



LYON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

PHONE: 775-463-6592 FAX: 775-463-5305

WEBSITE: www.lyon-county.org

BOARD OF COUNTY COMMISSIONERS

PLZ-2025-084

Proposed Action Tentative Planned Unit Development

Meeting Date January 5, 2026

Property Owners Masini Investments LLC, L&M Family Limited Partnership, Dan and Tara Morose, Stephen Palmer

Applicant Winston FC Solar, LLC

Representative Energy Project Solutions

Community Mason Valley

Location East of US Highway 95A and south and north of Sierra Way

Addresses Multiple

Parcel Numbers 014-091-[13, 15, 16, 17, 22], 014-201-[14, 17, 18, 32, 33, 35]

Parcel Size 2,374 acres in total (approximately)

Master Plan Agriculture and Industrial

Applicable Zoning RR-20 (Rural Residential - 20 acre minimum) and HI-S (Heavy Industrial – Suburban)

Flood Zone(s) X-Unshaded per FIRM 32019CO710E and FIRM 32019CO550E

Case Planner Louis Cariola

REQUEST

The Applicant requests approval of a Tentative Planned Unit Development (PUD) for a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, a battery energy storage system, an electrical substation, high voltage power lines, and an operations and maintenance building on 11 parcels totaling approximately 2,374 acres in Mason Valley.

STAFF RECOMMENDATION

In accordance with the review included in this report, staff cannot make the required findings for a Planned Unit Development in the affirmative. Therefore, staff recommends denial of the request.

Staff cannot recommend approval in part because the applicant's Traffic Impact Study (TIS) for the project does not accurately account for the project's impacts on local and regional roadways and was not fully reviewed by the Nevada Department of Transportation (NDOT). Between the Planning Commission meeting date of December 9, 2025, and the Board of County Commissioner's meeting date of January 5, 2026, the applicant did receive approval

of the TIS scope from NDOT, but no comments on the Study's recommendations. As a result, staff did not have the opportunity to review the updated TIS in order to determine if the proposed development makes adequate provisions for public services or provides sufficient control over vehicular traffic, as required under Finding D of LCC 15.349.10.

Staff further finds that the project does not adequately mitigate or justify the significant deviations requested from Lyon County Code (LCC) standards governing commercial Solar Energy Conversion Systems (SECS), including setbacks and screening requirements. The SECS standards were formally adopted by the Board of County Commissioners through Bill No. 25.02, Ordinance No. 640, on June 18, 2025. The application states that the requested reductions in required setbacks are necessary to achieve financial feasibility rather than on any unique or constraining characteristics of the project site. This rationale does not demonstrate that the requested deviations are in the public interest, as required under LCC 15.349.10.B.

Given the applicant's failure to demonstrate proper justification for the requested deviations from the County's SECS setback standards, the lack of adequate mitigation for those deviations, and the fact that the project's Traffic Impact Study was submitted without review and/or comment from the Nevada Department of Transportation, as required under LCC 15.349.10.B, staff cannot make the findings required for approval.

The *Alternative Motion for Approval* language below includes a list of suggested conditions for a motion to recommend approval to the Board of County Commissioners.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard presentations from staff and the applicants on December 9, 2025 and voted 6-1 (Commissioner Ceresola – nay) to forward a recommendation of approval to the Board of County Commissioners. Staff made a recommendation of denial based upon the lack of any comments or reviews of the TIS from NDOT and insufficient rationale and justification for the proposed deviations from standards related to setbacks for an SECS (Solar Energy Conversion System) project. The applicant's presentation keyed upon the applicant's willingness to implement traffic mitigation improvements per the yet-to-be reviewed TIS (by NDOT). Specific improvements were predicted by the applicant to include construction of permanent acceleration and deceleration lanes at the intersection of US Hwy 95A and Sierra Way, and a temporary traffic signal during the construction period, estimated to be between 18 and 24 months.

FINDINGS

Per Chapter 15.349.10: APPROVAL OR DENIAL OF APPLICATION, the approval or denial of a tentative planned unit development plan shall be by minute action and shall set forth the reasons for the approval or for the denial, and in the case of approval, shall set a specific date for the filing of an application for final approval of the planned unit development, or in the case of phased development over a period of years, shall set the specific periods within which applications for final approvals of each part thereof must be filed. The minutes shall also set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to, the findings as listed in the suggested motions below.

STAFF RECOMMENDED MOTION: DENIAL

If after review and public comment the Board of County Commissioners determines that they should deny the request, then the Board may wish to consider a motion similar to the following.

The Board of County Commissioners set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to, the following findings (underline added):

A. In what respects the plan is consistent with the statement of objectives of this chapter;

- B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are not deemed to be in the public interest, particularly the proposed reduction in setbacks to the Solar Energy Conversion System;
- C. The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;
- D. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment, with uncertainty related to the Traffic Impact Study and the County's input related to required improvements to local and regional roadways being essential;
- E. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed, which would be directly affected by yet-to-be agreed upon traffic mitigation measures; and
- F. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan.

Based on the inability to make the aforementioned Findings, I move that the Board of County Commissioners deny the request from Winston FC Solar, LLC, for a Planned Unit Development for the Winston Solar Project. The project consists of a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, a battery energy storage system, an electrical substation, high voltage power lines, and an operations and maintenance building on 11 parcels totaling approximately 2,374-acres in Mason Valley subject to Heavy Industrial-Suburban (HI-S) and Rural Residential, 20-acre minimum (RR-20) zoning (APNs 014-091-[13, 15, 16, 17, 22], 014-201-[14, 17, 18, 32, 33, 35]; PLZ-2025-084.

ALTERNATIVES TO MOTION FOR DENIAL

Alternative Motion for a Continuance (with a set date for a re-hearing) or to Table the request (with an open calendar for a re-hearing)

If the Board of County Commissioners determine that there is insufficient information with which to make a decision on the application before them and that additional information, discussion, and public comment are necessary to have a more complete and thorough review of the proposed project, then the Board should make the appropriate findings and move to continue the Public Hearing for the request to a future date with concurrence from the applicant, or in the case of a motion to Table the item to an unknown future date.

If so, then the Board may wish to consider a motion similar to the following:

The Lyon County Board of County Commissioners finds that (underline added):

- A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed application, particularly due to the lack of review comments from the Nevada Department of Transportation relating to the Traffic Impact Study.

Based on the aforementioned finding, and with the applicant's concurrence, the Board of County Commissioners continues the request from Winston FC Solar, LLC, for a Planned Unit Development for the Winston Solar Project. The Project consists of a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, a battery energy storage system, an electrical substation, high voltage power lines, and an operations and maintenance building on 11 parcels totaling approximately 2,374-acres in Mason Valley subject to Heavy

Industrial-Suburban (HI-S) and Rural Residential, 20-acre minimum (RR-20) zoning (APNs 014-091-[13, 15, 16, 17, 22], 014-201-[14, 17, 18, 32, 33, 35]; PLZ-2025-084 ____ days.

Alternative Motion for Approval

Staff does not recommend approval of the Planned Unit Development. However, if after hearing testimony from the applicant and members of the public and further consideration of the information presented, the Board of County Commissioners determines that the intent of Lyon County Code Title 15 is met and desires to approve this Planned Unit Development, staff suggests the following changes and conditions. Staff added Condition G, which allows the applicant to provide rationale and justification for deviation from Title 15 standards.

The Lyon County Board of County Commissioners has considered:

15.349.10: FINDINGS:

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission shall, at a minimum, consider each of the following and base approval on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

- A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;
- B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest;
- C. The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;
- D. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment;
- E. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed; and
- F. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan.
- G. The deviation from the setbacks and screening requirements of Title 15 is justified for the following reasons:
[insert following reasons]

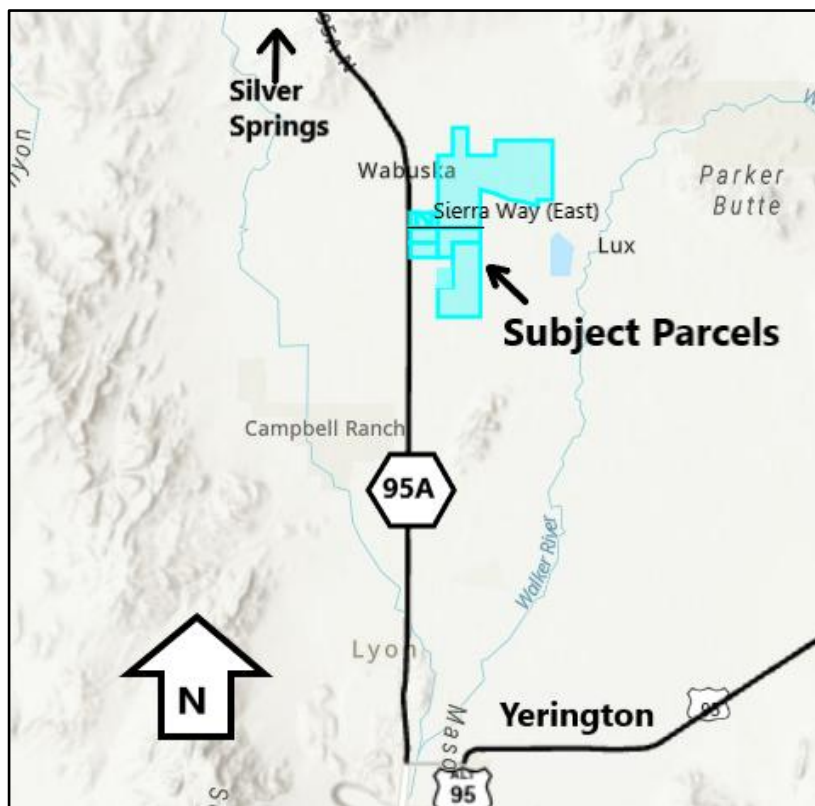
After consideration of the above-listed Findings, the Board of County Commissioners recommends approval to the Board of County Commissioners for the request from Winston FC Solar, LLC, for a Planned Unit Development for the Winston Solar Project. The Project consists of a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, a battery energy storage system, an electrical substation, high voltage power lines, and an operations and maintenance building on 11 parcels totaling approximately 2,374-acres in Mason Valley subject to Heavy Industrial-Suburban (HI-S) and Rural Residential, 20-acre minimum (RR-20) zoning (APNs 014-091-[13, 15, 16, 17, 22], 014-201-[14, 17, 18, 32, 33, 35]; PLZ-2025-084, subject to the following additional conditions to be incorporated into revisions:

