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**SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION****Senator Bill Dodd****Chair****2023 - 2024 Regular**

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<b>Bill No:</b>	AB 835	<b>Hearing Date:</b>	6/27/2023
<b>Author:</b>	Lee, et al.		
<b>Version:</b>	5/18/2023 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Brian Duke		

**SUBJECT:** State Fire Marshal: building standards: single-exit, single stairway multiunit residential buildings: report

**DIGEST:** This bill requires the California State Fire Marshal (SFM) to research standards for single-exit, single stairway multiunit residential buildings above three stories and provide a report by January 1, 2025, as specified.

**ANALYSIS:**

Existing law:

- 1) The California Building Standards Law establishes the California Building Standards Commission (BSC) within the Department of General Services (DGS), and requires the BSC to approve and adopt building standards and to codify those standards, as specified.
- 2) Requires the SFM to research and develop, and authorizes the SFM to propose to the BSC, mandatory building standards for fire resistance based on occupancy risk categories in very high, high, and moderate California fire severity zones, as specified.

This bill:

- 1) Requires the SFM to research standards for single-exit, single stairway multiunit residential buildings above three stories and provide a report to the Joint Legislative Committee on Emergency Management and to the BSC by January 1, 2025.
- 2) Includes a sunset date of January 1, 2028.

## Background

*Author Statement.* According to the author's office, "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.

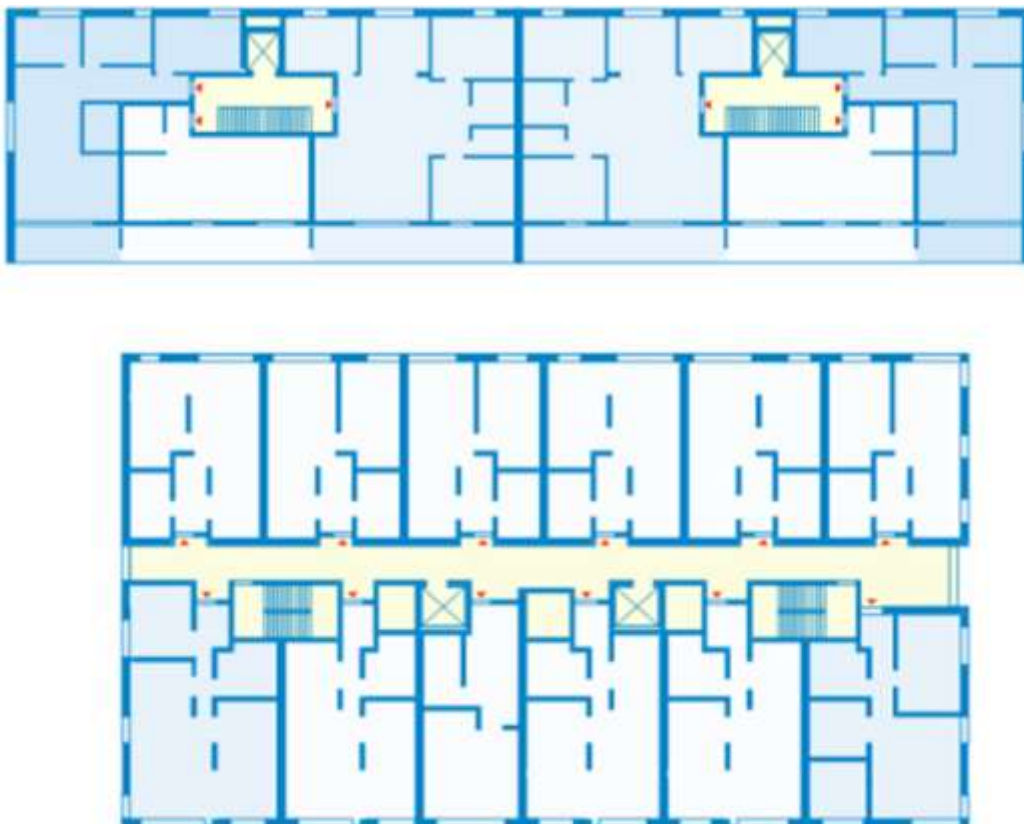
Further, the author's office notes, "currently, California requires two stairway routes in multi-unit residential buildings that are above three stories tall. The second means of egress requirement prevents development in places where a second staircase can be difficult to fit into a narrow lot, such 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 SFM to research standards for single stairway multi-unit residential buildings above three stories can help California use land more efficiently and cost-effectively to help address the housing crisis."

