Siting Solutions Project

clean tomorrow

INSIGHT REPORT

State Policy Approaches to Renewable Energy Siting

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About Clean Tomorrow

Clean Tomorrow is a nonprofit organization that advances policies that reduce climate emissions by turning policy ambition into action. We work to catalyze rapid change that will accelerate the innovation and growth of clean energy.

Clean Tomorrow's Siting Solutions Project conducts rigorous analysis and stakeholder engagement to identify the most promising siting policies to maximize the benefits clean energy provides — for communities, the environment, and the electric grid. We support a wide variety of stakeholders and state policymakers across the political spectrum.

This report is the first in our Insight Report series designed to clarify siting policy options, provide useful context, and empower others to improve state and local siting policies. This Insight Report provides an overview of every siting policy framework used across the continental United States. Future Insight Reports will synthesize outcomes from the 2025 legislative sessions, investigate options for delivering host community benefits, and demystify site-level design principles.

The contents of this report are accurate to April 15, 2025.

www.cleantomorrow.org/policies/siting

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Introduction

Demand for electricity is surging in America to its fastest pace in decades.[1] But you wouldn't know that from the pace of adding new electricity resources to the grid. Wind, solar, and battery resources—typically the fastest to be built and lowest cost options in many parts of the country—wait years to connect to the grid. The United States must add 60 – 70 gigawatts of clean energy per year for the next decade to affordably meet electricity demand while reducing emissions. We are currently adding solar, wind, and batteries at half that pace.[2]

One cause of slower annual additions, as reported by renewable energy developers, is project cancellations driven principally by restrictive local permitting and a rise in community opposition.[3,4] Developers canceled one-third of wind and solar projects in the past five years, representing 36 gigawatts and billions of dollars of unrealized energy development.[5]

In recent years, several state legislatures have improved renewable energy siting policies—the rules under which large-scale wind, solar, and sometimes batteries receive state and local approvals—to allow responsibly designed projects to advance with less red tape.[6] In 2025 alone, legislatures in at least 31 states have introduced major reforms to these processes.[7] The best of these policies support projects that capitalize on the reliability, affordability, and environmental benefits of clean energy and incorporate fulsome community input, meaningful economic benefits, and protection of the environment. Restrictive siting policies, on the other hand, are now among the top barriers to affordable, reliable, and clean energy in the United States.

This Insight Report provides a summary of every siting policy framework used across the continental United States as of March 2025. There is no one-size-fits-all policy for clean energy siting; each state's unique political, social, economic, and environmental conditions shape its ideal policy framework. This report is meant to be a resource for state policymakers reexamining their clean energy siting policies to meet surging energy demand and deliver economic benefits to their constituents.

The map below shows each state's policy framework, and the following table provides additional detail. Each of these detailed policy options is explained in the report with one or more examples from specific states. We provide references to relevant laws for example states but exclude most statute references for brevity.[8]

1 Grid Strategies, "Strategic Industries Surging: Driving US Power Demand," December 2024. https://gridstrategiesllc.com/wp-content/uploads/National-Load-Growth-Report-2024.pdf
2 World Resources Institute (WRI), "US Clean Power Development Sees Record Progress, As Well As Stronger Headwinds," February 21, 2025. https://www.wri.org/insights/clean-energy-progress-united-states
3 Lawrence Berkeley National Laboratory (LBNL), "Survey of Utility-Scale Wind and Solar Developers Report," January 2024. https://eta-publications.lbl.gov/sites/default/files/w3s_developer_survey_report_-011824_version.pdf
4 USA Today, "Across America, clean energy plants are being banned faster than they're being built," February 4, 2024. https://www.usatoday.com/story/news/investigations/2024/02/04/us-counties-ban-renewable-energy-plants/71841063007/
5 U.S. Energy Information Administration (EIA), "Form EIA-860 detailed data with previous form data," 2023 data, released: September 23, 2024. https://www.eia.gov/electricity/data/eia860/
6 Clean Tomorrow, "How Clean Energy Opponents Weaponize Local Siting and How State Legislatures Hold the Key to a Clean Tomorrow," October 28, 2024. https://cleantomorrow.org/2024/10/28/how-clean-energy-opponents-weaponize-local-siting-and-how-state-legislatures-hold-the-key-to-a-clean-tomorrow/
7 Clean Tomorrow, "Internal Analysis," April 4, 2025.
8 For an exhaustive catalog of state siting laws, see the Regulatory Assistance Project (RAP), "Laws in Order: An Inventory of State Renewable Energy Siting Policies," June 13, 2024. https://www.raponline.org/knowledge-center/laws-order-inventory-state-renewable-energy-siting-policies/

Figure: Siting Policy Frameworks by State

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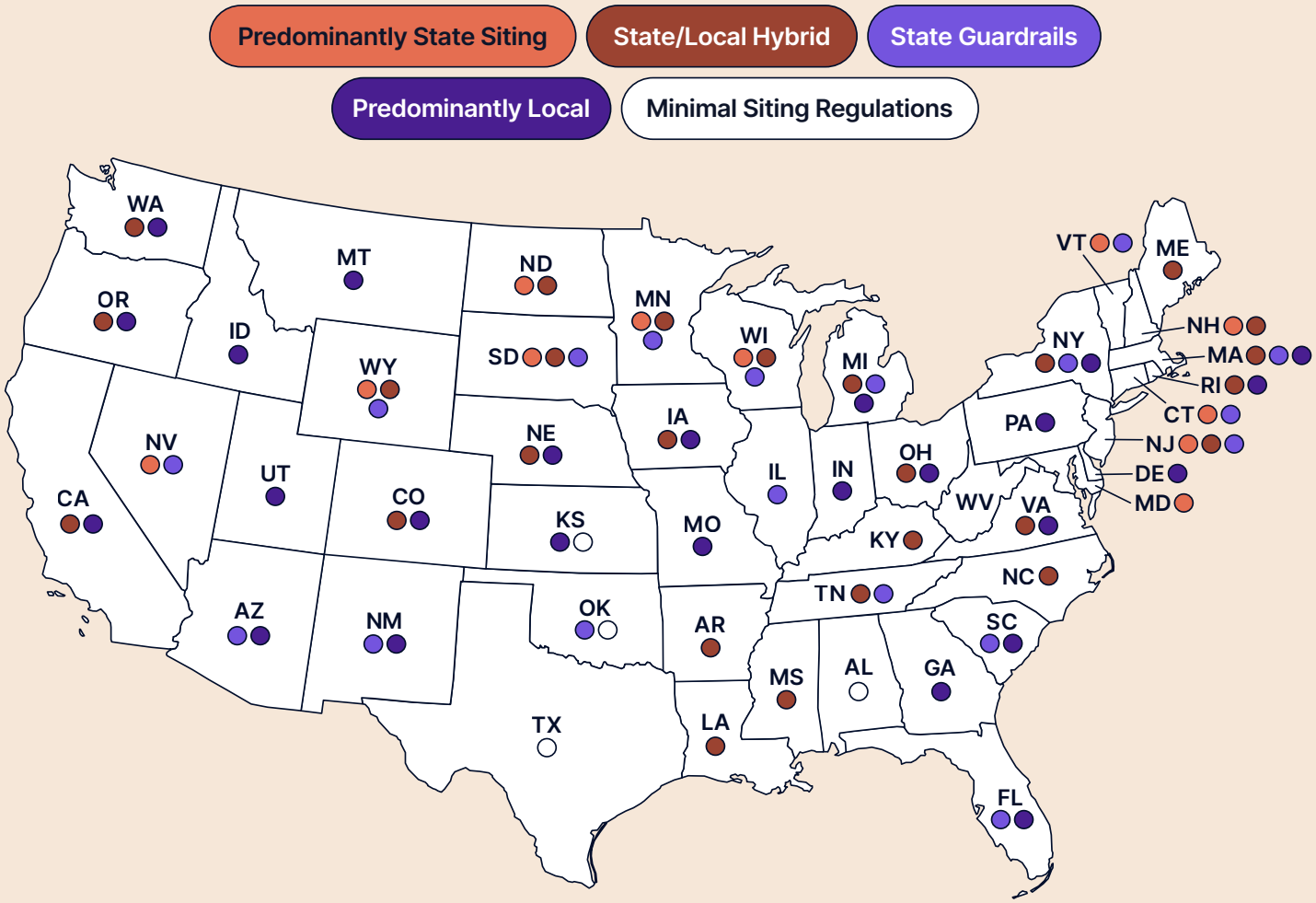


Nearly every state uses a combination of the policies we list below for siting clean energy. Most commonly, a state will have distinct siting approaches for large and small projects. In other cases, a state may have multiple permitting pathways available to local governments or developers, regardless of project size. Furthermore, states implement their policies in distinct ways: an apparently equivalent policy in law may have very different implications for project development in practice. Some of these policy complexities are discussed below.

Table 1, below, describes the various policy frameworks and sorts states into each framework, while Table A1 in Appendix A lists all the continental U.S. states and their corresponding policy frameworks.

