



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

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PLANNING COMMISSION

PLZ-2026-041

Proposed Action	<u>Planned Unit Development</u>
Meeting Date	<u>July 14, 2026</u>
Property Owners	<u>L&M Family Limited Partnership and Masini Investments</u>
Applicant	<u>Copia Power DevCo, LLC</u>
Representative	<u>Environmental Resources Management / Nikki Payne</u>
Community	<u>Mason Valley</u>
Location	<u>East of US Highway 95A and south of Sierra Way, addressed from Penrose Lane</u>
Address	<u>150 and 155 Penrose Lane</u>
Parcel Numbers	<u>014-201-07 and 014-201-30</u>
Parcel Size	<u>Approximately 505 acres in total (240 and 265.4 acres respectfully)</u>
Current Master Plan	<u>Specific Plan (Monarch Data Center)</u>
Existing Zoning	<u>Title 10 district of RR-5 (Fifth Rural Residential District - 20 acre minimum)</u>
Proposed Master Plan	<u>Planned Unit Development</u>
Flood Zone(s)	<u>X-Unshaded per FIRM 32019CO710E</u>
Case Planner	<u>Louis Cariola</u>

REQUEST

The Applicant requests a Zoning Amendment from the Title 10 district of RR-5 (Fifth Rural Residential District- 20 acre minimum) to Planned Unit Development (PUD) on approximately 505 acres of two (2) parcels for the Monarch Data Center on APNs 014-201-07 and 014-201-30.

STAFF RECOMMENDATION

The proposed PUD is in compliance with the Monarch Data Center Specific Plan, approved by the Lyon

Lyon County Board of County Commissioners on December 4, 2025. As such, staff recommends approval of the Tentative PUD for the Monarch Data Center.

RECOMMENDED MOTION

If the Planning Commission determines that they will forward a recommendation of approval of the request to the Board of Commissioners, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

- A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;
- B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;
- C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;
- D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and
- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners for the request from Copia Power Devco, LLC, for approval of a zone change from the Title 10 district of RR-5 (Fifth Rural Residential, 20-acre minimum) to Planned Unit Development for the Monarch Data Center, a 4.6 million square feet, 1,000 Megawatt (MW) data center consisting of 8, two-story buildings up to 95 feet tall, a 500-MW battery energy storage system, a 500-MW natural gas backup system, an electrical substation, high voltage power lines and other accessory uses over two parcels subject to RR-20 (Rural Residential, 20-acre minimum) zoning totaling 505.40 acres in accordance with the Monarch Data Center Specific Plan and the additional language recommended by staff related to roadway improvements on US Highway 95A (APNs 014-201-07 and 014-201-30); PLZ-2026-041.

Additional Language to be included as part of the forwarded motion

As part of the Monarch Data Center Project, Copia Power makes a formal commitment to the construction of a northbound passing lane extending up Wabuska Hill on US Highway 95 in Wabuska, Nevada. This improvement is recognized as a necessary mitigation measure associated with the Project's anticipated traffic impacts and shall be completed in accordance with all applicable Lyon County and Nevada Department of Transportation (NDOT) requirements.

Copia Power formally commits to the design, funding, and construction of the northbound passing lane prior to the issuance of site improvement permits associated with the Project. This sequencing is intended to ensure that the passing lane improvement is in place and fully operational before construction-related traffic volumes on US Highway 95 are realized, thereby mitigating the Project's construction phase traffic impacts on the traveling public.

The northbound passing lane shall be fully constructed and operational prior to the issuance of any site improvement permits for the Project, or upon other conditions as agreed by Lyon County. All agreements necessary to facilitate the construction of the northbound passing lane and any other required off-site roadway improvements shall be finalized and executed in a form acceptable to Lyon County and consistent with Lyon County Code and applicable State statute. However, Copia Power is not expected to assume sole responsibility for obtaining land easements needed for said passing lane. Copia Power is committed to working cooperatively with Lyon County, NDOT, and neighboring project applicants to ensure the timely and effective implementation of these improvements, with the goal of promoting safer and more efficient transportation infrastructure for the residents and community of Lyon County.

Lyon County commits to facilitating the timely implementation of the northbound passing lane improvement, including reasonable cooperation in coordinating with NDOT on design and permitting review, supporting Copia Power’s efforts to obtain necessary approvals and easements from adjacent property owners and public agencies, and coordinating scheduling with any other regional development projects whose traffic impacts affect the same corridor. This commitment to facilitation does not constitute an assumption by Lyon County of any financial responsibility or obligation for the design, funding, or construction of the passing lane.

ALTERNATIVES TO APPROVAL

Alternative Motion for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the Master Plan Amendment 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 Planning Commission should make the appropriate findings and move to continue the Public Hearing for the Master Plan Amendment application to a future date with concurrence from the applicant.

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

The Lyon County Planning Commission finds that:

- A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant’s concurrence, the Planning Commission continues the request from Copia Power Devco, LLC, for approval of a zone change from the Title 10 district of RR-5 (Fifth Rural Residential, 20-acre minimum) to Planned Unit Development for the Monarch Data Center, a 4.6 million square feet, 1,000 Megawatt (MW) data center consisting of 8, two-story buildings up to 95 feet tall, a 500-MW battery energy storage system, a 500-MW natural gas backup system, an electrical substation, high voltage power lines and other accessory uses over two parcels subject to RR-20 (Rural Residential, 20-acre minimum) zoning totaling 505.40 acres in accordance with the Monarch Data Center Specific Plan (APNs 014-201-07 and 014-201-30); PLZ-2026-041 for ___days.

Alternative Motion for Denial

If after review and public comment the Planning Commission determines that they should recommend denial of the Master Plan Amendment application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission has considered:

15.210.03: FINDINGS:

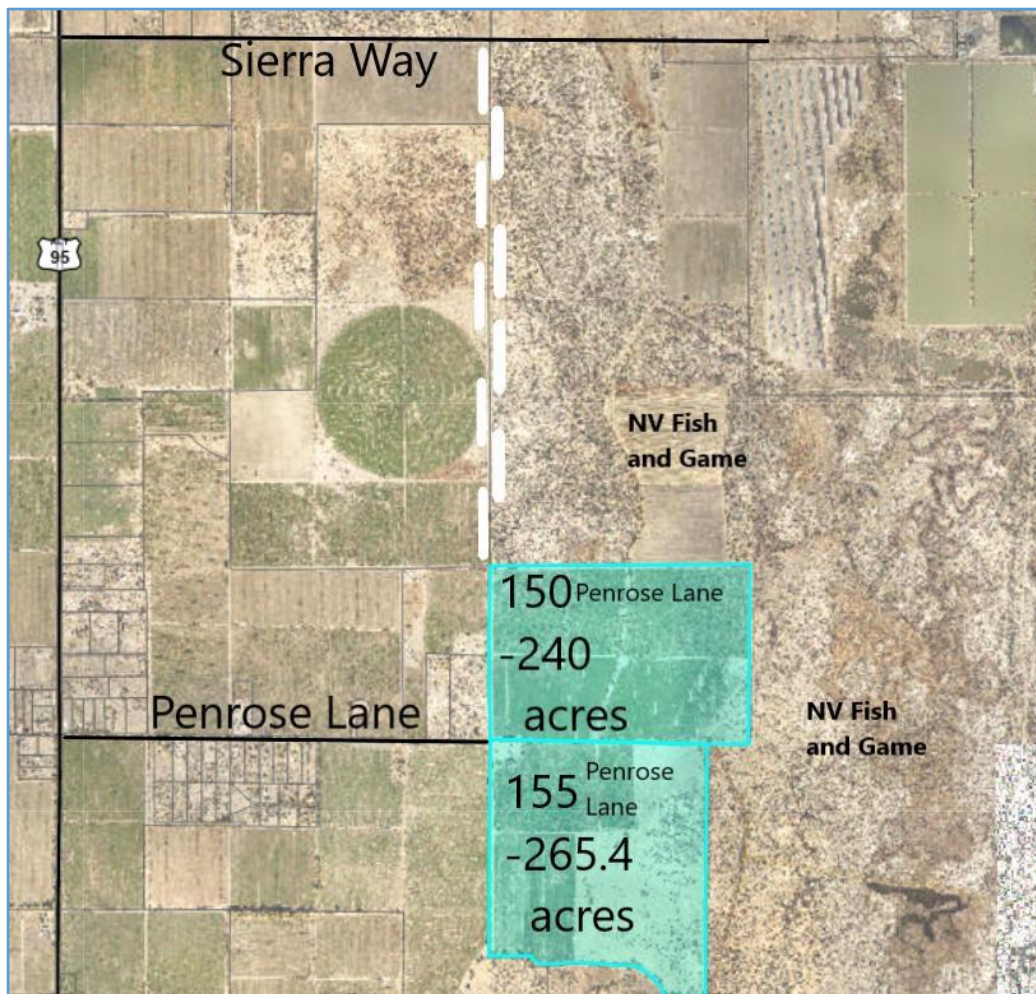
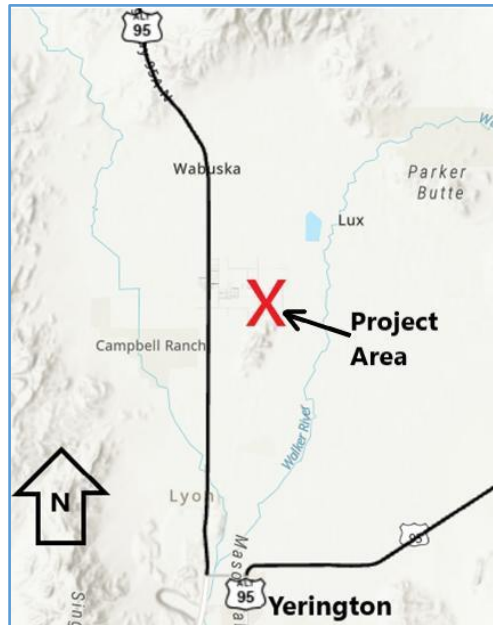
- A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;
- B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;
- C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;
- D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and
- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Master Plan Amendment would not be in conformance with the above-listed considerations and recommends denial for the request from Copia Power Devco, LLC, for approval of a zone change from the Title 10 district of RR-5 (Fifth Rural Residential, 20-acre minimum) to Planned Unit Development for the Monarch Data Center, a 4.6 million square feet, 1,000 Megawatt (MW) data center consisting of 8, two-story buildings up to 95 feet tall, a 500-MW battery energy storage system, a 500-MW natural gas backup system, an electrical substation, high voltage power lines and other accessory uses over two parcels subject to RR-20 (Rural Residential, 20-acre minimum) zoning totaling 505.40 acres in accordance with the Monarch Data Center Specific Plan (APNs 014-201-07 and 014-201-30); PLZ-2026-041.

