Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

MASSACHUSETTS STATE BUILDING CODE – CODE CHANGE PROPOSAL FORM

Impacted code: Tenth edition CMR 780	■ **Base Code** ☐ **Residential Code**	**State Use Only**	
Date Submitted:	May 01, 2025	**Date Received:**	
Code Section:	1006.3.4 Single Exits	**Code Change Number:**	
Name of proponent:	Sam Naylor		
Company / Organization represented, if any:	**Check** ■ if representing self		
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PLEASE CHECK √ THE TYPE OF AMENDMENT PROPOSED

■ **Change existing section language** ☐ **Add new section** ☐ **Delete existing section and substitute**

☐ **Delete existing section, no substitute** ☐ **Other, Explain:** _____

PLEASE TYPE THE PROPOSED AMENDMENT BELOW. If you propose to change a section, please copy the original text from either the relevant model code and/or MA amendment and indicate the code edition. Indicate, with a ~~strikethrough~~, the text that you propose to delete. Please also indicate any new text in both *italic* and red font. Finally, for each proposal submitted, please provide the justification items requested below. Completed code amendment forms may be emailed to bbrs-ma@mass.gov. **Please attach additional pages as necessary.**

Existing language: See attached page

Proposed changes: See attached page

Why is the ICC base code language not adequate / sufficient?

See attached page

Pros of the proposed change: See attached page

Cons of the proposed change: See attached page

Estimated impact on life safety: See attached page

Estimated impact on cost: See attached page

PROPOSED AMENDMENT (continued)

Existing Language:

Table 1006.3.4(1)

Basement, first, second or third story above grade plane (occupancy) = permitted in R-2[ab]

Fourth story above grade plane and higher (occupancy) = Not Permitted

Proposed Changes:

Table 1006.3.4(1)

Basement, first, second, third, *fourth, fifth, and sixth story above grade plane (occupancy) = permitted in R-2[abcde]*

~~Fourth story above grade plane and higher (occupancy) = Not Permitted~~

Seventh story above grade plane and higher (occupancy) = Not Permitted

** add footnote c = Maximum length from dwelling unit entry doors to the exit stairway is 20'*

** add footnote d = Exit stairway must be a smoke proof enclosure with min. 2 hour rated walls*

** add footnote e = Occupancy other than R-2 is not permitted above the first floor above grade*

***also make similar changes to table 1006.3.4(2) to allow for an occupant load of 10 for R-2 for stories four, five, and six.*

Why is the ICC base code language not adequate / sufficient?

By limiting single-stair buildings to three stories the base code language limits the development of smaller multifamily buildings, and the quality of dwelling units in those buildings throughout our Commonwealth, despite robust safety data that these kinds of buildings are just as safe as comparable multifamily buildings. The base code language does not permit a globally common type of multifamily building that is more suited to small and medium sized parcels for urban infill development. The base code encourages large double-loaded style buildings which have dozens of single-aspect units arranged on a long corridor without natural light, and with which smoke accumulation is more likely. Please see attached (appendix A) bibliography of references to support this code change request.

Pros of the proposed change

It would unlock housing production across tens of thousands of infill urban parcels in urban areas, particularly in Greater Boston. It would encourage more multifamily development in a moment where the Commonwealth is in a severe housing crisis. It would allow for the creation of better quality multifamily dwelling units (more light and air), and encourage more family sized units. It encourages the replacement of aging and dangerous non-code compliant housing with new safe code compliant buildings—which have shorter paths to exit, shorter hallways, less units per floor, and a more intuitive understanding of egress for building occupants. It would bring the Massachusetts code in line with the majority of developed countries in the world, and it would match a similar code language already established by Austin, TX, Seattle, WA, New York City, NY, and Honolulu, HI.

Cons of the proposed change

Inspectional service staff and fire service members and responders may be unfamiliar with this type of exit access configuration in new multifamily buildings and will need to be briefed on their code constraints and life-safety benefits.

Estimated impact on life safety

Compared with newly built code compliant mid-rise multifamily (3-6 stories) it will have no impactful difference on life safety. In comparison to small and mid-sized older non-code compliant buildings it would be a huge benefit to the life safety for those occupants (those buildings otherwise might not be re-developed because of the current cost premium to re-developing small to mid sized parcels).

Estimated impact on cost

This proposal would save on construction costs. For small to medium sized parcel developments this proposal would save on average 6% to 13% of construction costs ($200,000-500,000). The unlocking of the area previously dedicated to a hallway and second stair would also benefit rentable area, adding the equivalent of 7% of a typical floor plate gross area to be rentable area, which helps developments financial proforma.

Appendix A (Bibliography)

Chen, Kevin, and Biswadeep Ghosh. 2024. *Single Egress Stair Building Designs: Policy and Technical Options Report.* Jensen Hughes Canada. https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/reports/report_for_single_egress_stair_designs.pdf

Eliason, Michael. January 2022. Unlocking Livable, Resilient, Decarbonized Housing with Point Access Blocks. Larch Lab. https://www.larchlab.com/wp-content/uploads/2022/01/Eliason_CoV-Point-Access-Blocks-report_v1.2.pdf

Gates, Blandford, and Paul Sandori. 1984. *Fire Safety and the Design of Apartments.* Canada Mortgage and Housing Corporation. https://assets.cmhc-schl.gc.ca/sf/project/archive/research/ca1_mh_84f38.pdf

McGree, Tucker. April 2024. *U.S. Experience with Sprinklers.* National Fire Protection Association. https://www.ctif.org/sites/default/files/2022-08/CTIF_Report27_ESG_0.pdf

Naylor, Sam, Tim Love, et. al., October 2024. *Legalizing Mid-Rise Single-Stair Housing in Massachusetts*, Utile, Boston Indicators, Joint Center for Housing Studies at Harvard. https://www.utiledesign.com/resources/legalizing-single-stair-housing/

PUBLIC Architecture. 2023. *Single-Stair Residential Buildings.* BC Housing's Building Excellence Research & Education Grants and the City of Vancouver. https://www.bchousing.org/sites/default/files/media/documents/Single-Stair-Residential-Buildings-PUBLIC.pdf

Smith, Stephen, and Trivedi, Sandip et. al.. February 27, 2025. Small Single-Stairway Apartment Buildings Have Strong Safety Record: Revised building codes could encourage construction, boost supply of lower-cost homes. Pew Charitable Trusts, and the Center for Building in North America. https://www.pewtrusts.org/en/research-and-analysis/reports/2025/02/small-single-stairway-apartment-buildings-have-strong-safety-record