AB 835

Assemblymember Alex Lee

This Bill

Currently, California requires two stairway routes in multi-unit residential buildings that are above three stories tall.

AB 835 will help improve the cost-effectiveness and efficiency of building housing by directing the State Fire Marshal to research single stairway multi-unit residential buildings above three stories.

Background

Historically, building codes in states and communities across the United States have relied on three model codes that merged to form the 'International Code Council (ICC),' which we still use today.

In the ICC, it permits a single exit for R-2 residential occupancies up to 3 stories. The US adopted this provision and it is recognized throughout the nation. Residential occupancies are divided into four subgroups, R1 through R4. The subgroup R-2 pertains to occupancies containing sleeping units or more than two dwelling units. An example of a R-2 occupancy include multi-family housing, such as apartments.

This requirement, which many other countries do not have, comes from early 20th century building codes prior to the development of fire mitigations such as automatic fire sprinklers, fire-rated walls, separations, and ladder trucks.

Throughout the world, many nations don't require a two staircase exit route unless the building reaches eight stories, and some nations have no height requirement at all. The US, along with four other nations, have the strictest requirements in the entire world. However, the Cities of Seattle and New York have eased these restrictions by permitting a single exit for up to six stories.

Problem

California has the highest housing cost burden in the country, and it's estimated that an additional 180,000 new units of housing would need to be built each year to meet demand.

The current two staircase exit route requirement in multi-family housing has a profound effect on what does and does not get built in California. It can increase costs and make smaller lots more difficult to develop.

The second means of egress requirement prevents development in places where a second staircase can be difficult to fit into a narrow lot, such as commercial parcels on main streets in high opportunity neighborhoods. It incentivizes "land assembly" where developers are required to assemble smaller parcels to form one larger parcel which in turn increases land acquisition costs by as much as 40%.

Currently, new apartment buildings are heavily skewed toward studio and one-bedroom apartments, with fewer larger housing options available for families. This forces families into older single-family houses or apartments, built before California's sprinkler requirement.

It is estimated that 99% of civilian home fire deaths occur in buildings without sprinklers, and the civilian death rate per fire is more than eight times higher in buildings without sprinklers.

Due to the vast majority of people in this country living in unsprinklered light wood frame houses, the US is tied for the highest fire death rate of high-income countries. People in the US are roughly five times more likely to die in fires than Swiss people are, despite Switzerland allowing single-stair buildings of unlimited height.

And European countries in general, which broadly permit single stair multifamily housing, have a better record on fire safety than the US. This data indicates that removing the second staircase requirement would not jeopardize the safety of residents.

Solution

Requiring the State Fire Marshal to research this policy change would provide insight into ways to use land more efficiently for housing.

By cutting down on extra hallways and circulation space, it would also allow architects to design a greater mix of apartment types or provide residents with additional open and green space.

Support

East Bay for Everyone (sponsor)
Livable Communities Initiative (sponsor)
Abundant Housing LA
Active San Gabriel Valley
Bay Area Council
California Apartment Association
CA YIMBY
Costa Mesa Alliance for Better Streets
Council of Infill Builders
East Bay YIMBY
Eastside Housing for All
Grow the Richmond
Greenbelt Alliance
How to ADU
Housing Action Coalition
Inclusive Lafayette
Los Feliz Neighborhood Council
Mountain View YIMBY
Napa-Solano for Everyone
Non-profit Housing Association of Northern California
Northern Neighbors SF
Peninsula For Everyone
Peninsula Interfaith Climate Action
Place Initiative
Progress Noe Valley
San Diego Housing Federation
San Francisco YIMBY
Santa Cruz YIMBY
Santa Rosa YIMBY
South Bay YIMBY
Southside Forward
Streets for All
Urban Environmentalists
Ventura County YIMBY
Walnut Creek Association of Homeowners Associations
YIMBY Action
YIMBY SLO

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