1. The Applicant shall provide, and comply with, review comments from NDOT and include those in the Final PUD;

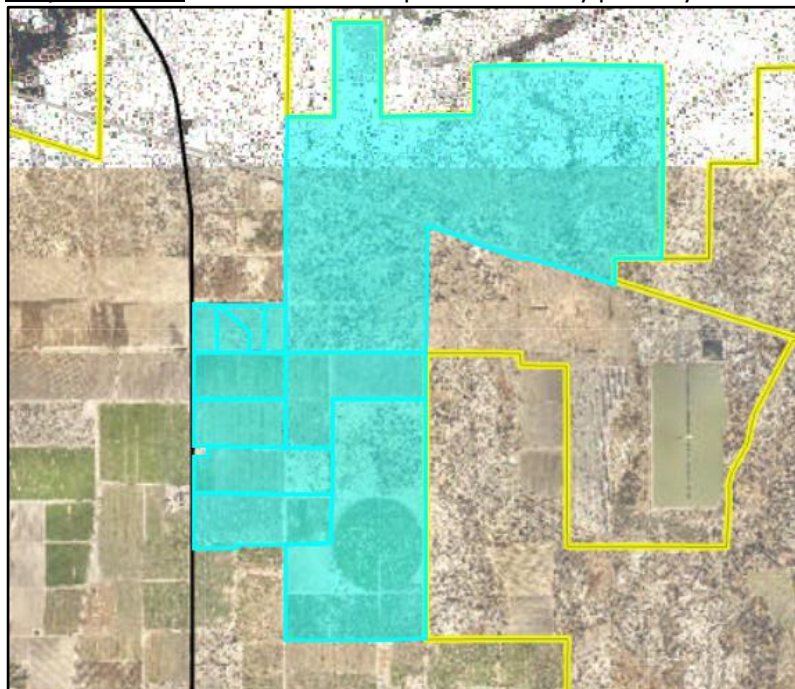
2. The Applicant agrees to meet the standards of NDOT and the County's review comments of the TIS, up to and including County-specific requirements for approval even when not identified in the TIS, and such shall be included in the final PUD; and
3. The Tentative PUD application and PUD shall reflect the Walker River Irrigation District comments and standards.

BACKGROUND INFORMATION

The project area is located in Mason Valley in Wabuska, east of US Highway 95A, west of the Walker River, and accessed by US Highway 95A and Sierra Lane. The subject parcels are depicted below, located approximately 8 miles north of Yerington and 20 miles south of Silver Springs.



Subject Parcels – two south west parcels are only partially included in the project area



Size

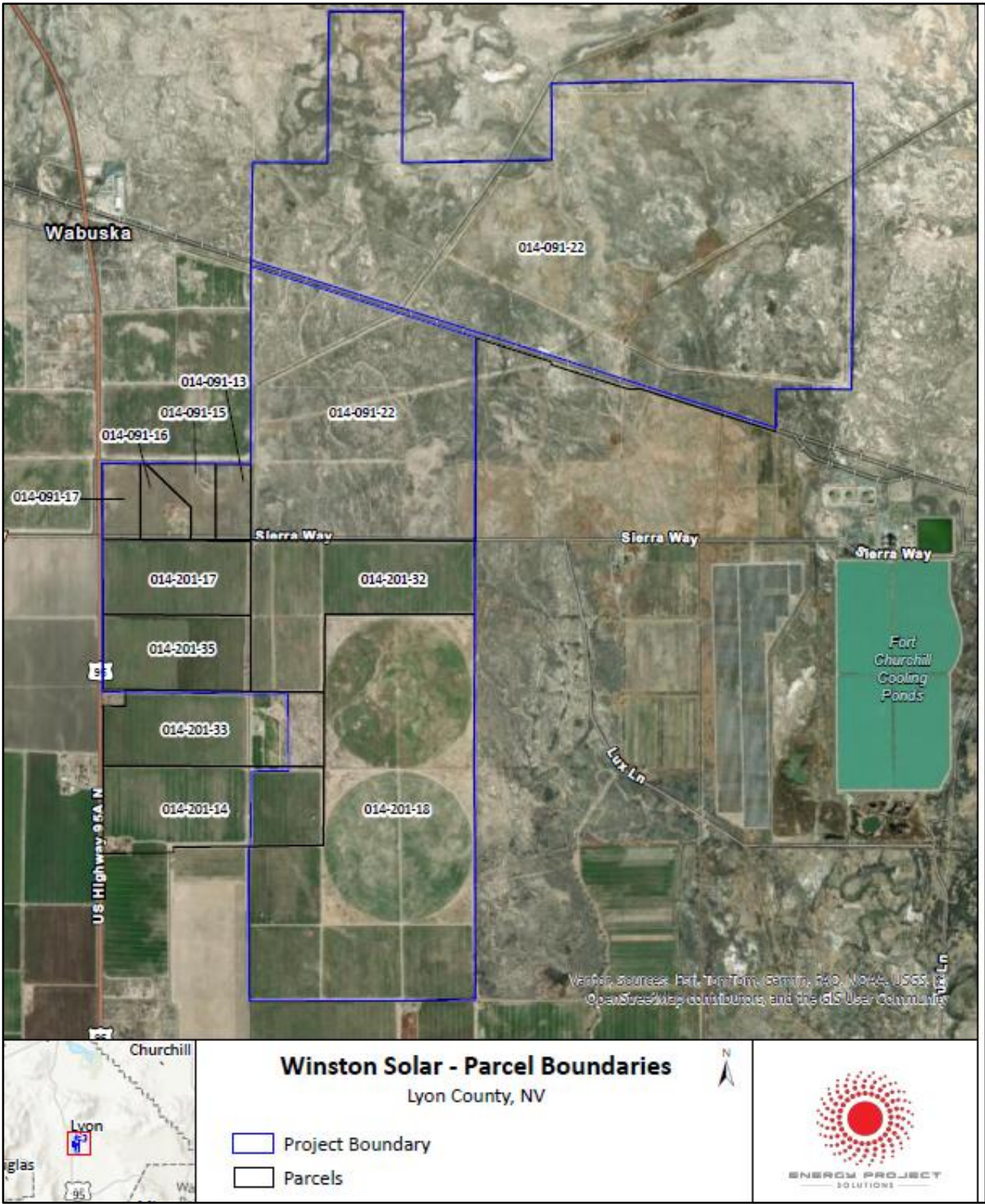
The project area is over 11 parcels and approximately 2,374 acres in total. The subject parcels are listed below in an excerpt of the application materials.

Only small portions of APNs 014-201-33 and 014-201-14 (located at the south west of the project) are part of the total project area. If approved, a mapping exercise would establish the PUD boundaries.

Attachment A

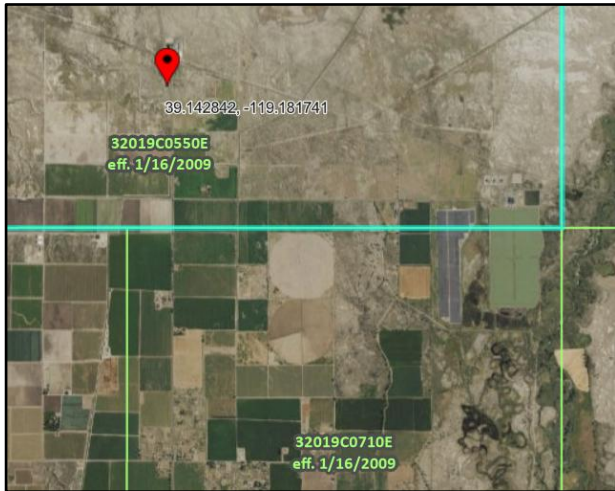
| APN | Owner | Acres Use | Assessor Total Parcel Acreage | Notes |
|------------|--------------------------------|------------------|--------------------------------------|---|
| 014-091-13 | L & M Family Ltd Partnership | 18.8 | 18.8 | We recognize that there is a minor discrepancy between the total project acreage listed on the assessor's site and the acreage used for the project. The project acreage is based on the most recent ALTA survey conducted and submitted with this PUD application. |
| 014-091-15 | L & M Family Ltd Partnership | 20.2 | 19.78 | |
| 014-091-16 | L & M Family Ltd Partnership | 20.9 | 19.56 | |
| 014-091-17 | L & M Family Ltd Partnership | 20.3 | 19.67 | |
| 014-091-22 | Morose, Dan C & Morose, Tara L | 1,423.6 | 1446.57 | |
| 014-201-14 | L & M Family Ltd Partnership | 38.8 | 122 | |
| 014-201-17 | Palmer, Stephen Marshall | 80.6 | 78 | |
| 014-201-18 | Masini Investments | 491.4 | 485.58 | |
| 014-201-32 | L & M Family Ltd Partnership | 157.3 | 160 | |
| 014-201-33 | Masini Investments LLC | 19.5 | 115 | |
| 014-201-35 | L & M Family Ltd Partnership | 80.8 | 78.71 | |

The image below is from the application and depicts the APNs and the project area.



Topography/Federal Emergency Management Agency (FEMA) designation

The site is relatively flat, with a slight slope from west to east, averaging less than 1 percent. The site is not in a FEMA-designated Special Flood Hazard Area.