*California Building Standards Commission.* Established in 1953 by California Building Standards Law, the BSC is within DGS under the Government Operations Agency (GovOps). BSC members are appointed by the Governor and confirmed by the State Senate. BSC's mission is to produce sensible and usable state building standards, and administrative regulations that implement or enforce those standards. BSC's vision is to ensure that the statewide building code development and adoption process is efficient and effective.

*California State Fire Marshal.* The mission of the SFM is to protect life and property through the development and application of fire prevention engineering, education, and enforcement. The SFM supports the mission of the Department of Forestry and Fire Protection (Cal FIRE) by focusing on fire prevention. The office of the SFM provides support through a wide variety of fire safety responsibilities including: regulating buildings in which people live, congregate, or are confined; by controlling substances and products which may, in and of themselves, or by their misuse, cause injuries, death and destruction by fire; by providing statewide direction for fire prevention within wildland areas; by regulating hazardous liquid pipelines; by developing and reviewing regulations and building standards; and by providing training and education in fire protection methods and responsibilities.

*Dual-Loaded Corridors and Point Access Blocks.* California is grappling with a widespread housing shortage that has intensified over several decades, affecting not only major cities but also suburban and rural areas. Over the past two decades, there has been a noticeable shift in multifamily development towards larger, markedly denser structures, which often lack a diverse range of unit sizes. In 2000, buildings with 50 or more units represented a mere 13% of all multifamily completions. Now, these larger buildings account for more than 55% of all newly constructed multifamily residences. Predominantly, these are buildings with double- or dual-loaded corridors, resembling hotels, featuring a hallway running down the center and single-aspect dwellings flanking each side. Such homes generally suffer from insufficient natural light, lack cross-ventilation options, and offer no respite from urban noise.

A dual-loaded corridor, as is the standard for multi-residential unit construction in California, refers to a hallway with doors on both sides, typically linking each apartment unit to two different staircases. This architectural feature is mandatory in most American apartment buildings, resulting from the requirement of two means of egress from every apartment for buildings over three stories. Such corridors, often long and carpeted, contribute to the “boxy” nature of North American multi-family buildings, sacrificing natural light, air, and space in the name of safety.



*The upper image shows a connected Point Access Block layout with typical vertical circulation under German regulations. The lower image shows a typical dual-loaded corridor configuration, showing corridor, poor unit mix, and multiple stairs.*

Point Access Blocks are compact single stair buildings with dwellings centered around a stairway and elevator core. These are currently legal, but only up to three stories. The concept of single-stairway or Point Access Block buildings has recently picked up attention as a potential solution to housing and architectural issues. This design allows for a single point of vertical access leading to the upper levels, hence the name. Point Access Blocks have recently been discussed by the UCLA Lewis Center for Regional Policy Studies, where panelists agreed that we're at a pivotal moment where significant reform to existing building codes is possible.

Supporters argue that single-stair architecture reform can unlock climate adaptive low- and mid-rise housing that is more livable, affordable, community-oriented, and family-friendly than regulations currently allow. Point access block buildings are common under the International Building Code (IBC), in Europe. They permit a greater variety of unit types and sizes, even on small urban lots. The design often facilitates two- to four-bedroom units that cater to families or multigenerational occupants. Conventional double-loaded corridor buildings, with a central hallway accessing units on either side, largely consist of studios and one-bedroom homes, and it is challenging to incorporate larger dwellings in these structures. Fire safety requirements in America often differ from those in European countries, but interest in reform has been increasing, with numerous cities and states exploring paths for change.

