



MERCATUS CENTER
George Mason University

POLICY SPOTLIGHT

Streamlining Housing Permitting in New York

Helping New York housing supply meet demand

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Building housing in New York is more difficult than in almost any other state. As a result, the Empire State's population has flatlined, and it risks losing economic dynamism and political power. What is unique to New York is the uncertainty and sluggishness behind the process of getting new housing projects approved.

To undertake the research presented in this spotlight, we interviewed 24 people who each offered a unique, expert perspective on approval processes.¹ Most of them directly participate in permitting, as either applicants or officials. These interviewees were from both large and small communities and from the public and private sectors. Since New York City's land use approval process is unique in the state, our research excludes that locality.

We offer four categories of reforms that would make New York's project approvals faster and more predictable:

1. Narrowing the focus of planning and zoning boards

- **Create administrative minor subdivisions and site plan reviews.** In many other states, small-scale subdivisions and site plans can be reviewed administratively by planning boards.
- **Allow administrative modifications for minor variances.**
- **Encourage municipalities to merge zoning and planning boards.**

2. Reducing delays from higher government reviews

- **Empower a development ombudsperson within the New York State Department of Transportation (NYSDOT).**
- **Eliminate NYSDOT review for some applications.** Exempt projects that do not involve work within the state highway right-of-way, meaning work on land reserved for the highway.
- **Require prompt turnaround of NYSDOT review.**

¹ See Silvia Del Fava and Salim Furth, "How to Streamline Housing Permitting in New York" (Mercatus Center Policy Brief, Mercatus Center at George Mason University, July 2026). Scan the QR code at the bottom of the next page for the full analysis, including sources.

- **Narrow and speed county review.** Variances, special permits, and small projects (perhaps those smaller than four acres of land) should be exempted from county review.
- **Eliminate the statute of limitations loophole in county review.** A failure to refer a project for county review can be litigated for up to six years. The statute of limitations should be cut to a few months.
- **Keep wetlands determinations stable.** A landowner should be allowed to rely on a determination for a significant amount of time, perhaps 15 years, to reduce uncertainty.

3. Refocusing State Environmental Quality Review (SEQR) on core environmental priorities

- **Reduce delays identifying the lead agency,** the government body responsible for coordinating SEQR review.
- **Expand SEQR exemptions.** More government approvals should be exempt from SEQR.
- **Limit baseless lawsuits.** Limit lawsuits filed with intent to delay by requiring that they come with allegations of harm to individuals, backed up by the opinion of a professional.
- **Limit scope creep (expansion) in environmental impact statements.**
- **Remove topics from SEQR that do not pertain to water, air, and land.**

4. Smoothing the inspection process

- **Extend the duration of building permits.** Eliminate extra paperwork for permit renewal.
- **Allow applicants to hire third-party inspectors.** New York could allow developers to hire qualified and approved third-party inspectors at their own cost.
- **Eliminate redundant inspections.** Each inspection should only be required once.
- **Require inspections to abide by approved plans.**

Demand for housing is strong in many parts of New York. But supply is unable to meet demand at a reasonable cost because of restrictive land use regulations and onerous approval processes. In recent research on a similar jurisdiction, Princeton and MIT professors found that slow and uncertain permitting cost \$4.70 per square foot of land, or about \$200,000 per acre. The legislature and governor should work together to enact and enforce reforms that will allow permitted housing to be built quickly and at lower cost.



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