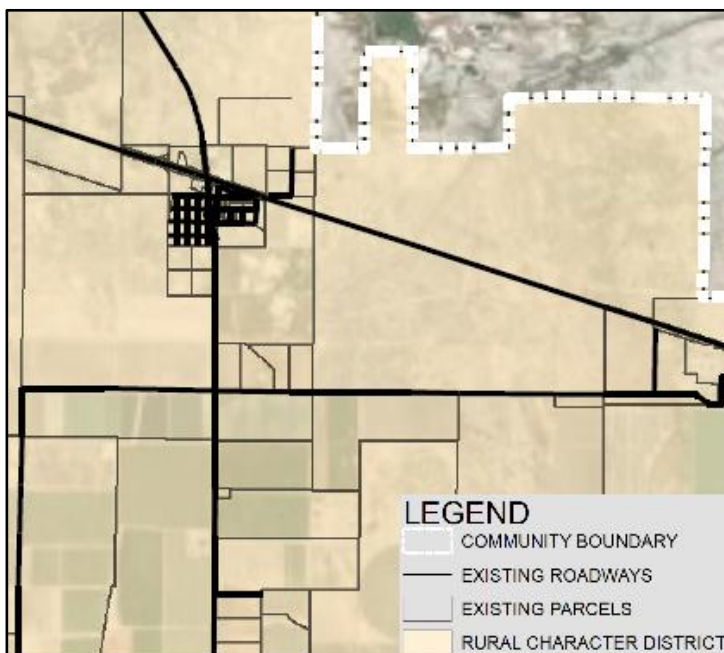
Current Development and Uses

The project area has been historically used for field crops and animal pastures and the subject parcels are traversed by irrigation ditches under the jurisdiction of the Walker River Irrigation District (WRID). The project area is bisected on the northern side by a Union Pacific rail line.

MASTER PLAN AND ZONING

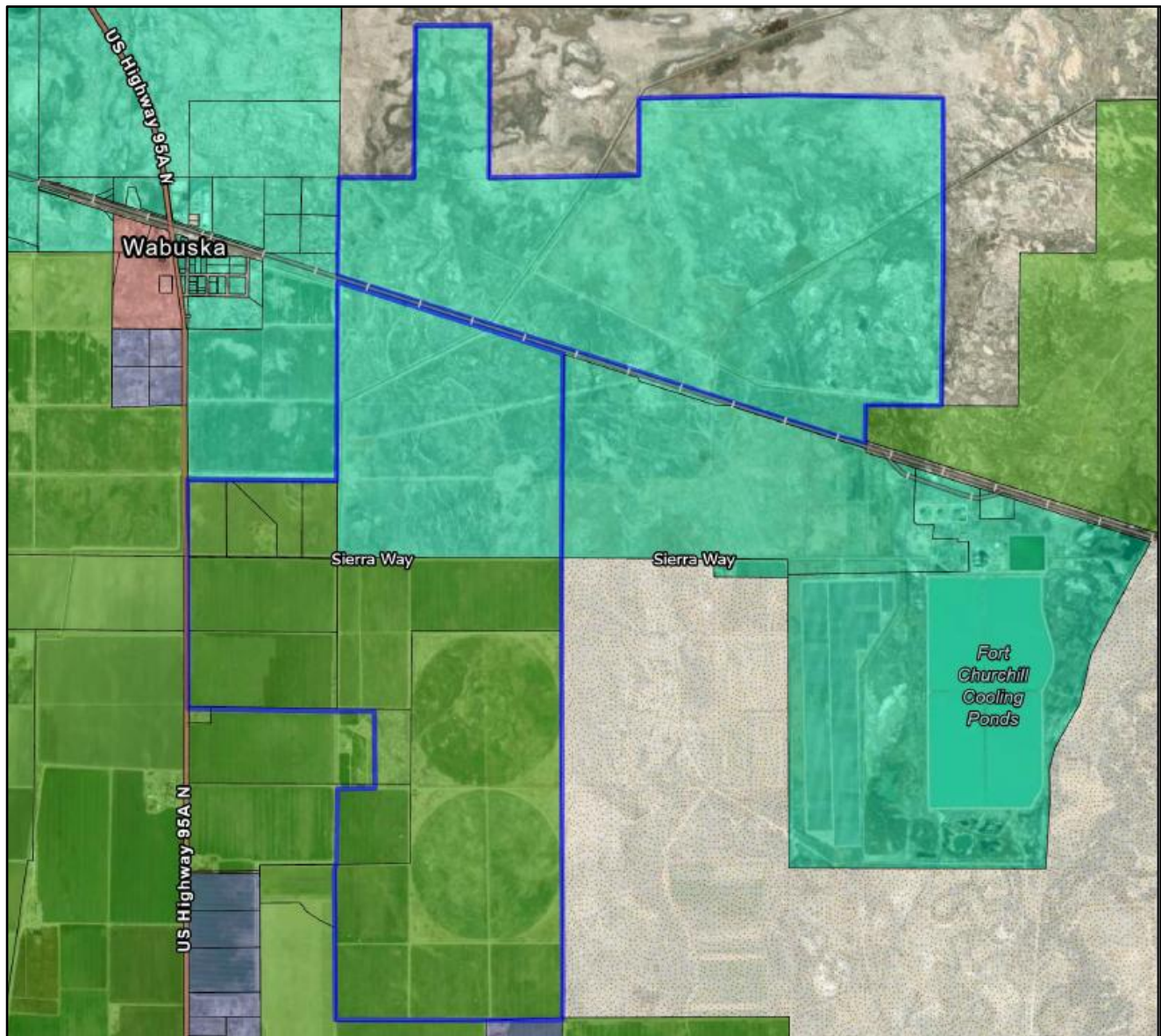
Character District

The project area is within a Rural Character District per the 2020 Master Plan. Rural Character parcels do not typically have connection or adjacency to public utilities and are often not located on publicly-maintained roadways, although this site does have existing vehicular access via US Highway 95A's connection to Sierra Way and smaller roadways.



Master Plan

The current Master Plan designations for the project area are Agriculture and Industrial, as depicted in the Mason Valley Master Plan map from the 2020 Lyon County Master Plan. The images that follow are taken from the application.



Winston Energy Project - Land Use

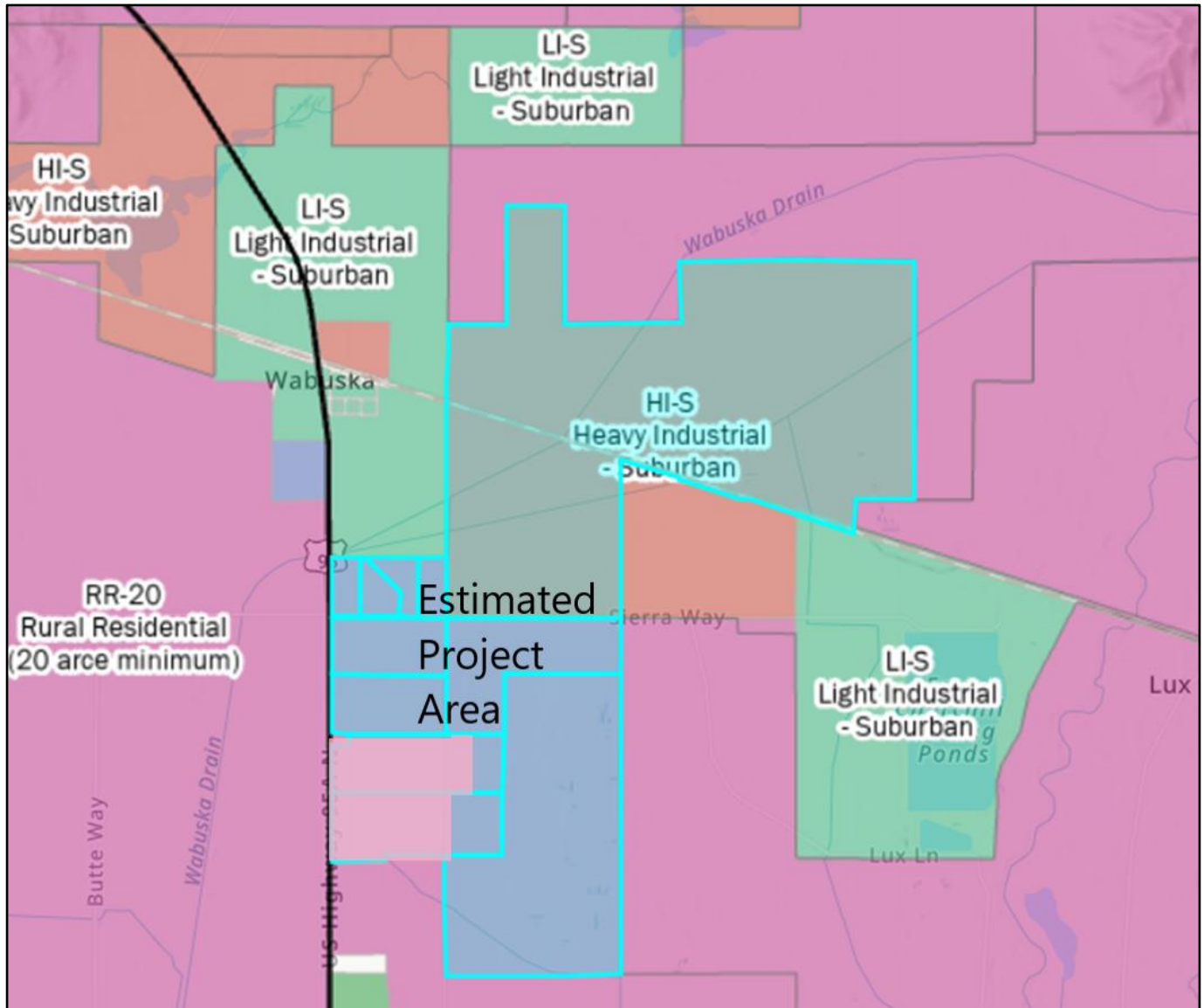
Lyon County, NV

- | | |
|-------------------------|-----------------|
| Project Boundary | Mixed Use |
| Public Lands | Industrial |
| Low Density Residential | Agricultural |
| Rural Residential | Parcel Boundary |

Zoning

With the adoption of the current development code, Title 15, the Zoning Consistency Matrix was also adopted as Appendix A. The Matrix “converts” expired districts to the current districts. In this case, the applicable names for the project parcels are Rural Residential 20-acre minimum (RR-20) and HI-S (Heavy Industrial-Suburban). The images that follow depict zoning for the subject parcel and surrounding parcels after conversion through the Matrix.

Surrounding properties are subject to the same zoning of RR-20 and HI-S in addition to LI-S (Light Industrial-Suburban).



PROJECT DESCRIPTION

The description and images that follow were selected from Attachment 1; the Planned Unit Development document submitted by the applicant.

In summary, the project proposes a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, a battery energy storage system, an electrical substation, high voltage power lines, and an operations and maintenance building over 2,374 acres.

