Index

ABANDONMENT OR VACATION
Nonconforming uses, **§ 12:22**
Official maps, amendment of, **§ 30:10**
Subdivision dedications, **§ 31:33**

ABUTTING LANDOWNERS
Adjoining or Abutting Landowners and Property (this index)

ACCEPTANCE AND OFFER
Subdivision dedication, **§ 31:30, 31:31**

ACCESS AND ACCESS ROUTES
Americans with Disabilities Act (ADA) (this index)
Residential districts excluding access routes, **§ 9:27**
Subdivisions, access problems to highways and streets, **§ 31:36, 31:38**

ACCESSORY AND INCIDENTAL USES
Aged person accessory apartments, **§ 21:8**
Commercial uses, **§ 9:45**
Encroachments, **§ 9:64**
Inclusionary zoning, accessory apartments, **§ 22:46**
Mobile homes and mobile home parks, **§ 20:8**
Residential uses, **§ 9:28**

ACCOUNTANTS
Home professions, **§ 19:21**

ACQUIESCENCE
Consent, Approval, or Acquiescence (this index)

ACTIONS AND REMEDIES
Civil rights acts claims, **§ 46:1 et seq.**
Enabling legislation, **§ 2:16, 2:17**
Exhaustion of Administrative Remedies (this index)
Freedom of Information Laws, remedies for wrongful denial of process, **§ 3A:32**

ACTIONS AND REMEDIES—Cont'd
Judicial Enforcement and Review (this index)
Legislative Action or Authority (this index)
Nonconforming uses, remedies for illegal change, expansion, or reconstruction, **§ 12:21**
Parties to Actions and Proceedings (this index)
Takings Claims (this index)
Wireless facility zoning, **§ 25:10**

ADA
Americans with Disabilities Act (ADA) (this index)

ADJACENT LANDS
Adjoining or Abutting Landowners and Property (this index)

ADJOINING OR ABUTTING LANDOWNERS AND PROPERTY
Appeal and certiorari, adjacent landowners as aggrieved persons entitled to review, **§ 42:17**
Area regulations and common ownership of adjacent lots, **§ 9:69**
Districts and Boundary Lines (this index)
Hardship (this index)
Special permits, objections to, **§ 14:28**

ADJUSTMENT BOARDS
Boards of Adjustment (this index)

ADMINISTRATION OF ZONING
Generally, **§ 39:1-39:24**
Agencies of enforcement, **§ 39:2 et seq.**
Boards of Appeal (this index)
Building permits, **§ 39:2**
Instruments of enforcement, **§ 39:2 et seq.**
Occupancy permits, **§ 39:3**
Problems of administration, **§ 39:1**
Registration of uses, **§ 39:4**
Uses, registration of, **§ 39:4**

ADMINISTRATIVE APPEAL AND REVIEW
Appeal and Certiorari (this index)

ADMINISTRATIVE CONSTRUCTION
Construction and interpretation of ordinance, **§ 41:10**

ADMINISTRATIVE DECISIONS
Injunctions to review, **§ 44:6**

ADMINISTRATIVE RELIEF FROM ZONING REGULATIONS
Generally, **§ 13:1-13:41**

ADMINISTRATORS
Parties in land use game, **§ 4:11**

ADOPTION OR ENACTMENT
Enactment or Adoption (this index)

ADULT BUSINESSES
Sexually Oriented Businesses (this index)

ADULTS ONLY MOBILE HOME PARKS
Generally, **§ 20:12**

ADVERTISING
Outdoor Advertising (this index)

ADVISORY BOARD MEMBERS
Conflicts of interest, **§ 38:13**

AERODYNAMIC NOISE
Wind power, **§ 9:51**

AESTHETICS
Generally, **§ 7:13 et seq.**
Balancing interest, **§ 7:25**
Billboards, **§ 7:16, 26:4**
Boulevards, design control, **§ 9:75**
Common law nuisance, **§ 7:15**
Community wide design control, **§ 9:76 et seq.**
Design control generally, **§ 9:74 et seq.**
Eminent domain, **§ 7:14**
Enabling legislation, objectives articulated in, **§ 7:13 et seq.**
Exclusionary zoning to protect community appearance, **§ 7:18**
Floor space regulations, **§ 7:21**
Growth Control (this index)
Historic Preservation (this index)
Lot area regulations, **§ 7:20**

AESTHETICS—Cont'd
Outdoor advertising regulation, aesthetics purposes, **§ 26:4**
Parks, design control, **§ 9:75**
Property maintenance regulations, landscaping, **§ 9:73.50**
Public funds, **§ 7:14**
Secondary purpose of ordinance, **§ 7:23**
Setback requirements, **§ 7:19**
Sign regulation, aesthetics purposes, **§ 26:4**
Sole ground for restrictions, **§ 7:22**
Value of property, **§ 7:24**
Wind turbines, **§ 9:51**

