearing on October 7, 2025.

Six members of the public attended the public hearing on December 2, 2025.

b. Testified at each hearing:

No person from the public testified at the public hearing on July 10, 2024.

No person from the public testified at the public hearing on October 7, 2025.

No person from the public testified at the public hearing on December 2, 2025.

c. Submitted to the agency written comments:

One person from the public, Gavin Henderson, Lyon County Community Development Director, submitted a written comment on behalf of the Lyon County Community Development Department.

No other written comments were received by December 2, 2025.

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.

No persons testified at the public hearing on July 10, 2024. One comment was received in writing from the following individual:

Name: Gavin Henderson

Title: Lyon County Community Development Director

Organization: Lyon County Community Development Department

Organization Phone: 775-463-6592

Direct Line: 775-463-6592, ext. 2473

Email: ghenderson@lyon-county.org

Address: 27 S. Main Street, Yerington, NV 89447

No persons testified at the public hearing on October 7, 2025. No comments were received in writing.

No persons testified at the public hearing on December 2, 2025. No comments were received in writing.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

The CHDC and the State Historic Preservation Office (SHPO) determined that the regulation amendments do not impose a direct or significant economic burden upon a small business, or directly restrict the formation, operation, or expansion of a small business. Therefore, comments were not directly solicited from small businesses, and no summary of their response is provided. Small businesses did have the opportunity to

provide comment during the public workshops and public hearing, and were invited to submit written comment as part of the meeting notification process. The proposed amendments were also posted publicly.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulation was adopted on December 2, 2025 and included all of the changes suggested at the Legislative Commission meeting held on October 28, 2025.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulation and on the public. These must be stated separately, and each case must include:

a. Both adverse and beneficial effects; and

• On business:

The CHDC and SHPO foresee no adverse effects on regulated businesses as a result of the adoption of the proposed regulation change since no new requirements or processes will be added. Beneficial effects to business will be a more streamlined process for obtaining COAs for small projects, the ability to schedule a preapplication review in a more expedient manner, and a greater understanding of the historic district's principles, requirements, and processes.

• On the public:

The CHDC and SHPO foresee no adverse effects to the public as a result of the adoption of the proposed regulation change since no new requirements or processes will be added. Beneficial effects to the public will be eliminating the requirement for design review of houses built in the Virginia City Highlands, a more streamlined process for obtaining COAs for small projects, the ability to schedule a preapplication review in a more expedient manner, and a greater understanding of the historic district's principles, requirements, and processes.

b. Both immediate and long-term effects.

• On business:

The CHDC and SHPO foresee no immediate effect on a regulated businesses as a result of the adoption of the proposed regulation change since no new requirements or processes will be added. Beneficial long-term effects will be the more effective implementation of historic district regulations, which will result in the longevity of the district's historic character and integrity. That in turn will result in increased and continued economic impacts from heritage tourism.

• On the public:

The CHDC and SHPO foresee no immediate effect to the public as a result of the adoption of the proposed regulation change since no new requirements or processes will be added. Beneficial long-term effects will be the more effective implementation of historic district regulations, which will result in the longevity of the district's historic character and integrity. That in turn will result in the protection of property values and improved aesthetics of the district in which they reside.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The CHDC and SHPO do not anticipate incurring any additional cost resulting from the proposed NAC 384 changes.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The proposed regulation does not overlap or duplicate any existing regulation.

10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

The regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not create any new fees or increase an existing fee.