

BILL NO. 2656

INTRODUCED BY COUNCIL

ORDINANCE NO. \_\_\_\_\_

CA-5-12 - City of Sparks

AN ORDINANCE BY THE CITY OF SPARKS AMENDING TITLE 20 OF THE SPARKS MUNICIPAL CODE TO PERMIT MORE THAN FIVE RESIDENTS RECEIVING ADULT CARE IN A RESIDENTIAL DISTRICT WHEN PERMITTED BY BUILDING AND FIRE CODES AND OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

**SECTION 1: Section 20.58.030(A) Uses Permitted in an A-5 Agricultural District without a special use permit are as follows:**

Single-Family dwellings of a permanent nature and accessory buildings and uses ancillary thereto; farms or ranches for the raising or growing, tilling, moving or extraction of soils on-site marketing on a wholesale commercial scale poultry, rabbits, livestock, tree and bush crops, vegetable gardens, nursery stock and field crops; buildings, corrals, coops, stables or structures used in conjunction with farming or ranching; renewable energy production - private; in-home child care for the number children one care giver may care for in accordance with the rules and regulations for child care facilities; adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.59.030 (A) Uses Permitted in an A-40 Agricultural District without a special use permit are as follows:**

Single-family dwellings of a permanent nature and accessory buildings and uses ancillary thereto; farms or ranches for the raising or growing, tilling, moving or extraction of soils on-site and marketing on a wholesale commercial scale poultry, rabbits, livestock, tree, and bush crops, vegetable gardens, nursery stock and field crops, buildings, corrals, coops, stables or structures used in conjunction with farming or ranching; renewable energy production - private; in-home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities; adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.60.020 (A) R1-6 Uses permitted without a special use permit are as follows:**

Single-family dwellings of a permanent nature; accessory buildings; renewable energy production - private; in-home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities; adult care facilities ~~for not more than five residents and not to exceed two person per bedroom.~~

**Section 20.61.020 (A) R1-7 Uses permitted without a special use permit are as follows:**

Single-family dwellings of permanent nature; accessory buildings; renewable energy production - private; in-home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities: adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.64.020 (A) R1-9 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.67.020 (A) R1-12 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.70.020 (A) R1-15 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.71.020 (A) R1-20 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.73.020(A) R1-40 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.74.020(A) R2 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; two family dwellings; accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.76.020(A) R3 Uses permitted without a special use permit are as follows:**

Single family dwellings of a permanent nature; two family dwellings, multiple-family residential developments of up to one hundred and ten dwellings units accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.77.020(A) R4 Uses permitted without a special use permit are as follows:**

Two family dwellings, multiple-family residential developments of up to one hundred and ten dwellings units accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**Section 20.79.020(A) R5 Uses permitted without a special use permit are as follows:**

Two family dwellings, multiple-family residential developments of up to one hundred and ten dwellings units accessory buildings, renewable energy production - private, in home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities, adult care facilities ~~for not more than five residents and not to exceed two persons per bedroom.~~

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

**SECTION 4:** This ordinance shall become effective upon passage, approval, publication.

**SECTION 5:** The provisions of this ordinance shall be literally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

**SECTION 6:** If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**SECTION 7:** The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada

Revised Statutes Chapter 237.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_,  
2013, by the following vote of the City Council:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_,  
2013 by:

\_\_\_\_\_  
**GENO MARTINI, Mayor**

**ATTEST:**

**APPROVED AS TO FORM & LEGALITY:**

\_\_\_\_\_  
**Teresa Gardner, City Clerk**

\_\_\_\_\_  
**CHESTER H. ADAMS, City Attorney**