



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	<u>Tentative Planned Unit Development</u>
Meeting Date	<u>March 5, 2026 (Continued from January 5, 2026)</u>
Property Owners	<u>Masini Investments LLC, L&M Family Limited Partnership, Dan and Tara Morose, Stephen Palmer</u>
Applicant	<u>Winston FC Solar, LLC</u>
Representative	<u>Energy Project Solutions</u>
Community	<u>Mason Valley</u>
Location	<u>East of US Highway 95A and south and north of Sierra Way</u>
Addresses	<u>Multiple</u>
Parcel Numbers	<u>014-091-[13, 15, 16, 17, 22], 014-201-[14, 17, 18, 32, 33, 35]</u>
Parcel Size	<u>2,374 acres in total (approximately)</u>
Master Plan	<u>Agriculture and Industrial</u>
Applicable Zoning	<u>RR-20 (Rural Residential - 20 acre minimum) and HI-S (Heavy Industrial – Suburban)</u>
Flood Zone(s)	<u>X-Unshaded per FIRM 32019CO710E and FIRM 32019CO550E</u>
Case Planner	<u>Louis Cariola</u>

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.

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. At that time, staff made a recommendation of denial based upon the lack of review comments from the Nevada Department of Transportation (NDOT) on the required Traffic Impact Study (TIS) and insufficient rationale and justification for proposed deviations from standards related to setbacks for a SECS (Solar Energy Conversion System) project. Since that time, the applicant has worked closely with staff to propose increased setbacks and enhanced

screening elements (as outlined later in this report). Additionally, the applicant has since received approval of the scope of the TIS by NDOT, received, and agreed to comply with, review comments from NDOT with recommended improvements, and also has expanded their commitment to off-site improvements to NDOT and local roadways. Specific improvements would include construction of permanent acceleration and deceleration lanes at multiple locations including the intersection of US Hwy 95A and Sierra Way. Additional improvements at the Ramsey Weeks Cutoff intersections with US Hwy 50 and US Hwy 95A are also recommended by NDOT. The Ramsey Weeks intersections are approximately 20 miles north of the project, but NDOT identified them as impacted by construction phase traffic. Discussion of construction of a new “passing lane” on Highway 95A, heading north and up-grade of the project area is also expected to be necessary, with payment being coordinated with other regional projects (Copia/Monarch Data Center) that will also have significant impacts to regional roadways in Wabuska. The final determination on improvements would occur as part of the Final PUD process in coordination with the applicant, Lyon County, and NDOT. The County will require improvements to be constructed prior to the construction phase of the project, or as otherwise provided in a reimbursement or development agreement approved the Board of County Commissioners to be distributed between the projects generating traffic impact. The County shall be a party to such agreement for purposes of acknowledgment and administration, but shall not assume any financial responsibility or obligation for the reimbursement.

PREVIOUS BOARD OF COUNTY COMMISSIONERS HEARING

On January 5, 2026, the Board of County Commissioners heard presentations from staff and the applicants regarding the request for approval of the Tentative PUD. The item was continued for a maximum of 90 days. The Board acknowledged staff’s concerns with the setbacks from US Highway 95A, which were proposed to be 300’ when the Code standard is 2,640’ per Lyon County Code (LCC) 15.336.09.E.2., although per the same Code section, when the SECS is part of a PUD the Board has the authority to grant reduced setbacks. The Board also acknowledged that staff had not been granted enough time to review the TIS after NDOT’s review 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.

MOTION FOR APPROVAL

If the Board of County Commissioners determines that they will approve the request, then the Commission may want to consider a motion similar to the following.

The Lyon County Board of County Commissioners finds that:

- 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.

Based on the ability to make the aforementioned Findings, I move that the Board of County Commissioners approve 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 APPROVAL

Alternative Motion for Continuance

If the Board of County Commissioners determines that additional information, discussion and public review are necessary for a more thorough review of the proposed conditional use permit; the Commission should make appropriate findings and move to continue the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Commission may wish to consider a motion similar to the following:

The Board of County Commissioners finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Planned Unit Development.

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 Denial

If the Board of County Commissioners determines that they should deny the request, then they need to make findings supporting a recommendation of denial. The Commissioners may wish to consider a motion similar to the following:

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.

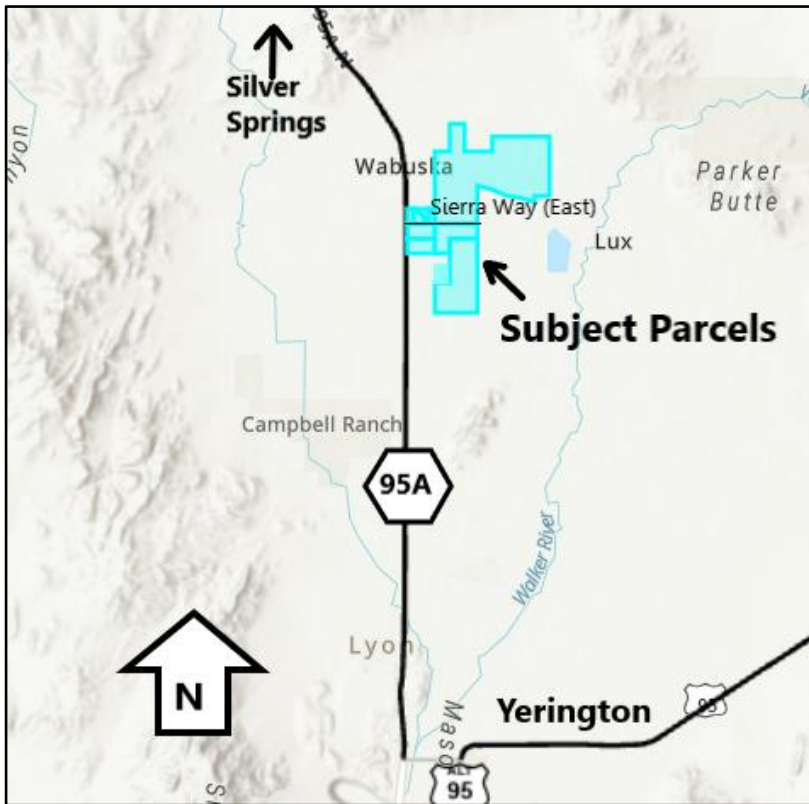
- A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;
- B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons 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.

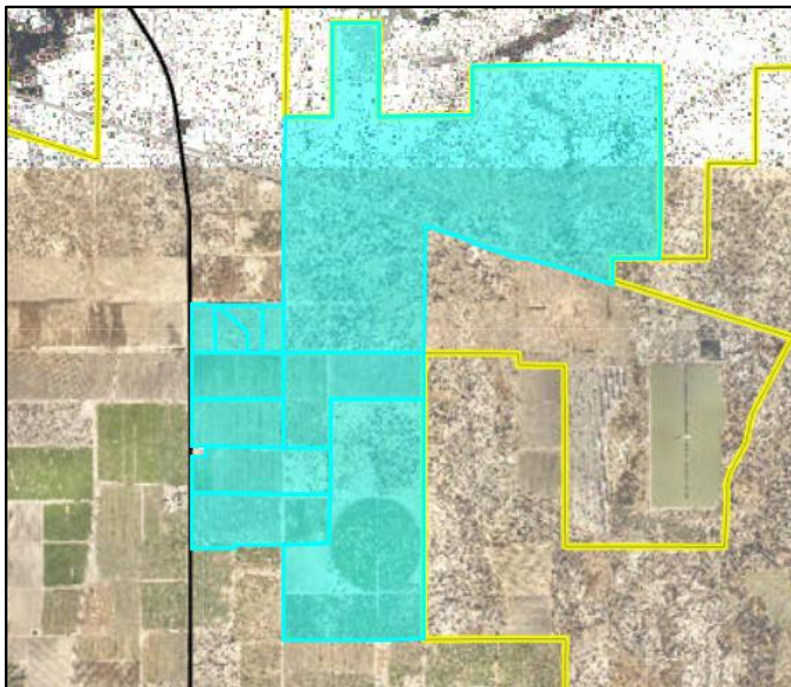
After consideration of the above-listed Findings, the Board of County Commissioners denies the request from Winston FC Solar, LLC, for a Planned Unit Development for the Winston Solar Project. The Project consists of a 400-megawatt photovoltaic solar energy facility with approximately 780,000 solar panels, 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.