BACKGROUND INFORMATION

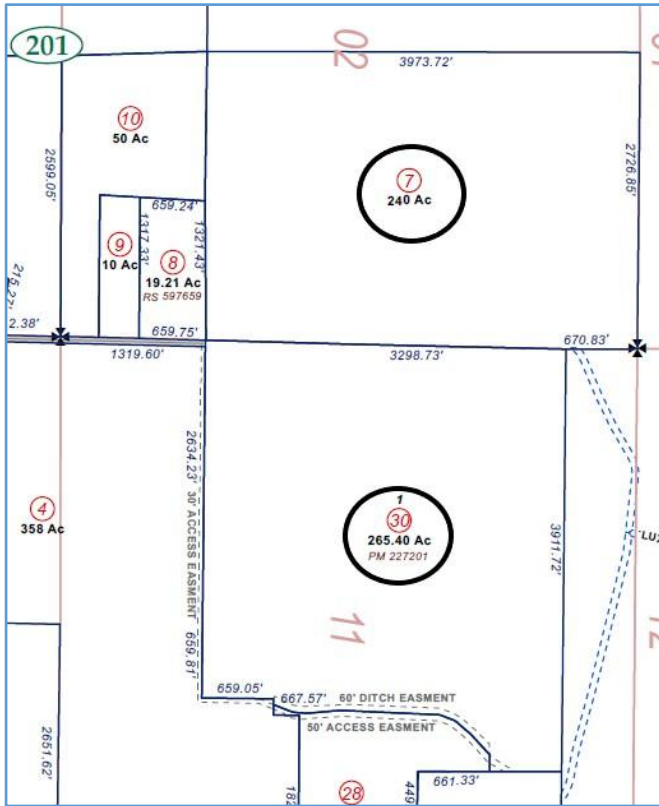
The project area is located in Mason Valley in Wabuska, east of US Highway 95A, west of the Walker River. To the east and north of the project area is a 1,921-acre parcel owned by the NV Fish and Game Commission.

The subject parcels are currently accessed by Penrose Lane with addresses of 150 and 155 Penrose Lane. The project access would be via a to-be-constructed roadway connection to Sierra Way to the north of the project. The access will require easements and will be permitted separately from this PUD request.



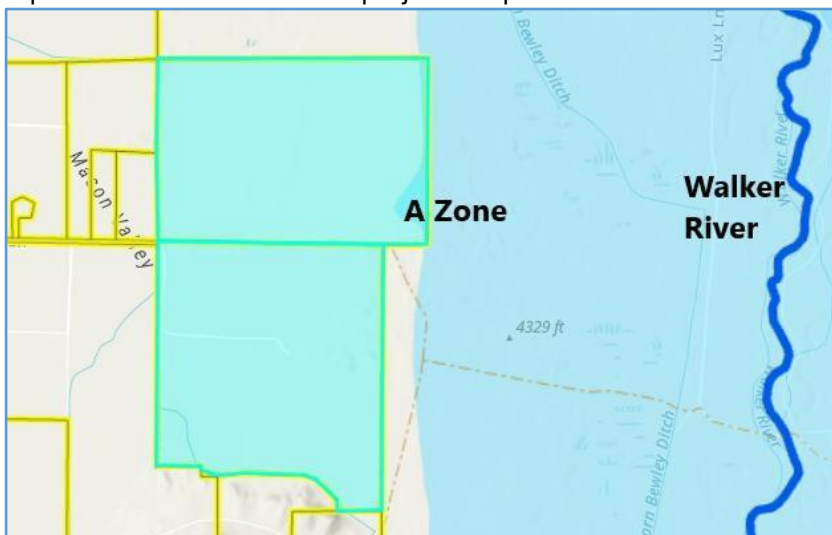
Size

Per the County Assessor's Office, the parcels are 240 and 265.40 acres in size for a total area of 505.4 acres.



Topography/Federal Emergency Management Agency (FEMA) designation

The project area is relatively flat, with a generalized slope from south to north of less than one percent. The project area includes a small area of the A Flood Zone on the east side. This could necessitate a Floodplain Development Permit in the future for construction approvals, or the applicants may consider using a boundary line adjustment to separate the A Zone from the project footprint.



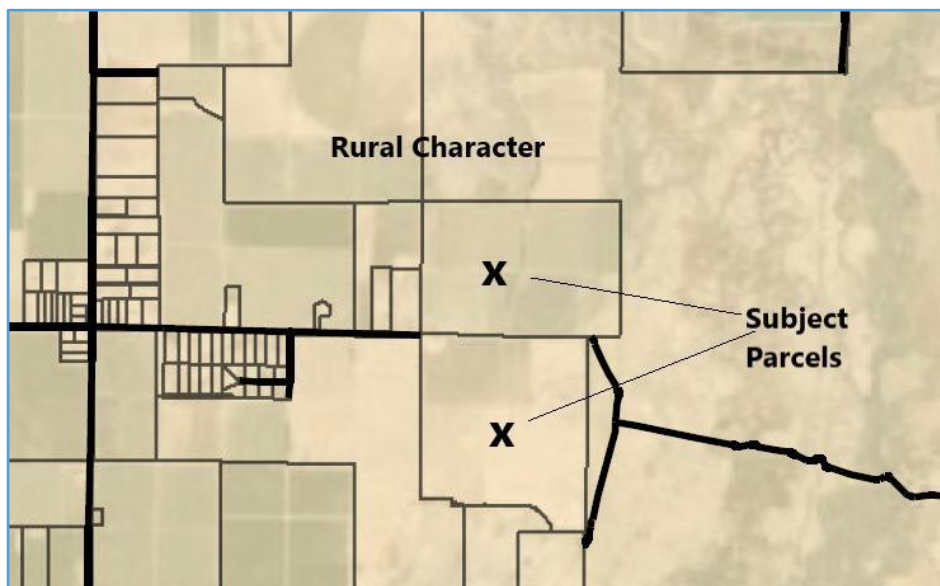
Current Development and Uses

The subject parcels are traversed by irrigation ditches that are within the management jurisdiction of the Walker River Irrigation District (WRID). The land has been historically used for field crops and cattle grazing. The WRID will maintain their authority to govern how the ditches are managed and 50' setbacks from the centerline of the ditches are included in the development plan in accordance with WRID standards.

