

Date of Hearing: January 14, 2026

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Matt Haney, Chair

AB 1070 (Ward) – As Amended January 5, 2026

**SUBJECT:** Residential developments: building standards: review

**SUMMARY:** Requires the Department of Housing and Community Development (HCD) to convene a working group to research and consider recommending building standards to allow residential developments between three and ten units to be built under the requirements of the California Residential Code (CRC), and requires HCD to perform a review of residential construction cost pressures, as specified. Specifically, **this bill:**

- 1) Requires HCD, no later than December 31, 2027, to convene a working group, with membership including but not limited to the California Building Standards Commission (CBSC), State Fire Marshal, Division of the State Architect, Energy Commission, and other stakeholders, to research and consider identifying and recommending amendments to state building standards allowing residential developments of between three to ten units to be built under the requirements of the CRC, and any necessary modifications to maintain health and safety standards for the developments.
- 2) Requires each entity in the working group to provide input relative to its area of expertise and oversight.
- 3) Requires HCD to provide a one-time report of its findings to the Legislature in the annual report, as specified, no later than December 31, 2028.
- 4) If the working group identifies and recommends amendments to building standards in the report under 3) above, requires HCD and other state agencies within the working group with authority to propose adoption of building standards to research, develop, and consider proposing for adoption by CBSC such standards for the next triennial update of the California Building Standards Code that occurs on or after January 1, 2027, notwithstanding any other law.
- 5) Allows HCD to exceed the scope and application of the International Residential Code, as specified, to allow residential developments of between three and ten units to be designed and constructed under the requirements of the CRC.
- 6) Clarifies that this bill does not limit the application of the California Electrical Code, the California Mechanical Code, the California Plumbing Code, and the California Energy Code to residential occupancies of any size.
- 7) Prohibits this bill from authorizing the working group to propose the expansion of the CRC to include chapters in the International Residential Code that were not adopted in the 2025 edition due to duplication with other parts of the California Building Standards Code.
- 8) Requires HCD, by December 31, 2027, to perform a review of construction cost pressures for single-family and multifamily residential construction as a result of new or existing

building standards requirements in the California Building Standards Code and provide a one-time report of its findings to the Legislature in the annual report, as specified.

- 9) Requires HCD to perform the review under 8) above commencing with the next triennial update of the California Building Standards Code that occurs on or after January 1, 2031, and every three years thereafter, to revise or update standards, as needed.

#### **EXISTING LAW:**

- 1) Pauses changes to building standards affecting residential units at the state and local level until 2031, with limited exceptions. (Health and Safety Code (HSC) Section 18921.1)
- 2) Establishes the CBSC within the Department of General Services, and requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code. Requires CBSC to publish editions of the code in its entirety once every three years. In the intervening period the commission must publish supplements as necessary. (HSC 18942 and 18930)
- 3) Requires CBSC to receive proposed building standards from a state agency for consideration in an 18-month code adoption cycle. Requires CBSC to adopt regulations governing the procedures for 18-month code adoption cycle, which must include adequate provision of the following:
  - a) Public participation in the development of standards;
  - b) Notice in written form to the public of the compiled building standards with justifications;
  - c) Technical review of the proposed building standards and accompanying justification by advisory boards appointed by CBSC; and
  - d) Time for review of recommendations by the advisory boards prior to CBSC taking action. (HSC 18929.1)
- 4) Requires proposed building standards that are submitted to CBSC for consideration to be accompanied by an analysis completed by the appropriate state agency that justifies approval based on the following criteria:
  - a) The building standard does not conflict with, overlap, or duplicate other building standards;
  - b) The proposed standard is within the parameters of the agency's jurisdiction;
  - c) The public interest requires the adoption of the building standard;
  - d) The standard is not unreasonable, arbitrary, unfair, or capricious;
  - e) The cost to the public is reasonable, based on the overall benefit to be derived from the building standard;
  - f) The standard is not unnecessarily ambiguous or vague; and

