SENATE COMMITTEE ON HOUSING
Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No:	AB 1070	**Hearing Date:**	6/24/2026
Author:	Ward		
Version:	1/5/2026 Amended		
Urgency:	No	**Fiscal:**	Yes
Consultant:	Ryan Hardmeyer		

SUBJECT: Residential developments: building standards: review

DIGEST: This bill: 1) requires the California Department of Housing and Community Development (HCD) to initiate a study and make findings and recommendations to the Legislature, including considering state building standards code changes, as specified, on shifting 3- to 10-unit residential developments from regulation under the California Building Standards Code (Building Code) to the California Residential Code (CRC) and, 2) requires HCD to perform a review of construction cost-pressures for single- and multi-family residential housing construction as a result of new or existing building standards.

ANALYSIS:

Existing law:

1) Prohibits changes to building standards affecting residential units at the state and local level until 2031, with limited exceptions.

2) Establishes the CBSC within the Department of General Services (DGS), and requires the CBSC to approve and adopt building standards and to codify those standards in the Building Code. Requires the CBSC to publish editions of the code in its entirety once every three years. In the intervening period, the CBSC must publish supplements as necessary.

3) Requires the 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 the18-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 the CBSC; and,

d) Time for review of recommendations by the advisory boards prior to the CBSC taking action.

4) Requires proposed building standards that are submitted to the 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.

5) Requires HCD to propose the adoption, amendment, or repeal of residential building standards to the CBSC, including single-family and multifamily units, as well as hotels, motels, and dormitories.

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 (ICC);

c) The International Residential Code of the ICC;

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;

g) The International Existing Building Code of the ICC.

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.

This bill:

1) Requires HCD, no later than January 31st, 2027, to initiate a study evaluating the conditions under which residential developments of between 3 and 10 units can be designed and constructed under the requirements of the California Residential Code (CRC). The study shall be completed by June 30th, 2028.

2) Instructs HCD to contract with external experts or an independent third party to develop the study and perform other functions required of HCD.

3) Provides that in conducting the study, HCD and any involved parties may consult with relevant stakeholders, including, but not limited to:

a) CBSC;

b) State Fire Marshal;

c) Division of the State Architect;

d) Energy Commission;

e) Fire service representatives and prevention officials;

f) Local building officials;

g) Organizations representing licensed architects and engineers;

h) Non-profit and market-rate housing developers experienced in small-scale multifamily construction;

i) Housing advocacy organizations;

j) Third-party professional plan-checkers and inspectors; and,

k) Faculty with expertise in fire protection engineering, building science, or related disciplines.

4) Requires the study to consist of a comprehensive analysis of the opportunities, constraints, technical considerations, and recommendations relevant to increasing the threshold under which residential developments of between 3 and 10 units may be designed and constructed under the CRC while maintaining health and safety and without materially reducing development feasibility. The study shall include both of the following:

a) An analysis of all of the following:

i. The conditions under which residential developments of between 3 and 10 units may be designed and constructed under the CRC while achieving life safety outcomes equal to or superior to otherwise applicable requirements of the Building Code for residential developments of similar height, floor area, and occupancy classification. The study shall evaluate those life safety outcomes using probabilistic and comparative risk analysis.

ii. The building types, site conditions, construction types, height limits, floor area limits, unit count limits, egress conditions, fire and life safety systems, and other objective criteria under which residential developments of between 3 and 10 units may be designed and constructed under the CRC.

iii. Analysis of fire loss history in jurisdictions that have adopted or studied similar provisions; review of available National Fire Protection Association fire loss and fire protection system performance data, together with other available system reliability data; and consultation with fire service personnel regarding fire suppression and rescue techniques in the residential developments evaluated pursuant to this section. The study shall use probabilistic and comparative risk analysis and shall not rely solely on worst-case-scenario assumptions. If existing data is insufficient, the study may also include smoke modeling, egress modeling, or other analyses necessary to evaluate life safety outcomes.

iv. The extent to which life safety outcomes from residential developments evaluated pursuant to this section compare both to smaller one-family and two-family dwellings and to larger multifamily residential buildings subject to otherwise applicable provisions of the Building Code.

v. The feasibility implications of allowing residential developments of between 3 and 10 units to be designed and constructed under the CRC, including effects on constructability, code compliance, permitting, inspection, project delivery, and the practical ability to build small-scale multifamily housing.

vi. Cost implications of allowing residential developments of between 3 and 10 units to be designed and constructed under the CRC, including cost-saving opportunities, tradeoffs, alternative compliance approaches, and other means of reducing unnecessary construction costs while maintaining health and safety.

