



State of Nevada  
Department of Conservation and Natural Resources  
Joe Lombardo, *Governor*  
James A. Settelmeyer, *Director*  
Robin K. Reed, *Acting Administrator*  
Joseph Curtis, *Chair*

## NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearing for the Adoption of Permanent Regulations of the Comstock Historic District Commission

LCB File No. R016-24P2

#### Public Meeting Details:

The CHDC will hold a public meeting to discuss and adopt proposed regulation changes:

**Date:** Tuesday, October 7, 2025

**Time:** 5:00 PM

**Location:** Comstock History Center, 20 North E Street, Virginia City, NV 89440

**Virtual Access:** Microsoft Teams

Meeting ID: 216 126 005 985 2

Passcode: dT2B9v3Q

#### How to Participate:

Submit written comments via email to [shelley.smith\[at\]shpo.nv.gov](mailto:shelley.smith[at]shpo.nv.gov) or mail to P.O. Box 128, Virginia City, NV 89440.

Deadline for submissions: 9:00 AM on May 6, 2025.

Engage in shaping the future of the Comstock Historic District by attending or submitting your views.

The following information is provided pursuant to the requirements of NRS 233B.0603:

#### 1. The need for and the purpose of the proposed regulation or amendment.

The proposed revision of NAC 384 seeks to clarify and streamline the definitions, responsibilities, duties, and processes that pertain to the CHDC and its ability to carry out the requirements of NRS 384.

Revisions to NAC 384 include:

- Amending the district boundary to remove the Virginia City Highlands residential area. This will eliminate a large area that does not contain historic resources related to the Comstock.
- Streamlining the Certificate of Appropriateness (COA) process by formally allowing the District Officer to issue certain COAs administratively and removing a requirement that certain applications

for COA be accompanied by certain photographs and instead requiring each application to be accompanied by a written description of the proposed alterations additions or changes.

- Authorizing the Commission to require an applicant to submit any additional information, documentation, drawings or photographs necessary to determine whether to issue a COA to the applicant.
- Revising the principles that the Commission must consider when determining whether to issue a COA and eliminating a requirement that certain notice be given to the Commission before a preapplication review.
- Eliminating the CHDC Officer positions of Secretary and Treasurer.
- Removing the requirement that the Chair of the Commission supervise and control all of the business and affairs of the Commission.
- Removing the requirement that a member of the architectural subcommittee have specific experience relating to the architectural design and engineering methods used between 1865 and 1880, thereby authorizing the Commission to appoint any person who has expertise and background in architecture, engineering or design to an architectural committee.
- Renaming the Office Manager as the District officer and requiring the District Officer to perform certain duties previously performed by the Secretary of the Commission.
- Eliminating the requirement that the Commission meet on the first Tuesday of each month and instead requires the Commission to hold at least one regular meeting each month unless an exception applies.
- Authorizing the electronic transmission of notices for special meetings.
- Clarifying the powers granted to a county or city building inspector so designated.
- Eliminating the authorization for certain officers of the Commission to enter into contracts or sign checks on behalf of the Commission.

**2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved.**

This is not a temporary regulation.

**3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and must include in each case:**

**a. Both adverse and beneficial effects; and**

- On business: The CHDC foresees no adverse effects on regulated businesses resulting from the adoption of the proposed regulations as no new requirements or processes will be added. Beneficial effects to business will be a more streamlined process for obtaining COAs for small projects and a greater understanding of the CHDC's principles, requirements, and processes.
- On the public: The CHDC foresees no adverse effects to the public resulting from the adoption of the proposed regulations as 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, and a greater understanding of the CHDC's principles, requirements, and processes.

**b. Both immediate and long-term effects.**

- On business: The CHDC foresees no immediate effect on regulated businesses resulting from the adoption of the proposed regulations as 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 integrity and contribute to the economic resiliency of the area derived from heritage tourism.
- On the public: The CHDC foresees no immediate effect to the public resulting from the adoption of the proposed regulations as 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, in turn resulting in the protection of property values and improved aesthetics of the district in which they reside.

**4. The methods used by the agency in determining the impact on a small business.**

The CHDC public workshops afforded the opportunity for small businesses within the district to attend and contribute. No comments were received. The CHDC also reviewed its current policies and procedures to evaluate how the district guidelines and processes would affect small businesses. The Comstock Historic District is governed by an existing statute (NRS 384) that requires property owners in the district, including small businesses that own buildings, to receive a COA prior to altering the exterior of their building or prior to the construction of a new building. The regulations found in NAC 384 simply explain the principles, definitions, and processes by which NRS 384 is implemented. The proposed administrative regulation changes do not add new requirements or new processes. The proposed changes only serve to streamline and clarify the existing regulation. Because of this, the CHDC determined that there would not be adverse impacts on small businesses resulting from the proposed changes to NAC 384. On Jun 18, 2025 a public meeting of a committee formed by the Commission was held for the purpose of reviewing the proposed revisions. The committee determined to update the map based on accurate boundaries and clarify that CHDC donations would be placed in a state general fund account in the Comstock Historic District Commission name.

**5. The estimated cost to the agency for enforcement of the proposed regulation.**

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

- 6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

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

- 7. If the regulation is required pursuant to federal law, a citation and description of the federal law.**

The proposed regulation is not required by federal law.

- 8. If the regulation includes provisions which are more stringent than a federal regulation that 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.

