

ASSEMBLY THIRD READING

AB 835 (Lee)

As Amended May 18, 2023

Majority vote

SUMMARY

This bill requires the State Fire Marshal (SFM) to research standards for single-exit, single stairway multiunit residential buildings above three stories and provide a report, as specified.

Major Provisions

- 1) Requires the SFM to research standards for single-exit, single stairway multiunit residential buildings above three stories
- 2) Requires the SFM to provide a report to the Joint Legislative Committee on Emergency Management and California Building Standards Commission (CBSC) by January 1, 2025.

COMMENTS

Equity Impact: According to the author's staff, "California has a statewide goal of accelerating housing production to create 2.5 million homes by 2030, 1 million of which need to be affordable to low-income Californians. Currently, more than two in five households spend over 30% of their income on housing, and more than one in five households spend over 50% of their income on housing. This bill would be an important step toward allowing land to be used more efficiently to produce housing while ensuring that residents are kept safe."

State Fire Marshal: The mission of the State Fire Marshal's office is to protect life and property through the development and application of fire prevention engineering, education and enforcement. They assist CAL FIRE's broader mission through fire prevention efforts. This is achieved by regulating buildings, controlling substances and products that may cause injuries, death or destruction by fire, providing direction for fire prevention in wildland areas, regulating hazardous liquid pipelines, developing and reviewing regulations and building standards, and by providing training and education in fire protection.

California Building Standards Commission: The CBSC was established in 1953 as part of the Department of General Services and under the umbrella of the Government Operations Agency.

CBSC states its mission is "to produce sensible and usable state building standards, and administrative regulations that implement or enforce those standards," and its vision is "to ensure that the statewide building code development and adoption process is efficient and effective." The CBSC has 11 members, appointed by the Governor and approved by the Senate. These members represent the public, local building officials, structural engineers, fire protection engineers, organized labor, local fire officials, architects, and licensed contractors. The Secretary of Government Operations chairs the CBSC.

California Building Standards Code: The California Building Standards Code is comprised of 1) building standards adopted by state agencies without change from building standards contained in national model codes, 2) building standards adopted and adapted from national model codes to address California's ever-changing conditions; and 3) building standards, authorized by the California legislature, that constitute amendments not covered by national model codes, to

address specific California concerns. The California Building Standards code is updated triennially.

California currently does not allow single-stair, single-exit buildings that exceed three stories.

Relevant Out of State Standards: Seattle and New York City allow single-stair, single-exit buildings up to six stories. A current Washington state bill, if approved, would allow single staircase exits in buildings up to six stories.

According to the Author

"The current requirement to have two exit routes for certain residential buildings, 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. The requirement increases the costs for building housing, which is significant since California has the highest housing cost burden in the country."

The author continues, "Currently, California requires two stairway routes in multiunit residential buildings that are above three stories tall. 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. However, it does not necessarily keep people safer. European countries broadly allow single stair multifamily housing and have a better record on fire safety than the US. Directing the State Fire Marshal to research standards for single stairway multiunit residential buildings above three stories can help California use land more efficiently and cost-effectively to help address the housing crisis."

Arguments in Support

East Bay for Everyone, and other proponents, write in support, "California's current two-stair and two-exit requirements are out of step with global best practices and inhibit the production of family-friendly two-, three- and four-bedroom units. These requirements force multifamily housing into a poor configuration with units on either side of a dark, long corridor that prevents cross-ventilation and passive heating/cooling. It also reduces access to natural light for bedrooms and living space as well as reducing room for courtyards and balconies. The current California exit and stair requirements concentrate development on large sites, which increases land costs up to 40% with the need to assemble multiple lots. It also pushes development to be dominated by large, highly-capitalized developers. "Gentle infill" construction on smaller lots by small, local developers, contractors, and property owners in a wider variety of locations has been locked out of the development process."

They continue, "In addition to lowering barriers to entry, AB 835 can also unlock low-carbon and high-resource locations for affordable and multifamily housing. Many urban and suburban infill locations near jobs and transit have smaller residential parcel sizes that limit the development of subsidized housing restricted to low-income residents. AB 835 can unlock these sites, support spatial fair housing goals, and reduce vehicle miles traveled."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "Costs of an unknown, but potentially significant, amount to the SFM to research specified building design standards. In addition, since the primary purpose of this bill is to require the SFM to study an issue and create a report, this bill is eligible for this committee's suspense file."

VOTES**ASM EMERGENCY MANAGEMENT: 7-0-0**

YES: Rodriguez, Waldron, Aguiar-Curry, Alvarez, Calderon, Megan Dahle, Schiavo

ASM APPROPRIATIONS: 11-0-5

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Weber, Ortega

ABS, ABST OR NV: Megan Dahle, Dixon, Mathis, Robert Rivas, Sanchez

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