MASTER PLAN AND ZONING

Character District

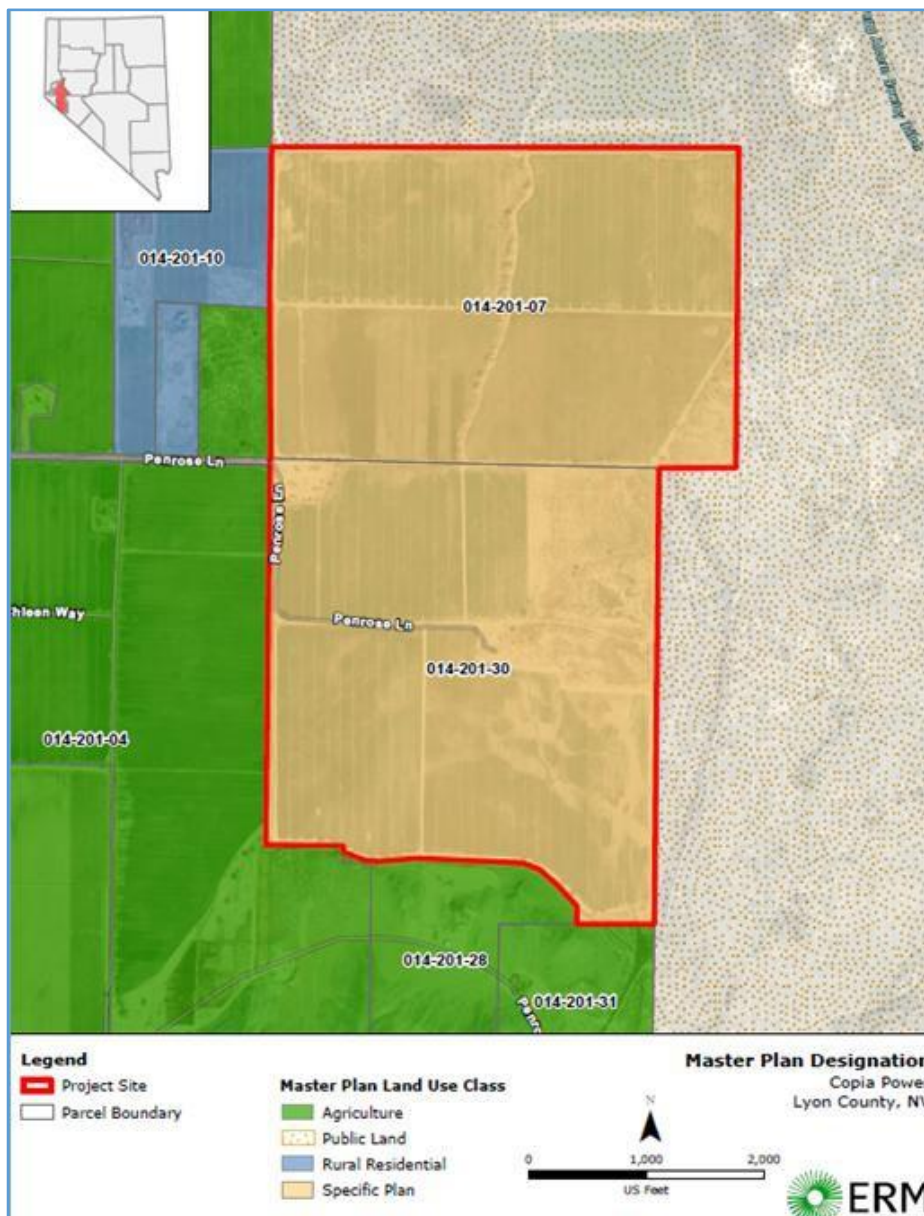
The project area is within a Rural Character District per the 2020 Master Plan. Rural Character parcels do not typically have connection or adjacency to public utilities and are often not located on publicly-maintained roadways, although this site does have existing vehicular access. No public water or sewer facilities exist in the region.



Master Plan – Specific Plan for the “Monarch Data Center”

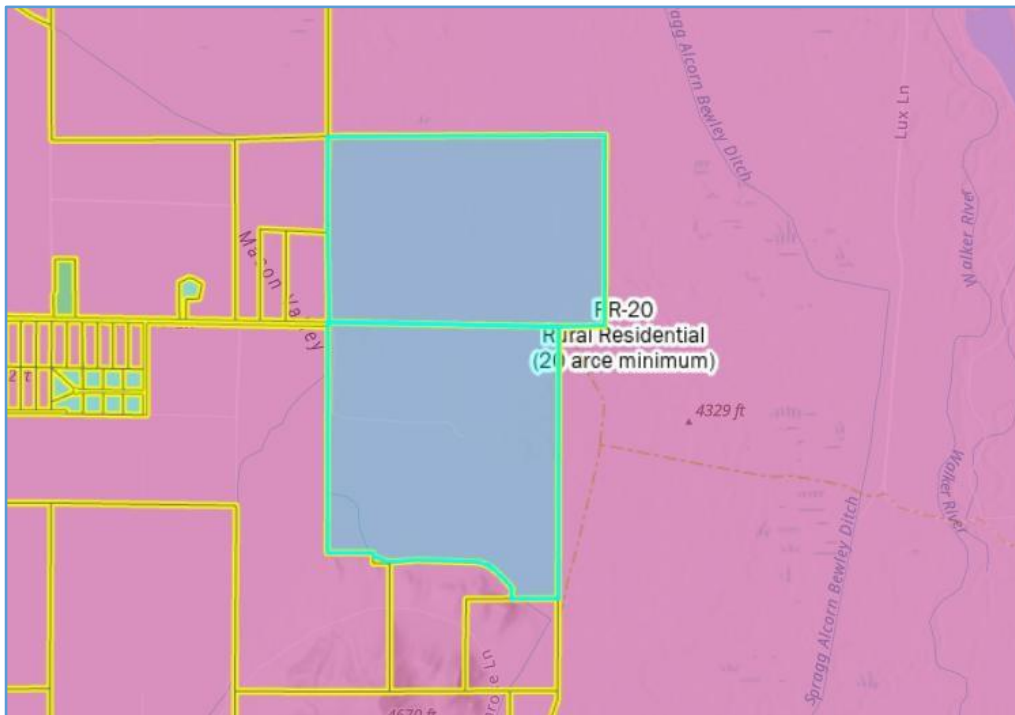
On December 5, 2025, the Lyon County Board of County Commissioners (LCBOCC) approved the Monarch Data Center Specific Plan (“Monarch SP”). This approval changed the Master Plan designation for 505.4 acres from Agriculture to Specific Plan. The Monarch SP is now the existing Master Plan for the subject parcels and this PUD request must be consistent with the uses approved in December of 2025. The plans provided at that time were conceptual in nature and the PUD includes modifications and details that were not included in the Monarch SP, but the primary project is the same. The Monarch SP language request was:

“...a Master Plan Amendment from Agriculture to Specific Plan for the Monarch Data Center, consisting of 4.6 million square feet of data centers over 14 separate buildings and to include battery energy storage systems, a potential natural gas backup system, an electrical substation, high voltage power lines and other accessory uses over two parcels totaling approximately 505 acres in Mason Valley...”



Zoning

The zoning for the entire project area is Fifth Rural Residential, 20-acre minimum, or RR-5 from the expired development code, Title 10. 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 and applicable districts. In this case, the conversion is to Rural Residential 20-acre minimum (RR-20). 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.



PROJECT DESCRIPTION

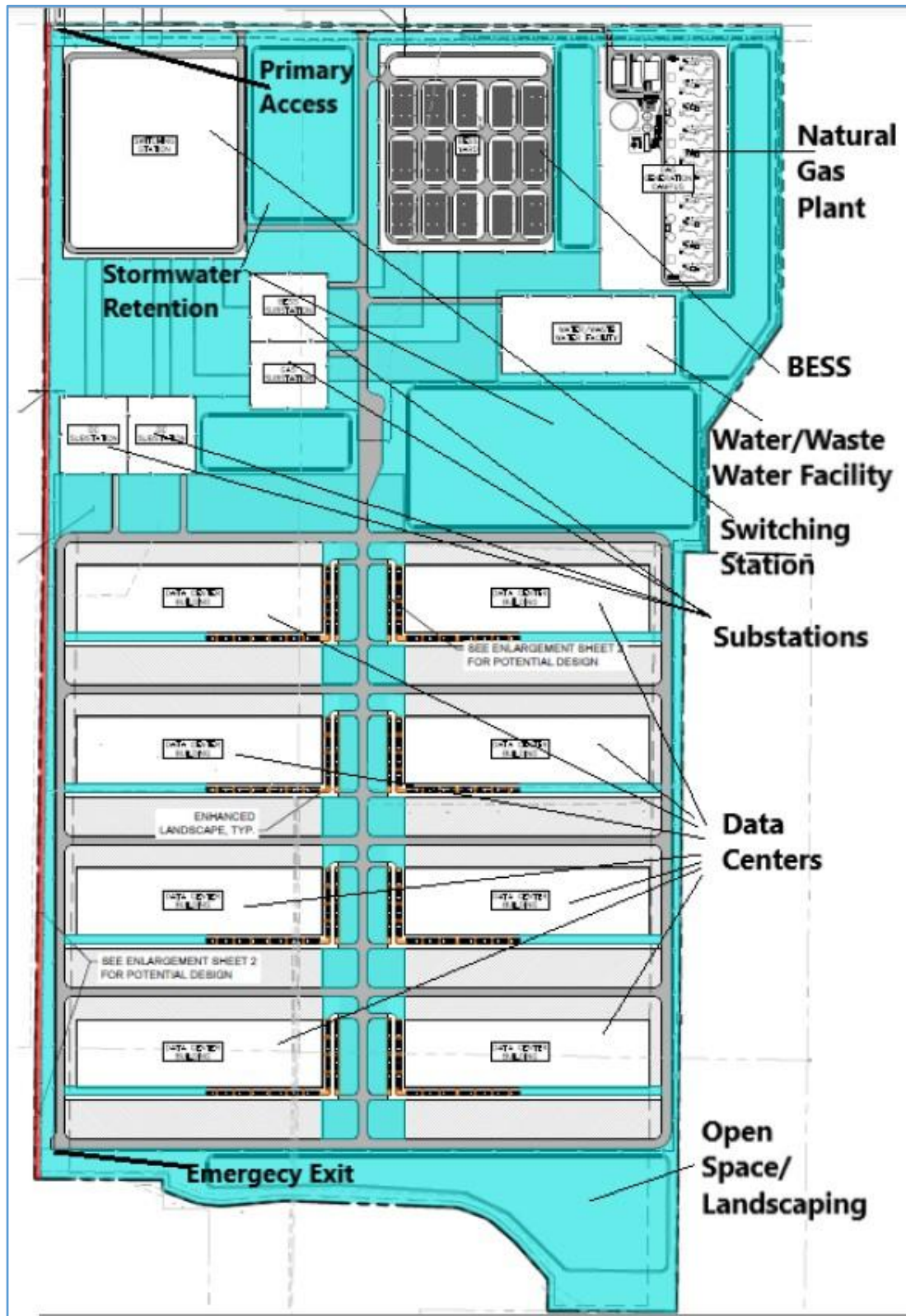
The description and images that follow were selected from Attachment 1; the PUD Narrative document submitted by the applicant, which describes the Monarch Data Center or “the Project”. In summary, the Project proposes 4.6 million square feet (sf) of data center buildings. There are 8 separate structures considered with 2-story construction of up to 95’ in height. This square footage is consistent with the Specific Plan in total, but the PUD does number of buildings from the conceptual plans submitted with the Specific Plan.