Table 1. At a Glance: Clean Energy Siting Policy Frameworks

State Government Siting		**Predominantly State Siting** – Typically predicated on project size, above which the state has absolute authority to site projects. • **State authority** (CT, MD, VT, WV): All projects, no matter their specific design, are sited at the state level. • **Contingent state authority:** Certain projects, by virtue of their design characteristics or state policy, fall under state siting jurisdiction. In some states with contingent authority, nearly all projects are sited at the local level (CA, FL, IA, MA, MI, NM, NY, OH, OR, RI, SC, WA) or at the state level (MN, NV, NH, NJ, ND, SD, WI, WY).
Local Government Siting		**State / Local Siting Hybrid** – State law provides state and/or local siting upon discretion or actions of the developer, state government, or local government. • **State and local permitting authority** (AR, IA, KY, LA, ME, MS, NC, ND, OH, RI, SD, TN, VA, WA, WY): State permitting is an option or required, and local governments also have some authority over siting and permitting. • **Local government assumption of primary authority** (MN, WI): Local governments may elect to retain primary permitting authority for certain projects. • **Opt-in and opt-out state authority** (CA, MI, MN, NE, NH, NY, OR, WA): Developers have the option to permit their project at the state or local level, each with distinct permitting requirements. • **Backstop state authority** (CO, MI, MS): Developers are required to first try to permit projects at the local level before seeking a state siting permit. • **State authority upon request of a local government** (MA, MI, MN, NH): Local governments may request that the state conduct the siting review.
	State Guardrails	**State Guardrails on Local Siting** – Local governments retain principal authority to site clean energy projects, subject to restrictions enacted by the state legislature. • **Reasonableness review** (AZ, MA, NJ, NM, NV, NY, SC, SD, WI): The state prohibits local government restrictions on clean energy siting that are deemed unreasonable or not in service of some legitimate public good like health and safety. • **State standards** (IL, MI, ND, OK, TN, VT, WI, WY): The state provides explicit, substantive, and uniform siting standards as either a "ceiling" or a "floor," directing local governments to set their own more permissive or more restrictive standards, accordingly. • **Compliance-based local authority** (MI): Local siting authority is predicated on compliance with state standards. • **Exclusionary and inclusionary zoning** (CT, FL, IL, MN, NJ, ND, OR, RI): States require local governments to allow projects to be eligible in certain zoned areas or exclude projects from certain zones. • **Fair share thresholds** (MI, NJ): States prohibit local governments from unduly restricting clean energy until they reach a prescribed threshold.
		Predominantly Local Siting – State law grants exclusive siting authority to localities. • **Local authority** (AZ, CO, DE, GA, ID, IN for W, KS, MO, MT, NE, PA, UT, VA): Local governments make all permitting decisions. • **Contingent local authority:** Certain projects in a state, by virtue of their design characteristics, are subject to local government authority. In most states with contingent local control, the local government is the typical siting jurisdiction (CA, FL, IA, MA, MI, NY, NM, OH, OR, RI, SC, WA); in others, the state holds siting jurisdiction (MN, NH, NV, NJ, ND, SD, WI).
		Minimal Siting Regulations – Landowners have nearly complete control over projects built on their land, by virtue of the state lacking siting authority and local governments that either do not have the authority (AL, OK, TX) or have not created a siting regime (e.g., un-zoned counties in KS).

Note: Depending on state policy, the type of local governments granted siting authority may include townships, municipalities, and/or counties.

Siting Policy Domains, Frameworks, and Mechanisms

Our analysis organizes clean energy siting policies into three primary domains: state government siting, local government siting, and state guardrails. Within one or more of these policy domains, we identify distinct policy frameworks that characterize the distribution of siting authority. Each framework is implemented through specific policy mechanisms that states have adopted. The primary siting policy domains include:

- **State government siting** – Authority resides at the state level.
- **Local government siting** – Authority resides at a unit of local government, which may include townships, municipalities, and/or counties, depending on the state.
- **State guardrails** – Authority resides at a unit of local government subject to guidance set by the state and applicable to all local siting authorities.

Several states—Texas, Kansas, and Oklahoma—have not provided explicit siting jurisdiction to any government authority and in some cases have forbidden any entity from regulating the location of clean energy projects. We categorize these policy frameworks as "Minimal Siting Regulations" existing outside the domains listed above.

This section provides an overview of each policy framework and their implementing mechanisms. It details policy design considerations, provides examples of one or more states with the relevant policy mechanism, and lists all other states with the same policies in place.

Predominantly State Siting

State Siting
Local Siting
State Guardrails

Legislatures in several states have vested siting authority at a state-level institution for some or all clean energy projects.

State authority – The state centralizes all reviews, with no meaningful role for local governments in the siting process. **Four states** have state authority.

Policy Considerations: State authority provides statewide consistency and predictability for project reviews, but its success relies on an efficient and impartial state permitting process with meaningful local stakeholder engagement. The approach risks bogging down the siting process if many small projects compete with large complex projects for permits.[9] Developers often report that state-led siting is typically longer, more expensive, and more complicated than local siting.[10]

> ***State Example:*** The **Maryland** Public Service Commission (MPSC) sites all projects larger than 2 MW (meaning all utility-scale energy projects) through a process granting a certificate of public need and

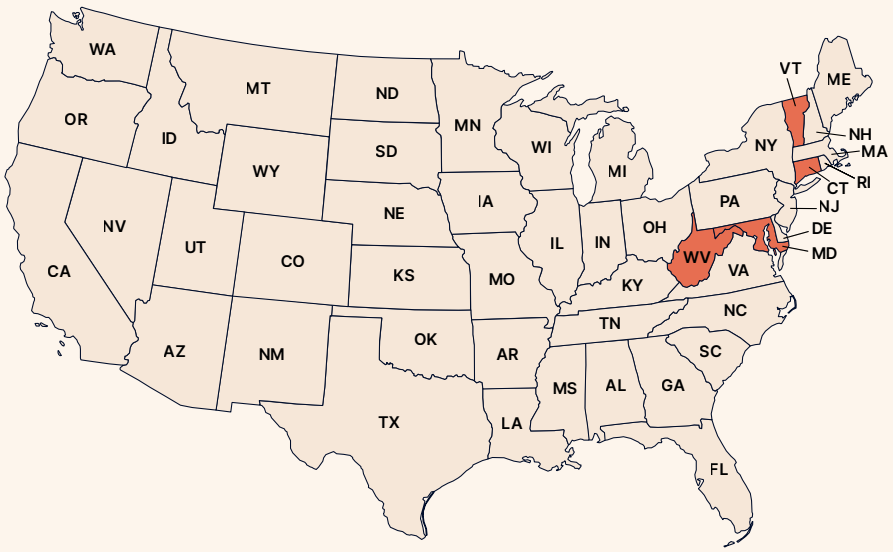
9 Lawrence Berkeley National Laboratory (LBNL), "Survey of Utility-Scale Wind and Solar Developers Report," January 2024. https://eta-publications.lbl.gov/sites/default/files/w3s_developer_survey_report_-011824_version.pdf

10 Energy + Environmental Economics (E3), "Assessment of Renewable Energy Siting and Permitting Policies," page 22, April 11, 2024. https://www.ethree.com/wp-content/uploads/2024/04/Renewable-Siting-and-Permitting-Policies-E3-Public-Version-04.17.2024.pdf

necessity (CPCN).[11] The MPSC must consider recommendations from local governments,[12] and local governments may petition to intervene in the solar permitting process.[13] However, Maryland's high court issued a decision in 2019 ruling that the CPCN process preempts local zoning authority for solar generation projects. Nevertheless, several counties have restrictive or prohibitive ordinances in place. Legislation introduced in 2025 seeks to clarify these authorities by granting MPSC explicit preemption authority.

Additional States: CT, VT, WV

Policy Mechanism: State Authority



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Contingent state authority – Bright-line thresholds determine when a project is sited at the state versus local level. Typically, these thresholds are based on the size of a clean energy project's electrical output in megawatts, though some states base these levels on the amount of acreage a project will occupy.[14] Often, requirements and thresholds differ between solar, wind, and battery storage technologies. **Eight states** have contingent state authority.

Policy Considerations: Relative to state authority, this approach can help distribute the siting process workload between state and county officials, depending on which entity is best equipped to review the particular class of projects (based on MW capacity, acreage, technology, etc.).

> ***State Example:*** The **Nevada** Public Utility Commission (NPUC) has jurisdiction over renewable energy projects >70 MW.[15] The NPUC must grant or deny an application within 150 days of filing. The state also precludes local zoning authorities from implementing "unreasonable" wind and solar restrictions

11 Maryland Code, Public Utilities §§ 7-207-7-208; § 7-207.1
12 Maryland Code, Public Utilities §§ 7-207(e)
13 Maryland Code, Public Utilities § 7-207; § 3–106. See also: Maryland Department of Planning. (n.d.). Overview of Maryland's utility-scale solar review and approval process. https://planning.maryland.gov/Pages/OurWork/RRP/envr-planning/solar-siting/solar-siting-overview-review-approval-process.aspx
14 American Planning Association, "Wait, Who Approves Large-Scale Solar Siting?" March 3, 2025. https://www.planning.org/blog/9306733/wait-who-approves-large-scale-solar-siting/
15 Nevada Revised Statutes § 704.860

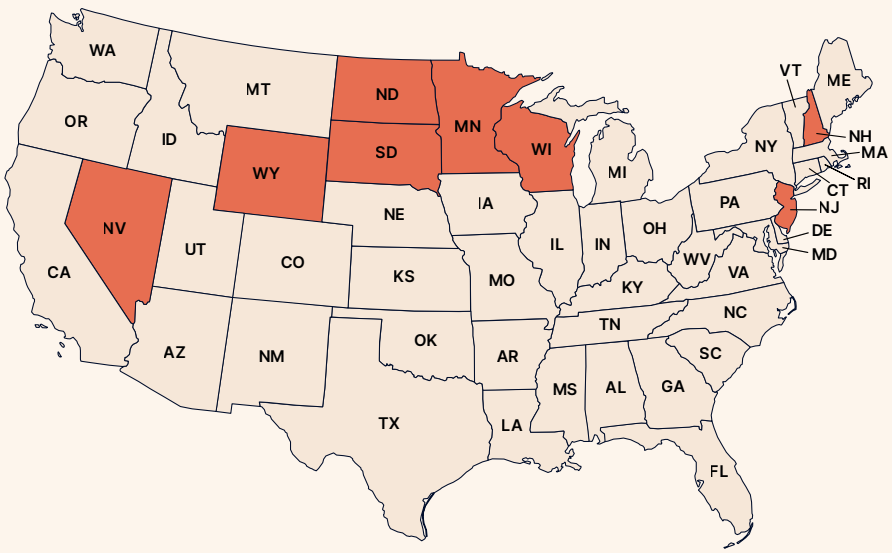
(see “Reasonableness review” below).[16] Although local ordinances are limited by law and cannot be “unreasonable,” counties can deny permits for wind projects for a variety of reasons due to a 2017 law (SB 314).[17] For example, localities may deny a permit for a wind project if the system represents a health or safety risk to the public, or if the project is not compatible with the character of the area.[18]

Additional States:

Typically state authority: MN, NH, NJ, ND, SD, WI, WY

Typically local authority: CA, FL, IA, MA, MI, NM, NY, OH, OR, RI, SC, WA

Policy Mechanism: Contingent State Authority



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State Siting Authorities Vary - States use three principal institutional arrangements to site projects:

State siting boards are groups of governor-appointed and/or pre-designated members typically drawn from state executive offices, the private sector, and civil society. This approach is used in CT, KY, MA, NH, OH, OR, RI, WA and WY.