AFFORDABLE HOUSING
Incentives for, **§ 22:44**
Preservation, **§ 22:45**
Senior housing, **§ 22:47**
State Affordable Housing Laws (this index)

AGED PERSONS
Elderly Persons and Zoning Laws (this index)

AGENCIES, BOARDS, COMMISSIONS, AND DEPARTMENTS
Adjustment. Boards of Adjustment (this index)
Appeal and certiorari, government agencies as aggrieved and entitled to review, **§ 42:19**
Conflicts of interest, **§ 38:13**
County Planning Boards and Commissions (this index)
Declaratory judgment, standing of governmental agencies to seek, **§ 45:5**
Official maps, adopting agencies for, **§ 30:5**
Planning and Planners (this index)
Planning Boards and Commissions (this index)
Public Lands and Uses (this index)
Public Officers and Employees (this index)
Public Services (this index)
Review, government agencies as aggrieved and entitled to, **§ 42:19**
Subdivisions (this index)

AGGRIEVED PARTIES
Appeal and Certiorari (this index)

AGREEMENTS
Contracts and Agreements (this index)

AGRICULTURAL PRESERVATION DISTRICTS
Generally, **§ 33:9, 33:10**

AGRICULTURAL USES AND DISTRICTS
Generally, **§ 9:48, 9:49, 33:1 et seq.**
Agricultural preservation districts, **§ 33:9, 33:10**
"Agricultural" uses, generally, **§ 33:1**
Animals and Animal Husbandry (this index)
Commercial poultry houses, **§ 33:8**
Confined animal feeding operations, **§ 33:8**
Definitions, **§ 33:1**
Development and development rights
Agricultural preservation planning, **§ 33:10**
Residential development in agricultural districts, **§ 33:6**
Dogs, **§ 33:7**
Element plans, **§ 5:7**
Exemptions, agricultural, **§ 33:4**
"Farming" uses, generally, **§ 33:1**
Feed lots, **§ 33:8**
Greenhouses, **§ 18:37**
Horses, **§ 33:7**
Livestock. Animals and Animal Husbandry (this index)
Nurseries, **§ 18:37**
Planning, agricultural preservation, **§ 33:10**
Poultry houses, **§ 33:8**
Preservation districts, agricultural, **§ 33:9, 33:10**
Residential development in agricultural districts, **§ 33:6**
Rezoning, **§ 33:3**
Right to farm laws, **§ 33:5**
Rural zoning, **§ 9:48**
Special permits, **§ 33:3**
Variances, **§ 33:3**
Wind power, **§ 9:51**

AIR AND AIR SPACE
Light and Air (this index)

AIRPORT ZONING
Generally, **§ 18:1-18:7**
Condemnation of flight hazards, **§ 18:5**
Enabling acts, **§ 18:3**
Exclusion of airports, **§ 18:6**
Federal preemption, **§ 18:2**
Heliports, **§ 18:7**
Validity, **§ 18:3**

ALCOHOLIC BEVERAGES
Intoxicating Liquors and Beverages (this index)

ALLEYS
District boundary lines, **§ 9:6**

ALTERATION OR MODIFICATION
Amendment of Ordinances (this index)
Changes (this index)
Official map, amendment of, **§ 30:7 et seq.**
Ordinances. Amendment of Ordinances (this index)

AMENDMENT OF ORDINANCES
Generally, **§ 2:15, 8:1 et seq., 8:22 et seq.**
Appeal and Certiorari (this index)
Application for zone change, **§ 8:29**
Applications and petitions
Forms, **§ 8:31**
Protest petitions, **§ 8:30 et seq.**
Zone change, **§ 8:13**
Compliance with procedural requirements, **§ 8:5 et seq.**
Consent or approval, **§ 8:33**
Delay, **§ 8:8**
Discretionary procedural requirements, **§ 8:4**
Enabling legislation, **§ 2:15**
Executive session consideration of ordinance proposals, **§ 8:17**
Forms, generally, **§ 8:31**
Legislative errors and omissions, **§ 8:21**
Limitations on power to amend
Generally, **§ 8:24, 8:26**
Vested rights, **§ 32:11**
Mandamus, amendment while action pending, **§ 43:11**
Mandatory procedural requirements, **§ 8:3**
Notices and hearings, **§ 8:11 et seq.**