The north “campus” would include a 500-MW Battery Energy Storage System (BESS) and a 500-MW natural gas system for backup power in addition to the primary access at the north west corner. Electrical substations will modify voltage for the data center stepping down the power from the high voltage lines that will connect to the Walker River Substation (to 120 kilovolts [kV] from 545/345/230 kV).

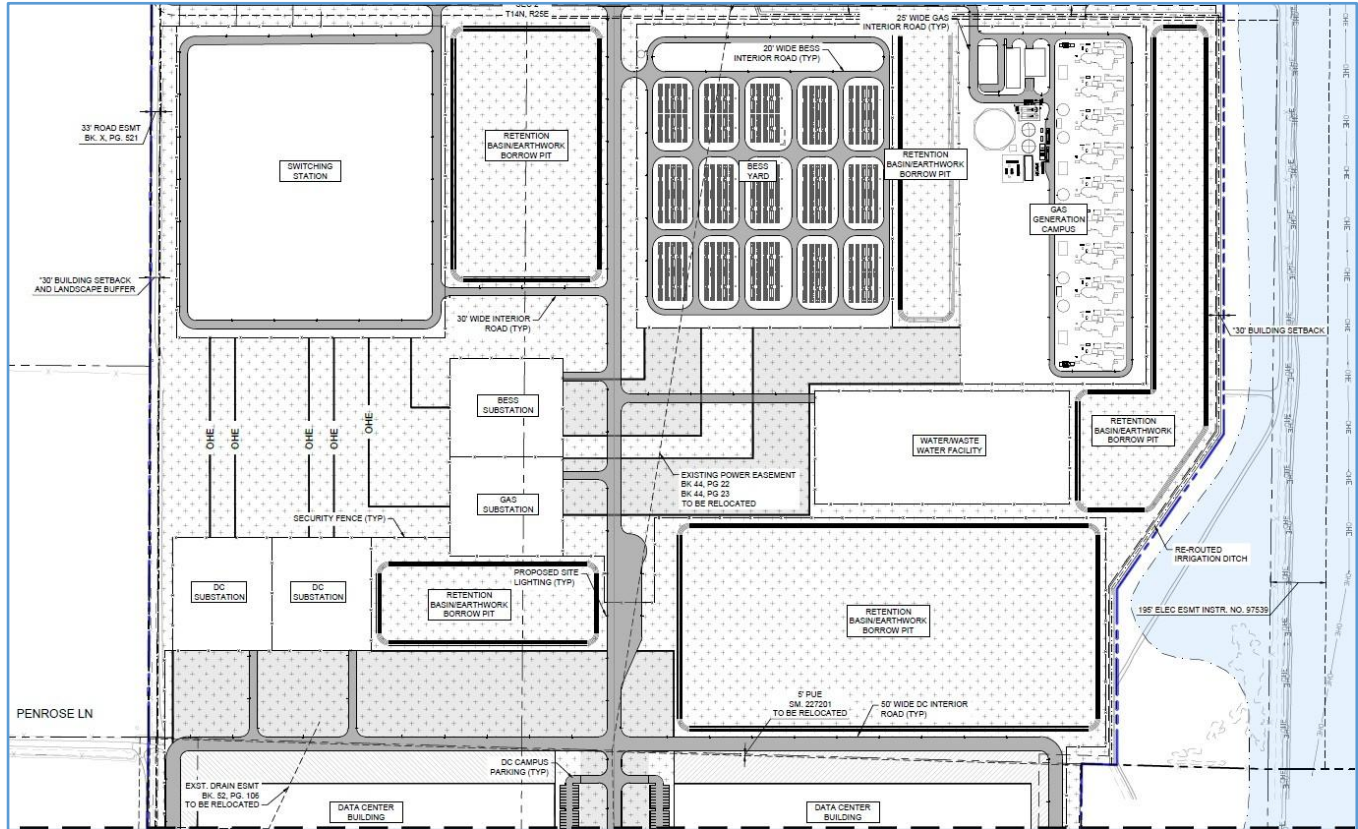
The south campus includes the 8 data center structures and emergency access at the south west corner.

The images that follow are included as Attachment 2 in this report and depict the general Landscape Plan for the Project and the north and south campuses’ details. A detail of the setbacks from the south west corner of the Project is also depicted.

Excerpt from Attachment 2: Site Plans (with staff-added labels)



Northern Site Plan

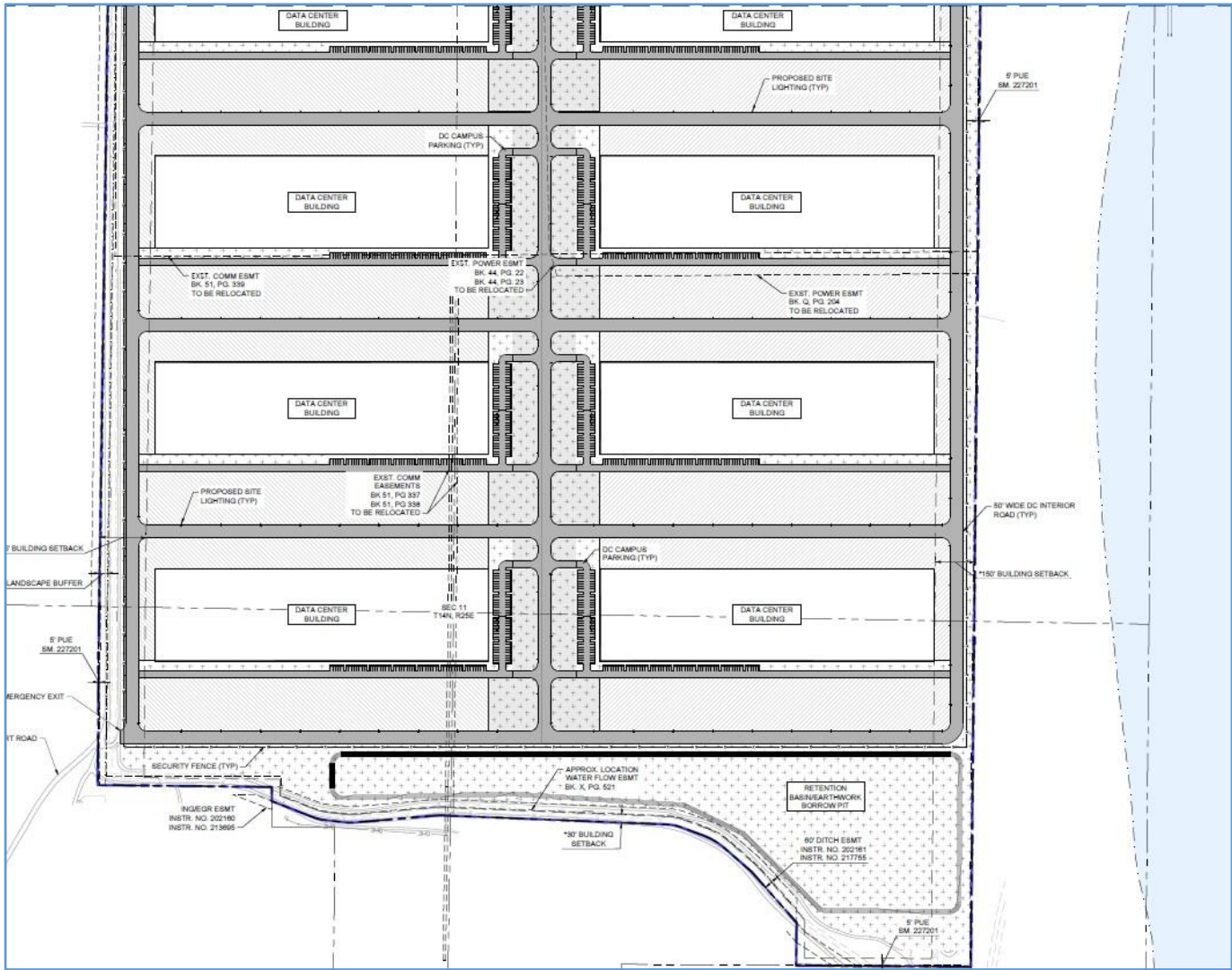


The proposed natural gas energy generation system will provide up to 500 MW of capacity using either combined-cycle, single-cycle combustion turbines or reciprocating engines. The plant will require additional state level permitting, which Copia Power is in the process of obtaining. The natural gas supply to the project is anticipated to come from a new lateral line connecting existing natural gas pipelines in the region, either approximately three miles north or five miles west of the project site. This new lateral pipeline connecting to existing pipelines will be permitted at a future time in coordination with the pipeline company.