Excerpt from Attachment 1: PUD Handbook for Winston Energy

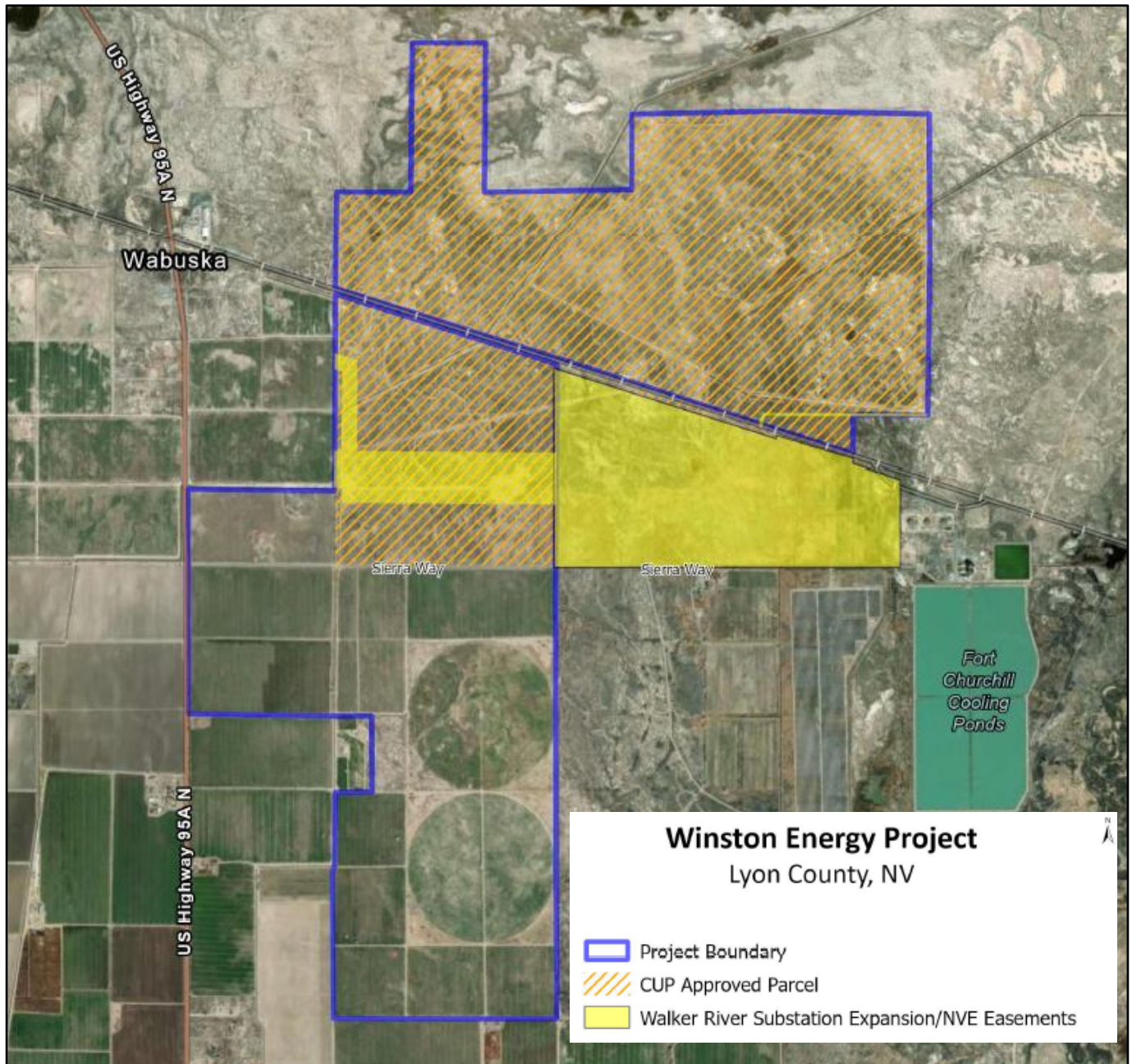
Winston FC Solar, LLC is pursuing approval to construct the Winston Energy Project (Project), a 400-megawatt (MW) photovoltaic (PV) solar energy facility (facility) with a Battery Energy Storage System (BESS) located entirely on 2,374.3 acres of privately owned land in Lyon County, Nevada. The Project site is located just east of U.S. Alt Highway 95 (U.S. Hwy 95A), approximately 15 miles northeast of the City of Yerington, and adjacent to the Walker River Substation (f.k.a. Fort Churchill Substation). Ancillary facilities include a substation, collection lines, an operations and maintenance building, and site access roads. Electricity generated by the Project would be connected to NV Energy's transmission system via a newly constructed 4,800 foot 230-kilovolt (kV) generation tie (gen-tie) line to the Walker River Substation, which is adjacent to the Project site.

Image from PUD Handbook of a solar array

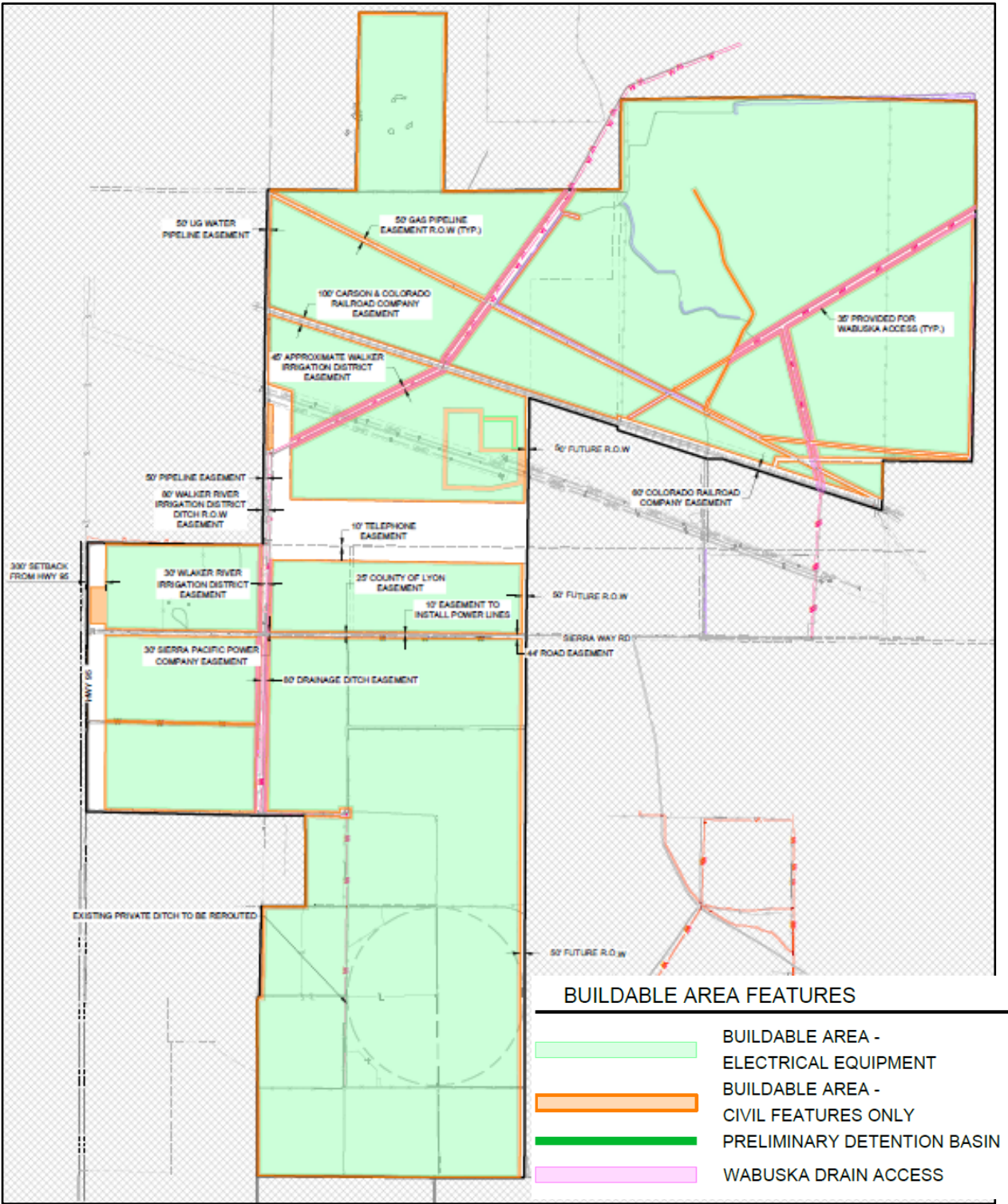


The image that follows depicts the overall project area and an area that was approved for another project named the *Winston Solar FC* project. It was approved for a Conditional Use Permit (CUP) via file number PLZ-2022-067 on September 1, 2022 by the Board of County Commissioners for approximately 1,713 acres. The project was approved for a commercial SECS (Solar Energy Conversion System) over the acreage, but since that time, no construction has occurred. Rather, hundreds of acres of land have been pulled out of the original CUP area for NV Energy's Walker River Substation project and easements.

