

1 **LOCAL LAND USE AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jeremy A. Peterson**

5 Senate Sponsor: Curtis S. Bramble

7 **LONG TITLE**

8 **General Description:**

9 This bill amends land use provisions in the municipal, county, and State Construction
10 Code.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines "rental dwelling";
- 14 ▶ prohibits, with certain exceptions, a municipality or county from requiring physical
15 changes to a legal nonconforming rental dwelling use;
- 16 ▶ prohibits a municipality or county from requiring physical changes to install an
17 egress or emergency escape window in certain circumstances; and
- 18 ▶ amends bedroom window egress provisions in the State Construction Code.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **10-9a-511**, as last amended by Laws of Utah 2012, Chapter 289

26 **15A-3-202**, as last amended by Laws of Utah 2013, Chapter 297

27 ENACTS:

28 **10-9a-511.5**, Utah Code Annotated 1953

29 **17-27a-510.5**, Utah Code Annotated 1953

30

31 *Be it enacted by the Legislature of the state of Utah:*32 Section 1. Section **10-9a-511** is amended to read:33 **10-9a-511. Nonconforming uses and noncomplying structures.**34 (1) (a) Except as provided in this section, a nonconforming use or noncomplying
35 structure may be continued by the present or a future property owner.36 (b) A nonconforming use may be extended through the same building, provided no
37 structural alteration of the building is proposed or made for the purpose of the extension.38 (c) For purposes of this Subsection (1), the addition of a solar energy device to a
39 building is not a structural alteration.

40 (2) The legislative body may provide for:

41 (a) the establishment, restoration, reconstruction, extension, alteration, expansion, or
42 substitution of nonconforming uses upon the terms and conditions set forth in the land use
43 ordinance;44 (b) the termination of all nonconforming uses, except billboards, by providing a
45 formula establishing a reasonable time period during which the owner can recover or amortize
46 the amount of his investment in the nonconforming use, if any; and

47 (c) the termination of a nonconforming use due to its abandonment.

48 (3) (a) A municipality may not prohibit the reconstruction or restoration of a
49 noncomplying structure or terminate the nonconforming use of a structure that is involuntarily
50 destroyed in whole or in part due to fire or other calamity unless the structure or use has been
51 abandoned.52 (b) A municipality may prohibit the reconstruction or restoration of a noncomplying
53 structure or terminate the nonconforming use of a structure if:54 (i) the structure is allowed to deteriorate to a condition that the structure is rendered
55 uninhabitable and is not repaired or restored within six months after written notice to the
56 property owner that the structure is uninhabitable and that the noncomplying structure or
57 nonconforming use will be lost if the structure is not repaired or restored within six months; or

58 (ii) the property owner has voluntarily demolished a majority of the noncomplying
59 structure or the building that houses the nonconforming use.

60 (c) (i) Notwithstanding a prohibition in its zoning ordinance, a municipality may
61 permit a billboard owner to relocate the billboard within the municipality's boundaries to a
62 location that is mutually acceptable to the municipality and the billboard owner.

63 (ii) If the municipality and billboard owner cannot agree to a mutually acceptable
64 location within 90 days after the owner submits a written request to relocate the billboard, the
65 provisions of Subsection 10-9a-513(2)(a)(iv) apply.

66 (4) (a) Unless the municipality establishes, by ordinance, a uniform presumption of
67 legal existence for nonconforming uses, the property owner shall have the burden of
68 establishing the legal existence of a noncomplying structure or nonconforming use.

69 (b) Any party claiming that a nonconforming use has been abandoned shall have the
70 burden of establishing the abandonment.

71 (c) Abandonment may be presumed to have occurred if:

72 (i) a majority of the primary structure associated with the nonconforming use has been
73 voluntarily demolished without prior written agreement with the municipality regarding an
74 extension of the nonconforming use;

75 (ii) the use has been discontinued for a minimum of one year; or

76 (iii) the primary structure associated with the nonconforming use remains vacant for a
77 period of one year.