- g) The applicable national specifications, published standards, and model codes have been appropriately incorporated into the standard. (HSC 18930)
- 5) Requires HCD to propose the adoption, amendment, or repeal of building standards to CBSC for residential buildings, including hotels, motels, lodging houses, apartment houses, dwellings, buildings, and structures. (HSC 17921)
- 6) Requires the building standards adopted and submitted by HCD for approval to be adopted by reference, inclusive of any additions or deletions made by HCD, and requires the standards to impose substantially the same requirements as are contained in the most recent editions of the following international or uniform industry codes as adopted by the organizations specified:
  - a) The Uniform Housing Code of the International Conference of Building Officials, except its definition of “substandard building;”
  - b) The International Building Code of the International Code Council;
  - c) The International Residential Code of the International Code Council;
  - d) The Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials;
  - e) The Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials;
  - f) The National Electric Code of the National Fire Protection Association; and
  - g) The International Existing Building Code of the International Code Council. (HSC 17922(a))
- 7) Provides that only those building standards that are approved by the CBSC and are in effect at the local level at the time an application for a building permit is submitted shall apply to the plans and specifications for construction, with exceptions for permits for residential dwellings based on model home designs approved under specified standards. (HSC 18938.5)

**FISCAL EFFECT:** Unknown.

**COMMENTS:**

***Author's Statement:*** According to the author, “AB 1070 would direct HCD to create a working group to explore allowing ‘missing middle’ developments between three and 10 units to be built under the requirements of the California Residential Code, rather than the California Building Code. This change could unlock the production of triplexes and other smaller multi-family housing types by streamlining code requirements, while preserving health and safety and opening up a broader workforce to build these projects. Additionally, this bill would also require HCD to perform an analysis of cost pressures created by current building code requirements and to complete the same analysis in future building code cycles with a goal of maintaining or reducing the costs of construction for new housing.”

***Building Standards:*** The California Building Standards Law establishes the process for adopting state building standards by the Commission. Statewide building standards are intended to provide uniformity in building across the state. The CBSC's duties include the following: receiving proposed building standards from state agencies for consideration in each triennial and intervening building code adoption cycle; reviewing and approving building standards submitted by state agencies; adopting building standards for state buildings where no other state agency is authorized by law; and publishing the approved building standards in the California Building Standards Code (CCR, Title 24).

Most building standards currently in use in California are developed and vetted at the national level every three years by technical organizations, academics, and trade associations that develop consensus standards, which are then incorporated into the International Building Code (IBC), the national model code used by most US jurisdictions. At the state level, agencies with authority over specified occupancies then review the IBC and amend as necessary for California's specific needs. There are approximately 20 state agencies that develop building standards and propose them for adoption to the CBSC.

After the proposal of building standards by state agencies, the proposals undergo a public vetting process. A code advisory committee composed of experts in a particular scope of code reviews the proposed standards, followed by public review. The proposing agency considers feedback and may then amend the standards and re-submit them to the CBSC for consideration. CBSC reviews and adopts the standards and files them with the Secretary of State for codification and publishing, and there is a 180-day period during which local agencies file modifications and changes to the state codes (though they are not limited to this window). The new codes then take effect January 1 of the subsequent year following publication.

Updates and changes to building standards are adopted on two timelines: through the triennial code adoption cycle which occurs every three years, and through the intervening code adoption cycle which provides an update to codes 18 months after the publication of the triennial codes. Regulatory activities for each cycle begin over two years before the effective date of the codes.

HCD is responsible for the standards for residential buildings, hotels and motels. The California Building Code and CRC govern general standards for multifamily and single-family residential construction, while the California Plumbing Code governs plumbing requirements for a variety of buildings and other codes similarly control other aspects of building. Within the codes, there are certain requirements that are mandatory for all newly constructed dwellings or buildings, and certain provisions that are optional or voluntary – meaning the requirements must be followed only if an entity chooses to construct certain items or systems.