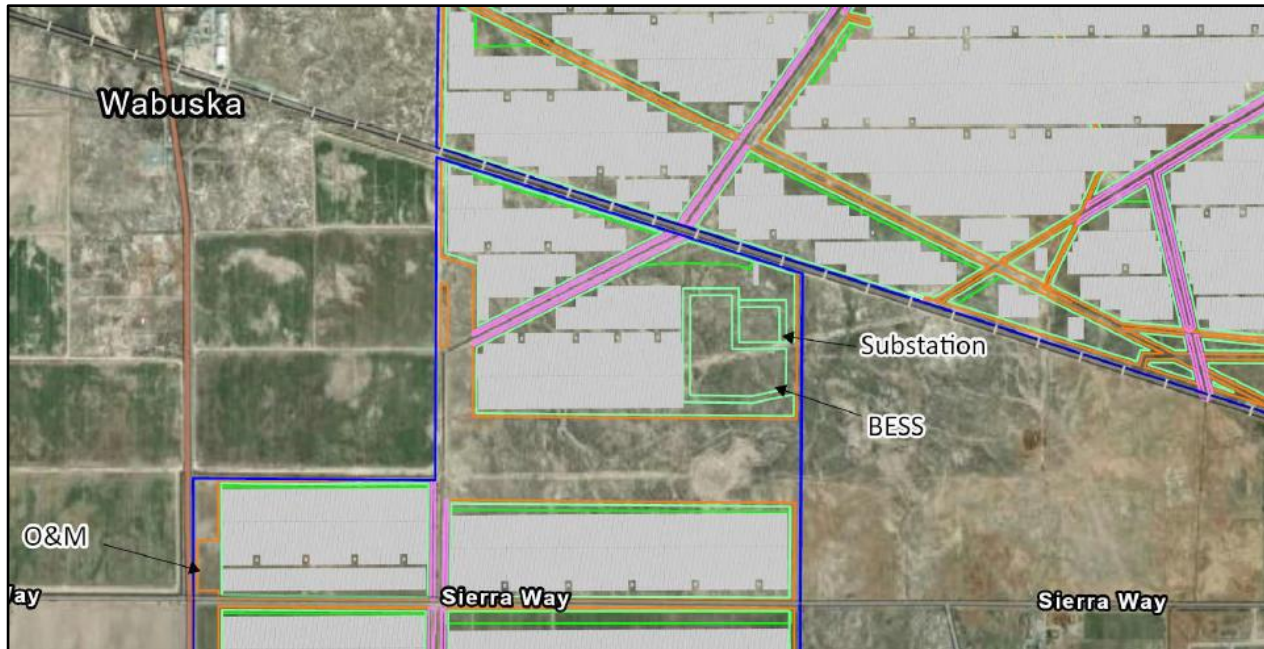
The hatched area below displays the CUP approval (PLZ-2022-167) and the yellow area shows the "NV Energy areas". The proposed PUD would include the "remaining area" of the previous CUP and the new area.



Additional site plans are included in Attachment 2 of this report, taken from Appendix D of the application and will include more easily read labels. The image below shows the “Buildable Area” exhibit, with the WRID ditch easement areas traversing the site in addition to gas line easements, power line easements, utility easements, and rail line easements.



The proposed Substation and BESS are located north of Sierra Way as seen below in a cropped image. The Operations and Maintenance building is proposed to the west, at the north east of the Sierra Way and Hwy 95A intersection.



Access

Primary access is Sierra Way for both construction and operational phases. Gravel and dirt roads are proposed internally.

Operations and Maintenance (O&M) Building

The proposed 3,600 square feet O&M building would be a 25' high metal building to be used for the operations base of a completed project. Were the PUD to be approved, laydown yards would be part of the construction plan, but temporary. The O&M building would need approval from the Lyon County Building and Planning Departments as well as Mason Valley Fire Protection District. The example below is from the PUD Handbook.



BESS (Battery Energy Storage System)

A lithium ion BESS is proposed to cover approximately 25 fenced acres of the project area. A BESS stores power collected from the solar array, allowing for transfer of power to the electrical grid via high voltage power lines. The images that follow are from the PUD Handbook and display the appearance of a BESS. If approved, the BESS would require review by Lyon County Building Department, Planning Department, and the Mason Valley Fire Protection District. The Handbook includes a full section on the Fire Protection Plan and emergency response plans, which would all require additional review and approval were the PUD to be approved.



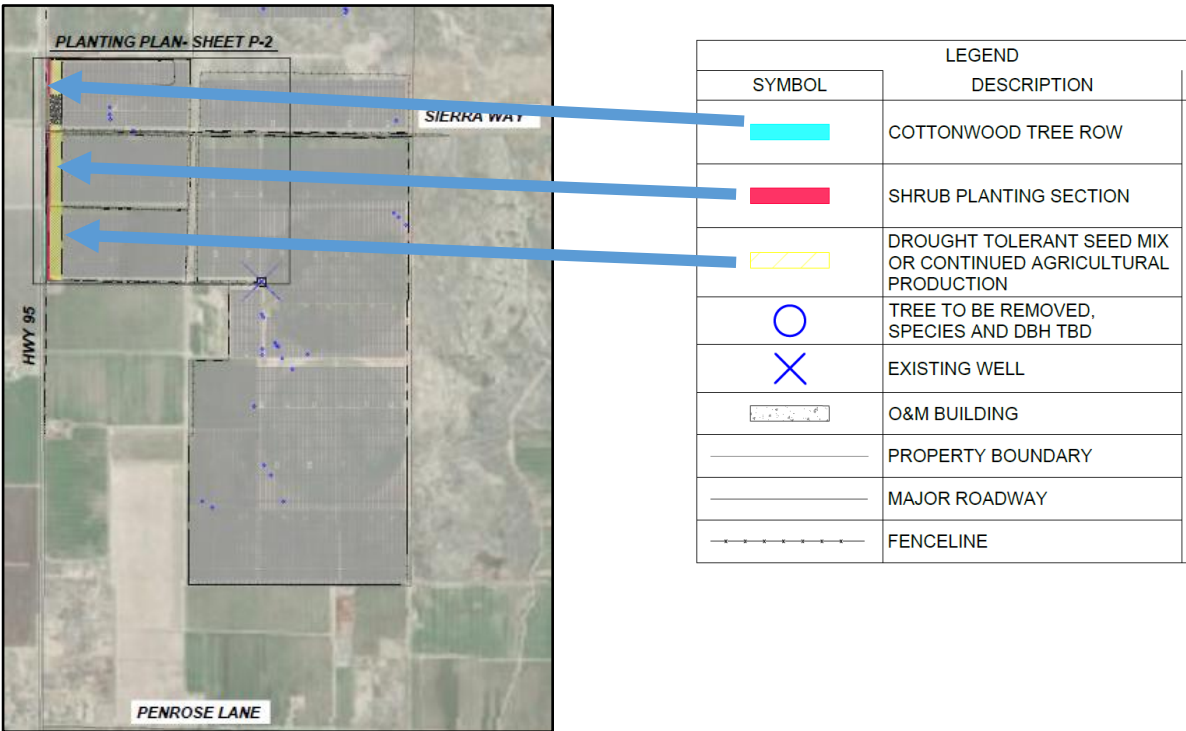
Substation

An on-site electrical substation would connect to the Walker River Substation complex via 230-kilowatt high voltage lines. The construction would require approvals by the State, Lyon County, and the Mason Valley Fire Protection District. The area for the substation would be approximately 7 acres and fenced.



Landscape Screening

The application proposes a landscape strip along Hwy 95A to screen the project as depicted below.



Visual Impact Study

The images that follow are from the Visual Simulation Report. The entire Report is Attachment 5 and depicts the existing landscape and second renderings of the same picture with the project simulated in the image.



Photograph GE4: Existing view looking east from US 95A near Sierra Way

Photo date: October 30, 2025 Time: 3:30 PM

Lat/Long: 39°07'30.4"N 119°10'52.0"W



Photograph GE4: Simulated view looking east from US 95A near Sierra Way

Photo date: October 30, 2025 Time: 3:30 PM

Lat/Long: 39°07'30.4"N 119°10'52.0"W



Photograph PS4: Existing view looking northeast from US 95A at Masini Ranch



Photograph PS4: Simulated view looking northeast from US 95A at Masini Ranch

Construction and Operation

The projected construction period is estimated to be between 18 and 24 months, with between 350 and 450 personnel during peak season, usually about 6 months. During the operations phase, approximately 12 people are expected to be sufficient to operate the facility.

Decommissioning

Per the PUD Handbook, the lifespan of the project is approximately 40 years. Regular maintenance and replacement schedules are expected for equipment and buildings. The Handbook states that at that time, it is possible that the project operators could seek extension of permits, but it is more likely that the site will require removal of the materials and re-establishment of the surface. Were the PUD to be approved, the County, the State, and other entities will require submittal of full decommissioning plans as part of the site improvement, grading, and building permit authorizations.

STAFF REVIEW AND COMMENTS

Planned Unit Developments are governed by Chapter 15.349 of LCC.

FINDINGS FOR REVIEWING A PLANNED UNIT DEVELOPMENT

Proposed PUDs are first reviewed by staff, who make a report to the Planning Commission (PC) in conjunction with presentation(s) by the applicant. The PC then make a recommendation to the Board. The Board hears reports from staff and the applicant and makes the final decision on whether or not to approve the request.

Chapter 15.349.10 of LCC, “APPROVAL OR DENIAL OF APPLICATION”, states that the

“...approval or denial of a tentative planned unit development plan shall be by minute action and shall set forth the reasons for the approval or for the denial..”.

It further states that the:

“...minutes shall also set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to, the following findings:”.

There are 6 Findings for PUDs, which are listed below with the applicant’s response in italics and a staff comment.

Finding A: In what respects the plan is or is not consistent with the statement of objectives of this chapter;

Applicant’s Response

NOTE: the Applicant’s Response to Finding A is approximately 4 pages and includes the applicant’s responses to LCC 15.349.01: Purpose [of PUDs]

15.349.01 Purpose

A Planned Unit Development (PUD) is a land use designation designed to provide an overall planning and design approach for a single use development or a development incorporating a mix of uses. A PUD allows for deviation from a strict application of dimensional and use limitations of the zoning district or districts in order to provide flexibility for landowners to creatively plan for the overall development of their land to achieve a more desirable environment than would be possible through strict application of the standard requirements of the zoning district.

While not to be considered as the explicit standards to be applied when evaluating a PUD, the general purpose or purposes for establishing a PUD may include one or more of the following:

1. Permit the integration rather than separation of uses so that necessary commercial, recreation, and educational facilities are conveniently located to housing;

Applicant Response: *This standard is not applicable to a solar facility because the project’s purpose is energy generation and storage, not providing mixed-use amenities such as commercial, recreational, or educational facilities adjacent to housing.*

2. Establish land use patterns that promote and expand opportunities for public transportation and for efficient, compact, networks of streets and utilities that lower development and maintenance costs and conserve energy;

Applicant Response: *The Winston Energy Project is located adjacent to the proposed Walker River Substation which lowers the development and maintenance cost of the transmission structures necessary to transport the generated electricity. Electricity transmission over long distances results in energy losses; to minimize these, the project is strategically located next to the substation hub.*

3. *Help preserve valued environmental resource lands and avoid development of natural hazard areas;*

Applicant Response: *The Winston Energy site has been intentionally developed exclusively on private land, rather than incorporating development on adjacent BLM land. This approach supports Lyon County's desire to maintain public land for recreational and resource-oriented purposes. This siting decision is also consistent with broader environmental goals by avoiding development on lands that may contain sensitive ecological resources or be subject to natural hazards. Public lands often encompass critical wildlife habitat, riparian corridors, and areas with unique geological or hydrological features that warrant protection. By focusing development on private land that has been evaluated for suitability and low environmental risk, the project minimizes potential impacts to valued resource lands and avoids areas prone to flooding, erosion, or other natural hazards.*

The project is located on land that previously has been used as agricultural land but can no longer support agricultural practices due to the soil quality in the area. There are also Irrigation ditches running through the project area which will be avoided and coordination with the Walker River Irrigation District has been successful into ensuring avoidance and continued maintenance of these areas. No other natural hazards been identified within the project area making it a suitable location for a Solar PV and BESS project.

