

## **Enabling Design of All-Gender Bathrooms in New York Plumbing Code**

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### **Executive Summary**

New York State and New York City's outdated plumbing codes fail to accommodate modern design standards for multi-stall all-gender bathrooms. The market has spoken and the demand for inclusive design is here, and the plumbing code needs to be updated to meet the moment. The current code requires architects and engineers to navigate an onerous variance process, adding unnecessary time, cost, and uncertainty to projects. Multi-stall all-gender bathrooms are not without precedent. Forest Hills Stadium has been using these facilities successfully since 2018, reducing need for additional wayfinding for male/female bathrooms and meeting the needs of diverse users, such as families and caretakers.

The [NYC 2022 Plumbing Code](#) and [NYS 2020 Plumbing Code](#) set specific prescriptive guidelines distinguishing male and female bathrooms - defining the fixtures, lighting, drainage, ventilation, and signage required - leaving no viable pathway for multi-stall all-gender bathrooms. American Institute of Architects New York (AIANY) recommends amending the plumbing code to add an additional prescriptive pathway for designing all-gender bathrooms.

A wide variety of architecture clients, including private developers, non-profit organizations, institutions, and agencies (ex: Parks Department), seek inclusive design in their projects and require multi-stall all-gender bathrooms that are safe and provide sufficient privacy. The challenge is for an architect to incorporate multi-stall all-gender bathrooms in their design, they need to engage in a lengthy variance application and review process with the Department of Buildings (DOB), often negatively impacting the project budget and schedule. This variance process serves as a deterrent and a risk to clients who aspire to include all-gender bathrooms because, at the end, approval is subject to the discretion of individual DOB reviewers. The uncertainty of approval, along with the added costs and delays, often outweighs the interest in the pursuit of incorporating these inclusive features.

To support inclusive design and meet the demands of the public, AIANY recommends the following revisions to the plumbing codes to permit multi-stall all-gender bathrooms as-of-right. These recommendations would not remove existing provisions from the current codes, but rather, add a pathway, along with corresponding design guidelines, to enable these facilities.

### **Recommendations**

1. **Add a prescriptive pathway in the plumbing code to design multi-stall all-gender bathrooms as-of-right.** The plumbing code currently outlines the design requirements for male and female bathrooms and single-occupant bathrooms, defining the fixtures, lighting, ventilation, signage, etc in Section 403 of the [NYC 2022 Plumbing Code](#) and [NYS 2020 Plumbing Code](#). Single-occupant bathrooms are the only all-gender bathroom model that is allowed as-of-right. The challenge with this model at scale is it is expensive, adds time to both the design timeline and construction period, and takes up more space in the structure when adding multiple single-occupant bathrooms. To save clients time and money, eliminate a key barrier, and encourage inclusive design, AIANY recommends adding a prescriptive pathway to the plumbing code that outlines design requirements for all-gender bathrooms - multi-stalled facilities with shared sink.

2. **Create design guidelines in the plumbing code for all-gender bathrooms.** The current code requirements for gendered bathrooms are not compatible with all-gender bathroom design, in terms of the way fixtures are counted and lighting and sprinklers are distributed. The guidelines need to be updated to reflect the different needs of all-gender bathrooms for safety and privacy. All-gender bathrooms require floor to ceiling partitions, individual floor rains, appropriate ventilation and lighting, lockable partition doors, and clear signage. Clarification is necessary for visual separation/privacy for urinals. Additionally, compartment height requirements need to be amended to allow over-door or under-door air movement to reduce construction costs and energy waste. The current language requires full floor to ceiling lockable partitions, which requires significantly more ductwork, mechanical system installation, and fire protection to accommodate a complete separation's added ventilation and lighting requirements. Particularly in spaces with extremely high ceilings, installing partitions that extend to the ceiling is neither logical nor practical. The language needs to be revised to allow compartment height that meet a minimum industry standard or 72 inches plus 9-inch floor clearance to meet the definition of "full compartment height." For full compartment height doors and partitions, we recommend requiring emergency unlocking release features.

### **Case Study: Massachusetts**

Over the past 10 years, AIA Massachusetts has been actively advocating for the state's plumbing code to be amended to enable all-gender bathrooms as-of-right. To emphasize the value of this amendment, AIA Massachusetts evaluated the Massachusetts Plumbing Board's minutes to examine the time spent by the board reviewing variances for all-gender bathrooms and found that the board spent the vast amount of their time on these variances. By changing the code to allow all-gender bathrooms as-of-right, it relieved a significant amount of space on board's docket. In August 2024, AIA Massachusetts' diligent advocacy paid off when the Board of State Examiners of Plumbing and Gas Fitters voted unanimously to change the Uniform State Plumbing Code to remove the requirement to seek a variance for all gender bathrooms and add a new code section for multi-user all-gender bathrooms ([Section 10.10 \(g\) & \(h\) of the Uniform State Plumbing Code](#)).

### **Key Terms**

- *All-Gender Bathrooms:* A multi-fixture toilet room with separate, lockable partitions, and a shared sink area that can be used by individuals of all gender identities.
- *Single-Occupant Bathrooms:* A lockable toilet room with one toilet and sink with signage indicating use allowed by individuals of all gender identities.

For more information, please contact Bria Donohue at (212) 358-6116 or [bdonohue@aiany.org](mailto:bdonohue@aiany.org).