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 approximately 20 miles south of Silver Springs.



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



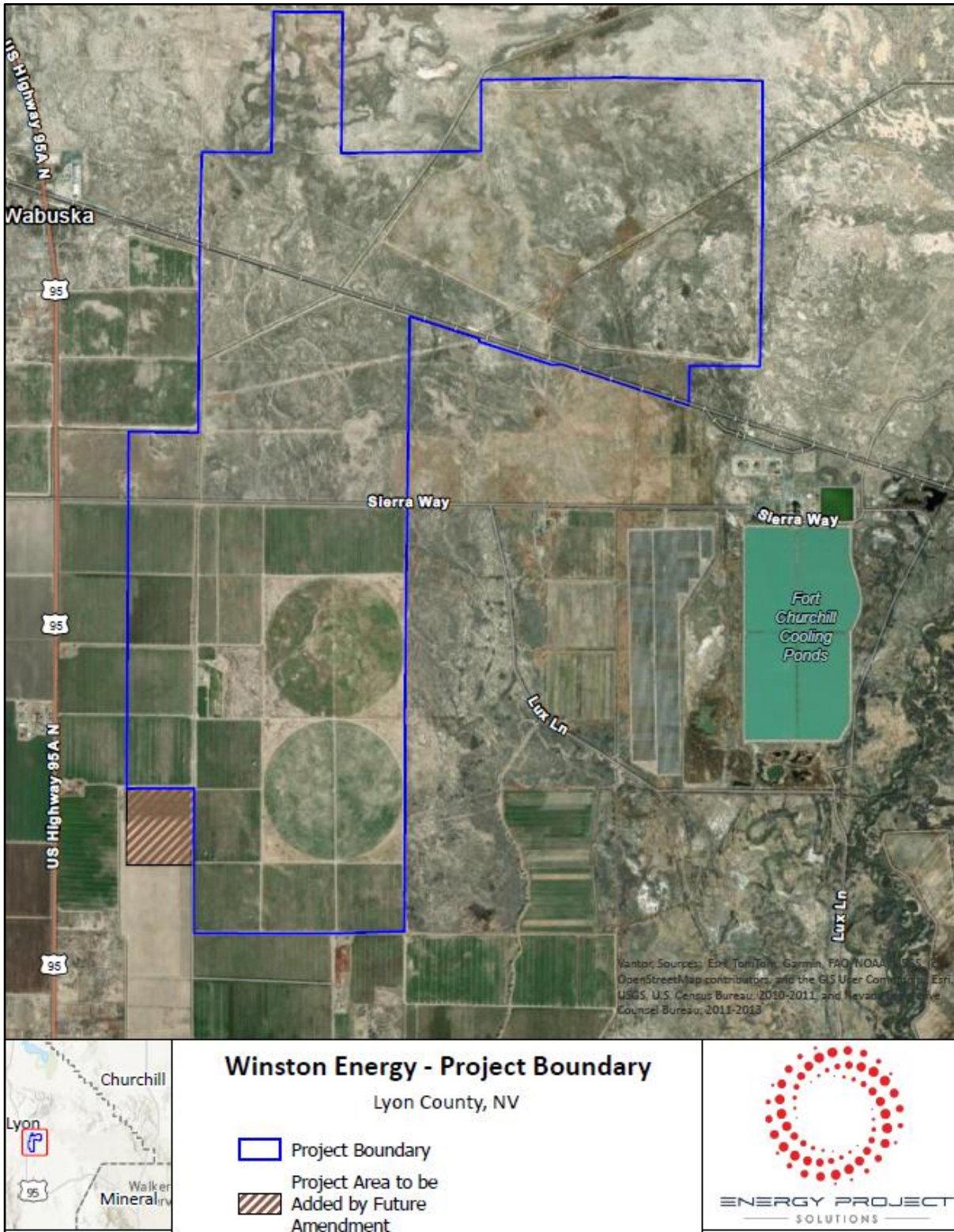
Size

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 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 and are modified in this iteration of the project boundary, although the square footage is approximately the same. If approved, a mapping exercise would establish the PUD boundaries prior to approval of the Final PUD.

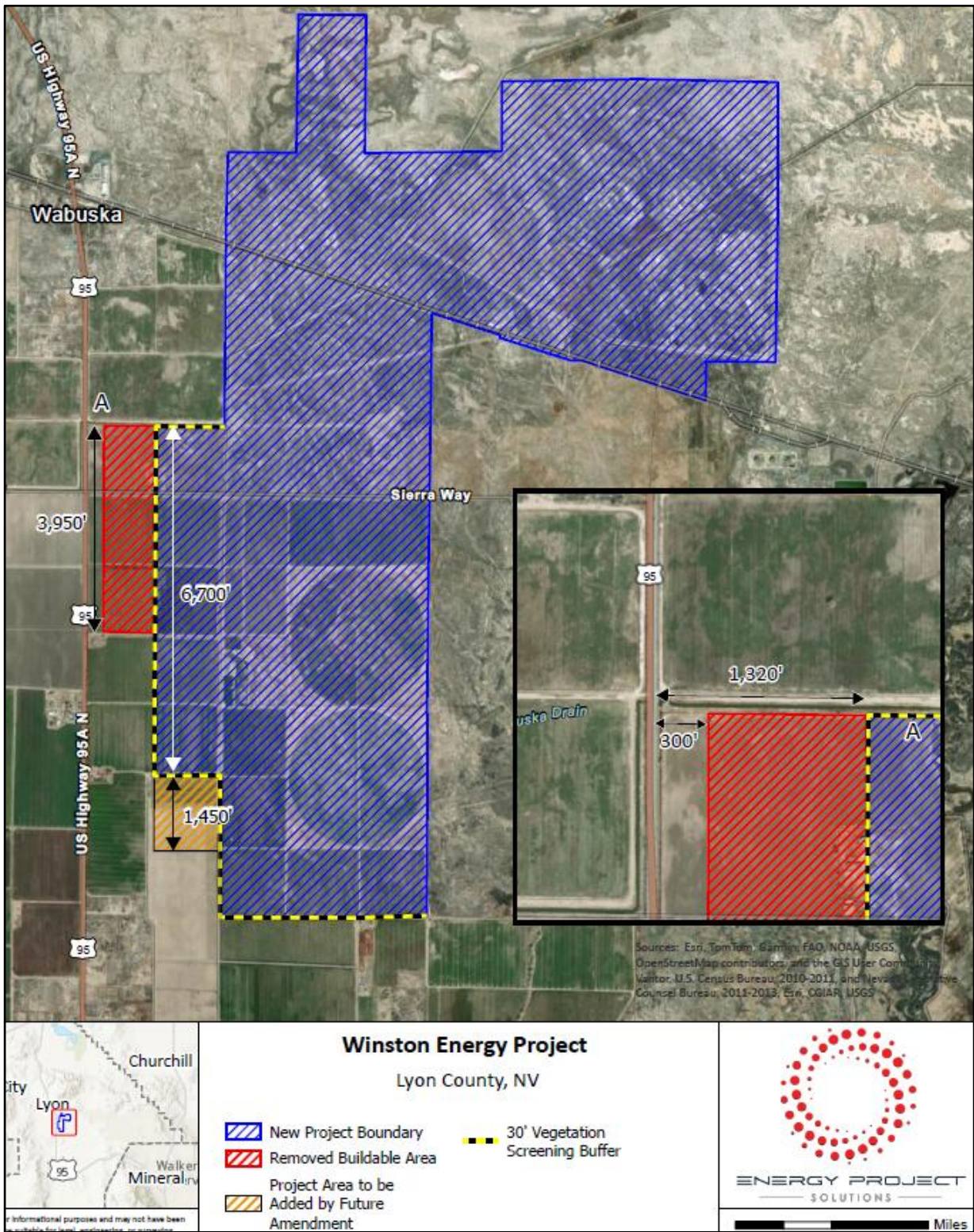
The applicant expects to bring portions of two additional parcels, also on the south west of the project area, into the boundary for the Final PUD. Staff has advised the applicant that this will require amendment to the Tentative PUD (were this item to be approved). This is necessary in order to maintain project area for the solar array due to a proposed increase in setbacks from Highway 95A as described later in this report.