4. *Help maintain and enhance surface and ground water quality and quantity, and to maintain air quality;*

Applicant Response: *As previously mentioned, coordination with the Walker River Irrigation District (WRID) has been successful in ensuring the irrigation ditches are going to be avoided and continued to be maintained by WRID once the project has been completed. Coordination with Nevada Department of Environmental Protection (NDEP) is ongoing to ensure that the project has the required air and water permits before construction can begin. The project does not foresee any impacts on water/air quality during its operation and construction. Water for construction activities, primarily used for dust control, will be sourced from an on-site well. During operations, potable water may be provided by the County (if service is available), sourced from an on-site well, or stored in a 15,000-gallon storage tank on-site.*

Additionally, non-potable water storage tanks required for fire department use may also be installed on-site as per Nevada Fire Protection Association (NFPA) requirements. Overall, water consumption during the peak construction period will remain significantly below the total water rights authorized for the properties within the Project area. No water will be used for panel washing.

5. *Help improve and enhance the County's trail and park system and maintain access to public lands;*

Applicant Response: *The project is located on private lands and will not impact access to trails, parks, or public lands. The project has also committed to improving the Sierra Way and US Highway 95 crossing to ensure that traffic will continue to flow during construction and operation of the project. This will ensure that the Mason Valley Wildlife Management Area can be accessed and used by the public.*

6. *Help protect and maintain critical wildlife habitat and migration corridors;*

Applicant Response: *As part of the Utility Environmental Protection Act (UEPA) permitting process, the Project was also required to submit a notice to the Nevada Department of Wildlife (NDOW) and provide a \$10,000 deposit to conduct a NDOW site survey. This notice and deposit were submitted to NDOW on March 15, 2023, and the notice was included with the Project's UEPA application to the Public Utility Commission of Nevada. Coordination with NDOW will ensure that the project will help protect and maintain critical wildlife habitat and migration corridors.*

7. Establish incentives for applicants to assure that long term affordable housing will be developed;

Applicant Response: This standard is not applicable to a solar facility because the project's purpose is energy generation and storage, not the development of residential uses or programs that provide long-term affordable housing.

8. Help provide for well-located, clean, safe, and pleasant industrial sites involving a minimum of strain on transportation facilities;

Applicant Response: The Winston Energy Project site is located in an established industrial area, adjacent to the Walker River Substation (f.k.a. Fort Churchill Substation) and existing railroad infrastructure. Solar facilities are good neighbors, producing very little noise, no emissions, and requiring minimal maintenance, which helps preserve the safety and character of surrounding areas. The facility's clean and quiet operation also contributes to a safe and pleasant industrial environment, free from emissions, noise, or hazardous materials typically associated with traditional industrial activities. As previously noted, the project has committed to improving the Sierra Way and Highway 95 intersection to ensure that there is no major strain on transportation facilities.

9. Encourage innovations in residential, commercial and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings, and by the conservation and more efficient use of open space ancillary to the built environment;

Applicant Response: The Winston Energy Project will introduce an innovative and sustainable form of industrial development that complements the County's broader goals for land use diversity and resource conservation. By utilizing private land for renewable energy generation and storage, the Project avoids encroachment on public lands and preserves open space for recreational and resource-oriented uses. The facility's modular design and low-impact footprint demonstrate flexibility in layout and land use, allowing for efficient integration into the surrounding landscape without disrupting the existing community character. The utility scale project located on private underutilized land transforms this land into productive energy-generating space. A growing population increases the demand for electricity which this project will support.

10. Minimize the burden of traffic on roads and highways;

Applicant Response: The Winston Energy Project will support Lyon County's transportation goals by proposing a use that requires minimal operational traffic on local roadways. The nature of the Winston Energy project limits on-site vehicle visits to infrequent, scheduled maintenance and emergency response only. Through the Project's planning and design process, the Applicant has been proactively addressing potential transportation impacts and has ensured the Project is compatible with surrounding transportation infrastructure. The project has also committed to roadway improvements of the intersection between Sierra Way and US Highway 95 and is coordinating with NDOT to ensure that these improvements will be satisfactory.

11. Help ensure that the purposes, goals, objectives and policies of applicable Lyon County Comprehensive Master Plans and maps are achieved. (Ord. 603, 11-1-2018)

Applicant Response: The Lyon County Master Plan's Land Use Policy No. LU 3.2 provides that Lyon County "encourages industrial development to locate in designated locations show on the Land Use Plan, where public facilities exist or are planned to accommodate such development cost-effectively [and] to coordinate industrial land use designation to avoid conflicting land uses". The Winston Energy Project supports Lyon County's commitment to ensuring industrial uses are located consistent with the future Land Use Plan in the following ways:

- *The Winston Energy Project is located within an established industrial zone identified in the Land Use Plan, ensuring compatibility with surrounding uses.*
- *The Winston Energy Project is located directly adjacent to the Walker River Substation (f.k.a. Fort Churchill Substation), reducing the infrastructural demand, resources impacts, and visual contrast associated with transmission infrastructure.*
- *The facility's clean and quiet operation avoids conflicts with nearby land uses and contributes to a safe, orderly industrial environment.*

Lyon County Master Plan's Land Use Policy No. LU 5.1 provides that Lyon County "will encourage development that incorporates...sustainable design and that reduces energy and resource consumption by minimizing resource consumption, energy use, and water use, [and] using renewable energy sources." The Winston Energy Project supports Lyon County's commitment to sustainable design and resource-conscious development in the following ways:

- *The development of a 400 MW solar energy facility 400-megawatt (MW) photovoltaic (PV) solar energy facility (facility) and Battery Energy Storage System (BESS) will provide sustainable renewable energy resources to NV Energy's transmission system, serving both Lyon County residents, and residents throughout the state.*
- *The development of renewable energy resources in the region will contribute to the long-term resilience of Nevada's energy infrastructure by diversifying the state's energy resources.*
- *The Winston Energy Project is located directly adjacent to the Walker River Substation (f.k.a. Fort Churchill Substation), reducing the infrastructural demand, resources impacts, and visual contrast associated with transmission infrastructure.*
- *Unlike fossil fuel development, solar PV facilities require minimal water for operation. Water conservation is especially critical in Lyon County, where water resources are scarce, and better utilized for agricultural purposes.*
- *The proposed solar arrays will be installed in a manner that allows for the preservation of native vegetation and maintenance of existing soil integrity.*

The Lyon County Master Plan's Natural Resources Policy No. NR 3.1 provides that Lyon County "will protect the water supply and encourage efficient use of water resources." The Winston Energy Project supports this policy in the following ways:

- *The Project will have low water demand during Project operations.*
- *The Project will not produce waterborne pollutants, protecting surface and groundwater resources, and supports water quality goals.*

The Lyon County Master Plan's Natural Resources and Environmental Policy No. 4.1 provides that Lyon County will continue to maintain and work to improve air quality [and] encourage development of low pollution energy resources." The Winston Energy Project supports this policy through the following strategies:

- *By generating electricity from sunlight, solar facilities produce no air pollutants or greenhouse gases during operation, offering a clean alternative to fossil fuels. Their success demonstrates the viability of renewable energy, attracting investment, supporting policy goals, and encouraging broader adoption of low-emission technologies across the energy sector.*

The Lyon County Master Plan's Natural Resources and Environment Policy No. NR 5.1 further provides that Lyon County will encourage the utilization of available renewable energy resources, such as solar radiation, and that the County will identify sites with significant solar resources that may be suitable for future utility-scale development" while considering measures to encourage alternative energy development on these sites. The

Winston Energy Project supports Lyon County's commitment to identifying sites with significant solar resources that may be suitable for future utility-scale development in the following ways:

- The Project is located in a compatible industrial zoning district, consistent with Lyon County Land Use designations that support utility-scale energy development.*
- The site offers strong solar irradiance, making it ideal for renewable energy generation.*

Lyon County Master Plan's Natural Resources and Environmental Policy No. NR 8.2 states that Lyon County "will minimize light pollution while allowing for adequate lighting for safety and security... [and] implement lighting standards for... industrial properties to address issues such as avoiding light instruction onto neigh properties". The Winston Energy Project supports Lyon County's commitment to minimizing light pollution in the following ways:

- The Winston Energy Project operations require minimal nighttime lighting, and all light fixtures will be shielded and use downward-facing fixtures to prevent light pollution. Since solar energy is generated during daylight hours, the site remains largely inactive at night, preserving the natural night environment and reducing impacts on nearby communities and wildlife.*

Staff Comment

The applicant's response to Finding A is found by staff to be largely accurate in its characterization of the proposed PUD relative to the language in the "Purpose" section of LCC for PUDs (15.349.01). The Code section is generally focused on residential development, but the applicant's quoted Policies from the Master Plan are appropriate for the development proposed. Specifically, the following Policies are noted.

