STATE OF NEW YORK

10501

IN SENATE

May 15, 2026

Introduced by Sen. BOTTCHER -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to authorizing single stairway residential buildings in a city having a population of one million or more

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative findings. The legislature finds that New York state faces a severe housing shortage, particularly for small and moderately sized multifamily buildings.

Current building codes generally require two means of egress (two stairways) for most residential buildings above three stories, which increases construction costs, limits feasible building types on small and irregular lots, and reduces the number of units that can be built.

Jurisdictions including Texas, Colorado, Washington, Germany and Sweden permit single stairway residential buildings under modern fire safety standards.

Evidence shows that single stairway buildings can be constructed safely when paired with fire-resistant construction, automatic sprinkler systems, smoke control and compartmentalization. Allowing single stairway buildings will enable family-sized apartments, unlock small infill sites, and support contextual, mid-rise housing in urban areas.

§ 2. Subdivision 20 of section 378 of the executive law, as renumbered by section 3 of part RR of chapter 56 of the laws of 2023, is renumbered subdivision 21 and a new subdivision 20 is added to read as follows:

20. Standards permitting single stairway residential buildings up to six stories or seventy-five feet in height, whichever is less in a city having a population of one million or more. Such buildings shall be permitted in any zoning district that allows multi-family residential use and without any additional discretionary approval solely due to having one staircase.

a. Single stairway buildings must comply with all of the following:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(i) an automatic sprinkler or systems must be present and operational throughout the building;

(ii) the building must have a fire-resistance rating of not less than two hours for structural elements;

(iii) maximum travel distance limits within the building are consistent with International Building Code best practices;

(iv) the staircase must be smoke-proof or mechanically ventilated;

(v) there are no more than four dwelling units per floor;

(vi) the building allows adequate emergency responder access, including fire department access panels or balconies and appropriate window size and placement requirements for access;

(vii) the unit layout ensures direct access to the stairway; and

(viii) the building contains no excessive dead-end corridors.

b. As used in this subdivision, "single stairway residential building" means a residential building that contains one interior enclosed stairway serving all dwelling units and that meets all safety requirements established under this section.

c. No municipality within a city having a population of one million or more may prohibit single-stair residential buildings that comply with this subdivision, or impose additional egress requirements contained in this subdivision. Such municipalities may adopt objective safety or design standards, provided they do not effectively prohibit such buildings. The New York City Building Code may adopt equivalent or more permissive provisions, but not more restrictive ones.

d. Within twelve months of the effective date of this subdivision, the council shall promulgate rules and regulations to implement the provisions of this subdivision. Such rules and regulations shall incorporate international building code standards and best practices from other U.S. states and European countries.

§ 3. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.