

## Chapter 20      Age-Specific Overlay District

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### **11-20-1:      Purpose**

The purpose of the Age-Specific (AS) Overlay District is to provide a residential environment conducive to the lifestyle and particular needs of senior citizens and retirees. This district is intended to be utilized for existing and proposed planned residential developments developed, advertised, and sold under certain age-specific conditions that contain facilities and services specifically designed to meet the physical and social needs of older persons.

### **11-20-2:      Land Use Regulations**

- A.      The Age-Specific overlay district is to be used in conjunction with an underlying residential zoning district, thereby permitting the same uses as the underlying base zoning district.
  - 1.      Each dwelling unit, if occupied, shall be occupied by at least 1 person not less than 55 years of age. Unless a person of not less than 55 years of age also occupies the residence, no person less than 55 years of age shall reside in any dwelling unit for a period of time exceeding 90 days, unless except pursuant to an Administrative Use Permit issued in accordance with [Chapter 70, Conditional Use Permits](#). Evaluation and Issuance of the Administrative Use Permit shall be based on the following criteria:
    - (a)      The residence has been occupied by some person of not less than 55 years of age within the last 12 months.
    - (b)      The person that is less than 55 years of age is a spouse or blood relative related to the previous occupant mentioned in (a), above, or listed as a recipient of the estate or trust of the previous occupant.
  - 2.      Administrative Use Permit shall be issued for a period no greater than one year, and shall be renewable.

**11-20-3: Supplemental Regulations**

- A. An application for Age-Specific overlay zoning may be approved by the City Council only after submission of the following materials:
  - 1. A petition signed by 100 percent of the owners of property within the proposed district; or
  - 2. Documentation that all of the property within the proposed district has been, and will continue to be, developed, advertised, and sold or rented under specific age restrictions; and
  - 3. Documentation of the existence and availability of facilities and services designed to meet the physical and social needs of older persons.
- B. Age-Specific overlay zoning district may be established only on parcels of 40 or more contiguous acres.