Executive agencies, such as the state energy or environment departments, are responsible for clean energy siting in CA, FL, LA, ME, NJ, NY, and VT.

Regulatory commissions, like public utility commissions (PUCs) and public service commissions (PSCs) that typically regulate utilities, are used in AR, IA, MD, MI, MS, MN, NV, NM, ND, SC, SD, WV, and WI.

16 Nevada Revised Statutes § 278.02077 and § 278.0208
17 An Act Relating to Renewable Energy, SB 314 (NV 2017) https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5291/Text#
18 Nevada Revised Statutes § 278.02077(2)(b)

State / Local Hybrid Siting

State Siting
Local Siting
State Guardrails

Several policy frameworks determine whether the project is under state and/or local siting authorities based on the discretion or actions of the developer, the state government, or local governments.

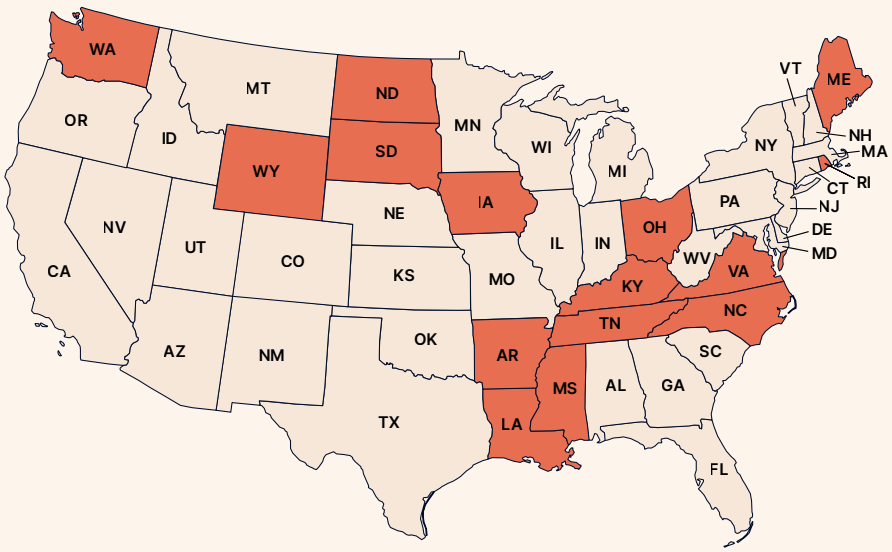
State and local permitting authority – Certain projects must receive siting review and approvals by local *and* state authorities. **15 states** have both state and local permitting.

Policy Considerations: Having projects undergo sequential or parallel reviews at two jurisdictional levels, each with distinct processes, can be administratively burdensome for clean energy project developers and government authorities. Having two processes can also create a "least common denominator" situation, where projects are subject to the most restrictive outcome of both processes.

> ***State Example:*** After passage of SB 52 in **Ohio**, renewable energy siting shifted from a primarily state-led process to a state and local process.[19] SB 52 enabled local governments to restrict renewable energy development through moratoria and permit denials,[20] or by establishing zones in which any such project is prohibited.[21] In addition, for solar facilities over 50 MW and wind facilities over 5 MW, developers must also obtain approval from the Ohio Power Siting Board.[22] The Board is allowed to overrule local permit denials (more common for grandfathered projects) but is not allowed to approve projects when counties have explicitly precluded development through zoning under SB 52.

Additional States: AR, IA, KY, LA, ME, MS, NC, ND, RI, SD, TN, VA, WA, WY

Policy Mechanism: State and Local Permitting Authority



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19 An Act to amend [...] and to enact sections [...] of the Revised Code to permit a board of county commissioners to prevent power siting board certification of certain wind and solar facilities, to provide for ad hoc members of the power siting board, and to establish decommissioning requirements for certain wind and solar facilities, SB 52 (OH 2021) https://www.legislature.ohio.gov/legislation/134/sb52

20 Ohio Rev. Code § 303.62(A)

21 Ohio Rev. Code § 303.58(A)

22 Ohio Rev. Code § 4906.01(B)(1)

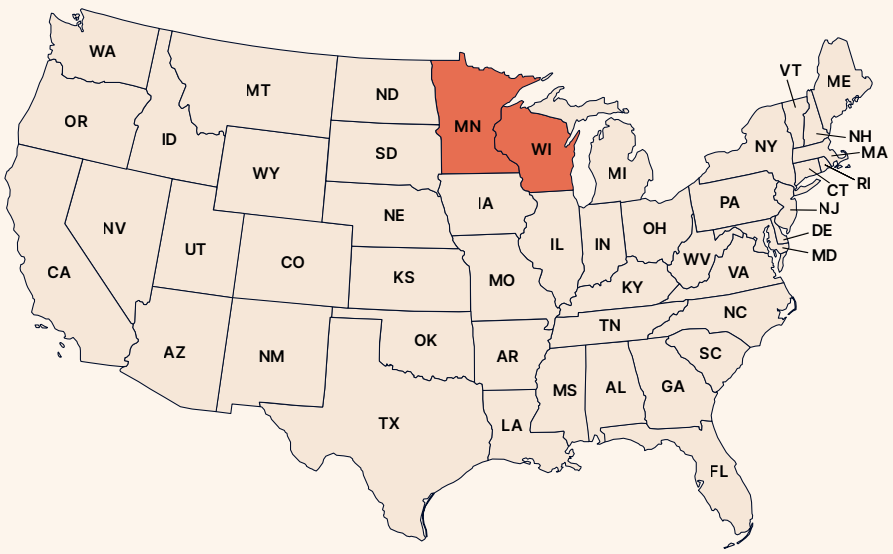
Local government assumption of primary authority – A local government may elect to be the primary permitting authority for certain projects. Otherwise, projects are sited by a state-level authority. **Two states** provide for local government assumption of primary authority.

Policy Considerations: Local governments may lack the expertise and resources to site clean energy projects. Establishing a state entity as the default siting authority ensures the administrative burden of conducting siting reviews is borne by the state unless local authorities choose to assume that obligation.[23] Local assumption of authority typically requires adherence to a model ordinance or state standards.

> ***State Example:*** In **Minnesota**, wind facilities larger than 5 MW[24] and solar projects larger than 50 MW[25] are permitted by the Minnesota Public Utilities Commission. Local governments can choose to permit wind facilities between 5 MW and 25 MW by adopting a compliant ordinance.[26] Developers may also seek local permitting for projects less than 80 MW, though the local government may instead request that the PUC permit those facilities.[27] State siting is explicitly authorized to preempt local zoning ordinances.

Additional States: WI

Policy Mechanism: Local Government Assumption of Primary Authority



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Opt-in or opt-out state authority – Developers can choose between state or local siting, depending on which option best fits their project, political circumstances, and permitting complexity. Often, eligibility to opt into a state siting process is predicated on project size or a finding of significance by the state, typically relating to the scale of the project or its impact in multiple local jurisdictions. **Eight states** have opt-in or opt-out state authority.

23 Energy + Environmental Economics (E3), "Assessment of Renewable Energy Siting and Permitting Policies," page 23, April 11, 2024. https://www.ethree.com/wp-content/uploads/2024/04/Renewable-Siting-and-Permitting-Policies-E3-Public-Version-04.17.2024.pdf
24 Minn. Stat. § 216F.01
25 Minn. Stat. § 216E.02
26 Minn. Stat. § 216F.08
27 Minn. Stat. § 216E.05

Policy Considerations: Local siting tends to be cheapest and fastest when project developers use effective local government processes where communities are receptive to new development.[28] Providing project developers a choice to opt into a state siting process may encourage local governments to negotiate more productively than if there are no pathways to appeal local siting restrictions. However, project developers report that they opt for state siting only as a last resort, because it may create difficult political circumstances with counties in which they currently work or plan to work. A developer going to the state authority to overcome one county's siting restrictions can create hostility and skepticism from other counties in which the developer is operating or may operate.[29]

State Example: Siting authority in **California** is based on project size. Generally, authority to approve projects rests with counties. However, AB 205 in 2022 created a pathway for project developers to opt into the California Energy Commission (CEC) siting process for wind, solar, and battery storage projects of at least 50 MW or 200 MWh.[30] Opting in grants the CEC principal and preemptive authority.[31] The CEC opt-in process sets a 270-day deadline on the CEC to approve a project application permit, along with interim deadlines for public hearings and environmental impact reports. Any legal appeals must be resolved within 270 days of filing. The CEC opt-in certification process has seven projects totaling 2.8 GW and 11.2 GWh of clean energy projects under review. As of March 2025, no project has completed opt-in certification.