- 9. Whether the proposed regulation establishes a new fee or increases an existing fee.**

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

- 10. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied.**

This is not a temporary regulation.

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All parties wishing to comment upon the proposed upcoming action of the Comstock Historic District Commission may address their comments, data, views or arguments, in written form, by emailing [shelley.smith\[at\]shpo.nv.gov](mailto:shelley.smith[at]shpo.nv.gov), or by mailing to the following address: P.O. Box 128, Virginia City, NV 89440.

Written submissions must be received by the Comstock Historic District Commission on or before 9:00am on May 6, 2025. If no person who is directly affected by the proposed action appears to request time to make comments, the Commission may proceed immediately to act upon any written submissions.

A copy of the official notice and the regulation to be amended will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours.

Additional copies of the official notice and the regulation to be amended will be available at each Division office location detailed in the following section of this announcement and at the main public library in all counties in which an office of the agency is not maintained for inspection and copying by members of the public during business hours. The upcoming official notice and the text of the proposed revisions to the regulations will also be available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of the official notice and the proposed revisions to the regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the Comstock Historic District Commission (CHDC), if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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Notice of this meeting has been posted at the following locations:

- The Comstock Historic District Commission Office, 20 North E Street, Virginia City, Nevada
- Nevada Public Notice website: <https://notice.nv.gov>
- The Comstock Historic District Commission website: <https://shpo.nv.gov/comstock-historic-district-commission>.
- Nevada State Legislature website: [www.leg.state.nv.us/App/Notice/A/](http://www.leg.state.nv.us/App/Notice/A/)
- Nevada State Library and Archives, 100 N. Stewart Street, Carson City, NV
- Department of Conservation and Natural Resources, 901 S. Stewart Street, Carson City, NV
- Storey County Courthouse, 26 South B Street, Virginia City, NV
- Grant Sawyer State Office Building, 555 E. Washington Ave., Las Vegas, NV
- Nevada State Historic Preservation Office, Las Vegas Office, 4747 Vegas Drive, Las Vegas, NV

This notice and its supporting materials are also available for public inspection at the following locations:

- Washoe County Library, 301 South Center Street, Reno, NV
- Carson City Library, 900 North Roop Street, Carson City, NV
- Douglas County Public Library, 1625 Library Lane, Minden, NV
- White Pine County Library, 950 Campton Street, Ely, NV
- Elko County Library, 720 Court Street, Elko, NV
- Lincoln County Library, 63 Main Street, Pioche, NV

- Esmeralda County Library, Corner of Crook & 4<sup>th</sup> Streets, Goldfield, NV
- Pershing County Library, 1125 Central Avenue, Lovelock, NV
- Mineral County Public Library, 20 Nevin Way, Yerington, NV
- Lyon County Library, 20 Nevin Way, Yerington, NV
- Churchill County Library, 553 South Main St., Fallon, NV
- Battle Mountain Branch Library, 625 South Broad St., Battle Mountain, NV
- Humboldt County Library, 85 East 5<sup>th</sup> St, Winnemucca, NV
- Eureka County Library, 80 Monroe St., Eureka, NV
- Clark County Library, 1401 E. Flamingo Rd., Las Vegas, NV
- Tonopah Public Library, 167 Central St., Tonopah, NV
- Storey County Community Library, 175 Carson St., Virginia City, NV

This notice will additionally be included in the regularly scheduled May 6, CHDC Agenda and posted no later than 9:00am, on or before the third working day before the scheduled May 6, 2025, meeting at the following locations:

- The Comstock Historic District Commission Office, 20 North E Street, Virginia City, Nevada
- Nevada Public Notice website: <https://notice.nv.gov>
- The Comstock Historic District Commission website:  
<https://shpo.nv.gov/comstock-historic-district-commission>

Posted on 04/02/2025

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 223B.0608**

**LCB File No. R16-24**

**March 26, 2025**

- 1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

The Comstock Historic District Commission (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 have not been solicited from small businesses, and no summary of their response is provided. Small businesses did have the opportunity to provide comment during the public meetings to discuss the amendments and during the period when the proposed amendments were posted publicly.

- 2. Describe the manner in which the analysis was conducted.**

The CHDC and SHPO did consider the potential impact of the regulation on small businesses. After careful examination, it was determined that the amendments to this regulation would not affect small businesses in any significant way. As a result, the CHDC logically concluded that no further analysis was necessary regarding the impact on small businesses.

- 3. The estimated economic effect of the proposed regulation on the small business which it is to regulate including, without limitation both adverse and beneficial effects and both direct and indirect effects.**

The regulation repeal does not impose an adverse or beneficial effect, or directly or indirectly affect small businesses.

- 4. Provide a description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.**

The CHDC and the SHPO concluded that the proposed regulation does not impact small businesses, therefore, there was no need for the Commission to consider reducing the impact on small businesses.

- 5. The estimated cost to the agency for enforcement of the proposed regulation.**

There are no anticipated costs to the CHDC or the SHPO.

- 6. If the proposed 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 proposed regulation change does not create a new fee or increase an existing fee.

- 7. An explanation of why any duplicative or more stringent provisions than federal, state or local standards regulating the same activity are necessary.**

Not applicable.

**8. Provide a summary of the reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.**

The CHDC and SHPO concluded that there was no impact on small businesses with the adoption of these regulations.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained within the statement was prepared properly and is accurate.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Curtis", with a stylized flourish at the end.

Joseph Curtis, Chair  
Comstock Historic District Commission