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 depicts the APNs and the project area as currently proposed. The hatched area at the south west depicts an expansion area that was not part of this Tentative PUD submittal and is instead proposed for addition to the total project area through a future amendment. The additional area would be approximately 42 acres. Approval of the additional area and parcels would have to be approved by the Board prior to approval of the Final PUD.

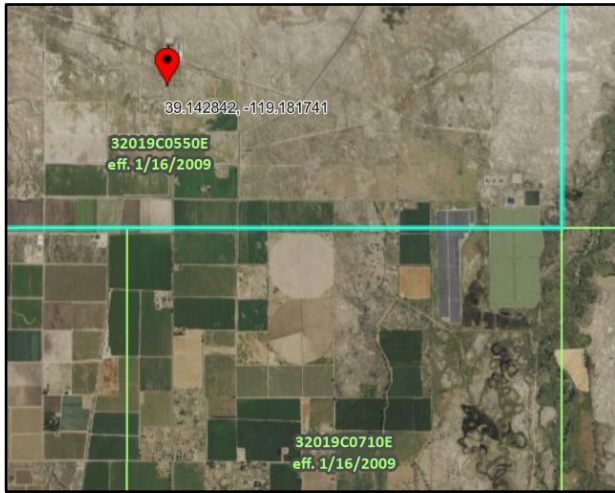


The images below are from the applicant's site plans and depict setbacks along a 6,700' boundary facing Highway 95A with a 1,320' setback relative to the now-replaced and shorter 300' setback area originally proposed. The area proposed for a future amendment is also shown, representing an additional length of Highway frontage of 1,450'.



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.



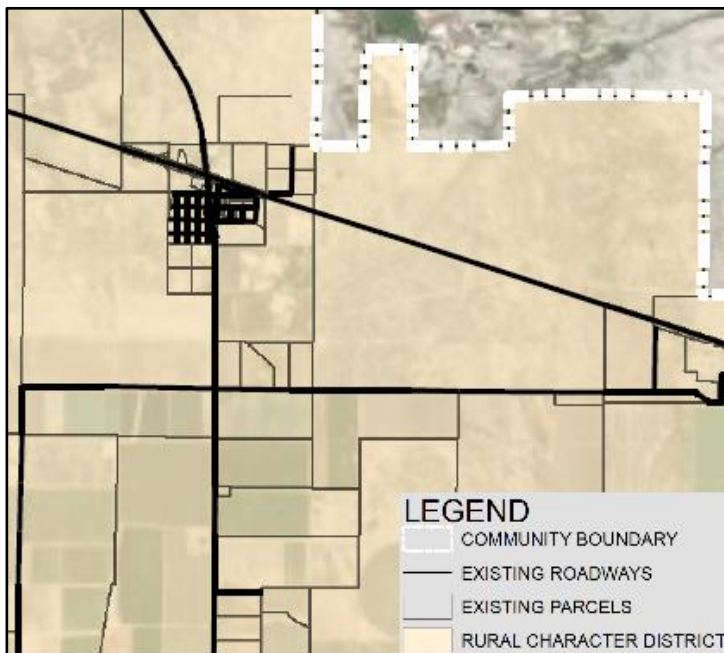
Current Development and Uses

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

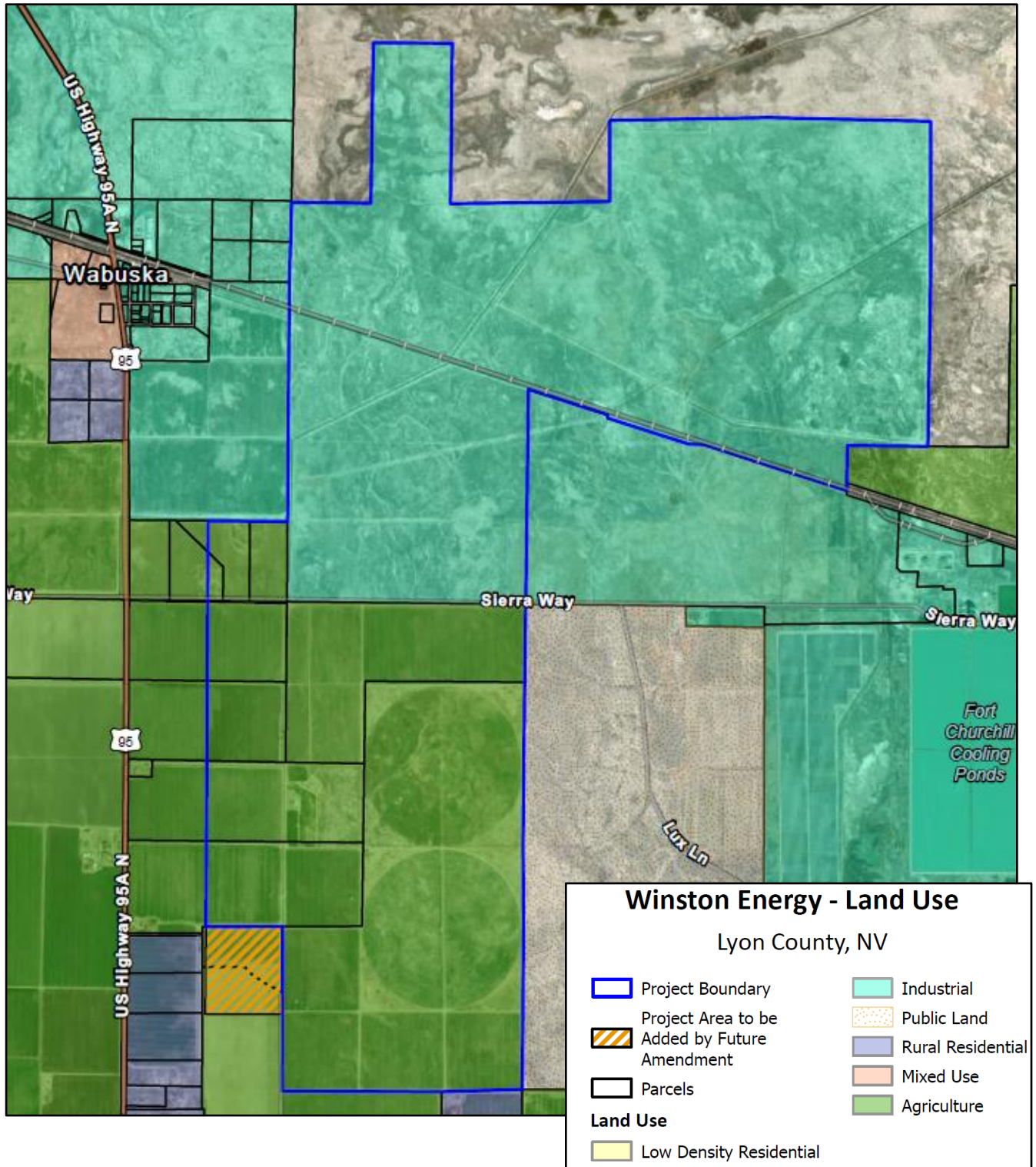
Character District

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.