Policy LU 3.1, Diverse Economic Base

Policy LU 3.2, Business and Industry Locations that are Consistent with Future Land Use Plan

Policy LU 5.1, Encourage Resource-Sensitive Growth and Sustainable Design

Policy NR 3.1, Water Supply and Quality

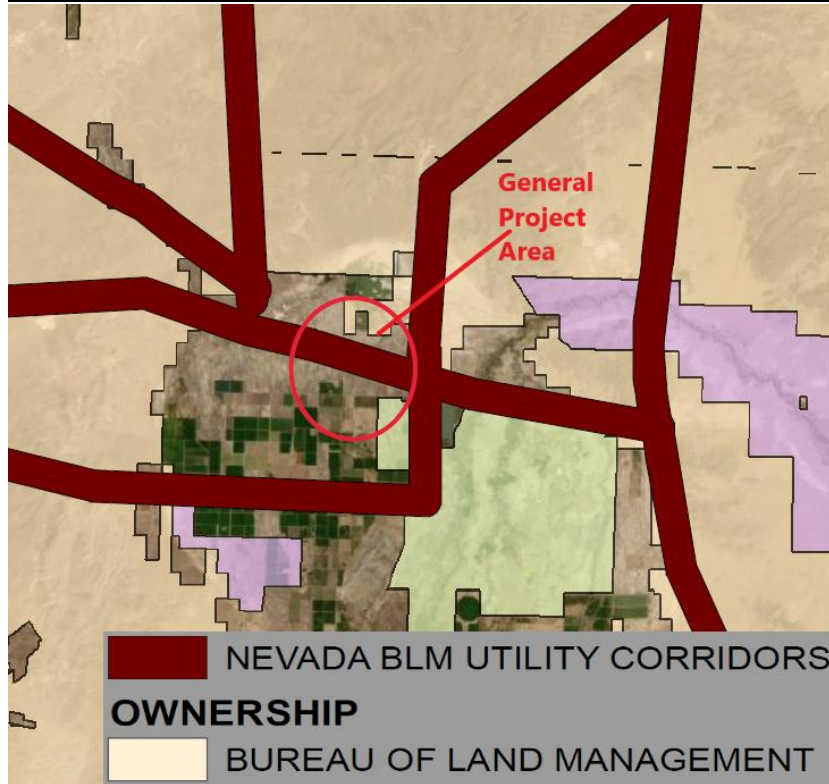
Policy NR 4.1, Clean Air

Policy NR 5.1, Geothermal, Solar and Wind

Policy NR 8.2, Dark Skies

The location of the Project in Mason Valley, with connection to Above Ground Utility Corridors per the 2020 Master Plan indicates that the County recognizes this region as appropriate for new commercial/industrial types of development associated with additional electrical capacity. The Corridors are 2/3 of a mile in width and are locations where Title 15 does not require a Conditional Use Permit for high voltage power lines. The intent of these corridors is to delineate areas that may connect to the State-wide NV Energy Greenlink project and the Walker River Substation expansion, which are adjacent and through the project area. This location for a SECS provides for compact development patterns, reducing the length of high voltage power lines to connect solar fields to sub stations. Additionally, the completed project does not require significant water rights, nor would it create air pollution or be a hinderance to preservation of dark skies.

Cropped image of Above Ground Utility Corridor from Lyon County 2020 Master Plan



Finding B: The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest;

Applicant's Response

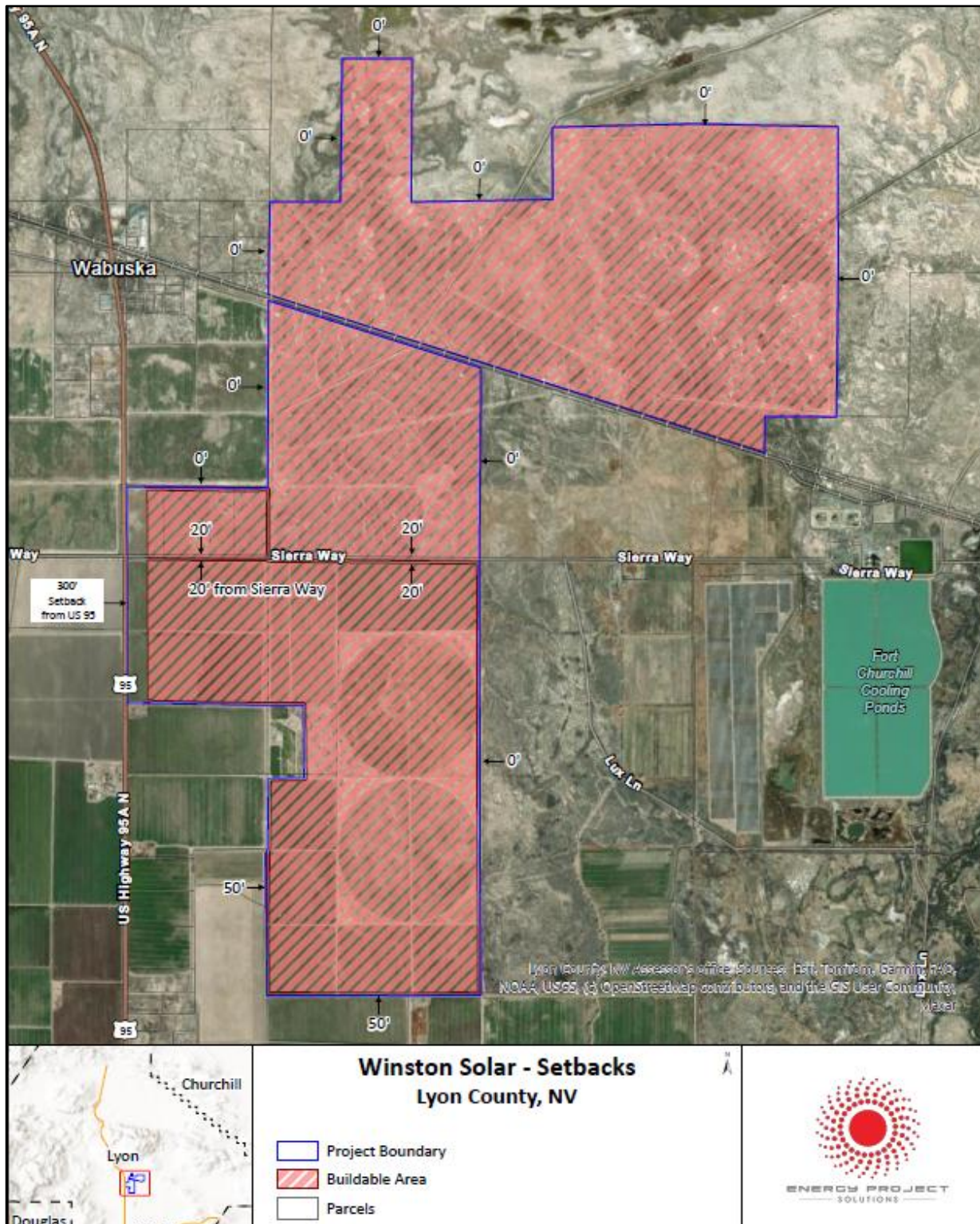
Per table 15.320-1 and table 15.320.-4 of the Lyon county code, solar power generating facility (commercial) and Energy Storage System require a conditional use permit under both zone HI-S and RR-20. The project has received a conditional use permit for a portion of the project site but portions of the original 2022 CUP site were lost to the NV Energy Walker River Substation project, requiring the acquisition of additional lands in 2023 and 2024—well before Lyon County adopted the one-mile setback requirement in July 2025. After coordination with the planning department PUD was determined to be the best way to move forward with the project as sufficient setbacks to the highway will be incorporated to ensure that public interests are satisfied. Reference justification letter with Standards and Criteria.

Staff Comment

The applicant has submitted a PUD instead of a CUP for the SECS, BESS, and high voltage transmission lines as a path forward, in accordance with discussions with Lyon County staff. Part of the reasoning would appear to be related to the site plan's significant deviation from development standards. While a PUD does permit for flexibility in development standards, it is important to note that appropriate justification for deviations are expected as part of the rationale for the project proposal.

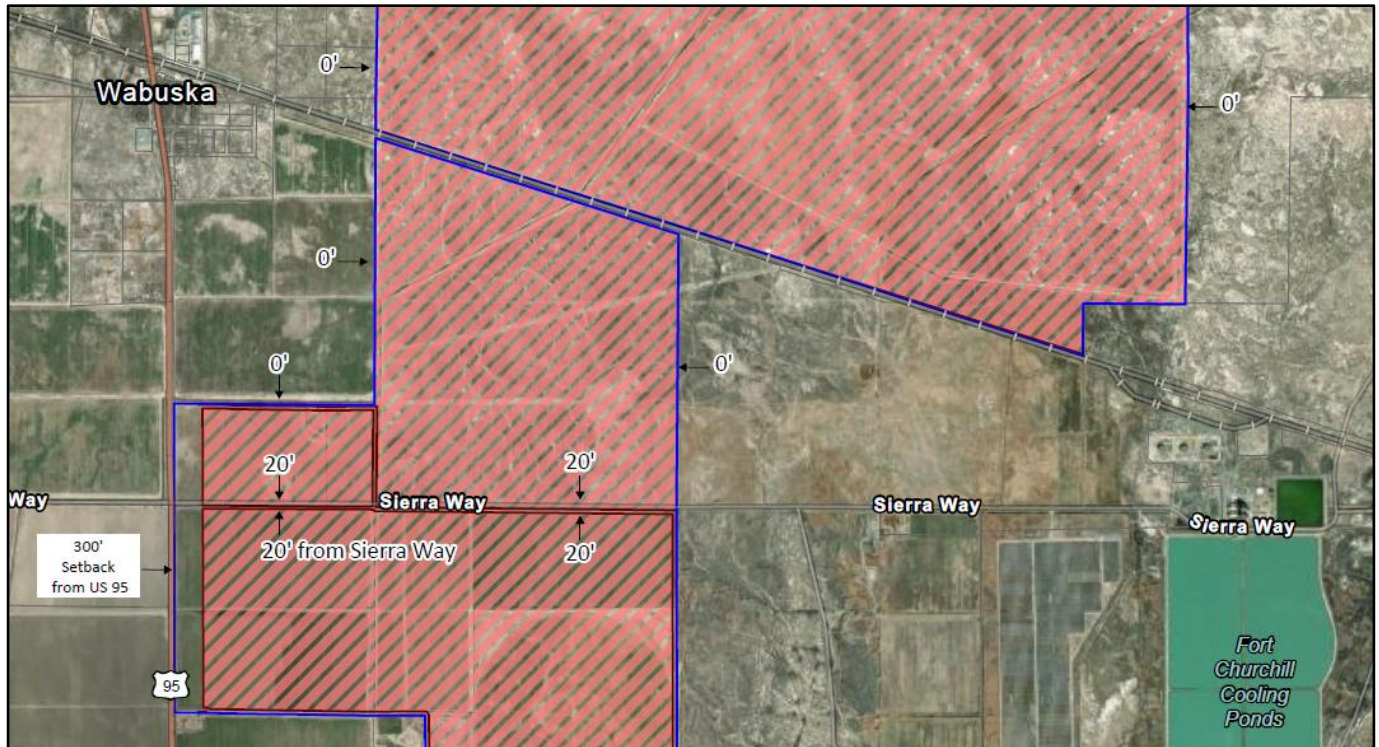
Setbacks

The following images are from the Setbacks exhibit submitted with the application and included in Attachment 3 of this report, *Setbacks*.