As a matter of practice, the Legislature typically offers guidelines or directs agencies to consider certain standards, rather than requires the adoption of specific standards, in order to provide flexibility and allow for subject matter experts to determine appropriateness and weigh the many considerations that must be evaluated when recommending new or modified building standards.

***Numerous Directives and Mandates Leading to Standards Freeze:*** The Legislature and Governor have enacted multiple additional directives to research and propose new building standards in recent years, including for rainwater catchment, electric vehicle charging, water efficiency and reuse, adaptive reuse projects, “single stair” apartments exceeding three stories, and beyond. Some of the most impactful mandates in recent years have also come from outside stakeholders or the adopting agencies themselves (rather than the Legislature), like solar panel

mandates and fire sprinkler requirements. There are several legitimate and important concerns that are addressed by these and many other elements of building standards for housing. However, the framework for proposing and adopting new standards leaves agencies in silos regarding the volume or costs of new proposals that counterpart agencies are also simultaneously developing. Cost analyses are performed on each individual modification or for each respective chapter, not on the accumulation of the entirety of changes in each intervening or triennial cycle across all agencies. Holistic review is therefore difficult and while individual standards may increase costs by what appears a reasonable amount, from a different lens, the cost of the totality of all cumulative changes may be less reasonable.

In response to concerns regarding the rapid pace of modifications to building standards, the deadly Los Angeles fires of January 2025, and a need to find methods to stem increases in housing construction costs, the Legislature and Governor enacted several significant changes to building standards in the 2025 housing budget trailer bill, AB 130 (Committee on Budget), Chapter 22. The most significant change is a freeze to any new building standards or changes to existing building standards affecting residential units at both the state and local level until 2031, with limited exceptions. AB 130 (Committee on Budget) also curtailed the practice of incorporating significant new building standards into the codes via the intervening code cycle (instead only technical or emergency changes may be made in this manner), and allowed phased residential developments utilizing model home designs to continue using approved building permits until those designs substantially change or for a period of 10 years, rather than at each new code cycle.

***Housing Costs and Missing Middle Housing:*** The cost of housing in California is the highest of any state in the nation. Additionally, the pace of cost increase has far outstripped that in other parts of the country. One result of this is that homeownership has become much more difficult to attain, and the median priced home in California has continued to climb even during the high interest rate environment. Construction costs have also continued to increase, though there are many drivers of this, including the cost of materials, cost and availability of labor, complexity of building code requirements, availability of construction loan financing, and more. According to the California Association of Realtors' Housing Affordability Index, only 17% of California households can afford to purchase the median priced home – compared to 36% for the country.

One of the many reasons that housing is too expensive is the type of housing that is being built. Much of the housing built in California is large single-family homes (which can be an inefficient use of land) and mid- and high-rise construction (which are expensive to build). A strategy to lower the cost of housing is to facilitate the construction of “missing-middle” housing types that accommodate more units per acre, but are not as inherently expensive to build. This includes medium-density typologies such as accessory dwelling units, condos, duplexes, fourplexes, and the like. These units are more likely to be affordable to moderate-income households that cannot afford typical market-rate homes, but that earn too much income to qualify for publicly-subsidized affordable housing.

The CRC governs construction of one- and two-family dwellings and townhouses of three stories or less. The California Building Code (CBC) establishes requirements for all other buildings, including medium and high-density housing. These are based on model international codes commonly used around the country. However, certain reasonable requirements in the CBC for larger buildings can make development prohibitively complicated or render the economics infeasible for smaller ones. As a result, several jurisdictions across the United States have begun

to allow smaller, missing-middle housing types, including triplexes and fourplexes, to be built under the requirements of the Residential Code.