78 (d) The property owner may rebut the presumption of abandonment under Subsection
79 (4)(c), and shall have the burden of establishing that any claimed abandonment under
80 Subsection (4)(b) has not in fact occurred.

81 (5) A municipality may terminate the nonconforming status of a school district or
82 charter school use or structure when the property associated with the school district or charter
83 school use or structure ceases to be used for school district or charter school purposes for a
84 period established by ordinance.

85 [~~(6) A municipal ordinance adopted under Section 10-1-203.5 may not:~~]

86 ~~[(a) require physical changes in a structure with a legal nonconforming rental housing~~
87 ~~use unless the change is for:]~~

88 ~~[(i) the reasonable installation of:]~~

89 ~~[(A) a smoke detector that is plugged in or battery operated;]~~

90 ~~[(B) a ground fault circuit interrupter protected outlet on existing wiring;]~~

91 ~~[(C) street addressing;]~~

92 ~~[(D) except as provided in Subsection (7), an egress bedroom window if the existing~~
93 ~~bedroom window is smaller than that required by current state building code;]~~

94 ~~[(E) an electrical system or a plumbing system, if the existing system is not functioning~~
95 ~~or is unsafe as determined by an independent electrical or plumbing professional who is~~
96 ~~licensed in accordance with Title 58, Occupations and Professions;]~~

97 ~~[(F) hand or guard rails; or]~~

98 ~~[(G) occupancy separation doors as required by the International Residential Code; or]~~

99 ~~[(ii) the abatement of a structure; or]~~

100 ~~[(b) be enforced to terminate a legal nonconforming rental housing use.]~~

101 ~~[(7) A municipality may not require a change described in Subsection (6)(a)(i)(D) if the~~
102 ~~change:]~~

103 ~~[(a) would compromise the structural integrity of a building; or]~~

104 ~~[(b) could not be completed in accordance with current building codes, including~~
105 ~~set-back and window well requirements.]~~

106 ~~[(8) A legal nonconforming rental housing use may not be terminated under Section~~
107 ~~10-1-203.5.]~~

108 Section 2. Section **10-9a-511.5** is enacted to read:

109 **10-9a-511.5. Changes to dwellings -- Egress windows.**

110 (1) For purposes of this section, "rental dwelling" means the same as that term is
111 defined in Section 10-8-85.5.

112 (2) A municipal ordinance adopted under Section 10-1-203.5 may not:

113 (a) require physical changes in a structure with a legal nonconforming rental dwelling

114 use unless the change is for:
115 (i) the reasonable installation of:
116 (A) a smoke detector that is plugged in or battery operated;
117 (B) a ground fault circuit interrupter protected outlet on existing wiring;
118 (C) street addressing;
119 (D) except as provided in Subsection (3), an egress bedroom window if the existing
120 bedroom window is smaller than that required by current State Construction Code;
121 (E) an electrical system or a plumbing system, if the existing system is not functioning
122 or is unsafe as determined by an independent electrical or plumbing professional who is
123 licensed in accordance with Title 58, Occupations and Professions;
124 (F) hand or guard rails; or
125 (G) occupancy separation doors as required by the International Residential Code; or
126 (ii) the abatement of a structure; or
127 (b) be enforced to terminate a legal nonconforming rental dwelling use.
128 (3) A municipality may not require physical changes to install an egress or emergency
129 escape window in an existing bedroom that complied with the State Construction Code in
130 effect at the time the bedroom was finished if:
131 (a) the dwelling is an owner-occupied dwelling or a rental dwelling that is:
132 (i) a detached one-, two-, three-, or four-family dwelling; or
133 (ii) a town home that is not more than three stories above grade with a separate means
134 of egress; and
135 (b) (i) the window in the existing bedroom is smaller than that required by current State
136 Construction Code; and
137 (ii) the change would compromise the structural integrity of the structure or could not
138 be completed in accordance with current State Construction Code, including set-back and
139 window well requirements.
140 (4) Nothing in this section prohibits a municipality from:
141 (a) regulating the style of window that is required or allowed in a bedroom;

142 (b) requiring that a window in an existing bedroom be fully openable if the openable
143 area is less than required by current State Construction Code; or

144 (c) requiring that an existing window not be reduced in size if the openable area is
145 smaller than required by current State Construction Code.