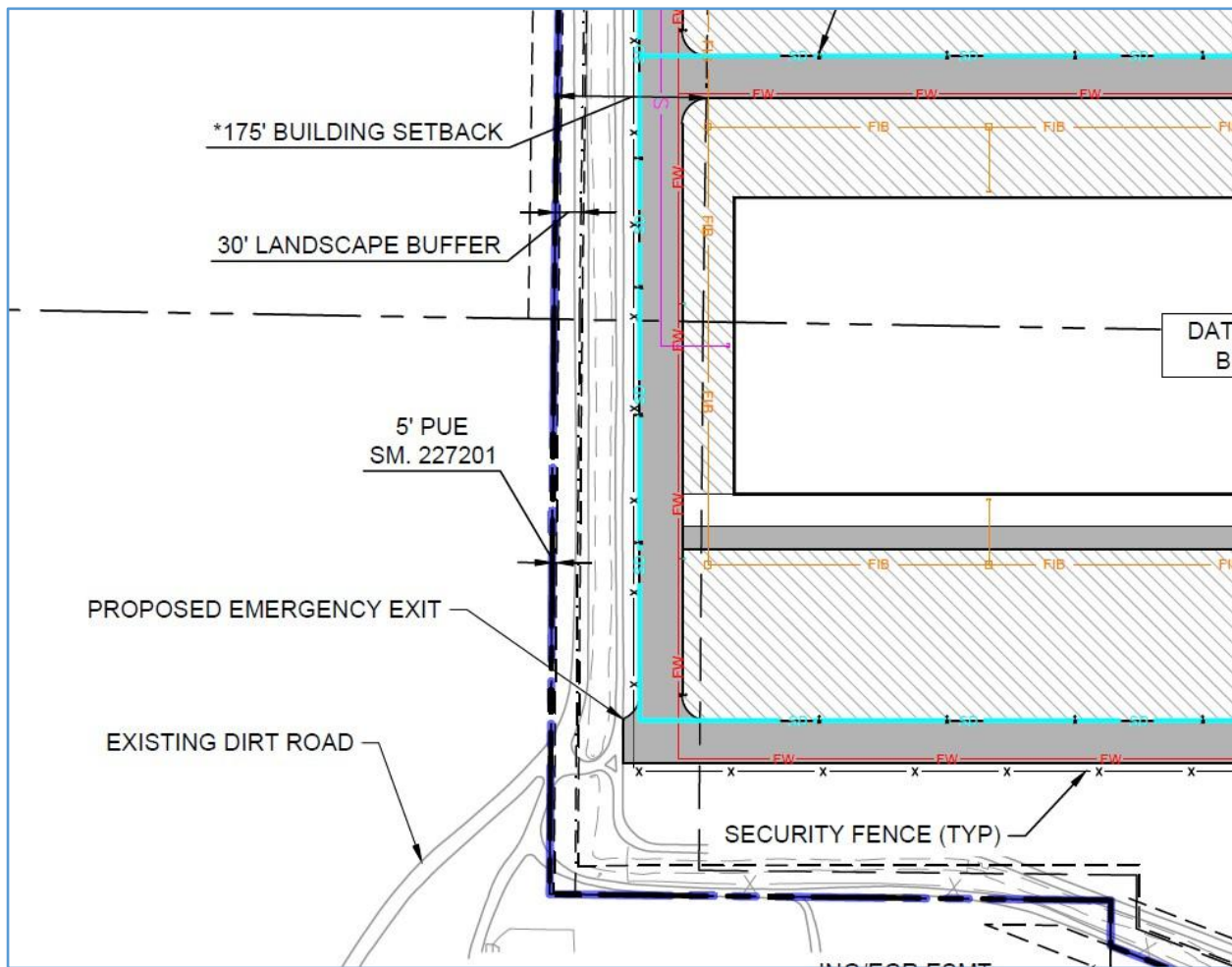
The Battery Energy Storage System (BESS) will be monitored 24/7 by a remote-operations control center. The Mason Valley Fire Protection District will negotiate terms for emergency services independent of the County, although the developers will have to provide confirmation of such an agreement to the County in order to attain Certificates of Completion for the BESS.

A detailed Emergency Response Plan (ERP) will be designed and implemented prior to issuance of building permits for the Project.

Southern Site Plan



Detail of south west corner of Project and setbacks



Setbacks

Setbacks are proposed that meet Title 15's standards for buildings up to 95' in height, with proposed setbacks of up to 175 feet.

Landscaping

A 30' landscaping buffer is proposed along the entire western boundary, facing Hwy 95A.

Parking

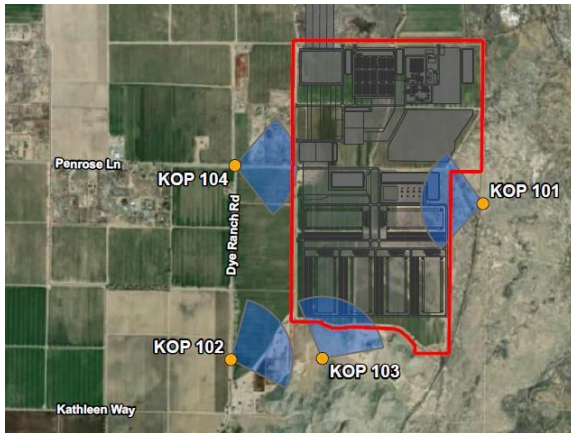
Parking is provided at a ratio of one stall per 5,000 sf of building area, consistent with the industry standard for data centers. The total number of spaces provided is 920 stalls, including required ADA stalls.

Cooling System and Water Consumption

The cooling system for the data center is not proposed to be entirely evaporative cooling. The applicant states that they will prioritize using an air-cooled system within a closed-loop that recirculates the same water repeatedly. The applicant estimates total water consumption for the entire Project will be below 800-acre feet per year, including data center cooling, landscaping and fire suppression storage, gas plant operations, and domestic uses.

Visual Simulation excerpts- Attachment 3

The Visual Simulation images that follow were provided by the applicant and are included in Attachment 3 in their entirety. They include rendered images of the project depicted in the existing landscape. The example below is along Penrose Lane, looking east.