AMENDMENT OF ORDINANCES —Cont'd
Number of signers to protest petitions, **§ 8:32**
Objections, petition for, **§ 8:30 et seq.**
Official Maps (this index)
Pending action, amendment during, **§ 42:45, 43:11, 44:16, 45:17**
Petitions. Applications and petitions, above
Place for protest petitions, **§ 8:31**
Planning review, **§ 8:28**
Power to amend, **§ 8:23, 8:24, 8:26**
Prejudice, noncompliance with procedural requirements, **§ 8:7**
Procedure, **§ 8:27 et seq.**
Protest petitions, **§ 8:30 et seq.**
Publication of zoning changes, **§ 8:20**
Public hearing requirements, **§ 8:17**
Reconsideration of legislative actions, **§ 8:25**
Reliance on existing zoning regulations, **§ 8:24**
Signers to protest petitions, number of, **§ 8:32**
Special permit distinguished, **§ 14:4**
Time for protest petitions, **§ 8:31**
Vested Rights (this index)
Voting requirements, **§ 8:18**
Waiver of procedural requirements, **§ 8:8**

AMERICANS WITH DISABILITIES ACT (ADA)
Age-restricted housing, **§ 21:3**
Assisted living facilities, **§ 18:63**
Group homes, **§ 9:33**
Interjurisdictional land use control, **§ 3:4**
Nursing homes, **§ 18:63**

AMORTIZATION
Billboards, **§ 26:11**
Nonconforming uses, **§ 12:23**
Outdoor advertising, **§ 26:11**
Sexually oriented businesses, **§ 29:13**
Signs, **§ 26:11**

AMOUNT OR QUANTITY
Home Occupations or Professions (this index)
Nonconforming Uses (this index)
Signers to protest petitions to amendment, **§ 8:32**

AMUSEMENT ESTABLISHMENTS
Billiard rooms, **§ 18:16**
Bowling lanes, **§ 18:17**
Golf and Golf Courses (this index)
Recreation and Recreational Uses (this index)
Sexually Oriented Businesses (this index)

ANIMAL HOSPITALS
Home-based professions, veterinarians' offices, **§ 19:18**
Regulation of uses, **§ 18:11**

ANIMALS AND ANIMAL HUSBANDRY
Agricultural uses and districts, generally, **§ 33:7, 33:8**
Birds and Fowl (this index)
Cats, **§ 18:8**
Chickens as pets, **§ 18:10**
Commercial poultry houses, **§ 33:8**
Confined animal feeding operations, **§ 33:8**
Dogs, **§ 18:8, 33:7**
Endangered Species Act of 1973, **§ 3:3.10**
Exotic pets, **§ 18:12**
Feed lots, **§ 33:8**
Horses, **§ 33:7**
Hospitals. Animal Hospitals (this index)
Kennels, **§ 18:11**
Livestock, generally, **§ 33:7, 33:8**
Pigeons, **§ 18:13**
Pigs as pets, **§ 18:9**
Poultry houses, **§ 33:8**
Racetracks, **§ 18:64**
Shelters, **§ 18:11**

ANIMAL SHELTERS
Regulation of uses, **§ 18:11**

ANNEXATION
Generally, **§ 2:17, 6:1-6:8**
Conflicting zoning jurisdictions, **§ 6:8**
Contiguous boundaries, **§ 6:4**
Extraterritorial Zoning, **§ 6:7**
Procedures, **§ 6:2**
Reasonableness, **§ 6:3**
Subdivisions, **§ 31:47**
Urban areas, **§ 6:5**
Zoning annexed land, **§ 6:6**

ANTENNAS AND TOWERS
Wind turbines accommodating cell towers, **§ 9:51**

ANTICIPATION AND CONTEMPLATION
Special permits for anticipated violations, **§ 14:25**

ANTITRUST LAWS
Competition control, generally. Competition and Competition Control (this index)
Objectives of zoning to regulate competition, **§ 7:29**

APARTMENTS
Aged person accessory apartments, **§ 21:8**
Inclusionary zoning, accessory apartments, **§ 22:46**
Multiple-Family Dwellings and Districts (this index)
Single-family districts, exclusion of apartments in, **§ 9:41**

APPEAL AND CERTIORARI
Generally, **§ 42:1 et seq.**
Additional evidence in reviewing court, **§ 42:40, 42:43**
Adjacent landowners as aggrieved persons entitled to review, **§ 42:17**
Agencies, government agencies as aggrieved and entitled to review, **§ 42:19**
Aggrieved parties, generally, **§ 42:7 et seq.**
Amendment of ordinance, effect of amendment during pendency of appeal, **§ 42:45**
Application for review, **§ 42:21 et seq.**
Associations, representational standing, **§ 42:14**
Board of adjustment, **§ 42:3**
Boards of Appeal (this index)
Bonds and undertakings for appeal, **§ 42:34**
Business competitors as aggrieved persons entitled to review, **§ 42:16**
Citizens as aggrieved persons entitled to review, **§ 42:15**
Civic associations, representational standing, **§ 42:14**
Consistency determinations, **§ 36A:25**