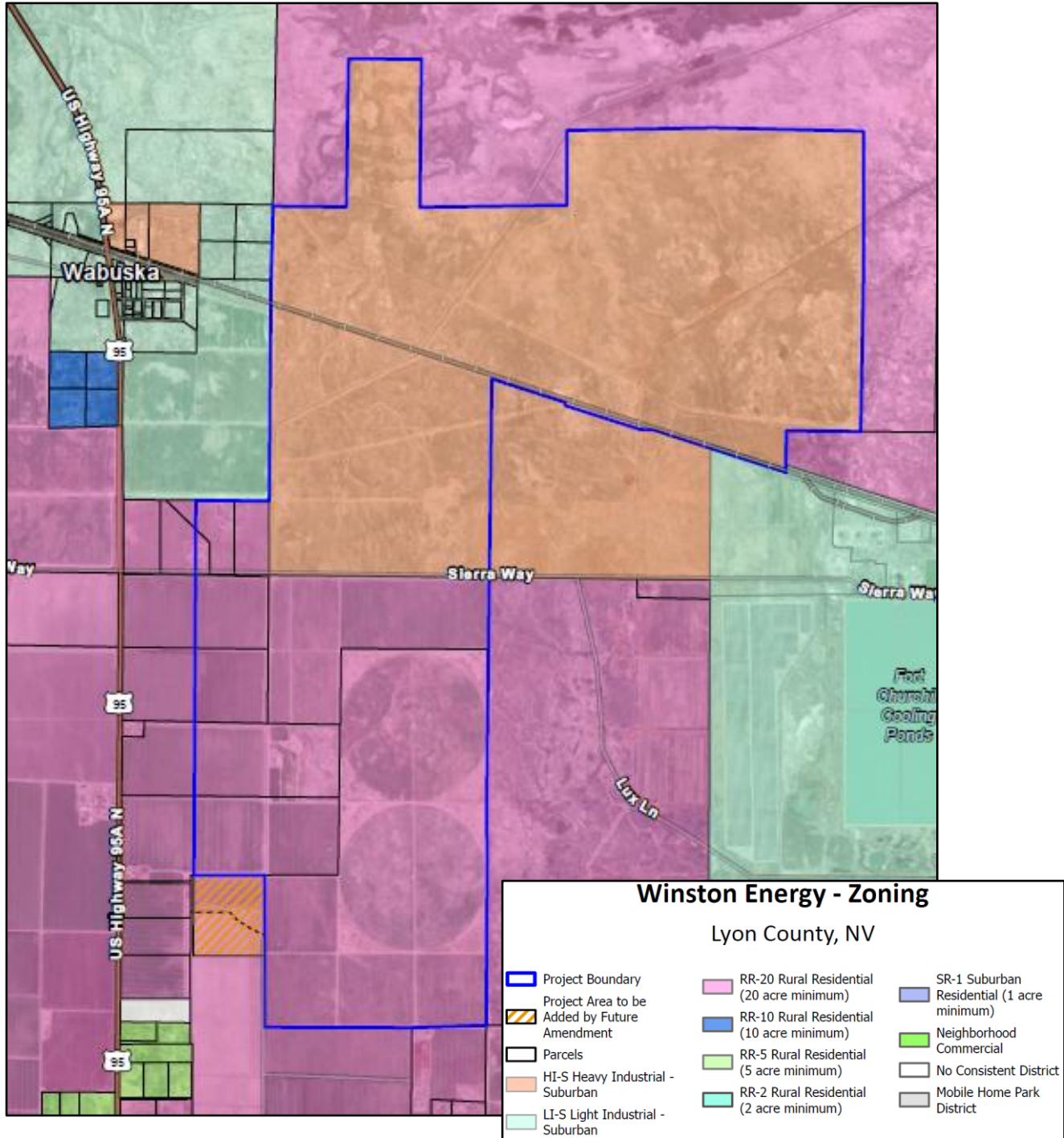
Master Plan

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.



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 parcels 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

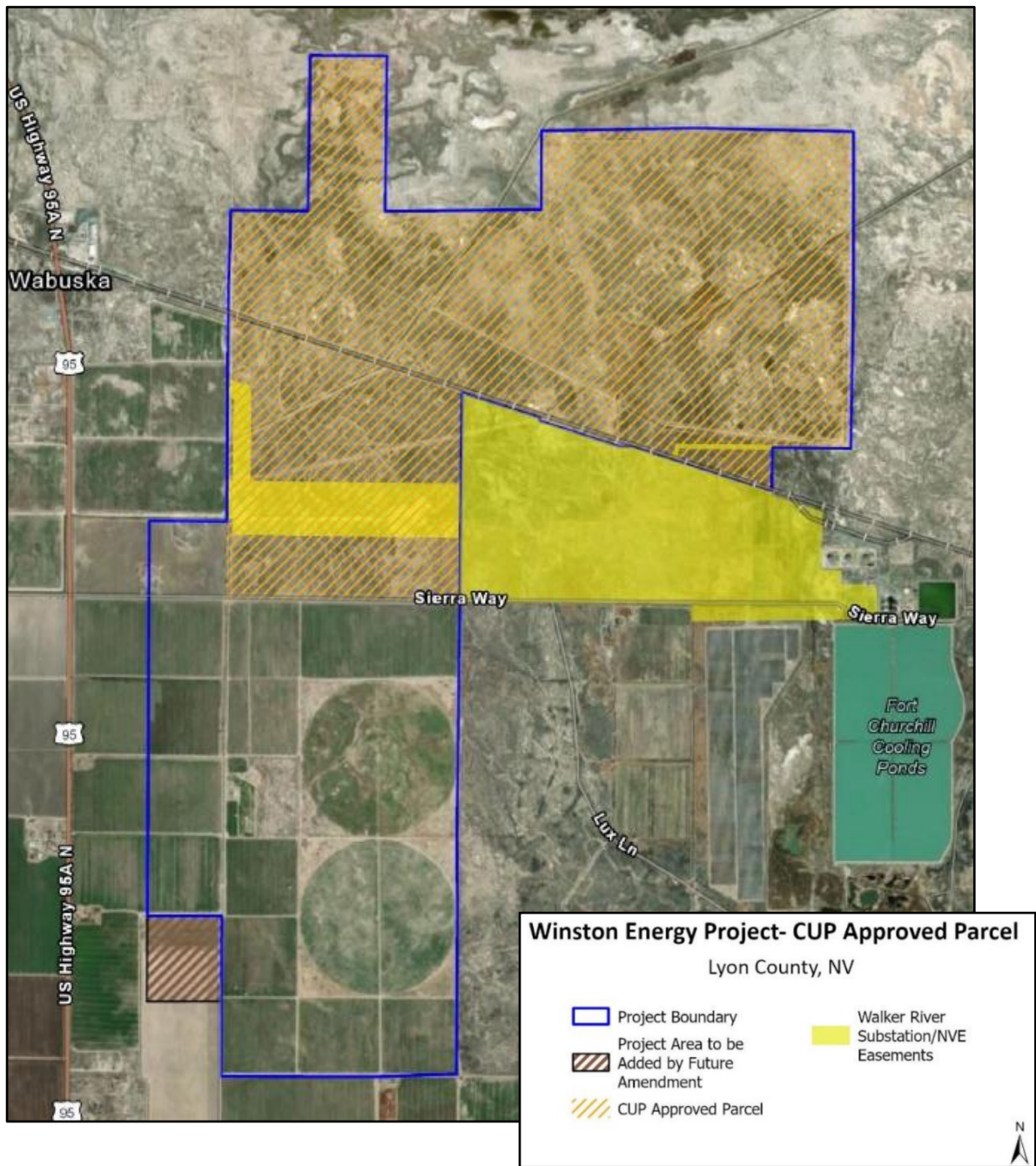
Winston FC Solar, LLC is pursuing approval to construct the Winston Energy Project (Project), a 400-megawatt (MW) photovoltaic (PV) solar energy facility (facility) with a Battery Energy Storage System (BESS) located entirely on 2,374.3 acres of privately owned land in Lyon County, Nevada. The Project 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