146 Section 3. Section **15A-3-202** is amended to read:

147 **15A-3-202. Amendments to Chapters 1 through 5 of IRC.**

148 (1) In IRC, Section R102, a new Section R102.7.2 is added as follows: "R102.7.2
149 Physical change for bedroom window egress [~~in legal nonconforming rental housing use~~]. A
150 structure [~~classified as a legal nonconforming rental housing use,~~] whose egress [~~bedroom~~]
151 window in an existing bedroom is smaller than required by this code, and that complied with
152 the construction code in effect at the time that the bedroom was finished, is not required to
153 undergo a physical change to conform to this code if the change would compromise the
154 structural integrity of the [~~building~~] structure or could not be completed in accordance with
155 other applicable requirements of this code, including setback and window well requirements."

156 (2) In IRC, Section 109:

157 (a) A new IRC, Section 109.1.5, is added as follows: "R109.1.5 Weather-resistant
158 exterior wall envelope inspections. An inspection shall be made of the weather-resistant
159 exterior wall envelope as required by Section R703.1 and flashings as required by Section
160 R703.8 to prevent water from entering the weather-resistive barrier."

161 (b) The remaining sections are renumbered as follows: R109.1.6 Other inspections;
162 R109.1.6.1 Fire- and smoke-resistance-rated construction inspection; R109.1.6.2 Reinforced
163 masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection;
164 and R109.1.7 Final inspection.

165 (3) IRC, Section R114.1, is deleted and replaced with the following: "R114.1 Notice to
166 owner. Upon notice from the building official that work on any building or structure is being
167 prosecuted contrary to the provisions of this code or other pertinent laws or ordinances or in an
168 unsafe and dangerous manner, such work shall be immediately stopped. The stop work order
169 shall be in writing and shall be given to the owner of the property involved, or to the owner's

170 agent or to the person doing the work; and shall state the conditions under which work will be
171 permitted to resume."

172 (4) In IRC, Section R202, the following definition is added: "CERTIFIED
173 BACKFLOW PREVENTER ASSEMBLY TESTER: A person who has shown competence to
174 test Backflow prevention assemblies to the satisfaction of the authority having jurisdiction
175 under Utah Code, Subsection 19-4-104(4)."

176 (5) In IRC, Section R202, the definition for "CONDITIONED SPACE" is modified by
177 deleting the words at the end of the sentence "being heated or cooled by any equipment or
178 appliance" and replacing them with the following: "enclosed within the building thermal
179 envelope that is directly heated or cooled, or indirectly heated or cooled by any of the following
180 means:

- 181 1. Openings directly into an adjacent conditioned space.
- 182 2. An un-insulated floor, ceiling or wall adjacent to a conditioned space.
- 183 3. Un-insulated duct, piping or other heat or cooling source within the space."

184 (6) In IRC, Section R202, the definition of "Cross Connection" is deleted and replaced
185 with the following: "CROSS CONNECTION. Any physical connection or potential
186 connection or arrangement between two otherwise separate piping systems, one of which
187 contains potable water and the other either water of unknown or questionable safety or steam,
188 gas, or chemical, whereby there exists the possibility for flow from one system to the other,
189 with the direction of flow depending on the pressure differential between the two systems (see
190 "Backflow, Water Distribution")."

191 (7) In IRC, Section 202, in the definition for gray water a comma is inserted after the
192 word "washers"; the word "and" is deleted; and the following is added to the end: "and clear
193 water wastes which have a pH of 6.0 to 9.0; are non-flammable; non-combustible; without
194 objectionable odors; non-highly pigmented; and will not interfere with the operation of the
195 sewer treatment facility."

196 (8) In IRC, Section R202, the definition of "Potable Water" is deleted and replaced
197 with the following: "POTABLE WATER. Water free from impurities present in amounts

198 sufficient to cause disease or harmful physiological effects and conforming to the Utah Code,
 199 Title 19, Chapters 4, Safe Drinking Water Act, and 5, Water Quality Act, and the regulations of
 200 the public health authority having jurisdiction."