State Example: In **Nebraska**, both state and local governments have authority over siting, as all projects in Nebraska >10 MW are subject to review by the Nebraska Power Review Board.[32] However, if a developer certifies the project meets a set of standards (i.e., decommissioning requirements, Game and Parks Commission consultation, public notice and public comment), then the developer may opt out of the state siting requirements and pursue siting through the local government.[33]

State Example: In **Washington**, a renewable energy project developer has a choice between three permitting pathways: a local government-led process, a state-led process through Energy Facilities Site Evaluation Council (EFSEC), or a state-led Coordinated Permit Process through the Department of Ecology.[34] The EFSEC siting process can preempt local ordinances, but the Department of Ecology process cannot. The Coordinated Permit Process still requires a multi-agency review, but the Department of Ecology acts as a conductor to facilitate the permitting process across agencies.[35]

Additional States: MI, MN, NH, NY, OR

28 Lawrence Berkeley National Laboratory (LBNL), "Survey of Utility-Scale Wind and Solar Developers Report," January 2024. https://eta-publications.lbl.gov/sites/default/files/w3s_developer_survey_report_-011824_version.pdf

29 Energy + Environmental Economics (E3), "Assessment of Renewable Energy Siting and Permitting Policies," page 48, April 11, 2024. https://www.ethree.com/wp-content/uploads/2024/04/Renewable-Siting-and-Permitting-Policies-E3-Public-Version-04.17.2024.pdf

30 Cal. Public Resources Code § 25545

31 Cal. Public Resources Code § 25545.1

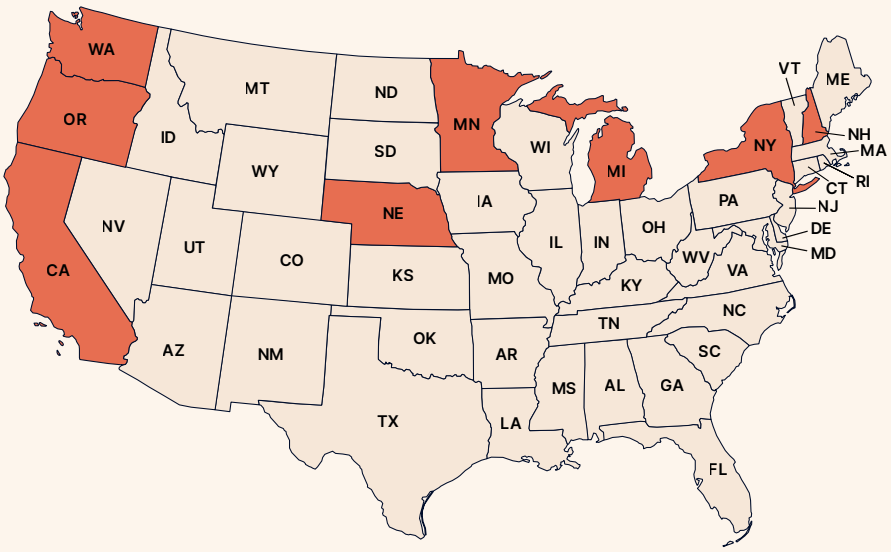
32 Neb. Rev. Stat. §§ 70-1012

33 Neb. Rev. Stat. § 70-1014.02(2)

34 Washington Department of Ecology, "Pathways for permitting clean energy projects in Washington," October 2024. https://apps.ecology.wa.gov/publications/documents/2406001.pdf

35 Washington Department of Ecology, "Clean Energy Coordinated Permit Process." https://ecology.wa.gov/regulations-permits/sepa/clean-energy/clean-energy-coordinated-permit-process

Policy Mechanism: Opt-in or Opt-out State Authority



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Backstop state authority – Project developers may appeal to the state if their project is not approved at the local level. **Three states** allow for backstop state authority.

Policy Considerations: Providing a state siting option for projects first denied locally puts local siting authorities in the driver's seat. However, backstop siting must be designed such that developers make good-faith efforts to site locally rather than encourage perfunctory, check-the-box efforts at the local level with the expectation of ultimately seeking siting review at the state level. Its usefulness as a permitting pathway may be further limited by creating an adversarial posture between the developer and local government. Providing local governments and developers with monetary incentives to site projects locally, as Michigan recently has, may encourage good-faith efforts to site projects locally.

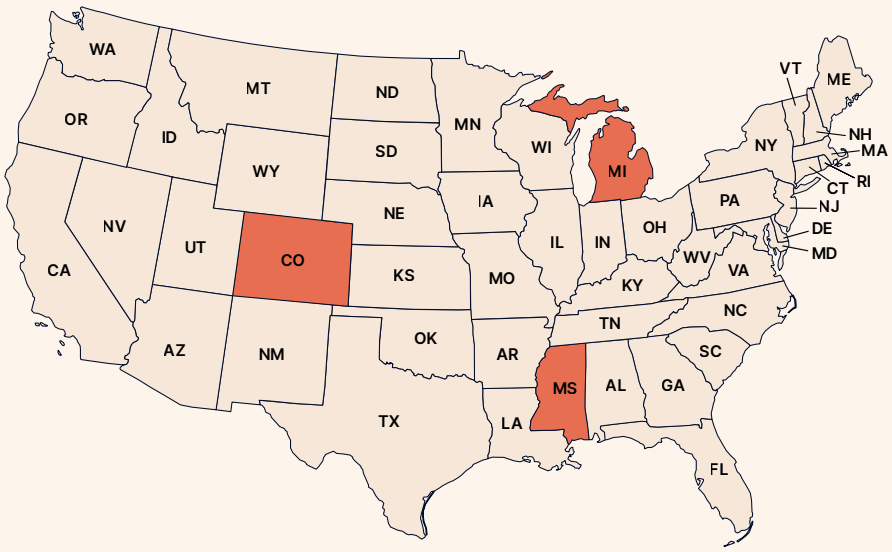
> ***State Example:*** Siting decisions in **Colorado** are made at the local level, where counties have broad authority to adopt ordinances and regulations governing the construction of renewables.[36] Public utilities may appeal local denials to the Colorado Public Utilities Commission, though utilities have not used this permitting pathway to date.[37]

> ***State Example:*** In **Mississippi**, localities have authority over land use and zoning decisions for renewable energy projects.[38] In addition, projects must receive a CPCN from the Mississippi Public Service Commission (MPSC) before beginning construction.[39] A project must receive the approvals sequentially – first, the local approval, followed by the CPCN. If a local government arbitrarily refuses to grant a permit after 90 days, then the MPSC may grant a CPCN.[40]

Additional States: MI

36 Colo. Rev. Stat. § 40-5-101(3)
37 Colo. Rev. Stat. § 29-20-108(5)(a)
38 Miss. Code Ann. § 17-1-3
39 Miss. Code Ann. § 77-3-11
40 Miss. Code Ann. § 77-3-19

Policy Mechanism: Backstop State Authority



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State authority upon request of a local government – Local governments with primary siting authority by default may request that the state conduct the siting process, either on a project-by-project basis or for all projects. **Four states** allow local governments to request state siting authority.

Policy Considerations: Providing a state siting option for local governments maintains the primacy of local government authority, while also ensuring the provision of complete and fair siting review for local governments that may lack resources or expertise. This policy approach requires the availability of a robust state siting process, even if it is rarely used.

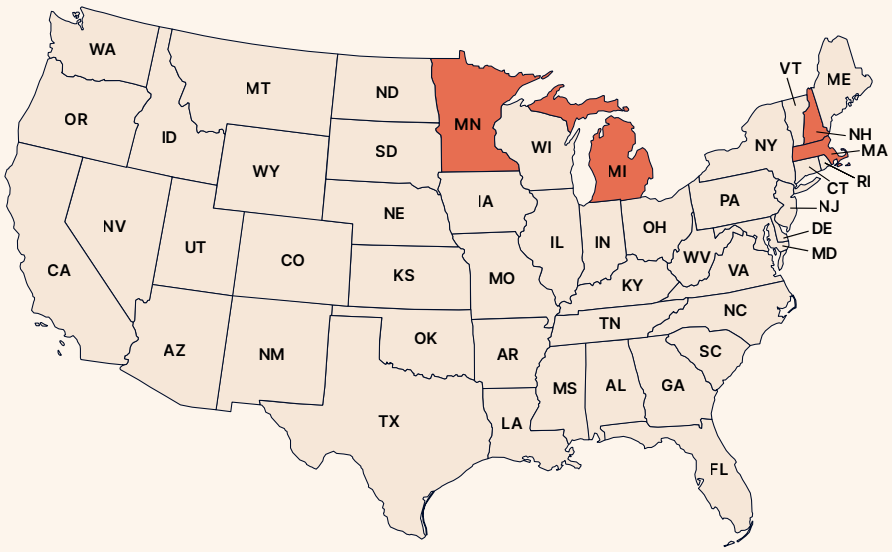
> ***State Example:*** **Massachusetts** passed siting reforms in SB 2967, in November 2024.[41] Under the law, for large projects (>25 MW or 100 MWh), a single permit will be issued by the Energy Facilities Siting Board within 15 months. For small projects (<25 MW or 100 MWh), a single permit will be issued by the municipality within 12 months. However, a municipality may request review by the EFSB if the municipality determines it does not have the resources or expertise to permit the project. The state has oversight of zoning restrictions and preemption authority for "unreasonably burdensome" zoning ordinances.[42]

Additional States: MI, MN, NH

41 An act promoting a clean energy grid, advancing equity and protecting ratepayers, SB 2967 (MA 2024) https://malegislature.gov/Bills/193/S2967

42 Mass. Gen. Laws ch. 40A § 3

Policy Mechanism: State Authority Upon Request of a Local Government



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In Law versus In Use – Several states have siting laws that are not used in practice.