A 2009 United States Fire Administration report noted the average death rate in several countries where Point Access Blocks higher than 65 feet are allowed (including Switzerland, France, Italy, Germany, Singapore, and Austria), were significantly lower than the United States. Nearly all United States building codes require sprinklers for multifamily buildings over two stories, while almost no countries in the European Union require sprinklers on residential buildings less than 90 feet.

This bill requires the SFM to research standards for single-exit, single stairway multiunit residential buildings above three stories. This bill requires the SFM to submit that report to the Joint Legislative Committee on Emergency Management and to the BSC by January 1, 2025. This bill includes a sunset date of January 1, 2028.

*Policy Consideration.* As currently drafted, this bill does not address potential risks associated with moving away from existing building standards regarding fire architecture in multiunit residential buildings. As such, the author may wish to amend the bill to ensure that fire protection in these buildings is not compromised.

Additionally, the author may wish to consider ensuring that the report is submitted to the relevant jurisdictional policy committees by amending the bill as follows:

13108.5.2.(a) The State Fire Marshal shall research standards for single-exit, single stairway multiunit residential buildings above three stories and provide a report to the Senate Committee on Governmental Organization, the Assembly Committee on Emergency Management, the Joint Legislative Committee on Emergency Management, and the California Building Standards Commission by January 1, 2025.

*(b) The report required pursuant to subdivision (a) shall address fire and life safety or emergency activities in single-exit, single stairway multiunit residential buildings above three stories.*

~~(b)~~(c) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2028.

### **Prior/Related Legislation**

AB 267 (Bauer-Kahan, 2023) adjusts fire safety regulations for fabric structures such as tents by raising the gathering size limit from 10 to 11 people before non-flammability rules apply and provides exceptions for certain types of tents designed for children's play, camping, backpacking, or mountaineering. This bill also stipulates that tents intended for less than 11 occupants must meet specific flammability standards to be classified as flame-retardant, as specified. (Pending in the Senate Appropriations Committee)

AB 582 (Connolly, 2023) allows, under the personal income tax law, a credit for seniors residing in high or very high-risk fire zones, as specified, who incur “qualified expenses” relating to fire-resistant home improvements. (Held on the Assembly Appropriations Suspense File)

AB 1236 (Grayson, 2023) states the intent of the Legislature to enact subsequent legislation that would identify a consistent and safe minimum size of residential fire sprinklers that would reduce costs for homeowners and property owners. (Pending referral in the Assembly)

AB 2322 (Wood, Chapter 284, Statutes of 2022) requires the SFM to research and develop, and to propose to the BSC, mandatory building standards for fire resistance based on occupancy risk categories in very high, high, and moderate California fire severity zones, as specified.

**FISCAL EFFECT:**   Appropriation: No   Fiscal Com.:   Yes   Local: No

**SUPPORT:**

East Bay for Everyone (Source)  
Livable Communities Initiative (Sponsor)  
Abundant Housing LA  
Active San Gabriel Valley  
Bay Area Council  
California Apartment Association  
California YIMBY  
Costa Mesa Alliance for Better Streets  
Council of Infill Builders  
East Bay YIMBY  
Eastside Housing for All  
Greenbelt Alliance  
Grow the Richmond  
Housing Action Coalition  
Housing Leadership Council of San Mateo  
How to ADU  
Inclusive Lafayette  
Livable Communities Initiative  
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

**OPPOSITION:**

None received

**ARGUMENTS IN SUPPORT:** In support of the bill, East Bay for Everyone writes, “[j]urisdictions across the developed and developing world allow single exit and single stair multifamily housing above three stories. Using modern fire suppression design and technique as well as aerial rescue, housing types in Europe and East Asia provide safe and more efficient housing options for families in low-income, market-rate and owner-occupied housing.”

Further, “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.”