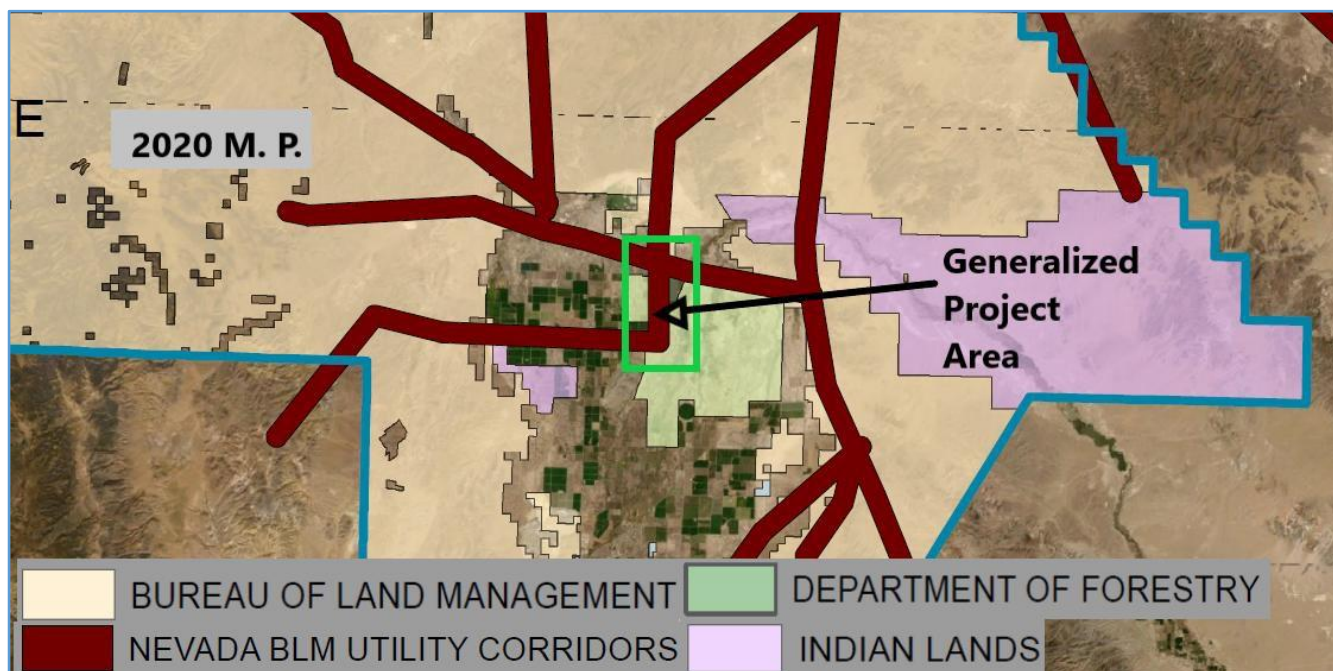
STAFF REVIEW AND COMMENTS

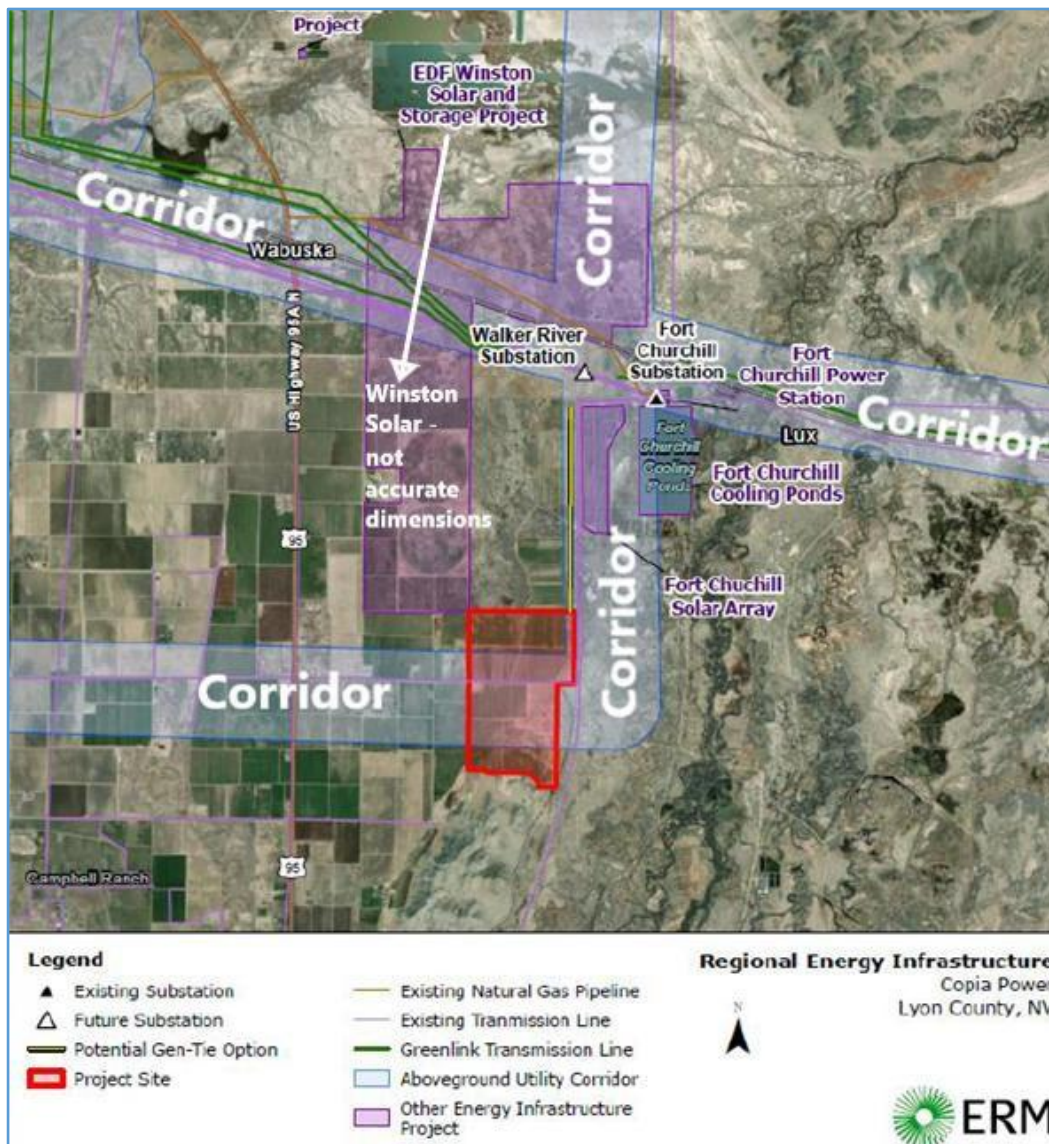
In Title 15, Planned Unit Developments are governed by Chapter 15.349 of LCC, which include the Findings as reviewed in the next section of this report.

Utility Corridors

While not part of staff's response to the Findings, the location of the Project relative to the 2020 Master Plan's Above Ground Utility Corridors was a large factor in the review of the Monarch Specific Plan. Because the Specific Plan is the Master Plan for the Project area, this topic is carried over from the Specific Plan staff report.

The location of the Project along the alignment of the Corridors indicates that the County recognized this region as appropriate for new commercial/industrial development associated with additional electrical capacity. The following images depict an excerpt from the 2020 Master Plan and an image from the applicant (with staff modifications). 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 NV Energy, State-wide, Greenlink project and the Walker River Substation expansion. The applicant will be pursuing options with the NV Fish and Game Commission or with the project proponents of the Winston Solar PUD to the north of the Project area in order to attain easements for connection to the Walker River Substation complex. (Note that the dimensions for the Winston Solar project are not accurate in the second image: the solar array will extend closer to Hwy 95A than depicted.) By utilizing land that is already "connected" to the Walker River Substation complex, the proposed PUD presents more compact development patterns that if the data center was proposed miles away where more high voltage power lines lengths would be necessary to connect the systems.





Traffic Impacts and Roadways

Finding D in the next section of this report notes the Traffic Impact Study (TIS) submitted for the Project and the required roadway improvements that will be required as part of the County approvals for construction.

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.

Staff has included the applicable Findings in bold type. Each Finding is listed with the applicant’s response in italics and then staff’s comments.

Note: The applicant’s full PUD and Project Narrative are attached to this report and include the Findings in their original formatting. Staff has copied their Findings, but some of the original formatting has been altered.

Per Section 15.349.10, “APPROVAL OR DENIAL OF APPLICATION” of Title 15:

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 following findings:

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

Applicant’s Response

Finding Criteria	Demonstration of Project Compliance
Finding A. In what respects the plan is or is not consistent with the statement of objectives of this chapter	The proposed PUD is consistent with the statement of objections and purpose for PUDs set forth in Lyon County Code Section 15.341.01, and the statement of standards and criteria set forth in Section 15.349.03. As discussed in more detail above, the Project advances the following objectives: (1) it establishes land use patterns that promote efficient, compact networks of streets and utilities that lower development and maintenance costs and conserve energy (Section 15.349.01.A.2); (2) it helps preserve valued environmental resource lands by concentrating development on previously disturbed agricultural land and maintains 20–40% of the site as natural open space (Section 15.349.01.A.3); (3) it helps maintain and enhance surface and ground water quality and quantity by utilizing air-cooled systems and limiting water consumption to below 100 ac 800 ft/year (Section 15.349.01.A.4); (4) it helps protect and maintain critical wildlife habitat by coordinating with NDOW and avoiding

disruption to the adjacent Mason Valley Wildlife Management Area (Section 15.349.01.A.6); (5) it helps provide for a well-located, clean, safe, and pleasant industrial site involving a minimum of strain on transportation facilities, given the Project's remote location over one mile from Highway 95 (Section 15.349.01.A.8); (6) it encourages innovations in development so that growing demands may be met by greater variety in type, design, and layout of buildings and by conservation of open space (Section 15.349.01.A.9) ; (7) it minimizes the burden of traffic on roads and highways through site access via Sierra Way and proposed traffic mitigation measures (Section 15.349.01.A.10) ; and (8) it helps ensure the purposes, goals, objectives and policies of the Lyon County Comprehensive Master Plan are achieved, as demonstrated by the Master Plan goal-by-goal analysis in Table 2 of this narrative (Section 15.349.01.A.11). The Project is consistent with, and furthers many of, the goals of the Master Plan, supports economic development opportunities in the County, and includes site design details that will minimize impacts to surrounding properties.

Staff Comment

Recognizing the location of the Project along the Aboveground Utility Corridors approved as part of the 2020 Lyon County Master Plan confirms for staff that the use proposed is consistent with the stated objectives of the development code. The Project PUD is consistent in use with the approved Monarch Specific Plan and the standards for submittal and review per chapter 15.249 (Planned Unit Development) of Lyon County Code (LCC). The stated objectives of identifying multiple uses with a project footprint, establishing appropriate setbacks and buffers, providing adequate parking and roadway improvements, and minimizing impacts to neighboring properties (relative to the scale of the project) are satisfactorily met with the Project.