vii. The interaction of any proposed CRC pathway with the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, and other applicable parts of the Building Code.

viii. A comparison of currently adopted California building standards with alternative code approaches used or studied in other jurisdictions, including other states, including, but not limited to, Alaska, Montana, and North Carolina, for small-scale multifamily buildings.

ix. Any code provisions, limitations, safeguards, mitigations, inspection or maintenance requirements, or alternative compliance measures that may be necessary to maintain health and safety while allowing residential developments of between 3 and 10 units to be designed and constructed under the CRC.

x. Any administrative, permitting, inspection, or enforcement considerations relevant to the safe and feasible implementation of a CRC pathway for residential development of between 3 and 10 units.

xi. Any other subjects HCD identifies through the course of preparing the study that would contribute to determining how residential developments of between 3 and 10 units may be safely and feasibly designed and constructed under the CRC.

b) Recommendations to the state based on the study for all of the following:

i. Specific amendments to state building standards that would allow residential developments of between 3 and 10 units to be designed and constructed under the CRC.

ii. Any objective limitations, safeguards, or alternative compliance measures necessary to maintain health and safety.

iii. Any code simplifications, cost-saving measures, or alternative compliance approaches that could improve the feasibility of small-scale multifamily housing without reducing health and safety.

iv. Any administrative, permitting, inspection, or enforcement changes that would facilitate safe implementation of the recommended standards.

v. Recommendations regarding whether code updates are warranted and, if so, recommendations for code updates for the residential developments evaluated in this section, based on the probabilistic and comparative risk analysis required by this bill.

5) Requires HCD include the completed study in its annual report to the Legislature, and submit the completed study to the CBSC for review.

6) Provides that if the study identifies and recommends amendments to building standards, HCD shall research, develop, and consider proposing those standards to the CBSC for adoption in the next triennial update following the completion of the study.

7) Allows HCD to exceed the scope and application of the International Residential Code, as specified, to evaluate whether to, and if warranted, propose amendments to state building standards that would allow for residential developments of between 3 and 10 units to be designed and constructed under the requirements of the CRC instead of the Building Code.

Background

The Building Standards Process. The California Building Standards Law establishes the process for adopting state building standards by the CBSC. 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.

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 U.S. jurisdictions. At the state level, agencies with jurisdictional authority then review the IBC and amend as necessary for California's specific needs, *e.g.,*:

- Office of State Fire Marshall is responsible for the development of building standards that provide for fire and life safety within residential buildings, such as means of egress, fire alarm systems, and fire extinguishing systems.

- HCD is responsible for the development of residential building standards, such as those in single-family and multifamily dwellings, as well as dormitories, hotels, motels, and accessibility in privately funded multifamily dwellings.

- Division of the State Architect is responsible for the development of building standards to promote structural safety and accessibility in public schools, essential service buildings, commercial facilities, and public housing.

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 an 180-day period during which local agencies file modifications and changes to the state codes. 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.

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

AB 130's Building 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 AB 130 (Committee on Budget, Chapter 22, Statutes of 2025). 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. The bill 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.

Comments

1) *Author's Statement.* "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."

2) *Missing Middle Housing.* It is well-documented that California's housing market is the most expensive in the nation – and that the pace of cost increases in renting, buying, and developing outpace those across the country. Consequently, the cost of attaining housing (whether as a buyer or renter) has becoming increasingly difficult. While there are a multitude of factors that affect housing development, many experts point to high interest rates, rising costs of materials and labor, and complex building code requirements as primary drivers of housing unaffordability. In effect, this has meant that fewer than 1 in 4 Californians can afford the median-priced home ($843,390).[1]

   In response, there is a growing chorus of calls for enhancing development of, and support for, what is known as "missing middle" housing. As defined by this bill, this housing type refers to developments of 3 to 10 units. It stands in contrast to the much more common forms of development in the state – single-family (1 unit) and multifamily (larger-scale, 11+ unit developments). Despite their prevalence, those housing types come with unique struggles. For instance, new single-family housing is often the far more expensive housing type to acquire and inefficiently uses land, worsening urban sprawl and related climate concerns. Conversely, large-scale multifamily development is often massively expensive on the frontend, which increases rents and listing prices. Missing middle housing seeks to bridge the gap between these housing types by utilizing "gentle density" to increase the efficiency of land use in a way that is less expensive to develop. This includes housing typologies such as accessory dwelling units, condos, duplexes, fourplexes, cottage courts, 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 to qualify for publicly-subsidized affordable multifamily housing.