- **Florida** and **South Carolina** both have state siting authority for solar projects smaller than 75 MW, but developers prefer to site projects through localities and avoid state siting. The majority of projects proposed in both states are 70 MW – 74.9 MW, and neither state has a project larger than 75 MW.
- **Nevada** and **South Dakota** have reasonableness review authority that has never been used to overturn local siting restrictions.
- **Colorado** has a backstop siting authority enabling developers to appeal local permit denials to the PUC that has never been exercised.
- **Indiana** has a grant program to incentivize adoption of voluntary siting standards, but the legislature has not appropriated funding nor have alternative sources of funding materialized.

State Guardrails on Local Siting

State Siting
Local Siting
State Guardrails

Some state legislatures establish "guardrails" for siting by directly promulgating—or requiring an executive branch to conduct rulemaking to promulgate—specific siting criteria that local governments must adhere to when making siting decisions. This policy approach delegates permitting decisions to local governments subject to state standards. For some or all projects, "guardrails" limit the type and/or degree of discretion afforded to local siting authorities.

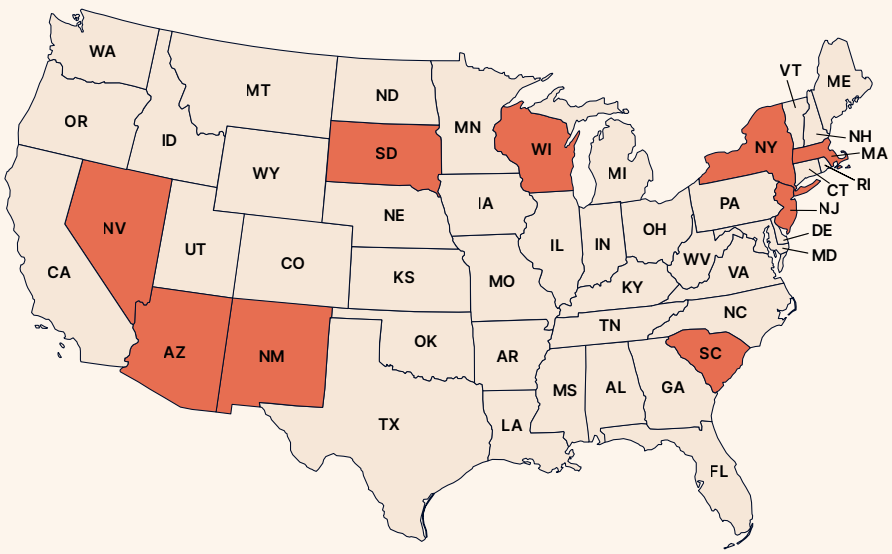
Reasonableness review – The legislature requires that local siting regulations be within reason. The precise language varies between states. Generally, however, local government restrictions are limited to those regulations which serve a compelling public safety benefit. These reasonableness standards are typically enforced by the courts or a public utility commission. In some states, reasonableness review only applies to those projects which qualify for contingent state authority. **Nine states** allow for reasonableness review.

Policy Considerations: Reasonableness review has the benefit of minimizing the role of the legislature in defining precise siting standards or state agencies adjudicating contentious siting battles where compliance relies on judicial review. However, this policy approach has the downside of first requiring developers to challenge siting restrictions in court or at the state siting authority, at financial and reputational cost. State or judicial rulings on these challenges create precedent to define precisely what are or are not reasonable restrictions. These challenges and related appeals can take years to fully resolve, potentially critically delaying projects. Several states have reasonableness requirements that apply only to those projects eligible for state siting.

> ***State Examples:*** Legislatures in **Wisconsin**,[43] **Nevada**,[44] and **Massachusetts**[45] have enacted limitations on county siting restrictions to only those that are "reasonable." In Wisconsin, the Public Services Commission arbitrates appeals of unreasonable restrictions on wind projects sited at the county level (those under 100 MW).[46] In Nevada, the Governor's Office of Energy hears appeals for solar.[47] In Massachusetts, appeals are made to the courts.

Additional States: AZ, NJ, NM, NY, SC, SD

Policy Mechanism: Reasonableness Review



Siting Solutions Project

43 WIS. STAT. § 66.0401(1m) [...] No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy [...] or use of a solar energy system [...] unless the restriction satisfies one of the following conditions: (a) Serves to preserve or protect the public health or safety. (b) Does not significantly increase the cost of the system or significantly decrease its efficiency. (c) Allows for an alternative system of comparable cost and efficiency.

44 NRS 278.02077(a) A governing body shall not adopt an ordinance, regulation or plan or take any other action that prohibits or unreasonably restricts the owner of real property from using a system for obtaining wind energy on his or her property. [...] NRS 278.0208(1) A governing body shall not [...] unreasonably restricts [...] solar energy on his or her property.

45 Mass. Gen. Laws ch. 40A, § 3 No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

46 WI Stat § 66.0401(5)(a)

47 NRS 701.180(6)

State standards – The state provides explicit, substantive, and uniform siting standards as either a "ceiling" or a "floor," typically allowing local governments to set their own more permissive or more restrictive standards, accordingly. A state standards "ceiling" may establish maximum setback distances, minimum height limits, and minimum noise requirements that local governments must incorporate into zoning ordinances. A state standards "floor" works in the opposite direction and may establish minimum setback distances and maximum noise requirements, for example. **Eight states** have adopted state siting standards.

Policy Considerations: Statewide siting standards, established as a ceiling, are among the most definitive and effective policies for predictable, uniform, and impartial clean energy siting. However, uniform standards mean state and local governments have limited opportunities to shape siting requirements to reflect individual project circumstances. Typically, local government compliance requires adopting compatible ordinances or reforming their siting guidelines. Doing so takes time and resources, and local governments may find it challenging to enact compatible reforms on short compliance timelines. Enforcement can be difficult, and state standards can hinder projects statewide if they are too restrictive.[48]

> ***State Example:*** In 2023, **Illinois** passed HB 4412, creating state standards for all utility-scale wind and solar projects.[49] It prohibits banning solar development on agricultural or industrial zoned lands and directs counties to incorporate the siting standards into existing zoning ordinances or to promulgate new ordinances. The law also provides a "ceiling" on several requirements, including minimum height limitations, maximum setbacks, maximum shadow flicker, etc.

> ***State Example:*** In 2009, the **Wisconsin** legislature passed Act 40, providing the Public Service Commission with siting authority over wind projects larger than 100 MW and directing the PSC to develop siting standards for wind projects.[50] Solar projects larger than 100 MW are also covered under the state's authority. Local governments have authority for projects <100 MW, but they are prohibited from using more restrictive standards than the PSC's regulations, and any local restrictions must pass a reasonableness test. To do so, a local restriction must protect public health and safety, cannot increase costs, or must allow for comparable alternatives. The PSC's regulations, which constitute a "ceiling" similar to that of Illinois, govern noise, shadow flicker, tip heights, setbacks, and more.[51]

> ***State Example:*** In **Wyoming**, the state has established a "floor" for state standards. To site a wind or solar project, local governments must have an ordinance which includes setbacks greater than, or equal to, those distances specified in state law.[52]

Additional States:

MI and VT have ceilings for state standards.

ND, OK, and TN set floors for state standards.

48 Energy + Environmental Economics (E3), "Assessment of Renewable Energy Siting and Permitting Policies," page 49, April 11, 2024. https://www.ethree.com/wp-content/uploads/2024/04/Renewable-Siting-and-Permitting-Policies-E3-Public-Version-04.17.2024.pdf

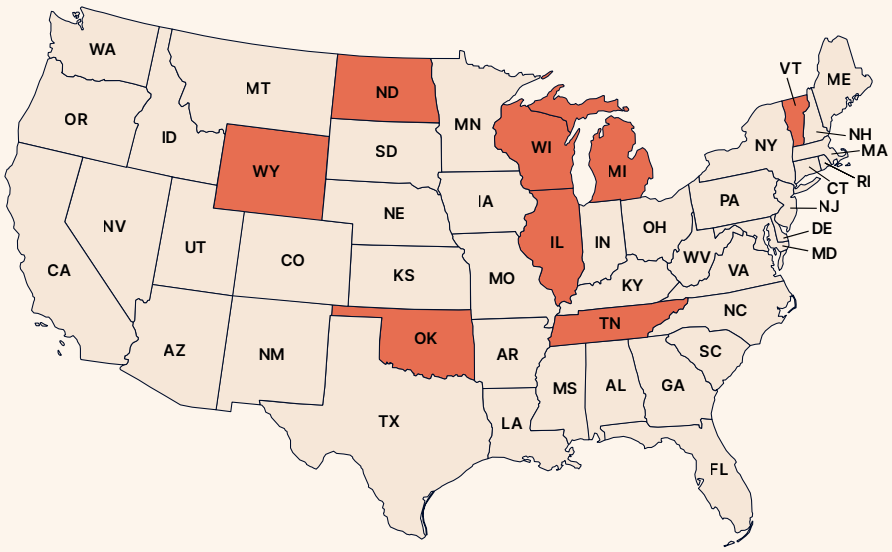
49 Public Act 102-1123 of 2023 (55 ILCS § 5/5-12020(b) https://www.ilga.gov/legislation/publicacts/102/PDF/102-1123.pdf

50 Wisconsin Act 40 2009 Senate Bill 185 https://psc.wi.gov/SiteAssets/09Act40.pdf

51 Wis. Stat. § 196.378(4) (g)(b) authorizing the PSC to write rules on local restrictions. https://psc.wi.gov/Pages/ServiceType/Energy/Renewables/WindSitingRules.aspx

52 Wyo. Stat. § 18-5- 503(a)(iv)

Policy Mechanism: State Standards



Siting Solutions Project

Compliance-based local authority - Local governments must adhere to state-specified siting standards if they wish to retain primary siting authority. Otherwise, the project is sited at the state level. **One state** has compliance-based local authority.