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

-see next pages

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

The primary purpose for the PUD application is to support a mix of land uses on the same parcel that would otherwise not be permissible through conventional zoning mechanisms. However, the plan only departs from the standard zoning regulations to the limited extent necessary to accommodate a use that the Lyon County Development Code does not specifically address. Because the Code does not include provisions specific to data centers, conventional zoning mechanisms cannot accommodate the mix of complimentary land uses required for the Project's operations. The specific departures are narrow, well-justified, and consistent with the public interest:

(a) Use: The Project combines a data center with ancillary natural gas generation and BESS facilities on a single site. These uses are functionally integrated and necessary to support data center operations. Notably, energy production and distribution are already conditionally permitted in the RR-20 district, and the proposed uses are consistent with the character and scale of other approved energy projects in the immediate vicinity, including the Walker River Substation complex, Winston

Solar, and the Greenlink transmission lines. The PUD mechanism is the appropriate vehicle to authorize this integrated development in a manner that ensures coordinated site planning and County oversight.

(b) BESS Setbacks: Ordinance No. 640 requires a one (1) mile setback from trails, highways, bodies of water, and existing residential uses. The Project proposes a modest reduction from this standard; however the proposed BESS location maintains a setback of 2,400 feet from the nearest residential structure (See **Appendix Q**), which is nearly half a mile and provides a substantial safety buffer well in excess of industry norms. Importantly, there are no other intermittent or perennial streams, highways or trail easements within a mile of the proposed BESS location, meaning the deviation applies only to the residential setback component and the 2,400-foot buffer far exceeds what is necessary to protect public safety.

(c) Site Coverage: The Project's 60–80% lot coverage reflects the operational requirements of a data center campus and is appropriate for the proposed industrial use. All structures maintain minimum 30-foot setbacks from property lines, ensuring that adjacent properties are not adversely affected. These limited departures serve the public interest. The Project represents an estimated \$12 billion capital investment in Lyon County, will create at least 150 permanent jobs and over 2,000 annual construction jobs, and will generate \$1.5 billion in real and personal property tax revenue along with approximately \$250 million in sales tax revenues. The Project advances the County's economic diversification goals, responds to critical nationwide demand for data center infrastructure, and leverages existing and planned energy infrastructure in the region. The departures do not establish any precedent for incompatible development; rather, they are narrowly tailored to the unique operational characteristics of this specific facility and will be governed by the PUD's recorded development standards and conditions of approval.

Staff Comment

The Lyon County Community Development Department will be presenting a draft ordinance for data centers to the LCBOCC on August 3, 2026. The ordinance will introduce standards to be incorporated into Title 15, but at the time of the approval of the Monarch Specific Plan and the application for approval of this PUD request, the County has been using the standards of chapter 15.336, *Performance Standards for Conditional Uses*, as the applicable base standards for review of the Project. The applicant appropriately states that PUDs incorporate various uses and develop customized standards. The Project does largely comply with LCC regarding setbacks and accessory uses for data centers. The benefit to the County's tax base is recognized as a public benefit provided the mitigation measures identified for roadway improvements are constructed prior to the construction phase of the Project. After the project is constructed, the roadway improvements will remain in place, providing a community benefit since the operational phase of the project would not overwhelm existing infrastructure. This PUD will establish the development standards for the Project in accordance with chapter 15.349 of LCC and does not depart from the regulations applicable to PUDS.

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

-see next page

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

The Project proposes 20-40% open space, meeting or exceeding the 20% requirement required by Section 15.349.03.I. All areas not intended for structures will be maintained as

natural open space areas, preserving the rural character of the site and providing visual screening and a natural buffer between the development and adjacent properties, particularly the Mason Valley Wildlife Management Area to the north and east and rural residential properties to the west. Proposed vegetation consists of naturally occurring, drought-tolerant plantings that will not require substantial maintenance or routine watering, consistent with the area's rural character and water conservation goals. Copie Power, or any subsequent site owner, will be responsible for ongoing maintenance of all open space areas in a manner acceptable to Lyon County and will comply with any conditions of approval regarding long-term maintenance obligations.

As the Project is not a residential development, the open space is proportional to the proposed use and surrounding character. The Project's location, absence of public access, and lack of visibility from Highway 95 further support the adequacy of the proposed open space for its intended screening and environmental conservation purposes.

Staff Comment

As stated by the applicant, there is no residential component of the Project, but a 30' wide landscape buffer is proposed along the western boundary, facing Hwy 95A. The open space within the Project area will be at least 20%, consistent with the PUD standards of chapter 15.349 of LCC.

Finding D: 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

-see next pages

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

The physical design of the Project ensures adequate provisions are made for public services, vehicular traffic, parking, and the amenities of light and air, recreation, and visual enjoyment. The Project Site is located in a rural, and largely undeveloped, area of Lyon County. The proposed land use and accessory uses serve as complimentary to existing energy infrastructure and other regionally significant energy projects in the immediate vicinity.

The Project will not require Lyon County public water or sewer hookup or extensions. Water will be sourced onsite through existing privately held water rights, with total consumption anticipated to be below 100 ac-ft/year — a fraction of what the site historically consumed for agricultural operations. Wastewater will be managed independently through either septic or an onsite treatment facility. The Project will coordinate closely with the local fire department on emergency response planning and will provide onsite emergency water

storage, including a potential 1-million-gallon water storage tank.

Because the Project is self-sufficient from a utility perspective, it places no burden on existing public services or infrastructure serving Lyon County residents. Additionally, considering the upcoming Walker River substation Complex and Greenlink transmission projects, the Project will be adequately served with enough power to maintain the facility and will not result in the loss or reduction of energy to the Lyon County community. The load-serving utility will plan for and allocate energy for the Project's needs, which will include energy generated on-site and via other energy generation projects Copia Power is developing that serve the electric grid. The price paid for power will include all upgrades and costs to serve the data center under a special contract and PUCN-approved tariff, so that costs are not shifted to residential or small business customers or subsidized by other ratepayers.

The Traffic Impact Study (**Appendix H**) demonstrates that existing roadway infrastructure is generally adequate to serve the Project. Traffic impacts will be most notable during the temporary construction phase, and the study describes proposed mitigation efforts to increased traffic during construction. The Project is accessed from Sierra Way, sited over one mile from Highway 95, which minimizes impacts to the County's primary corridor in the vicinity of the Project. Copia Power is actively coordinating with NDOT and Lyon County on traffic mitigation strategies, and the TIS is currently under NDOT review with approval anticipated prior to the PUD hearing. Post-construction, the Project's low staffing requirements will generate minimal ongoing traffic.

A dedicated Parking Study prepared by Kimley-Horn (**Appendix P**) supports the proposed 920 parking spaces as adequate for the Project's operational needs. The permanent-use of the facility will have minimal onsite staffing, no public access, and low parking demand, which are precisely the type of use contemplated by the exception criteria of Section 15.349.03.M.3 for permanent uses with low demand for off-street parking.

Proposed structures are situated within a compliant setback distance for the underlying RR-20 District, with a minimum of 30 feet from each property line. Building heights of 75-95 feet are appropriate for data center operations and, given the Project's remote location over one mile from Highway 95 and the nearest residential areas, will not impact adjacent properties. Structures will be constructed from materials in a neutral color consistent with the surrounding rural landscape. The Project Site will be adequately landscaped, as per the requirements of the Lyon County Development Code and will not result in the degradation of natural resources or wildlife habitats. There will be no changes to current outdoor activities commonly practiced on neighboring NDOW land, such as hunting, fishing, bird watching, or other similar activities. Visual simulations (**Appendix C**) confirm that the Project's visual impact from surrounding vantage points will be minimal, and the site will be landscaped with native vegetation consistent with the existing rural character.

Staff Comment

The Project is located in region of the County with few residents and developments due to its history of agricultural uses. The distance from Hwy 95A and proximity to the Walker River Substation complex makes the location appropriate for a use that necessitates power lines and expanded electrical infrastructure. While the structures themselves won't be completely screened, the distances to population centers and major roadways will minimize the visual impacts to residents and the data center use itself if not one that generates significant air pollution.

No public water or sewer service is provided in the region. The Lyon County Sheriffs and Mason Valley Fire Protection District will provide emergency services. The Fire District will require an independent review of the Project.

The applicant's TIS was discussed extensively during the public hearings for the Monarch Specific Plan. The following attachments are included in this report:

- Attachment 4 is the updated TIS summary with recommendations from the Traffic Engineer; and
- Attachment 5 is a comment letter from the Nevada Department of Transportation (NDOT) with their required improvements.

Table 1 from the TIS is/was particularly noteworthy as it notes that approximately 1,200 peak hour trips on Hwy 95 A, between 7-9 AM and again between 4-6 PM, could be added to existing traffic volumes on the Highway. These significant impacts to the existing roadway will necessitate improvements to Hwy 95A at Sierra Way (in addition to the impacts of the Winston and Lux solar array projects and the NV Energy project). Additional improvements at the Hwy 95A intersection with State Route 339 in Yerington are also required. The project applicants may coordinate with other developers in the area to share costs, but the County will not contribute financially.

The excerpts that follow are from the TIS and depict the construction and operational phase calculations for additional vehicle trips due to the Project.