Additionally, the unit cutoffs in the CRC do not align with the current financing offerings for constructing one- to four-unit dwellings. FHA-backed mortgages allow recipients to take advantage of more affordable financing for construction up to a fourplex, but the rigidity of the CBC hinders this possibility. In addition, some jurisdictions have reported that the construction of new units that increase the unit count of a parcel from two to three (or more) are triggering the heightened requirements of the CBC, including instances of adding an ADU to properties with a duplex, or adding a second ADU to a lot with a single-family home and an existing ADU.

This bill would direct HCD to set up a working group, similar to the working group established in AB 529 (Gabriel), Chapter 743, Statutes of 2023, to examine the possibility of modifying the CBC/CRC here in California for smaller developments between three and 10 units in size, without creating negative impacts on health and safety.

The city of Memphis, which pioneered this new flexibility, identified several immediate benefits to the shift, including no longer requiring separate mechanical, engineering, and plumbing drawings to be submitted for project permitting; providing simpler egress requirements; and safely modifying seismic and fire protections. In addition, more small-scale residential contractors are now available to build these homes, as commercial contractors tend to work on larger projects like block-size apartment complexes and large commercial buildings.

**Cost Study:** New building standards being proposed by various code entities like HCD or the Division of the State Architect to CBSC must be accompanied by an analysis that justifies approval based on the following criteria:

- The building standard does not conflict with, overlap, or duplicate other building standards;
- The proposed standard is within the parameters of the agency's jurisdiction;
- The public interest requires the adoption of the building standard;
- The standard is not unreasonable, arbitrary, unfair, or capricious;
- The cost to the public is reasonable, based on the overall benefit to be derived from the building standard;
- The standard is not unnecessarily ambiguous or vague; and
- The applicable national specifications, published standards, and model codes have been appropriately incorporated into the standard. (HSC 18930)

While the law currently requires the proposing entity to analyze the cost to the public of individual building code modifications, as discussed above, it is not apparent that any entity is reviewing the accumulation of those many changes at a holistic level to form a reasonable estimate of the cumulative cost impacts. These changes and any new or heightened requirements in the code have a direct impact on the cost of new housing in the state. This bill would require HCD to begin performing a more holistic cost pressure analysis of proposed standards, to better identify the impacts and ensure the residential building standards process evaluates not just the granular cost of individual modifications, but the overall impact of the totality of standards.

**Arguments in Support:** According to California YIMBY, “AB 1070 would direct the Department of Housing and Community Development to convene a working group to study and

recommend pathways for allowing missing middle housing developments of three to 10 units to be constructed in the California Residential Code. This recognizes that modern fire safety technology and mitigation, including sprinklers, alarms, and fire-resistant assemblies, have raised the safety baseline in residential code buildings, making it reasonable to permit more units while still satisfying health and safety requirements. Other jurisdictions have demonstrated that allowing small multifamily projects to follow residential code standards can safely reduce complexity, eliminate duplicative engineering requirements, expand the pool of qualified builders, and lower overall project costs.”

***Arguments in Opposition:*** None on file.

***Related Legislation:***

AB 6 (Ward) of 2025 was substantially similar to this bill. The bill was held in the Senate Appropriations Committee.

AB 130 (Committee on Budget), Chapter 22, Statutes of 2025: Paused further changes to building standards affecting residential units at the state and local level until 2031, with limited exceptions.

AB 2934 (Ward) of 2024 was substantially similar to this bill. The bill was held in the Senate Appropriations Committee.

AB 529 (Gabriel), Chapter 743, Statutes of 2023: Requires HCD to convene a working group regarding adaptive reuse residential projects, including identifying and recommending amendments to state building standards, and makes other changes to state law related to adaptive reuse projects.

AB 835 (Lee), Chapter 345, Statutes of 2023: Requires the California State Fire Marshal to research standards for single-exit, single stairway apartment houses, with more than two dwelling units, in buildings above three stories, as specified, and to provide a report to the relevant legislative committees by January 1, 2026, as specified.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California YIMBY (Co-Sponsor)

**Opposition**

None on file.

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