

Right to Build Zones Convening: A Recap

By Tina Lee, Jess Remington, and Adam Ozimek

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On March 19, 2026, the Economic Innovation Group brought together 19 experts to discuss Right to Build Zones, our federal policy proposal designed to boost housing supply while preserving local control.

The goal of the convening was to strengthen the policy's structural design with input from leading experts, practitioners and industry. We wish to thank the attendees for lending their time and expertise:

- **Scott J. Alter**, Co-Founder and Principal, Standard Communities
- **Alex Armlovich**, Abundance & Growth Program Officer, Coefficient Giving
- **Bobby Fijan**, Co-Founder, The American Housing Corporation
- **Arpit Gupta**, Associate Professor of Finance, NYU Stern
- **Emily Hamilton**, Senior Research Fellow and Director of the Urbanity Project, Mercatus Center at George Mason University
- **Colin Higgins**, Executive Director, National Housing Crisis Task Force
- **Alex Horowitz**, Housing Policy Project Director, The Pew Charitable Trusts
- **Mike Kingsella**, Founder & CEO, Up for Growth
- **Tina Lee**, Manager of Housing Policy, Economic Innovation Group
- **John W. Lettieri**, President and CEO, Economic Innovation Group
- **Lauren Lowery**, Director of Housing and Community Development, National League of Cities
- **Catherine Lyons**, Senior Director of Policy and Coalitions, Economic Innovation Group
- **Alexander Mechanick**, Senior Policy Analyst, Niskanen Center
- **Michael Novogradac**, Managing Partner, Novogradac & Company LLP
- **Adam Ozimek**, Chief Economist, Economic Innovation Group
- **Will Poff-Webster**, Director of Infrastructure Policy, Institute for Progress
- **Jess Remington**, Research Analyst, Economic Innovation Group
- **Miro Weinberger**, Executive Chair, Let's Build Homes
- **Paul Williams**, Founder and Executive Director, Center for Public Enterprise

What are Right to Build Zones?

Right to Build Zones (RBZs) respond to two persistent challenges that have undermined many recent attempts to reform zoning. The first is that sweeping citywide changes are often stalled by a small but highly motivated opposition. The second is that successful reforms frequently get diluted by discretionary reviews, lengthy permitting processes, and regulatory poison pills.

RBZs chart a different path. Instead of requiring broad citywide reform, they allow municipalities to designate targeted areas for deep reform where housing can be built by-right.

The model is simple. Municipalities opt in, reforms are focused in the places of the city where local support is strongest, and federal rewards are tied to results — a municipality receives a financial dividend for each new home permitted within its RBZ.

RBZs also do not prescribe a specific building form. They simply remove regulatory barriers that prevent housing from being built where it is wanted.

Below we summarize the key points made at the convening. Several of the takeaways — federal incentives should be tied to outcomes; predictable and flexible funding is important for shifting local political incentives; and process reform matters perhaps as much as zoning reform — validated our design choices, while others raised questions we are actively working through. We plan to keep them all in mind as we develop the RBZ proposal from [concept paper](#) to policy.

What Works Well

1. Tie payments directly to outcomes.

Federal housing and land-use programs have often focused on technical assistance and planning grants to encourage jurisdictions to reform their zoning. While those efforts are valuable, regulatory changes do not always translate into new homes. Remaining regulatory barriers, financing constraints, infrastructure limitations, and construction costs can all prevent housing production even after reforms are enacted.

Will Poff-Webster, Director of Infrastructure Policy at Institute for Progress, cited HUD's Pathways to Removing Obstacles (PRO) Housing as an example of federal policy that could have been more effective if it had made grant awards contingent on a combination of process reforms and measurable housing outcomes.

Consequently, many participants agreed that a particular strength of the RBZ proposal is that it ties federal incentives directly to housing production.

Miro Weinberger, Former Mayor of Burlington and current Executive Chair of Let's Build Homes, a state-based pro-housing group, is not only pursuing a similar idea at the state level called [ROOT Zones](#), but said he believes a program like RBZs would have helped him push bolder reforms during his time as Mayor. This approach strengthens accountability, simplifies program administration, and ensures scarce federal dollars are directed toward measurable outcomes rather than intentions or plans.

2. Predictable and flexible funding can change the local political calculus.

Participants emphasized that housing reform is constrained less by policy design and more by local politics. Several participants argued that direct fiscal incentives could help shift that dynamic. By creating a tangible local benefit from housing growth, jurisdictions would have stronger political reasons to embrace new development rather than scale back ambition.

Two features of the proposed funding structure proved especially compelling: predictability and flexibility.

Michael Novogradac, Managing Partner at Novogradac & Company LLP, said: “I like the idea of a very predictable amount of unrestricted funds. Cities would really be incentivized to adopt codes.” By designating a Right to Build Zone, a mayor should be able to say concretely: “We will bring in \$1,000,000 for the city by permitting 100 units.” That kind of tangible, communicable commitment has real political value.

The flexibility of the proposed New Home Dividend also emerged as a particular strength. Unlike highly prescriptive federal programs, flexible funding would allow communities to address their own priorities, whether investing in infrastructure, supporting affordable housing production, or strengthening local budgets.

Colin Higgins, Executive Director of the National Housing Crisis Task Force, said about the \$10,000 per unit subsidy: “The message we've heard from state and local leaders is loud and clear: flexible money is attractive to states and localities across the country in almost any amount.”

Lauren Lowery, Director of Housing and Community Development at the National League of Cities, pointed to the American Rescue Plan Act as a model. The funding’s broad flexibility made it particularly effective and politically popular at the local level.