201 (9) IRC, Figure R301.2(5), is deleted and replaced with Table R301.2(5a) and Table
 202 R301.2(5b) as follows:

203 "TABLE NO. R301.2(5a)

204 STATE OF UTAH - REGIONAL SNOW LOAD FACTORS

205	COUNTY	P _o	S	A _o
206	Beaver	43	63	6.2
207	Box Elder	43	63	5.2
208	Cache	50	63	4.5
209	Carbon	43	63	5.2
210	Daggett	43	63	6.5
211	Davis	43	63	4.5
212	Duchesne	43	63	6.5
213	Emery	43	63	6.0
214	Garfield	43	63	6.0
215	Grand	36	63	6.5
216	Iron	43	63	5.8
217	Juab	43	63	5.2
218	Kane	36	63	5.7
219	Millard	43	63	5.3
220	Morgan	57	63	4.5
221	Piute	43	63	6.2
222	Rich	57	63	4.1
223	Salt Lake	43	63	4.5

224	San Juan	43	63	6.5
225	Sanpete	43	63	5.2
226	Sevier	43	63	6.0
227	Summit	86	63	5.0
228	Tooele	43	63	4.5
229	Uintah	43	63	7.0
230	Utah	43	63	4.5
231	Wasatch	86	63	5.0
232	Washington	29	63	6.0
233	Wayne	36	63	6.5
234	Weber	43	63	4.5

235

TABLE NO. R301.2(5b)

236

REQUIRED SNOW LOADS FOR SELECTED UTAH CITIES AND TOWNS^{1,2}

237

The following jurisdictions require design snow load values that differ from the Equation in the Utah Snow Load Study.

238

County	City	Elevation	Ground Snow Load (psf)	Roof Snow Load (psf) ⁶
Carbon	Price ³	5550	43	30
	All other county locations ⁵	--	--	--
Davis	Fruit Heights ³	4500 - 4850	57	40
Emery	Green River ³	4070	36	25
Garfield	Panguitch ³	6600	43	30
Rich	Woodruff ⁸	6315	57	40
	Laketown ⁴	6000	57	40
	Garden City ⁵	--	--	--
	Randolph ⁴	6300	57	40

243

244	San Juan	Monticello ³	6820	50	35
245	Summit	Coalville ³	5600	86	60
		Kamas ⁴	6500	114	80
246	Tooele	Tooele ³	5100	43	30
247	Utah	Orem ³	4650	43	30
		Pleasant Grove ⁴	5000	43	30
		Provo ⁵	--	--	--
248	Wasatch	Heber ⁵	--	--	--
249	Washington	Leeds ³	3460	29	20
		Santa Clara ³	2850	21	15
		St. George ³	2750	21	15
		All other county locations ⁵	--	--	--
250	Wayne	Loa ³	7080	43	30

251 ¹The IRC requires a minimum live load -- See R301.6.

252 ²This table is informational only in that actual site elevations may vary. Table is only valid if site elevation is within 100 feet of the listed elevation. Otherwise, contact the local Building Official.

253 ³Values adopted from Table VII of the Utah Snow Load Study

254 ⁴Values based on site-specific study. Contact local Building Official for additional information.

255 ⁵Contact local Building Official.

256 ⁶Based on $C_e = 1.0$, $C_t = 1.0$ and $I_s = 1.0$ "

257 (10) IRC, Section R301.6, is deleted and replaced with the following: "R301.6 Utah
 258 Snow Loads. The snow loads specified in Table R301.2(5b) shall be used for the jurisdictions
 259 identified in that table. Otherwise, the ground snow load, P_g , to be used in the determination of
 260 design snow loads for buildings and other structures shall be determined by using the following
 261 formula: $P_g = (P_o^2 + S^2(A-A_o)^2)^{0.5}$ for A greater than A_o , and $P_g = P_o$ for A less than or equal to

262 A_o .

263 WHERE:

264 P_g = Ground snow load at a given elevation (psf);

265 P_o = Base ground snow load (psf) from Table No. R301.2(5a);

266 S = Change in ground snow load with elevation (psf/100 ft.) From Table No. R301.2(5a);

267 A = Elevation above sea level at the site (ft./1,000);

268 A_o = Base ground snow elevation from Table R301.2(5a) (ft./1,000).

269 The building official may round the roof snow load to the nearest 5 psf. The ground snow
 270 load, P_g , may be adjusted by the building official when a licensed engineer or architect submits
 271 data substantiating the adjustments.