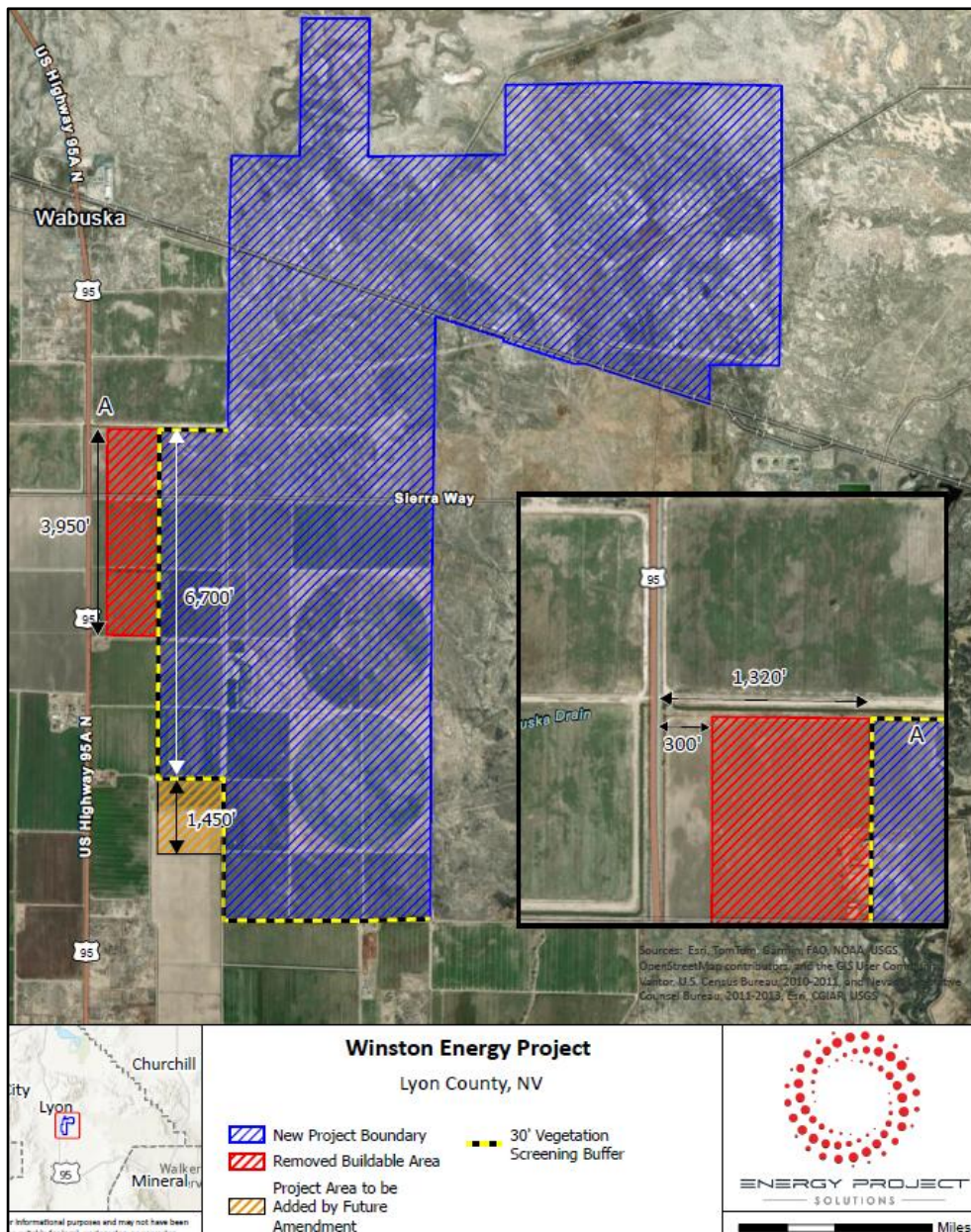
The image that follows depicts the overall project area and an area that was approved for another project named the *Winston Solar FC* project. It was approved for a Conditional Use Permit (CUP) via file number PLZ-2022-067 on September 1, 2022 by the Board of County Commissioners for approximately 1,713 acres. The project was approved for a commercial SECS 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 (prior to amendment). At the south west corner is another hatched area that represents additional area that is proposed for addition to the Tentative PUD through a future amendment process. The additional area is necessary after the solar array area is reduced through the application of the increased setback areas from the Highway.



