



Center for Building in North America

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My name is Stephen Smith, I am the executive director at the Center for Building in North America, a nonprofit organization that conducts research about building codes in the U.S. and Canada.

I founded this organization to build on zoning reform that is happening all around the country. Zoning rules around issues like density and parking have been the focus of a lot of housing advocacy over the past decade or so, and for good reason. However, I've heard from a lot of architects, developers, and residents that, even after reforming zoning rules, there are still other code-related challenges. You can change rules to allow taller buildings on commercial streets, even apartment buildings in single-family neighborhoods, but our building codes are not written with this type of small-scale infill in mind. Construction costs are high, buildings are filled with studios and one-bedroom apartments that aren't workable for families, and big new apartment buildings tend to fit poorly into the fabric of single-family and low-rise neighborhoods.

Building codes and standards are complex documents, but the height limit for small single-stair apartment buildings stands out as a major and relatively simple issue. For a small building with two to four apartments per floor, the requirement to add a second stair if the building rises to four, five, or six stories adds about 10 percent to the cost of construction. In an industry where small shifts in interest rates or a slightly larger accessible bathroom can kill the viability of a small project, 10 percent is an enormous amount of money. Land use and zoning reform is desperately needed, but it can only affect the price of land, which is maybe 30 percent of the total cost of development. The remainder is in the so-called hard and soft costs of construction, which is what single-stair reform can bring down.

Currently, the model building code that Maryland adopts limits heights to just three stories. These rules were developed at a time when huge swaths of American cities burned routinely, and we had few other tools to address the problem of fire. Over the years, technology has changed, but codes have not. The U.S. now has one of the lowest single-stair height limits in the developed world. Only Canada and a few African countries are lower. Places like Germany,

South Korea, and Italy allow skyscrapers of 20 stories or more with a single stair, with good fire safety outcomes – typically better than those in the U.S.. More conservative places like Australia or the U.K. limit single-stair buildings to six or eight stories. The U.S. remains at three.

But you don't have to look even abroad to find examples of codes that allow taller buildings. New York City and Seattle have allowed small buildings to rise to six stories with a single stair for decades, with no stair-related fatalities that we could find, and no major stair-related incidents having come to light. Vermont, Georgia, and Puerto Rico allow four stories. States and cities around the country are rethinking rules limiting heights to three stories – Maryland would be far from the first, or even the 10th. The organization of building and fire officials that writes the model code that Maryland uses is also reconsidering the model code's rules. This fall, they approved an incremental boost in height to four stories, with everybody acknowledging that taller buildings will likely come during the next code cycle. It's a slow-moving and conservative body though, and if Maryland is interested in exploring any reforms for adoption before the decade is up, this bill is your best bet.

Please don't hesitate to get in touch if you have any questions. My email is stephen@centerforbuilding.org.