272 Where the minimum roof live load in accordance with Table R301.6 is greater than the design
 273 roof snow load, such roof live load shall be used for design, however, it shall not be reduced to
 274 a load lower than the design roof snow load. Drifting need not be considered for roof snow
 275 loads less than 20 psf."

276 (11) In IRC, Section R302.2, the words "Exception: A" are deleted and replaced with
 277 the following:

278 "Exceptions:

279 1. A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do
 280 not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common
 281 wall. Electrical installation shall be installed in accordance with Chapters 34 through 43.
 282 Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

283 2. In buildings equipped with an automatic residential fire sprinkler system, a".

284 (12) In IRC, Section R302.2.4, a new exception 6 is added as follows: "6. Townhouses
 285 separated by a common 2-hour fire-resistance-rated wall as provided in Section R302.2."

286 (13) In IRC, Section R302.5.1, the words "self-closing device" are deleted and replaced
 287 with "self-latching hardware".

288 (14) In IRC, Section R303.4, the number "5" is changed to "3" in the first sentence.

289 (15) IRC, Sections R311.7.4 through R311.7.4.3, are deleted and replaced with the

290 following: "R311.7.4 Stair treads and risers. R311.7.4.1 Riser height. The maximum riser
291 height shall be 8 inches (203 mm). The riser shall be measured vertically between leading
292 edges of the adjacent treads. The greatest riser height within any flight of stairs shall not
293 exceed the smallest by more than 3/8 inch (9.5 mm).

294 R311.7.4.2 Tread depth. The minimum tread depth shall be 9 inches (228 mm). The tread
295 depth shall be measured horizontally between the vertical planes of the foremost projection of
296 adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within
297 any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Winder
298 treads shall have a minimum tread depth of 10 inches (254 mm) measured as above at a point
299 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a
300 minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the
301 greatest winder tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by
302 more than 3/8 inch (9.5 mm).

303 R311.7.4.3 Profile. The radius of curvature at the leading edge of the tread shall be no greater
304 than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4
305 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection
306 shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two
307 stories, including the nosing at the level of floors and landings. Beveling of nosing shall not
308 exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading
309 edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open
310 risers are permitted, provided that the opening between treads does not permit the passage of a
311 4-inch diameter (102 mm) sphere.

312 Exceptions.

- 313 1. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).
- 314 2. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches
315 (762 mm) or less."

316 (16) In IRC, Section R312.1.2, the words "adjacent fixed seating" are deleted.

317 (17) IRC, Section R312.2, is deleted.

318 (18) IRC, Sections R313.1 through R313.2.1, are deleted and replaced with the
319 following: "R313.1 Design and installation. When installed, automatic residential fire
320 sprinkler systems for townhouses or one- and two-family dwellings shall be designed and
321 installed in accordance with Section P2904."

322 (19) A new IRC, Section R315.5, is added as follows: "R315.5 Power source. Carbon
323 monoxide alarms shall receive their primary power from the building wiring when such wiring
324 is served from a commercial source, and when primary power is interrupted, shall receive
325 power from a battery. Wiring shall be permanent and without a disconnecting switch other
326 than those required for over-current protection.

327 Exceptions:

328 1. Carbon monoxide alarms shall be permitted to be battery operated when installed in
329 buildings without commercial power.

330 2. Hard wiring of carbon monoxide alarms in existing areas shall not be required where the
331 alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing
332 the structure, unless there is an attic, crawl space or basement available which could provide
333 access for hard wiring, without the removal of interior finishes."