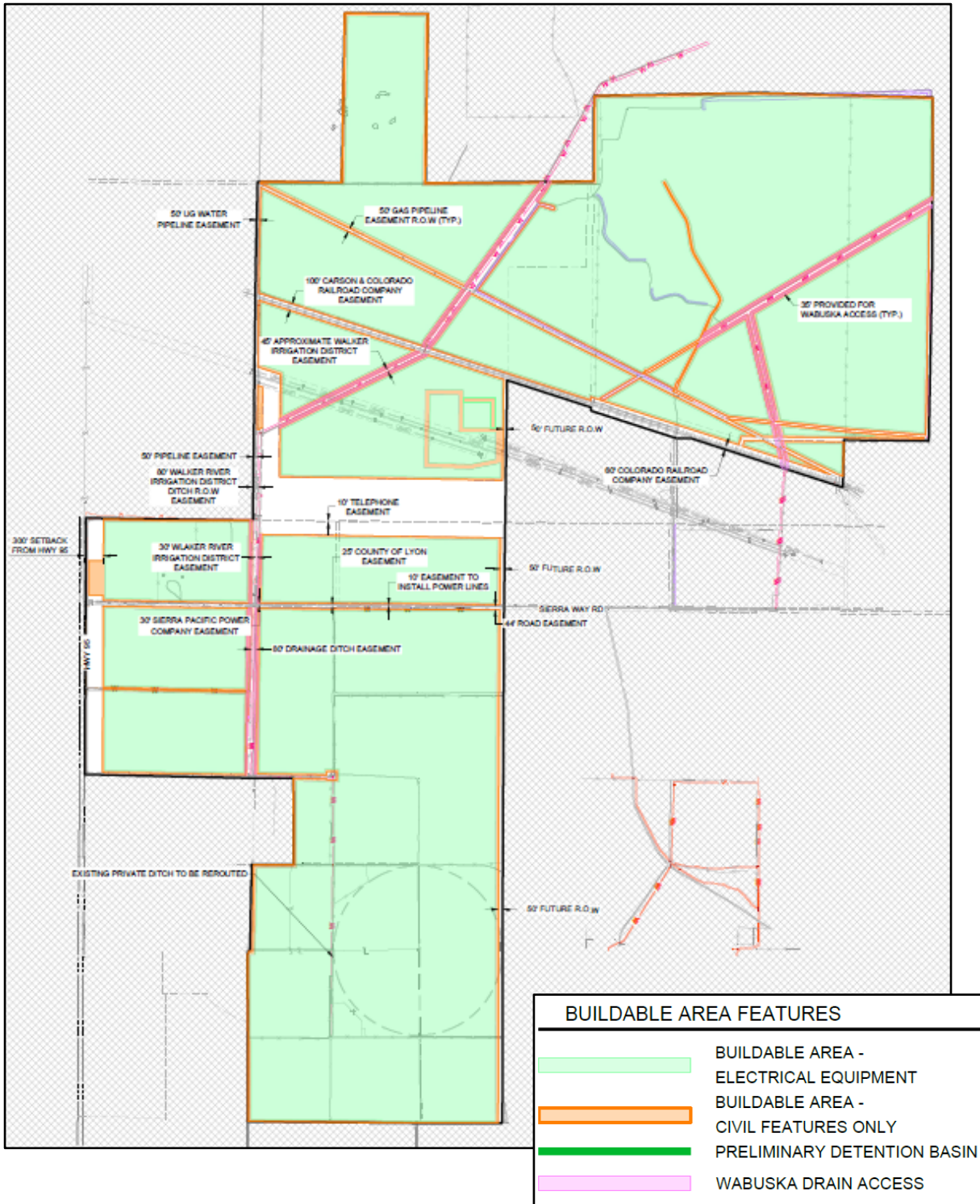
Setbacks and Landscape Buffer

As mentioned previously in this report, the Tentative PUD was continued by the BOCC on January 5, 2026 in part because of concerns with the proposed setback from Highway 95A of 300' when LCC section 15.336.09.E.2 requires 2,640' for projects that are not part of a PUD. The Board has authority to grant reduced setbacks when a project is part of a PUD, but staff did not feel that appropriate justification had been provided. Since the continuance, the applicant worked closely with staff and now proposes a setback of 1,320' with a 30' wide landscape buffer along an 1.27 mile (6,700') boundary along the Highway. The landscape buffer would extend even further around the north and south boundaries and would be used to address the LCC standard for visual buffering of solar arrays adjacent to residential uses and zoning. The standard states that from a point 16' above the boundary, one would not see the array from the residential site. The residential uses/zoning adjacent to the project are located on the south west side of the project and the proposed 30' wide landscaping buffer is the proposed mitigation measure. These proposed buffering measures through the PUD process are recognized by staff as more appropriate than the previously proposed methods.

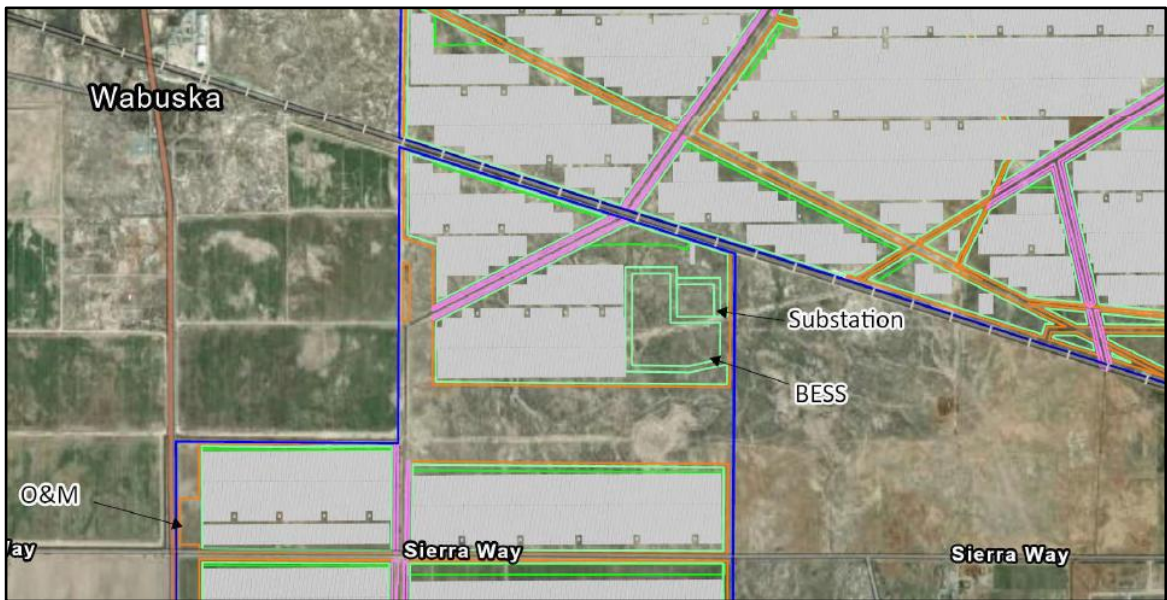


Other Site Plans

The image below shows the “Buildable Area Features” exhibit before amendment to the project area, with WRID ditch easements traversing the site in addition to gas line easements, power line easements, utility easements, and rail line easements. This site plan demonstrates the applicant’s acknowledgement of the WRID ditches and the expectation that conveyances will be maintained through the project site with legal access for maintenance. The Final PUD process would determine the project area after an expected request for amendment.



The proposed Substation and BESS are located north of Sierra Way. The Operations and Maintenance building is proposed to the west, at the north east of the Sierra Way and Hwy 95A intersection.



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.



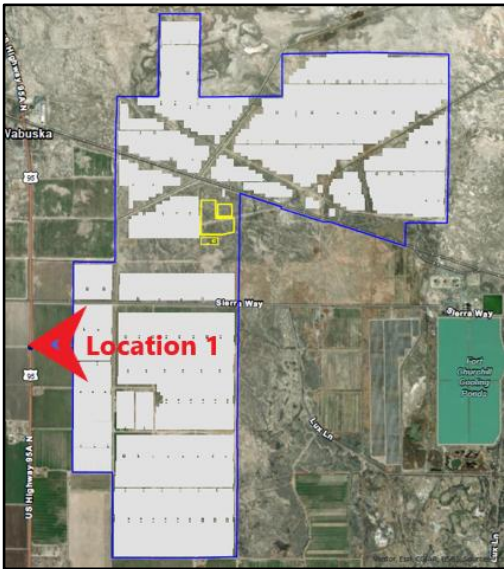
Construction and Operation

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.

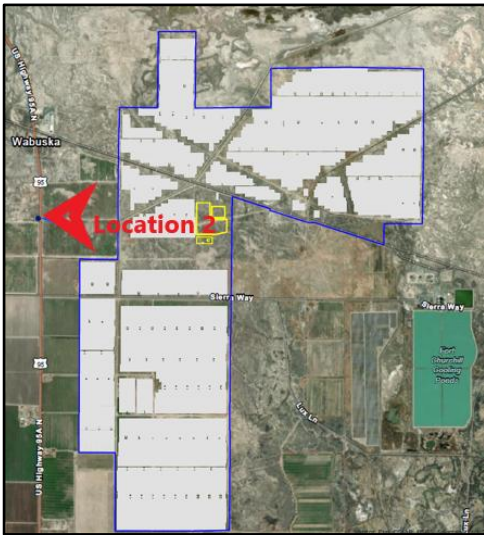
Visual Impact Renderings

The images that follow depict existing views from Highway 95A followed by renderings of the same picture with the project simulated in the image. The simulations depict the enhanced 1,320 setback and 30' landscape strip on the horizon of the rendered images.