Policy Considerations: This policy approach passed the Michigan legislature in November 2023 and went into effect in November 2024. The new law provides incentives for local governments siting projects locally using the compliant standards, which may serve as a national model across all policy approaches where local siting is optional or discretional. Local governments are challenging the law in court, so its practical applications remain unclear.

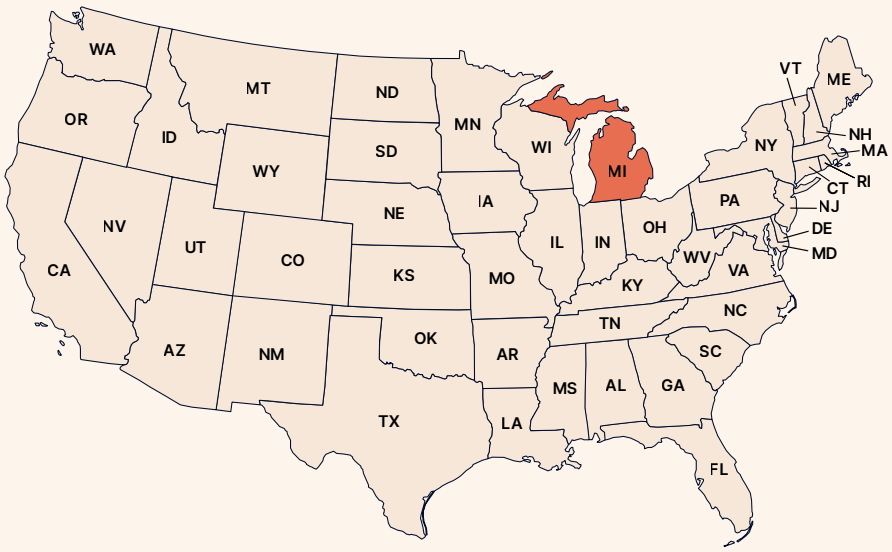
> ***State Example:*** **Michigan's** 2023 law (HB 5120) pioneered a compliance-based county siting authority method. The law precludes localities from outright banning renewable energy projects within their boundaries.[53] It aims to create siting authority options for both localities and developers. Under the law, local governments may retain control over permitting large projects if they adopt a renewable energy ordinance no more restrictive than siting standards included in the law. Through the Renewable-Ready Communities program, local governments receive increased financial compensation for creating a compatible ordinance and participating in local permitting, which pays $5,000 per MW for communities to host and permit large-scale solar and wind facilities instead of $2,000 per MW if they host the project but opt for state permitting.[54] Developers can request the state siting process if the host community's local rules are not in line with state standards or if it denies the project. Alternatively, developers may work with the community to site the project locally by co-developing a "workable" ordinance (an ordinance that strays from the state's guidance but that clean energy developers nonetheless find it appropriate for their projects).

Additional States: None

53 An act to amend 2008 PA 295 (also referred to as Michigan Public Act 223) (MI 2023). https://www.legislature.mi.gov/documents/2023-2024/publicact/pdf/2023-PA-0233.pdf

54 Renewables Ready Communities Award. Michigan Department of Environment, Great Lakes, and Energy. https://www.michigan.gov/egle/about/organization/materials-management/energy/rfps-loans/renewables-ready-communities-award

Policy Mechanism: Compliance-Based Local Authority



Siting Solutions Project

Exclusionary and inclusionary zoning – The state requires local governments to allow certain types of projects to be eligible in certain zoned areas or, alternatively, prohibit project development in certain areas, such as on prime farmland. **Eight states** have some form of exclusionary or inclusionary zoning.

Policy Considerations: This policy approach can create permitting predictability for project developers operating in several jurisdictions, but at the cost of local discretion for land types covered by the prohibitions on exclusive zoning. In contrast, many counties and some states implement the opposite policy (i.e., blanket prohibitions or restrictions on siting certain energy projects on specific land use types), which limit local discretion and makes siting more difficult.[55]

State Example: A 2021 **Florida** law (SB 896) prevents local governments from unduly restricting solar on agricultural land.[56]

State Example: The 2023 **Illinois** law (HB 4412), in addition to creating broad statewide standards, explicitly preempts county siting restrictions on agricultural and industrial lands.[57]

State Example: A 2023 **Rhode Island** law prohibits renewable energy projects located in core forests ("unfragmented forest blocks of single or multiple parcels totaling two hundred fifty (250) acres or greater unbroken by development and at least twenty-five (25) yards from mapped roads") from receiving benefits through the state's net metering and Renewable Energy Growth incentive programs.[58]

55 Matthew Eisenson, "Overcoming Unreasonably Burdensome Restrictions on the Use of Farmland for Solar Generation," Pages 38 & 39, December 15, 2023, last updated July 10, 2024, forthcoming, Case Western Reserve Law Review. https://ssrn.com/abstract=4666386

56 "(3) A solar facility shall be a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area and must comply with the setback and landscaped buffer area criteria for other similar uses in the agricultural district. (4) A county may adopt an ordinance specifying buffer and landscaping requirements for solar facilities. Such requirements may not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in agricultural land use categories and zoning districts." http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.3205.html

57 (h) A county may not adopt zoning regulations that disallow, permanently or temporarily, commercial wind energy facilities or commercial solar energy facilities from being developed or operated in any district zoned to allow agricultural or industrial uses. https://www.ilga.gov/legislation/publicacts/102/PDF/102-1123.pdf

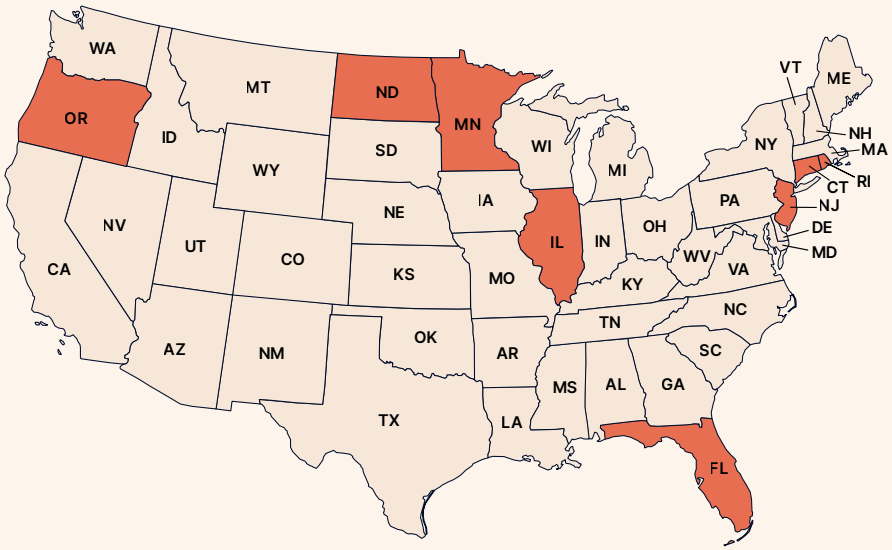
58 Rhode Island Department of Environmental Management, "'Core Forest'" Determinations for Renewable Energy Developments," no date. https://dem.ri.gov/sites/g/files/xkgbur861/files/2024-04/core-forest-guidance_0.pdf

Additional States:

Permissive: NJ, ND[59]

Restrictive: CT,[60,61] MN,[62] OR

Policy Mechanism: Exclusionary and Inclusionary Zoning



Siting Solutions Project

Fair share thresholds – The state mandates or encourages a "fair" state-wide distribution of clean energy development. Under this approach, local governments have limited authority over siting until a certain threshold of land, determined by the state, is used for clean energy, at which point local governments are afforded greater discretion and/or certain projects are prohibited. **Two states** have fair share thresholds.

Policy Considerations: Determining what is "fair" is enormously difficult, both technically and procedurally. Land suitable for siting energy projects is not uniformly distributed across local governments. Considerations include who should make the determination; how to account for existing energy infrastructure; whether trading fair share "credits" should be allowed; and how to balance fairness between urban and rural areas, among other things.

> ***State Example:*** In **Michigan**, when reviewing siting applications, the state may consider "the impact of the proposed facility on local land use, including the percentage of land within the local unit of government dedicated to energy generation."[63] Presumably, the state will give greater siting deference to localities when cumulative project development is high and be more willing to preempt local authority when total development is low.

59 North Dakota Public Service Commission, "Information by Jurisdiction: Siting Information," accessed March 10, 2025. https://psc.nd.gov/public/consinfo/jurisdictionsiting.php

60 Connecticut Department of Agriculture, "Guidance for Siting Solar on Agricultural Land," draft, August 2023. https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Client-Concierge/DRAFT-Guidance-for-Siting-Solar-on-Agricultural-Land.pdf

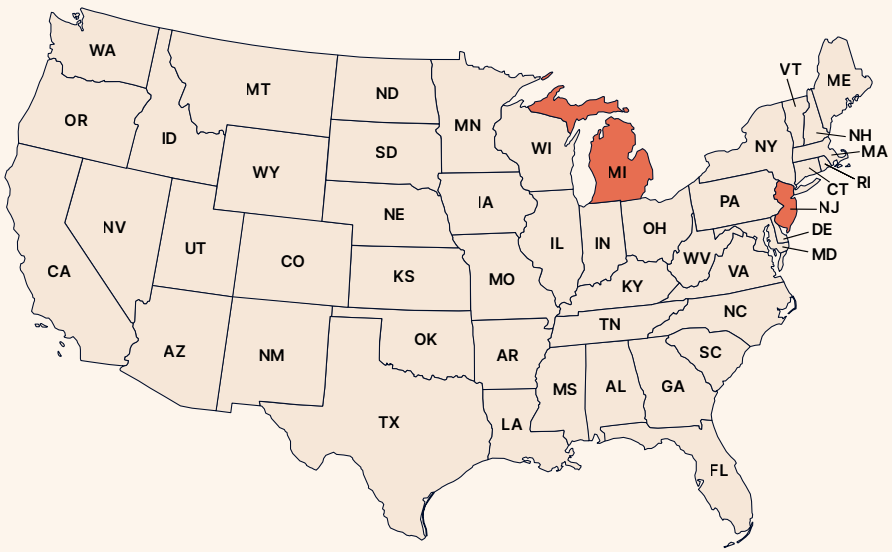
61 Connecticut Department of Agriculture, "Guidance for Siting Solar on Agricultural Land," draft, August 2023. https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Client-Concierge/DRAFT-Guidance-for-Siting-Solar-on-Agricultural-Land.pdf

62 Minnesota Commerce Department, "Solar Energy Production and Prime Farmland - Guidance for Evaluating Prudent and Feasible Alternatives," May 19, 2020. https://mn.gov/eera/web/doc/13929

63 Michigan Public Act No. 233, Section 266 (6), https://www.legislature.mi.gov/documents/2023-2024/publicact/htm/2023-PA-0233.htm

State Example: In **New Jersey**, solar is sited at the state level, and its total deployment on prime farmland is restricted after 5% of the county and 2.5% of state prime soils are covered.[64] Exceeding these limits may occur through a regulatory proceeding and variance process.