Cropped images of Setback Exhibit

This cropped image shows a 300' setback on the west from Hwy 95A. No setbacks are proposed along the boundaries with BLM and State-owned lands.



This cropped image shows a 50' setback on the south/south west from residential zoning and use adjacent to the project.



In the case of setbacks for SECS projects, the PUD Handbook (Attachment 1) acknowledges that per LCC, each portion of an SECS array....

"...must be set a minimum of one half mile/2,640' from a trail easement, highway and/or adjacent properties with an existing residential use".

This is part of LCC section 15.336.09.E.2, *Setback*. The Code (underline added) goes on to state that:

“SECS may be placed closer than 2,640 Feet from a property with an existing residential use, trail easement, or highway if it is separated by a geologic feature or building of a height sufficient to completely obstruct views of the commercial SECS from a point sixteen (16) vertical feet above the boundary of any Residential Zoning District. The Board of County Commissioners may, at their sole discretion, approve setbacks that are less than the setbacks outlined in this chapter if the project is a part of a Planned Unit Development (PUD).”

The applicant has chosen to submit a PUD to allow for a reduction in setbacks instead of submitting for Variances. The PUD Handbook drafted by the applicant, *Section 2. Land Use and Design Standards*, clearly states that:

“To achieve operational and projection efficiencies and financial feasibility, the Project seeks to construct a minimum of 400 MW of solar capacity. This will require to recover at least 520 buildable acres for solar development which are currently unavailable for construction under existing county code.”

The proposed setback to Hwy 95A to the west of the site is 300’, an 88.6% reduction in a development standard (2,640 setback) approved by the Board of Lyon County Commissioners on June 18, 2025 (and effective on July 23, 2025). Staff is not able to recommend approval of an 88.6% reduction in a setback justified for financial feasibility and does not find that the request is in the public interest.

The setbacks/screening requirements relative to adjacent properties with residential zoning are also not met in the proposal. The applicant submitted a Visual Simulation Report, included with this report as Attachment 5, which outlines the plan to use a corridor of vegetation along the western-most boundary of the project area, but this would not screen the entire project area from the Highway and there are proposed 50’ setbacks to residentially-zoned and/or used property. Per setback standards, the SECS should not be visible from 16’ above the boundary with the residentially-zoned property. Again, staff does not find the proposal to be in the public interest.

TIS and traffic

The Traffic Impact Study (TIS) submitted for the project was not submitted to NDOT prior to the application submittal and the Planning Commission meeting despite Lyon County’s direction to the applicants that NDOT review was required. The applicant did submit the TIS to NDOT for approval of the scope after the December 2, 2025 Planning Commission meeting, but as of the date of drafting of this report, NDOT has not provided review, validation, or technical comment regarding the recommendations. Such input is essential to confirm that the TIS accurately reflects potential impacts on U.S. Highway 95 and adjacent intersections and to ensure that appropriate mitigation measures can be identified to protect public safety and maintain adequate traffic operations. The applicant elected to proceed to the Planning Commission without prior review of the Traffic Impact Study by NDOT. Subsequent correspondence from the applicant indicates an intention to fund and construct traffic control improvements at the intersection of Sierra Way and U.S. Highway 95A. This intersection represents a critical access point for multiple long-term projects with extended construction timelines. Of particular note, the Board of County Commissioners heard presentations from staff and the applicants for the Monarch Data Center (PLZ-2025-025, “Monarch”) on December 4, 2025, a project proposing approximately 4.6 million square feet of buildings with Sierra Way as the primary access. The Board voted to approve Monarch’s Specific Plan and the applicants will next be submitting for a PUD. Part of the County’s review of these two projects will include County-specific conditions requiring improvements to public Rights of Ways that are not listed in the TIS for either project.

NV Energy’s Walker River Substation project is also utilizing Sierra Way as its primary access route. The corridor along Highway 95A between Yerington and Mason Valley also continues to accommodate significant ongoing agricultural operations, as well as local residents and commuter traffic. Given the volume of both existing and anticipated development in the area, these circumstances underscore the necessity for a comprehensive Traffic Impact Study that fully addresses cumulative traffic impacts and conforms to NDOT review standards. Staff does not find it to be in the public interest to accept the analysis in the applicant’s TIS without review by NDOT and adequate time for staff-review of the updated submittal.

WRID - General Manager Comment

The PUD does propose to accommodate the WRID irrigation ditches through the project area by offering to re-route the historic conveyances. While the WRID would still have opportunities to review site development plans if the PUD were to be approved, the General Manager was contacted by County staff and provided the following comment:

A minimum 50-foot setback and possibly larger, depending on the facility involved, shall be maintained from the top of each bank of all irrigation district drains, canals, ditches, and laterals thereof. No grading, construction, fencing, or drainage discharge is permitted within this setback or within any irrigation district easement or within any drain, canal, or ditch located therein without prior written approval from the district having jurisdiction.

The developer shall coordinate with the irrigation district to verify facility location, maintain required access, and to ensure compliance with these requirements and that historic maintenance practices of depositing material and vegetation on the banks of such facilities are not impaired.

While the applicants would not have had this information prior to submittal of their Tentative PUD, it is important to note that the General Manager's proposed setback is not met by the existing design.

Finding C: The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;

Applicant's Response

Section 15.349.03.M.4. of the Lyon County Code offers the opportunity for a reduction in the minimum open space requirements outlined above. The Applicant is requesting a reduction in the minimum 20% open space requirement as the location of the Winston Energy Project is within ¼ mile walking distance of the Mason Valley Wildlife Management Area, a publicly accessible, active open space, consistent with the open space reduction requirements. Accordingly, the Winston Energy Project is proposing 281 acres of open space outside of the Project's fenced area. This open space totals approximately 11.8% of the total Project Area.

In addition to complying with the requirement to reduce the minimum open space requirement, it is important to note that the Project and the local community would not benefit from the incorporation of additional open space beyond what is proposed. The requirement for a PUD to incorporate open space is typically intended to preserve areas as residential or commercial amenities, such as community gathering spaces and opportunities for access to recreational facilities. However, a utility scale solar project, such as the Winston Energy Project, is by nature a secured, fenced, and operational energy generation site that cannot reasonably provide public recreational or residential amenity functions without compromising safety and operations. These conditions are incompatible with the public access expectations of typical open space requirements.

Additionally, the Project Area is in an already developed industrial area of Lyon County and surrounded by existing open space (i.e. BLM land and the Mason Valley Wildlife Management Area). As such, the public would not significantly benefit from additional open space in the vicinity of the Project, and such requirement would place an undue burden on the Applicant. Accordingly, this requirement should be considered not applicable to the Winston Energy Project.

Staff Comment

As stated in the Staff Comment for Finding A, the PUD section of LCC is focused on residential development proposals. The requirement of open space for PUDs is not recognized as being especially relevant for the proposed project. The WRID will maintain jurisdiction over their ditches and easement, which, if the project is approved, will necessitate modification to the site plans and create breaks in the SECS.

Finding D: a physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment;

Applicant's Response

Please reference the site plan with physical design of the project within the PUD application.

Staff Comment

If approved, the Operations and Maintenance Building, the substation, the BESS, and other features of the project will be required to attain an Administrative Design Review (ADR) from the Planning Department. This process will permit staff to review qualities such as required parking, pavement standards, establishment of water and sewer facilities, and other features. The PUD designates general areas for structures and setbacks, but further review would ensure that County standards are met.

Finding E: The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed;

Applicant's Response

The PV and BESS facility is strategically located adjacent to the Walker River Substation, owned and operated by NV Energy. This proximity creates a significant benefit by minimizing the need for additional transmission infrastructure that would otherwise cross neighboring properties, reducing land disturbance and potential impacts on the surrounding community. By co-locating generation and storage near an existing distribution hub, the project enhances grid efficiency and reliability, ensuring that electricity can be delivered to Lyon County residents without unnecessary expansion of transmission corridors.

The facility is consistent with the underlying industrial zoning that encompasses most of the project boundary, aligning with the intended land-use pattern and avoiding conflicts with residential development. Surrounding properties are primarily agricultural with few residences, which means the project will have minimal visual and noise impacts on neighbors. Additionally, the project introduces long-term benefits such as improved energy resilience, reduced dependence on fossil fuels, and support for statewide renewable energy goals. By contributing clean, locally generated power, the facility helps stabilize energy costs and promotes environmental stewardship, all while maintaining compatibility with the existing character of the area.

Staff Comment

An SECS in this region of the County appears logical based on the Above Ground Utility Corridors and the proximity of the Walker River Substation complex. The design of the project however, as described in Finding B above, does not in staff's opinion, provide adequate setbacks or screening. The outstanding review by NDOT of the TIS makes the full impacts of the proposal on the neighborhood uncertain.

Finding F: In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan

Applicant's Response

A solar facility developed under a multi-year PUD satisfies the ordinance by incorporating terms and conditions that ensure the integrity of the plan and protect public interests throughout its life cycle. Unlike projects with frequent operational changes, a PV solar farm is inherently stable and predictable over time. Once constructed, its physical footprint, land use, and operational characteristics remain largely unchanged for decades. This consistency minimizes disruption to surrounding properties and preserves the original intent of the PUD

Staff Comment

The proposed project, if the PUD were approved, would still require multiple approvals for site preparation and construction. During that process the safety of residents and neighbor would be addressed via review of fire suppression plans, emergency management plans, access controls, and decommissioning plans.