Visual Impact Location 1, south of Sierra Way, looking east (as labeled by staff)



Location 2, north of Sierra Way, looking east (as labeled by staff)



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

PUDs are governed by Chapter 15.349 of LCC. This staff report includes the required findings for a PUD, but after the January 5, 2026 continuance by the Board, the applicant has provided additional findings in response to the meeting comments and their amended submittal. The following are “Appendix A” of the applicant’s new Handbook. The PUD Handbook is Attachment 1 of this report: all of Appendix A is copied on the pages that follow in this report, after which the County’s PUD findings are listed.

FINDINGS PREPARED BY THE APPLICANT AFTER THE JANUARY 5, 2026 CONTINUANCE

Introduction:

The following findings document the Lyon County Commission’s evaluation of this application in the context of prior approvals, existing development conditions, and comparable discretionary decisions affecting similarly situated properties. This context supports a consistent and reasoned application of the Planned Unit Development framework in accordance with the Lyon County Code and Master Plan.

Findings:

1. **Code Authorization to Reduce Setbacks:** *LCC 15.336.09 permits the County Commission to reduce otherwise applicable setback distances for a commercial SECS where the SECS is part of a PUD. LCC 15.349.01 authorizes flexibility through the PUD process to promote efficient use of land, reduce development and maintenance costs, and encourage design consistent with the County Master Plan.*
2. **Project Commitments Regarding Setbacks and Buffers:** *In addition to the proposed setbacks of one-quarter (1/4) mile (1,320 feet) from US 95 for all SECS facilities the applicant proposes a 30-foot landscaped buffer along the southern, western, and northern property edges, thus mitigating the potential visual impact to the community.*
3. **Master Plan Consistency:** *The Project, including the reduced SECS setbacks within the PUD, the 1/4-mile setback from US 95, and the 30-foot Buffer, is consistent with Lyon County Master Plan goals and policies promoting economic diversification, cost-effective siting of industry and business, renewable energy development, protection of transportation corridors, and directing development to areas served by existing or planned infrastructure (e.g., Master Plan Policies LU 3.1, LU 3.2, LU 5.1, NR 5.1).*
4. **Community Character:** *The Project along with the proposed setbacks would not significantly modify the existing community character, the project area is already traversed by utilities (transmission lines and railway), present industry includes geothermal plant, natural gas power plant, a solar facility, an electrical substation/switching yard, and a tank manufacturing facility, moreover there are additional multiple proposed and approved project that are being developed in the area, such as Data Centers, Transmission Lines and Solar Projects.*
5. **Site Suitability and Compatibility:** *The Project site is zoned and physically suitable for a commercial SECS. The 1/4-mile setback from US 95 and the 30-foot Buffer materially reduce visual, glare, and other potential conflicts with the highway corridor and adjacent properties, improving compatibility with surrounding transportation functions and future adjacent development.*
6. **Substantial Evidence of Need for Reduced Setbacks in PUD Context:** *The record contains substantial evidence—site plans, economic feasibility information, engineering reports, and prior discretionary approvals (CUP No. PLZ-*

2022-167 for a portion of the Project)—demonstrating that otherwise-applicable standard setbacks (absent PUD flexibility) would materially impair the Project’s functional layout and result in an inefficient use of land by leaving hundreds of acres unusable. The reduced setbacks approved in this PUD, when combined with the 1/4-mile US 95 setback and vegetative buffer support of the Master Plan’s goals and objectives (Master Plan Policies LU 3.1 and 3.2) and will advance the County’s stated policy to “encourage private efforts to develop and use renewable energy resources.”

7. **Reliance and Consistency:** A portion of the Project has been lawfully entitled and developed pursuant to prior discretionary approvals and code standards, resulting in established site conditions, infrastructure investments, and operational characteristics that inform the review of the remaining project area. The following findings reflect the Lyon County Commission’s evaluation of this application in the context of development activities conducted under prior code standards, including the Winston Solar CUP and the adjacent Lux Solar project, both of which established on-the-ground conditions and planning expectations prior to the adoption and July 2025 effective date of the County’s solar and renewable energy ordinance. This context supports regulatory consistency and a reasoned application of the Planned Unit Development framework, recognizing established site conditions, prior approvals, and the surrounding renewable energy corridor in accordance with the Lyon County Code and Master Plan.

8. **Public Benefits: Transportation, Economic, Environmental, and Fiscal**

- **Transportation Infrastructure Improvements.** As part of the Project approvals and mitigation commitments, the Applicant will fund and construct significant roadway improvements along and connecting to US 95 that total in the millions of dollars (the “Roadway Improvements”). The Roadway Improvements will provide long-term improvements to county transportation infrastructure, including enhanced roadway capacity, improved ingress/egress for industrial parcels, upgraded turn lanes and intersection geometry, and durable pavement that reduces future maintenance costs borne by the County. These improvements will serve the Project and materially benefit the traveling public safety and future development on adjacent parcels by enabling safer and more efficient access to US 95 and nearby employment zones.
- **Appropriate Sited Economic Development and Fiscal Benefits.** The Project will promote economic diversification and support future high-employment, power-intensive uses (e.g., data centers, manufacturing, logistics) by providing local power generation and improved transportation infrastructure in an area of the community where it makes the most sense. The combined effect of the Project and Roadway Improvements is expected to encourage additional private investment on adjacent lands, broaden the County’s tax base, and create both short-term construction jobs and long-term operations-related economic activity. Limiting the amount of area that can be used in this area put additional development pressure on other areas of the County that may be less desirable for this type of development, thus supporting Master Plan Policy LU 3.1, promoting economic diversification, which includes a stated goal of “encouraging production efficiencies.” (MP, Policy LU 3.1, at 3.28).
- **Environmental/Public Health Benefits.** The Project advances Master Plan renewable-energy goals by supplying utility-scale clean power generation, contributes to improved air quality, and integrates sustainable land-use patterns. The 30-foot Buffer and 1/4-mile setback from US 95 reduce potential visual and glare impacts to motorists and neighboring properties and support vegetative screening that can provide ancillary environmental benefits (dust control, erosion reduction, habitat-friendly plantings).
- **Net Public Benefit.** The combined commitments (1/4-mile setback from US 95, 30-foot Buffer, Roadway Improvements, decommissioning assurances, and other mitigation) produce quantifiable and long-term

public benefits that materially advance the Master Plan’s objectives for orderly growth, infrastructure efficiency, environmental protection, and economic opportunity.

9. **Protection of Health, Safety and Welfare with Conditions:** *With the conditions imposed as part of this PUD approval (including, without limitation, confirmed fire access, glare mitigation, drainage controls, noise measures, decommissioning and financial assurance, and the recorded covenant), the Project will not create unreasonable hazard, nuisance, or public-safety impacts to surrounding properties or the traveling public on US 95.*
10. **Discretionary Nature and Required Findings:** *The Commission recognizes that LCC 15.336.09 vests the Commission with discretion to reduce SECS setbacks as part of a PUD, but that discretion must be exercised with articulated findings based on substantial evidence. The foregoing Findings supply the evidentiary basis for the Commission’s exercise of such discretion.*

Staff Comment on Additional Findings

The applicant’s additional findings provide justification for the proposed quarter mile setback from US Highway 95A for the SECS and quote appropriate LCC sections. Staff has reviewed the revised language and finds it to be in general conformance with the applicable code sections referenced.

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.

NOTE: since the January 5, 2026 continuance, the applicant has updated the PUD findings and re-submitted them to staff. The responses below are from that update. The applicant’s updated PUD Findings in their entirety are included as Attachment 4 of this report.

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: Not applicable.

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: Not applicable.

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 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.