Policy Mechanism: Fair Share Thresholds



Siting Solutions Project

Predominantly Local Siting

State Siting
Local Siting
State Guardrails

Some states grant local governments exclusive authority over siting and permitting clean energy projects.

Local authority – Certain projects offer no state siting options, and local governments have sole siting authority. **13 states** have local authority.

Policy Considerations: In local jurisdictions that are amenable to project development, clean energy project developers tend to find that local government processes are faster and more efficient than state processes.[65] But the lack of recourse for projects that local governments arbitrarily deny may jeopardize orderly achievement of state policy goals and create a difficult investment environment. Some states have many local permitting jurisdictions, each with distinct regulations and permitting processes, creating enormous regulatory complexity for project developers. Others have more than 1,000 local siting jurisdictions, each with some authority. Pennsylvania alone has 67 counties and more than 2,500 municipalities with jurisdiction over clean energy siting.[66]

State Example: In **Montana**, Siting decisions for wind and solar facilities are made at the local level. Localities have authority to site projects through county boards and there are no statutes in place specific to renewable energy. Wind facilities may need certain state environmental permits from the Montana Department of Environmental Quality.[67]

64 New Jersey Board of Public Utilities, "Order Launching the CSI Program," Docket Number QO21101186, December 7, 2022. https://njcleanenergy.com/files/file/BPU/2022/12-7-22-8C.pdf

65 Energy + Environmental Economics (E3), "Assessment of Renewable Energy Siting and Permitting Policies," April 11, 2024. https://www.ethree.com/wp-content/uploads/2024/04/Renewable-Siting-and-Permitting-Policies-E3-Public-Version-04.17.2024.pdf

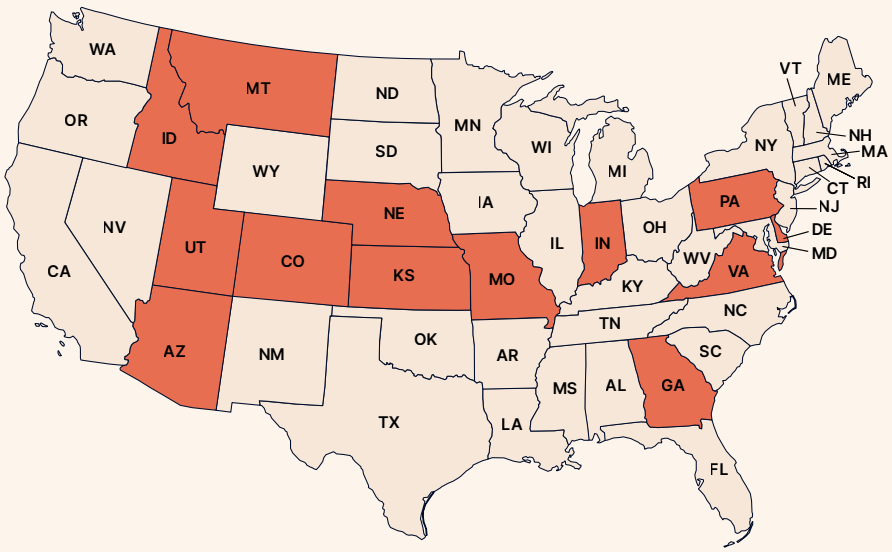
66 Commonwealth of Pennsylvania, "Solar Developer Resources," accessed: March 10, 2025. https://www.pa.gov/agencies/dep/residents/solar-energy-resource-hub/developers.html

67 Mont. Code Ann. § 76-2-201 et seq.; § 76-2-301

State Example: In **Indiana**, local governments have broad authority to site clean energy projects.[68] Indiana has established voluntary baseline standards and a grant program to incentivize counties to seek certification as "solar energy ready communities" and "wind energy ready communities."[69] However, the program was never funded. Otherwise, the state has no role in siting or permitting projects.

Additional States: AZ, CO, DE, GA, ID, KS, MO, NE, PA, UT, VA

Policy Mechanism: Local Authority



Siting Solutions Project

Equipping Local Governments for Local Siting – When local governments have siting jurisdiction over clean energy projects, state lawmakers can provide financial, technical, and other support to local decision-makers. For example, states may consider:

- Providing technical assistance via state agencies, regulators, universities, or other sources.
- Providing funding for local governments to conduct planning studies, revise ordinances, or conduct permit reviews.
- Creating model ordinances and providing incentives for their adoption.

Contingent local authority – Specific types of projects (typically, ones smaller in size) are subject to local government authority. This is the opposite of contingent state authority. **12 states** have contingent local authority.

Policy Considerations: Having certain projects sited by local governments can help distribute the administrative burden between state and local siting authorities and reserve siting decisions on complex projects for state authorities, which have relatively greater technical expertise and resources.

68 Ind. Code § 36-7-2-8
69 I.C. § 8-1-41-4, § 8-1-42-6

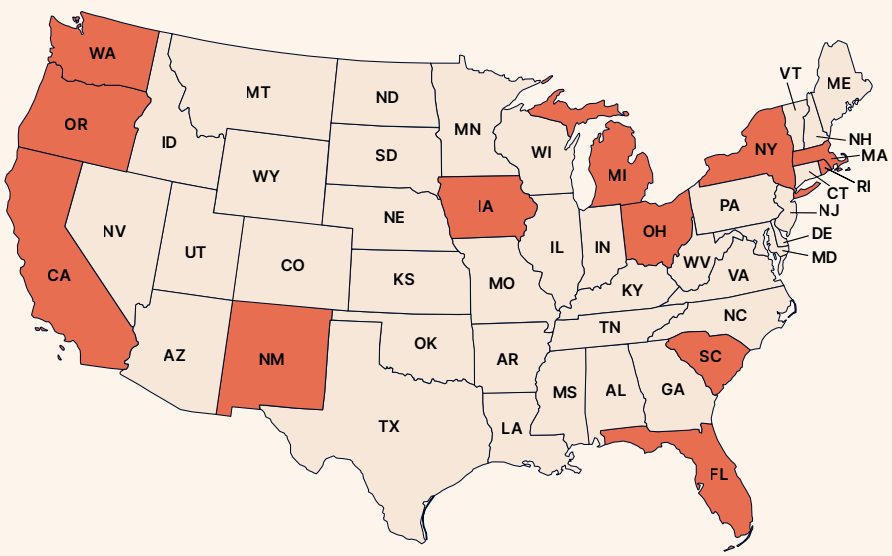
State Example: In **New York**, the Office of Renewable Energy Siting and Electric Transmission (ORES) has exclusive siting authority for major solar and wind projects >25 MW.[70] Municipalities have authority over siting smaller energy facilities. Developers of renewable energy projects of 20 MW – 25 MW may opt into the ORES process.[71] Local governments may also adopt setbacks and other requirements for major energy facilities of at least 25 MW. Prior to issuing a final siting permit for a major renewable energy facility, ORES must find that the proposed project complies with applicable local laws and regulations, except those determined by ORES to be unreasonably burdensome.[72] ORES has adopted uniform permit standards and conditions for all projects under its siting process.[73]

Additional States:

Typically local authority: CA, FL, IA, MA, MI, NM, OH, OR, RI, SC, WA

Typically state authority: MN, NV, NH, NJ, ND, SD, WI, WY

Policy Mechanism: Contingent Local Authority



Siting Solutions Project

Dillon Rule vs. Home Rule States – Nationally, states differ on the amount of autonomy granted to local governments in state constitutions or via statute.[74]

- In **Dillon Rule** states, local governments can only exercise authorities expressly granted by the state. For example, in Dillon Rule states, local governments do not have authority to adopt zoning ordinances unless the state legislature gives them the ability to do so.
- In **Home Rule** states, local governments are granted autonomy in the constitution or via statute to allocate powers within their borders, such as adopting laws or ordinances.