   So, if these units are so promising, why aren't more being built? Under current law, one- and two-unit dwellings, as well as townhomes of three stories or less, are regulated by the CRC. Meanwhile, the Building Code regulates all other buildings, lumping missing middle housing in the same category as high-density housing complexes and large-scale commercial developments. In practice, this means developments that are often much more similar to those covered by the CRC are instead subject to higher building standards, which increase costs and timelines, and prevent access to more affordable financing

[1] California Association of Realtors. *1st Quarter 2026 Housing Affordability*. Accessible here: https://www.car.org/aboutus/mediacenter/newsreleases/2026releases/1qtr2026hai/. May 2026.

(*e.g.,* FHA-backed loans for 1-4 units). These requirements are often cost prohibitive for these developments, and can render a project economically infeasible from the jump. As a result, several jurisdictions across the U.S. have begun to allow missing middle housing types to be regulated by their respective Residential Code. For instance, Memphis, Tennessee, pioneered their own missing middle housing program, where non-profit and for-profit developers are permitted to construct and/or rehabilitate 2- to 10-unit housing developments under the Residential Code. The program requires units to be attainable for moderate-income households (those earning 80-120% AMI), either for sale or for rent.

While this bill would not contain the same affordability provisions of the program in Tennessee, it would similarly consider the feasibility and impacts of switching 3- to 10-unit residential developments from the Building Code to the CRC, in an attempt to create more housing to meet growing demand that is not met by publicly-subsidized low-income housing or expensive luxury housing. This could help improve housing attainment and security and prevent people from having to overcrowd, leave their community, or even leave the state entirely in an attempt to acquire the housing to meet their needs.

3) *Scope Creep of Building Requirements.* Developments constructed under the Building Code are subject to greater requirements than those under the CRC.

	Duplex Development ***Residential Code***	**Triplex Development** ***Building Code***
Fire Sprinklers	N/A	Required
Commercial-grade Alarms	N/A	Required
Fire-rated Wall Separation	N/A	Required
Dual Exit Stairwells	N/A	Required
Heightened Design Loads	N/A	Required

The table above illustrates the difference in requirements for a development that differs *by just 1 unit*. While heightened health and safety standards may be warranted for larger-scale developments that house many more people, this bill would direct HCD and other relevant stakeholders to evaluate whether it makes sense to regulate a 3-unit triplex under the same regulations of a 40-unit building, rather than that of a duplex – which many planners assess as much more functionally similar.[2]

[2] Jon DePaolis - American Planning Association. Creating More Housing Doesn't End With Zoning Reform. Accessible here: https://www.planning.org/blog/9317388/new-white-paper-creating-more-housing-doesnt-end-with-zoning-reform/. September 2025.

4) *Comprehensive Cost Study.* While current law mandates that state agencies proposing building standards consider a multitude of factors, including costs, there is currently no requirement for any one state entity to calculate the cumulative costs of such proposals. As such, 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.

5) *Safeguards for Health and Safety.* This bill has a specific callout for ensuring health and safety considerations accompany any proposal seeking to shift coverage of 3- to 10-unit developments from the Building Code to the CRC. Because this shift would reduce and/or eliminate a suite of requirements for development and ongoing operation of these units, these safeguards could address concerns over whether there will be unintended consequences to Californians who reside in these buildings. Further, the bill's instruction to include the State Fire Marshal, Division of the State Architect, Energy Commission, and other stakeholders as key advisors in the study process can ensure their respective areas of health and safety are covered and proposed changes to building standards are responsibly crafted.

Related/Prior Legislation

AB 6 (Ward, 2025) — requires HCD to convene a working group to research and consider recommending building standards to allow residential developments between 3 and 10 units to be built under the requirements of the California Residential Code. *This bill was held on the Senate Appropriations Suspense File.*

AB 2934 (Ward, 2024) — requires HCD to convene a working group to research and consider recommending building standards to allow residential developments between 3 and 10 units to be built under the requirements of the California Residential Code. *This bill was held on the Senate Appropriations Suspense File.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, June 17th, 2026.)

SUPPORT:

Abundant Housing Los Angeles
American Institute of Architects California

California Council for Affordable Housing
California Housing Consortium
California Yimby
City of Los Angeles
Eastside Housing for All
Faith and Housing Coalition
Greenbelt Alliance
Holos Communities
Inner City Law Center
Neighborhood Partnership Housing Services INC
San Diego Housing Federation
Spur
The Two Hundred for Homeownership
Zillow Group

OPPOSITION:

None received.

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