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

Applicant Response: The Winston Energy Project will have a very small water demand during Project operations and will not release any water-borne or liquid pollutants into surrounding surface and groundwater resource. This supports the goal to maintain and enhance water quality and quantity by minimizing pollutant discharge into natural hydrologic systems. Additionally, solar energy production emits no air pollutants or greenhouse gases during operation, directly contributing to improved air quality and climate change mitigation.

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

Applicant Response: Not applicable.

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

Applicant Response: Not applicable.

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

Applicant Response: Not applicable.

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. The project will not impact local traffic or roadways during operation, and existing infrastructure is sufficient to accommodate temporary construction traffic without affecting residential access.*

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.*

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. Other industrial uses that may be sited in the proposed Project area would likely require heavy truck and passenger vehicle traffic to maintain daily operations. 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. Additionally, throughout the engineering and construction phases of the Project, the Applicant will regularly engage with the Nevada Department of Transportation (NDOT), Lyon County Public Works, local emergency management services, and adjacent property owners to ensure that that the Project does not have undue impacts to regional traffic, local access, or existing road infrastructure.*

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 generally consistent 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 applicable 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

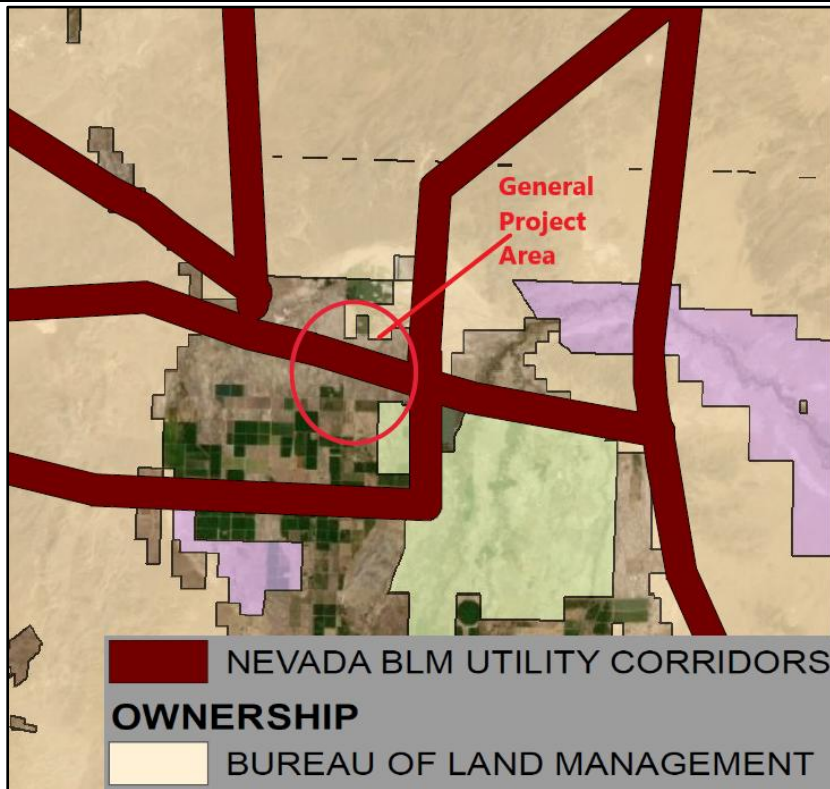
Policy NR 4.1, Clean Air

Policy NR 5.1, Geothermal, Solar and Wind

Policy NR 8.2, Dark Skies

The Project’s location in Mason Valley, including its proximity to the Above Ground Utility Corridors identified in the 2020 Master Plan, reflects that the County has contemplated this general area for commercial and industrial development associated with expanded electrical infrastructure. The identified corridors are approximately two-thirds of a mile in width and represent areas where Title 15 does not require a Conditional Use Permit for high-voltage transmission lines. These corridors are intended to identify potential connections to the statewide NV Energy Greenlink project and the Walker River Substation expansion, both of which are located adjacent to or traverse the project area. The proposed SECS at this location would allow for a more compact development pattern by minimizing the distance required for transmission line connections between solar facilities and substations. Based on the materials submitted, the completed project is not anticipated to require significant water rights, generate substantial air emissions, or materially impact dark sky conditions.

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 available pathways provided to applicant by Lyon County staff. Part of the reasoning would appear to be the multiple project components as part of a PUD and the need for flexibility in the development standards.

LCC section 15.336.09.E.2, *Setback*, states that: (underline added)

“...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 proposed setback to Hwy 95A to the west of the site is 1,320', a 50% reduction in a development standard requiring a 2,640 setback approved by the Board of Lyon County Commissioners on June 18, 2025 for projects that are not part of a PUD. Staff was previously unable to endorse the first iteration of the project with a 300' setback, but is satisfied with this more reasonable PUD request for the Board's review. In addition to the quarter-mile setback, a 30' wide landscape strip is also proposed along the Highway boundary (with extensions on the southern and northerly borders of the new project area).

TIS and traffic

The January 5, 2026 BOCC hearing that was continued included extensive discussion on the TIS for the construction phase of the project. Staff at the time was recommending denial of the Tentative PUD because of the setbacks proposed and the lack of sufficient NDOT and County review of the TIS. Since that time, the applicant has submitted a TIS with NDOT's approval of scope and has received NDOT's recommendations, included in this report as Attachment 2. Staff is satisfied with the recommendations and will/would incorporate them into a Final PUD. Attachment 3 is the NDOT response to the TIS.

The applicant has agreed to fund and construct traffic control improvements at the intersection of Sierra Way and US 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 then voted to approve Monarch's Specific Plan and they will next be submitting for a Tentative PUD.

Part of the County's review of these two projects will include County-specific conditions requiring improvements to public Rights of Ways. The most notable will be construction of an additional travel lane northbound on Highway 95A starting north of Sierra Way and the Union Pacific Railway line, providing a means of mitigating the extensive truck and labor traffic during the construction phase. The Highway expansion would provide a passing lane up "Wabuska Hill" and would be a permanent improvement to the regional roadway infrastructure after (potential) construction phases for both projects are complete.

Additional improvements approximately 20 miles north at the Ramsey Weeks intersections with US Highways 95A and 50 are also contemplated by NDOT. The options under consideration would be turn lane pockets and acceleration and deceleration lanes at both intersections. Final design would occur after Tentative PUD approval (including amendments) in coordination with NDOT.

Staff also recognizes that NV Energy's Walker River Substation project uses Sierra Way as its primary access route. The corridor of Highway 95A between Yerington and Silver Springs will/would continue to accommodate ongoing agricultural operations, as well as local residents and commuter traffic. Improvements built to accommodate construction phases would then, presumably, provide long term benefits to the community once construction is complete.

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. The WRID would still have opportunities to review site development plans if the PUD were to be approved. The WRID General Manager provided the following generalized comment, with an update in parenthesis from staff:

A minimum 50-foot setback and possibly larger, depending on the facility involved, shall be maintained from the [the centerline] 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.

The General Manager's proposed setbacks and easements will have to be approved by the WRID through the site improvement, grading, and building permit processes.

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

The placement of an SECS within this portion of the County is generally consistent with the location of the Above Ground Utility Corridors and the proximity of the Walker River Substation complex. The applicant has proposed a quarter-mile setback from US Highway 95A, together with a complementary landscape buffer. The project narrative also indicates that the property owners intend to continue utilizing the setback area for livestock grazing, which may retain elements of the area’s existing character. As part of the Final PUD, the County and NDOT are anticipated to require applicable improvements to local and regional roadways, potentially secured through a Development Agreement or similar instrument. As planned, the PUD would be in general conformance with County Code and processes and outlines necessary improvements to mitigate impacts the surrounding community.

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 neighbors would be addressed via review of fire suppression plans, emergency management plans, access controls, and decommissioning plans.