

# STATE OF NEW YORK

10501

## IN SENATE

May 15, 2026

Introduced by Sen. BOTTCHEER -- 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:

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

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

8 Jurisdictions including Texas, Colorado, Washington, Germany and Swed-  
9 en permit single stairway residential buildings under modern fire safety  
10 standards.

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

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

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

25 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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1 (i) an automatic sprinkler or systems must be present and operational  
2 throughout the building;

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

5 (iii) maximum travel distance limits within the building are consist-  
6 ent with International Building Code best practices;

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

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

9 (vi) the building allows adequate emergency responder access, includ-  
10 ing fire department access panels or balconies and appropriate window  
11 size and placement requirements for access;

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

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

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

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

25 d. Within twelve months of the effective date of this subdivision, the  
26 council shall promulgate rules and regulations to implement the  
27 provisions of this subdivision. Such rules and regulations shall incor-  
28 porate international building code standards and best practices from  
29 other U.S. states and European countries.

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

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