70 N.Y. Executive Law § 94-c(2)(h)
71 N.Y. Executive Law § 94-c(4)(g)
72 N.Y. Executive Law § 94-c(5)(e)
73 19 N.Y.C.R.R. § 900-1.1 to 900-15.2
74 Travis Moore, Nevada Legislative Research Office, "Dillon Rule and Home Rule: Principles of Local Governance," February 2020. https://nebraskalegislature.gov/pdf/reports/research/snapshot_localgov_2020.pdf

Minimal Siting Regulations

State Siting
Local Siting
State Guardrails

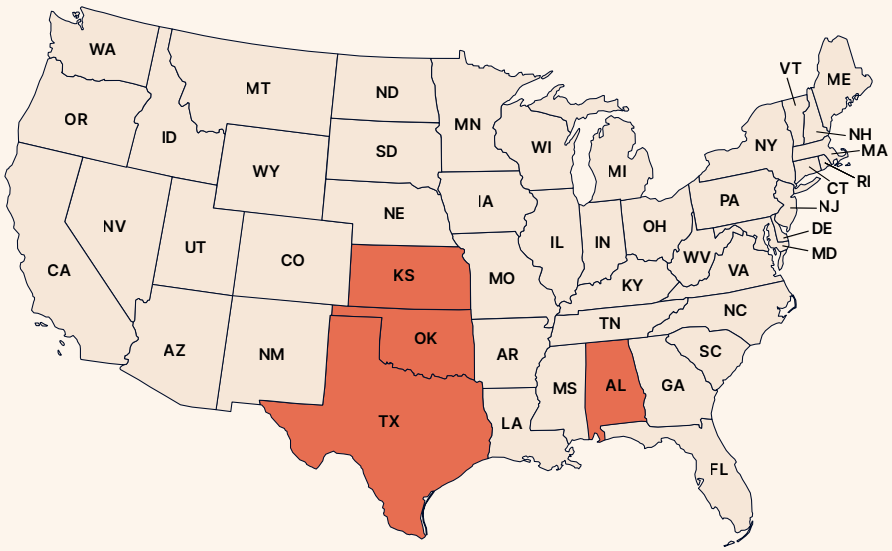
In some states, local governments generally do not, or cannot, zone land within their borders, so landowners have almost complete control over new project development. **Four states** have minimal zoning regulations.

Policy Considerations: The absence of explicit siting processes and permit obligations can empower landowners to use their land as they see fit with limited regulatory intervention by government officials, creating a pro-investment environment. The absence of siting restrictions may result in project design and placement that neighbors may find irksome and yet have no official recourse to prevent.

> ***State Example:*** **Texas** is the only state in the nation that prohibits unincorporated areas (i.e., counties) from zoning, though townships have extensive land use authorities if they choose to invoke them.[75] Wind and solar built in unincorporated areas in Texas need no siting approvals at any level of government. Texas leads the nation in installed renewable energy capacity.[76]
>
> ***State Example:*** In **Kansas**, local governments have authority over siting and zoning renewable energy projects.[77] However, a majority of counties in Kansas remain unzoned, so those counties require agreements for development, road use, and decommissioning. These agreements function like permits.
>
> ***State Example:*** **Oklahoma** restricts counties from exercising zoning authority, based on population size.[78] The Oklahoma Corporation Commission (OCC) has the authority to conduct rulemakings for wind project siting under the Wind Energy Development Act of 2015. The OCC has established minimum setbacks requiring that wind facilities be located more than 1,500 ft from schools, hospitals, and public-use airports.

Additional States: AL

Policy Mechanism: Minimal Siting Regulations



Siting Solutions Project

75 Ben Stool, Dallas County District Attorney's Office, "Authority of Texas Counties Over Land Use," April 2019. https://utcle.org/ecourses/OC7671/get-asset-file/asset_id/46341

76 American Clean Power (ACP), "Snapshot of Clean Power in 2024," March 4, 2025. https://cleanpower.org/wp-content/uploads/gateway/2025/03/ACP_SnapshotofCleanPowerin2024_Report_250304.pdf

77 Kan. Stat. Ann. § 12-741(a)

78 National Association of Counties, "Oklahoma: County Government Overview," January 2022. "https://www.naco.org/sites/default/files/event_attachments/DRAFT_Oklahoma_012022.pdf

Conclusion

The landscape of renewable energy siting across the United States is complex and varied, with no single approach emerging as a universal solution. As this report demonstrates, states have developed a wide array of policy frameworks to address the growing need for efficient, fair, and effective siting processes for clean energy projects.

Our analysis identified several key trends across the continental United States:

1. **Policy diversity reflects local context:** Each state's unique political, economic, environmental, and social conditions have shaped distinctive approaches to siting. What works in Texas may not be appropriate for Vermont, highlighting the importance of tailoring siting policies to local circumstances.
2. **Balancing priorities is essential:** The most effective siting frameworks balance competing priorities: expedient development, local autonomy, environmental protection, community benefits, and grid reliability. As states reform siting policies they must continuously grapple with balancing these considerations.
3. **Reform momentum is building:** The urgency of meeting increasing electricity demand is driving policy innovation. In 2025 alone, at least 31 states have introduced major reforms to these processes, with more likely to follow.
4. **Implementation matters:** Several states have siting laws that remain unused in practice, demonstrating that how policies are implemented can be as important as how they are designed. The most successful frameworks provide clear guidance, adequate resources, and appropriate incentives to all stakeholders.

Importantly, reforms to siting policy are typically accompanied by permitting, economic, and other process-based reforms. In future publications, the Siting Solutions Project will tackle the following topics, as well as others that bear on successful siting policy:

- Decommissioning and financial security requirements
- The distribution of economic benefits to host communities
- Site level design provisions, such as setbacks, buffers, and fencing
- Environmental permitting and mitigation hierarchies, and
- Public notice and hearing requirements

There is no one-size-fits-all policy for clean energy siting, but there are clear principles that effective policies share: they are transparent, predictable, and fair; they respect local concerns while preventing arbitrary restrictions; and they create pathways for responsibly designed projects to advance efficiently. By learning from the diverse approaches detailed in this report, policymakers can craft siting frameworks that will help America meet its energy needs while building a cleaner, more resilient grid.

Appendix A

Table A1. Siting Policy Frameworks by State

	State Government Siting				
		Local Government Siting			
			State Guardrails		
State	**Predominantly State Siting**	**State / Local Siting Hybrid**	**State Guardrails on Local Siting**	**Predominantly Local Siting**	**Minimal Siting Regulations**
Alabama					Minimal siting regulations
Arizona			Reasonableness review	Local authority	
Arkansas		State AND local permitting (Regulatory Commission)			
California		Opt-in/opt-out state authority (Executive Agency)		Contingent local authority	
Colorado		Backstop state authority (Regulatory Commission)		Local authority	
Connecticut	State authority (State Siting Board)		Exclusionary/ inclusionary zoning		
Delaware				Local authority	
Florida			Exclusionary/ inclusionary zoning	Contingent local authority	
Georgia				Local authority	
Idaho				Local authority	
Illinois			State standards Exclusionary/ inclusionary zoning		
Indiana				Local authority	
Iowa		State AND local permitting (Regulatory Commission)		Contingent local authority	
Kansas				Local authority	Minimal siting regulations
Kentucky		State AND local permitting (State Siting Board)			
Louisiana		State AND local permitting (Executive Agency)			
Maine		State AND local permitting (Executive Agency)			
Maryland	State authority (Regulatory Commission)				

	State Government Siting				
		Local Government Siting			
			State Guardrails		
State	**Predominantly State Siting**	**State / Local Siting Hybrid**	**State Guardrails on Local Siting**	**Predominantly Local Siting**	**Minimal Siting Regulations**
Massachusetts		State siting upon locality request State Siting Board	Reasonableness review	Contingent local authority	
Michigan		Backstop state siting Opt-in/opt-out state authority State authority upon locality request (Regulatory Commission)	State standards Compliance-based local authority Fair share thresholds	Contingent local authority	
Minnesota	Contingent state authority (Regulatory Commission)	Local government assumption of authority Opt-in/Opt-out state authority State authority upon locality request (Regulatory Commission)	Exclusionary/ inclusionary zoning		
Mississippi		State AND local permitting Backstop state siting (Regulatory Commission)			
Missouri				Local authority	
Montana				Local authority	
Nebraska		Opt-in/Opt-out state authority (State Siting Board)		Local authority	
Nevada	Contingent state authority (Regulatory Commission)		Reasonableness review		
New Hampshire	Contingent state authority (State Siting Board)	Opt-in/Opt-out state authority State siting upon locality request (State Siting Board)			
New Jersey	(Executive Agency)	Exclusionary/ inclusionary zoning (Executive Agency)	Reasonableness review Fair share thresholds		
New Mexico			Reasonableness review	Contingent local authority	
New York		Opt-in/Opt-out state authority (Executive Agency)	Reasonableness review	Contingent local authority	
North Carolina		State AND local permitting (Executive Agency)			
North Dakota	Contingent state authority (Regulatory Commission)	State AND local permitting Exclusionary/ inclusionary zoning (Regulatory Commission)			

	State Government Siting				
		Local Government Siting			
			State Guardrails		
State	**Predominantly State Siting**	**State / Local Siting Hybrid**	**State Guardrails on Local Siting**	**Predominantly Local Siting**	**Minimal Siting Regulations**
Ohio		State AND local permitting (State Siting Board)		Contingent local authority	
Oklahoma			State standards		Minimal siting regulations
Oregon		Opt-in/Opt-out state authority Exclusionary/ inclusionary zoning (State Siting Board)		Contingent local authority	
Pennsylvania				Local authority	
Rhode Island		State AND local permitting Exclusionary/ inclusionary zoning (State Siting Board)		Contingent local authority	
South Carolina			Reasonableness review	Contingent local authority	
South Dakota	Contingent state authority (Regulatory Commission)	State AND local permitting (Regulatory Commission)	Reasonableness review		
Tennessee		State AND local permitting (Regulatory Commission)	State standards		
Texas					Minimal siting regulations
Utah				Local authority	
Vermont	State Authority (Regulatory Commission)		State standards		
Virginia		State AND local permitting (Regulatory Commission)		Local authority	
Washington		State AND local permitting Opt-in/Opt-out state authority (State Siting Board or Executive Agency)		Contingent local authority	
West Virginia	State authority				
Wisconsin	Contingent state authority (Regulatory Commission)	Local government assumption of authority (Regulatory Commission)	Reasonableness review State standards		
Wyoming	Contingent state authority (Executive Agency)	State AND local permitting (Executive Agency)	State standards		