



### Fact Sheet: AB 1070

## Streamlining Building Codes for “Missing Middle” Developments

#### PROPOSED BILL

AB 1070 would direct the Department of Housing and Community Development (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.

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 reducing the costs of construction for new housing.

#### BACKGROUND

The California Residential Code (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 world.

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 CRC.

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.

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; 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 prefer larger projects like block-size apartment complexes and large commercial buildings.

With construction costs at all-time highs, California’s code entities should look for efficiencies and cost savings that preserve health and safety while recognizing the lack of available affordable housing requires creative and innovative solutions.

#### SOLUTION

AB 1070 would establish a working group of necessary state entities to study and make recommendations to the California Building Standards Commission to allow smaller developments between three and 10 units to be built under the CRC.

In addition, the bill would recognize the need to reduce construction cost pressures by directing HCD to identify standards

contributing to those costs and consider those pressures in future code adoption cycles.

## **SUPPORT**

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Casita Coalition (Co-Sponsor)  
Council of Infill Builders (Co-Sponsor)  
California YIMBY (Co-Sponsor)

## **OPPOSITION**

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None at this time.

## **FOR MORE INFORMATION**

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