Construction Phase

The Monarch Data Center trip generation for construction was calculated using data collected from previously completed studies for data centers. The construction trip generation used in those studies was scaled appropriately for the Monarch Data Center based on overall project building square footage. It is anticipated that the proposed project will generate 1,221 AM construction trips and 1,268 PM construction trips at peak levels during the construction phase, as shown in **Table 1**. It is anticipated that the Monarch Data Center will have approximately 4.6 million square feet of floor space after completion. Calculations are provided in **Appendix D**.

Table 1 – Trip Generation – Construction

ITE Code	Description	Size	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
NA	Data Center Construction	4.6 million SF	1,163	58	1,221	81	1,188	1,268

Source: Previously completed data center studies

Operational Phase

The proposed project is anticipated to generate 506 AM and 414 PM peak hour trips, as summarized in **Table 2**. Calculations are provided in **Appendix C**.

Table 2 – Trip Generation – Typical Operations

ITE Code	Description	Size	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
160	Data Center	4.6 million SF	278	228	506	124	290	414

Source: ITE Trip Generation Manual, 11th Edition

Staff has worked with the applicants through the Specific Plan approval and PUD submittal process to ensure it is understood that future development permit issuance will be contingent on meeting the County's expectations of completed roadway improvements for the construction phase of the project. As a result, the applicants have included the language copied below in the PUD Narrative (Attachment 1):

Excerpt from Section 3.13.2 of the PUD Narrative (w/underline added).

3.13.2 NDOT REQUIREMENTS

The TIS mentioned above determined the following infrastructure improvements to mitigate impacts from the Monarch Data Center project:

1. US-95A and Sierra Way

- Install a temporary signal during the construction period for both Construction Scenario 1 and 2. Once the construction phase of the project is completed, the signal is not expected to be warranted.
- Install a northbound right turn lane per NDOT's Access Management System and Standards (AMSS).

- c. *Install a southbound left turn lane per NDOT's AMSS.*
- d. *Install a westbound left turn lane per NDOT's AMSS.*
- 2. *US-95A and SR-339*
 - a. *Install a temporary signal during the construction period for both Construction Scenario 1 and 2. Once the construction phase of the project is completed, the signal is not expected to be warranted.*
 - b. *Install a southbound left turn lane per NDOT's AMSS.*
- 3. *US-95A and Bowman Lane*
 - a. *Install a temporary signal during the construction period for only Construction Scenario 1. Once the construction phase of the project is completed, the signal is not expected to be warranted*
- 4. *Install Signing and Striping per NDOT and MUTCD standards*

The Monarch Data Center project is committed to making the necessary improvements to mitigate any significant traffic impacts of the project.

In addition to the language already quoted in the PUD, staff is suggesting the following addition to the PUD to ensure that a new passing lane headed north on Hwy 95A, north of the project and headed up grade on "Wabuska Hill" is constructed prior to the County's issuance of construction permits for the project:

As part of the Monarch Data Center Project, Copia Power makes a formal commitment to the construction of a northbound passing lane extending up Wabuska Hill on US Highway 95 in Wabuska, Nevada. This improvement is recognized as a necessary mitigation measure associated with the Project's anticipated traffic impacts and shall be completed in accordance with all applicable Lyon County and Nevada Department of Transportation (NDOT) requirements.

Copia Power acknowledges and accepts Lyon County staff's determination that Copia Power's construction-related traffic alone would warrant the required construction of the northbound passing lane up Wabuska Hill, or other reasonable mitigation as determined by Lyon County. In recognition of this determination, Copia Power formally commits to the design, funding, and construction of the northbound passing lane prior to the commencement of any construction activities associated with the Project. This sequencing is intended to ensure that the passing lane improvement is in place and fully operational before construction-related traffic volumes on US Highway 95 are realized, thereby mitigating the Project's construction phase traffic impacts on the traveling public.

The northbound passing lane shall be fully constructed and operational prior to the issuance of any site improvement permits for the Project, or upon other conditions as agreed by Lyon County. All agreements necessary to facilitate the construction of the northbound passing lane and any other required off-site roadway improvements shall be finalized and executed in a form acceptable to Lyon County and consistent with Lyon County Code and applicable State statute. However, Copia Power is not expected to assume sole responsibility for obtaining land easements needed for said passing lane. Copia Power is committed to working cooperatively with Lyon County, NDOT, and neighboring project applicants to ensure the timely and effective implementation

of these improvements, with the goal of promoting safer and more efficient transportation infrastructure for the residents and community of Lyon County.

The staff-presentation for the request will make note of this language and request that the applicant address the suggested edits to the PUD and its inclusion in the Final PUD. The language is also added to the recommended motion section of this report.

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

Applicant's Response

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

The proposed PUD will result in a substantial net benefit to Lyon County and the surrounding community. The Project's economic impact will be significant and sustained, and will include:

- An estimated \$12 billion in initial capital investment.
 - At least 150 permanent direct jobs and at least 100 indirect and induced jobs in the local economy.
 - Over 2,000 annual construction jobs supported.
 - Over \$100 million total payroll impact.
 - Over \$1.5 billion in real and personal property tax revenue to Lyon County (including schools and other tax jurisdictions) which can be used for community improvements and enhancements.
 - Approximately \$250 million in sales tax revenues including contribution to the local government.
 - Indirect economic activity for nearby commercial businesses, restaurants, and the supply chain.
 - Road improvements.
 - Economic diversification of Lyon County beyond agriculture, which creates resiliency for the future.
-
- Response to a nationwide need for data center facilities due to emerging computational power needs.
 - Support for local landowner and agricultural producer to collect supplemental income on nonviable agricultural land.

Potential adverse impacts are limited and well-mitigated. Construction-phase traffic is the most visible temporary impact which is addressed through the Traffic Impact Study (**Appendix H**) and ongoing coordination with NDOT and Lyon County on road improvements. Post-construction traffic will be minimal given the Project's low staffing requirements. Water consumption will be below 100 ac-ft/year using air-cooled systems, sourced entirely from privately held water rights with no draw on County municipal supplies, which is far less than the agricultural operations historically conducted on the same land. The BESS facility will incorporate 24/7 remote monitoring, battery management systems, heat, smoke, and gas detectors, and onsite emergency water storage, with a coordinated emergency response plan developed in partnership with the local fire department. The Project is located over one mile from Highway 95 and will use neutral-colored building materials and native vegetation screening, resulting in minimal visual impact as confirmed by visual simulations in Appendix C. Copia Power is coordinating with NDOW on wildlife surveys to ensure the Project coexists with the adjacent Mason Valley Wildlife Management Area without impacting public access or recreational use.

On balance, the proposed PUD will deliver transformative economic benefits to Lyon County while imposing only limited, well-mitigated impacts on the surrounding neighborhood.

Staff Comment

The development of data centers appears logical for the proposed location based on the Above Ground Utility Corridors and the proximity of the Walker River Substation. The location for future high voltage power lines, critical to the proposed use, was already designated as part of the adopted 2020 Master Plan, demonstrating orderly and compact growth patterns. The financial benefits to the County are estimated by the applicant, but even the most conservative estimations would indicate far more projected value than the current use of the property. The surrounding neighborhoods have already experienced a change in land use in the Mason Valley due to the Walker River Substation expansion and approval of thousands of acres of solar array projects and pending NV Energy high

voltage power line construction. The Project seeks to mitigate impacts with increased roadway capacity, turning lanes, acceleration/deacceleration lanes, landscape and structure buffers, and compliance with LCC.

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

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.

The Project is anticipated to be fully constructed within 3-4 years. This schedule coincides with NV Energy's planned infrastructure upgrades, including the completion of the Walker River Substation complex and Greenlink transmission infrastructure.

The terms and conditions governing this phased development are sufficient to protect

the interest of the public and the integrity of the plan throughout the development period. Copia Power will comply with all conditions of approval set forth by Lyon County, including any recorded covenants, conditions, and restrictions that incorporate long-term site development standards, maintenance obligations, and enforcement mechanisms designed to assure coherent, coordinated development, maintenance and use activity within the PUD site.

Development phasing will be coordinated with NV Energy's infrastructure upgrade schedule to ensure adequate utility capacity is in place before each phase is brought online, and all energy rates paid by the Project will include required upgrade costs so that no costs are shifted to residential or small business ratepayers.

Traffic mitigation measures identified in the Traffic Impact Study (**Appendix H**) will be implemented prior to or concurrent with construction phases that generate increased traffic. Wildlife surveys will be completed in coordination with NDOW, and the Project will maintain open space buffers and native vegetation throughout all phases. BESS facilities will incorporate 24/7 remote monitoring from the outset, and Copia Power will maintain a coordinated emergency response plan with the local fire department, including onsite emergency water storage, throughout all phases of development. Copia Power, or any subsequent site owner, will maintain the Project Site in a manner acceptable to Lyon County throughout the development period and beyond.

These commitments, together with any additional conditions the Board may impose at the time of tentative approval, provide robust protections for the public interest and ensure the integrity of the approved plan is maintained from initial construction through project completion.

Staff Comment

The development of data centers appears logical for the proposed location as discussed in Finding E. The cost of electrical infrastructure expansion will be bore by the developer as will the construction of roadway improvements. This project will likely overlap with other projects that are likewise located within the region, which is changing the overall land use in the Mason Valley. It is expected that increased tax revenues and permanent jobs will be net benefit to Lyon County and the region.