3. Process matters as much as zoning.

Perhaps the clearest area of consensus was that zoning reform alone is often insufficient to increase housing production. Lengthy approval processes, discretionary reviews, project-by-project negotiations, and uncertain permitting timelines add costs, delay projects, and discourage investment.

Mike Kingsella, CEO of Up for Growth, said: “Zoning reform is necessary but not sufficient. Until a compliant project can move forward without discretionary approvals, you've changed the rules without changing the outcome.”

For that reason, many attendees viewed by-right development as a critical feature of any successful housing reform strategy. Whether implemented through a prescriptive model code or a more flexible framework, the goal is straightforward: If a project complies with the rules, it should be able to move forward without discretionary political approvals. Creating predictable pathways to approval reduces costs and increases the likelihood that zoning reforms translate into actual housing production.

This emphasis on process aligns with our original design for RBZs: to broadly expand the scope of housing that is permitted by-right and to require objective design review standards. That the convening's participants so strongly agreed validates our choices and has strengthened our conviction that getting this right is essential to any workable housing supply mechanism.

The empirical literature on the time and cost benefits of by-right development is still in its early stages, and we see an opportunity to help advance it through future research.

What We Are Continuing to Research

1. Will voluntary incentives be sufficient in high-opportunity cities?

RBZs would pay municipalities a uniform rate of \$10,000 per unit. This structure was chosen for a few reasons. It keeps administration simple and reflects the perceived cost of an additional unit of housing, as the \$10,000 figure is based roughly on the national average cost of impact fees for multifamily housing. And based on our conversations with cities, the amount is large enough to represent a meaningful inducement in many markets.

However, a comparable program has raised some yellow flags for us. Massachusetts' Chapter 40R — a program that pays cities to voluntarily upzone above a minimum density threshold — has struggled to incentivize adoption in the places that need it most. As of 2018, just 5 percent of future zoned units have been located in communities in Greater Boston, even as the region was projected to house more than half of the state's population growth between 2010 and 2035.

We are cognizant that the context of 40R is not directly comparable to RBZs. The program includes affordability requirements that distinguish it from RBZs. Program guidance and regulations were first released in March 2005, not long before the Great Recession, in a state with unusually strong local resident control over zoning. Still, it surfaces the concern that voluntary housing programs may systematically underperform in the highest-need markets, where political resistance to growth tends to run deepest. Given that the political and fiscal costs associated with housing growth vary substantially across jurisdictions, a uniform per-unit payment, however simple and transparent, may not be large enough to move high-opportunity cities with organized opposition.

Emily Hamilton, Senior Research Fellow and Director of the Urbanity Project at the Mercatus Center, warned us not to extrapolate too much from the MA example, but she also echoed our concerns, noting that the benefit of a new unit is highest precisely in the cities least likely to volunteer.

It is possible that no reasonable incentive would be sufficient to overcome entrenched local opposition in some high-cost cities — and that this may be a fundamental ceiling of any voluntary, incentive-based approach to reform zoning. Tiering or differentiating by market type could help, but at the cost of program simplicity. We are continuing conversations with cities to better understand where the threshold lies and whether there are structural design adjustments short of a mandate that could improve participation in the places that matter most.

2. Prescriptive code or flexible framework?

One of the most substantive debates centered on the code itself. Participants discussed the tradeoffs between a highly prescriptive code that would enable standardization and a more principles-based approach that would allow for some local flexibility in implementation.

The case for standardization is compelling. A prescriptive code, tailored to different place types — like greenfield, mainstreet corridor, and downtown — would simplify administration and lower the technical barrier for jurisdictions to participate. More significantly, it would represent the first

national effort to address the lack of consistency in zoning regulations across the country, a problem that creates real friction for developers operating across markets.

Adam Ozimek, EIG Chief Economist, finds this argument particularly persuasive. The recent inclusion of the Housing Supply Frameworks Act in the 21st Century ROAD Act, which has been passed by both the House and Senate, suggests there may be genuine political appetite to develop streamlined processes and regulations. (As of this writing, President Trump has declined to sign the bill. What comes next is unclear.)

The case for flexibility is also compelling. Regional housing markets vary substantially, and a one-size-fits-all approach would exclude all jurisdictions that cannot or will not conform to a uniform standard. Legitimate differences in physical and economic conditions across regional and local markets shape what is politically feasible, and a highly prescriptive code that falls short of full liberalization creates its own trap. Municipalities where only higher-density projects pencil out may find themselves unable to access the by-right development process at all.

John Zeanah, Memphis Chief of Development and Infrastructure, made clear in a follow-up conversation that his city would need flexibility built into any code it could realistically adopt, particularly around height maximums.

Alex Armlovich, Abundance & Growth Program Officer at Coefficient Giving, said in a later follow-up conversation: “There is an inherent tradeoff between flexibility and harmonization.”

This debate ultimately raises a more fundamental question about the program’s core objective: Is it more important for RBZs to boost housing supply now, or to use this moment to establish a proof of concept towards zoning harmonization?

We are continuing to assess the tradeoffs, researching the empirical benefits of harmonization, engaging with cities, and developing different versions of the code.

Looking Ahead

The convening reinforced the core premise behind Right to Build Zones. A federal program focused on zoning and land use can encourage housing growth without eliminating local choice. The gridlock that has long constrained Washington’s ability to pass housing legislation has finally begun to break. With passage of the 21st Century ROAD Act, the moment is ripe for bold solutions that build on this important precedent for reform.

Important questions remain about incentive design, code structure, and which cities will ultimately participate. But we believe there is a credible path from concept to legislation, and we look forward to sharing further developments as the proposal evolves.