

# INSIGHT REPORT SUMMARY

# State Policy Approaches to Renewable Energy Siting

# May 2025

## Demand and Restrictive Local Permitting Drive Policy Change

Electricity demand in the US is surging to its fastest pace in decades, driven by the rise of AI, increased industrial manufacturing, and widespread electrification. But wind, solar, and battery additions are not keeping pace, lagging at just half the rate of annual deployment needed. One cause of slower annual additions, as reported by renewable energy developers, is project cancellations driven by restrictive local permitting.

In response, [states are reforming](#) their energy siting policies, either by allowing responsibly sited projects to advance more expeditiously, or by further restricting renewable energy development. Bills on both ends of the spectrum are [a frequent topic of debate](#) in state legislatures, with more than 300 bills introduced across 40 states in 2025 alone. 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.

## Making Sense of Siting Policies

Our full [Insight Report](#) summarizes each of the 15 renewable energy siting policy mechanisms used across the continental United States as of April 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 policy framework.

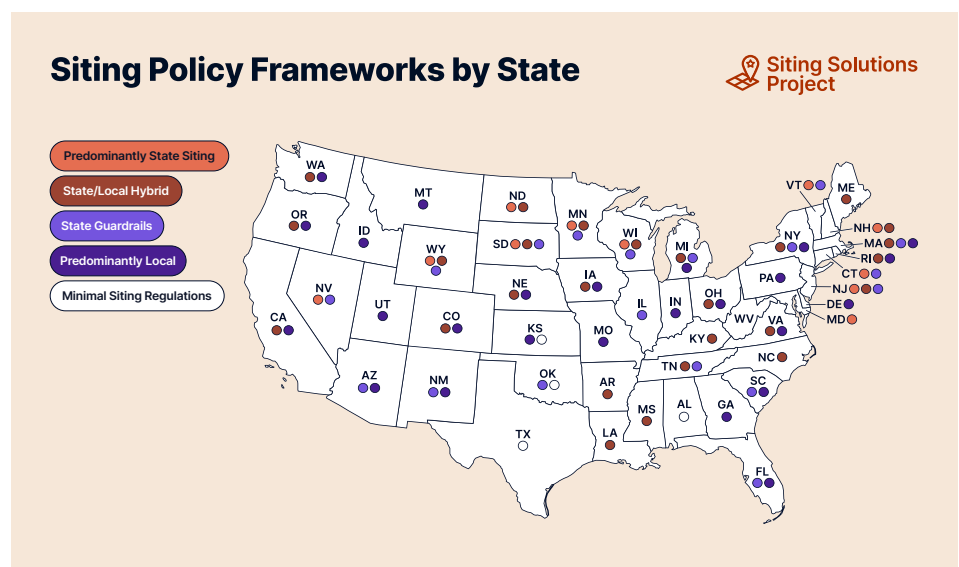
The map below shows each state’s policy framework(s)—most states use a combination of policy approaches—and the following table provides additional detail. Each of these policy mechanisms is explained in the report with one or more examples from specific states. We provide references to relevant laws for example states but exclude most statute references for brevity.

The table on the following page describes the various policy frameworks and sorts states into each framework, while Appendix A of the report lists all the continental U.S. states and their corresponding policy frameworks.

Learn more about the Siting  
Solutions Project here:

<https://cleantomorrow.org/policies/siting/>

If you would like more information, or if there is anything we have missed, please reach out to [siting@cleantomorrow.org](mailto:siting@cleantomorrow.org).



|                         |                  |   |
|-------------------------|------------------|---|
| STATE GOVERNMENT SITING |                  | <p><b>Predominantly State Siting</b></p> <p>Typically predicated on project size, above which the state has absolute authority to site projects.</p> <ul style="list-style-type: none"> <li>• <b>State authority</b> (CT, MD, VT, WV): All projects, no matter their specific design, are sited at the state level.</li> <li>• <b>Contingent state authority:</b> 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).</li> </ul>  |
|                         |                  | <p><b>State / Local Siting Hybrid</b></p> <p>State law provides state and/or local siting upon discretion or actions of the developer, state government, or local government.</p> <ul style="list-style-type: none"> <li>• <b>State and local permitting authority</b> (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.</li> <li>• <b>Local government assumption of primary authority</b> (MN, WI): Local governments may elect to retain primary permitting authority for certain projects.</li> <li>• <b>Opt-in and opt-out state authority</b> (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.</li> <li>• <b>Backstop state authority</b> (CO, MI, MS): Developers are required to first try to permit projects at the local level before seeking a state siting permit.</li> <li>• <b>State authority upon request of a local government</b> (MA, MI, MN, NH): Local governments may request that the state conduct the siting review.</li> </ul>   |
| LOCAL GOVERNMENT SITING | STATE GUARDRAILS | <p><b>State Guardrails on Local Siting</b></p> <p>Local governments retain principal authority to site clean energy projects, subject to restrictions enacted by the state legislature.</p> <ul style="list-style-type: none"> <li>• <b>Reasonableness review</b> (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.</li> <li>• <b>State standards</b> (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.</li> <li>• <b>Compliance-based local authority</b> (MI): Local siting authority is predicated on compliance with state standards.</li> <li>• <b>Exclusionary and inclusionary zoning</b> (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.</li> <li>• <b>Fair share thresholds</b> (MI, NJ): States prohibit local governments from unduly restricting clean energy until they reach a prescribed threshold.</li> </ul> |
|                         |                  | <p><b>Predominantly Local Siting</b></p> <p>State law grants exclusive siting authority to localities.</p> <ul style="list-style-type: none"> <li>• <b>Local authority</b> (AZ, CO, DE, GA, ID, IN for W, KS, MO, MT, NE, PA, UT, VA): Local governments make all permitting decisions.</li> <li>• <b>Contingent local authority:</b> 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).</li> </ul>  |
|                         |                  | <p><b>Minimal Siting Regulations</b></p> <p>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).</p>  |

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