334 (20) A new IRC, Section R315.6, is added as follows: "R315.6 Interconnection.
335 Where more than one carbon monoxide alarm is required to be installed within an individual
336 dwelling unit in accordance with Section R315.1, the alarm devices shall be interconnected in
337 such a manner that the actuation of one alarm will activate all of the alarms in the individual
338 unit. Physical interconnection of smoke alarms shall not be required where listed wireless
339 alarms are installed and all alarms sound upon activation of one alarm.

340 Exception: Interconnection of carbon monoxide alarms in existing areas shall not be required
341 where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing
342 the structure, unless there is an attic, crawl space or basement available which could provide
343 access for interconnection without the removal of interior finishes."

344 (21) In IRC, Section R403.1.6, a new Exception 4 is added as follows: "4. When
345 anchor bolt spacing does not exceed 32 inches (813 mm) apart, anchor bolts may be placed

346 with a minimum of two bolts per plate section located not less than 4 inches (102 mm) from
347 each end of each plate section at interior bearing walls, interior braced wall lines, and at all
348 exterior walls."

349 (22) In IRC, Section R403.1.6.1, a new exception is added at the end of Item 2 and
350 Item 3 as follows: "Exception: When anchor bolt spacing does not exceed 32 inches (816 mm)
351 apart, anchor bolts may be placed with a minimum of two bolts per plate section located not
352 less than 4 inches (102 mm) from each end of each plate section at interior bearing walls,
353 interior braced wall lines, and at all exterior walls."

354 (23) In IRC, Section R404.1, a new exception is added as follows: "Exception: As an
355 alternative to complying with Sections R404.1 through R404.1.5.3, concrete and masonry
356 foundation walls may be designed in accordance with IBC Sections 1807.1.5 and 1807.1.6 as
357 amended in Section 1807.1.6.4 and Table 1807.1.6.4 under these rules."

358 (24) IRC, Section R501.3, is deleted.

359 Section 4. Section **17-27a-510.5** is enacted to read:

360 **17-27a-510.5. Changes to dwellings -- Egress windows.**

361 (1) For purposes of this section, "rental dwelling" means the same as that term is
362 defined in Section 10-8-85.5.

363 (2) A county ordinance adopted under Section 10-1-203.5 may not:

364 (a) require physical changes in a structure with a legal nonconforming rental dwelling
365 use unless the change is for:

366 (i) the reasonable installation of:

367 (A) a smoke detector that is plugged in or battery operated;

368 (B) a ground fault circuit interrupter protected outlet on existing wiring;

369 (C) street addressing;

370 (D) except as provided in Subsection (3), an egress bedroom window if the existing
371 bedroom window is smaller than that required by current State Construction Code;

372 (E) an electrical system or a plumbing system, if the existing system is not functioning
373 or is unsafe as determined by an independent electrical or plumbing professional who is

374 licensed in accordance with Title 58, Occupations and Professions;
375 (F) hand or guard rails; or
376 (G) occupancy separation doors as required by the International Residential Code; or
377 (ii) the abatement of a structure; or
378 (b) be enforced to terminate a legal nonconforming rental dwelling use.
379 (3) A county may not require physical changes to install an egress or emergency escape
380 window in an existing bedroom that complied with the State Construction Code in effect at the
381 time the bedroom was finished if:
382 (a) the dwelling is an owner-occupied dwelling or a rental dwelling that is:
383 (i) a detached one-, two-, three-, or four-family dwelling; or
384 (ii) a town home that is not more than three stories above grade with a separate means
385 of egress; and
386 (b) (i) the window in the existing bedroom is smaller than that required by current State
387 Construction Code; and
388 (ii) the change would compromise the structural integrity of the structure or could not
389 be completed in accordance with current State Construction Code, including set-back and
390 window well requirements.
391 (4) Nothing in this section prohibits a county from:
392 (a) regulating the style of window that is required or allowed in a bedroom;
393 (b) requiring that a window in an existing bedroom be fully openable if the openable
394 area is less than required by current State Construction Code; or
395 (c) requiring that an existing window not be reduced in size if the openable area is
396 smaller than required by current State Construction Code.