APPEAL AND CERTIORARI—Cont'd
Contract vendors as aggrieved persons entitled to review, **§ 42:10**
Decisions subject to review, **§ 42:3 et seq.**
De novo review, **§ 42:41**
Disposition of appeal, **§ 42:45, 42:46**
Enforcement of time limitations, **§ 42:25**
Environmental review. Environmental Considerations (this Index)
Equitable owners as aggrieved persons entitled to review, **§ 42:10**
Error of board, extension of time period due to, **§ 42:28**
Evidence, review of
Generally, **§ 42:38 et seq.**
Additional evidence, **§ 42:40, 42:43**
De novo review, **§ 42:41**
Presumptions and burden of proof, **§ 42:38**
Exceptions to rule, exhaustion of administrative remedies, **§ 42:37**
Exhaustion of administrative remedies
General discussion, **§ 42:35 et seq.**
Exceptions to exhaustion rule, **§ 42:37**
Requirement of exhaustion, **§ 42:36**
Extension of limitations period, **§ 42:28, 42:29**
Federal Telecommunications Act of 1996, **§ 25:8**
Final disposition of case, appeal as, **§ 42:46**
Government agencies as aggrieved and entitled to review, **§ 42:19**
Homeowners' associations, representational standing, **§ 42:14**
Indispensable parties, **§ 42:20, 42:32**
Insurers as aggrieved persons entitled to review, **§ 42:13**
Issues before reviewing court, **§ 42:44**
Joining of indispensable parties within limitations period for appeal, **§ 42:32**
Legality of zoning ordinance, **§ 42:44**
Legislative body, decisions of, **§ 42:5**
Lessees as aggrieved persons entitled to review, **§ 42:11**
Limitation of actions. Time limitations, below
Metropolitan and regional planning boards and commissions,

APPEAL AND CERTIORARI—Cont'd
administrative review of decisions, **§ 10:13**
Mortgagees as aggrieved persons entitled to review, **§ 42:12**
Municipality as aggrieved and entitled to review, **§ 42:19**
Municipal planning and comprehensive plans, **§ 5:22**
Nearby residents as aggrieved persons entitled to review, **§ 42:17**
New or additional evidence on appeal, **§ 42:40, 42:43**
Nonconforming uses, **§ 12:8**
Notice of decision, extension of time period due to lack of, **§ 42:29**
Option holders as aggrieved persons entitled to review, **§ 42:10**
Outside municipality, persons owning land outside municipality as aggrieved persons entitled to review, **§ 42:18**
Owners as aggrieved persons entitled to review, **§ 42:9**
Parties or persons entitled to review, generally, **§ 42:6 et seq.**
Pendency of appeal, amendment of ordinance during, **§ 42:45**
Planned Unit Development (this index)
Planning boards and commissions, decisions of, **§ 42:4**
Pleadings, **§ 42:22**
Raising of issues below, **§ 42:44**
Record, transcript of, **§ 42:33**
Reduction of statutory time periods, **§ 42:26**
Remand, **§ 42:46**
Representational standing, **§ 42:14**
Reviewing court, appeal from, **§ 42:42, 42:43**
Scope of review, **§ 42:38 et seq.**
Standing of parties to seek review, generally, **§ 42:6 et seq.**
Statute of limitations. Time limitations, below
Statutes providing for judicial review, **§ 42:2**
Strict enforcement of time limitations, **§ 42:25**
Subdivisions, administrative review of. Subdivisions (this index)

APPEAL AND CERTIORARI—Cont'd
Substantial compliance, time limitations, **§ 42:27**
Substantial evidence rule, **§ 42:39**
Taxpayers as aggrieved persons entitled to review, **§ 42:15**
Time limitations
Generally, **§ 42:23 et seq.**
Determination of decision commencing running of time period for appeal, **§ 42:31**
Determination of triggering event commencing running of time period for appeal, **§ 42:30**
Error of board, extension of time period due to, **§ 42:28**
Extension of time period, **§ 42:28, 42:29**
Indispensable parties required to be joined within time period for appeal, **§ 42:32**
Joining of indispensable parties within time period for appeal, **§ 42:32**
Length of time limits for appeal, **§ 42:24**
Notice of decision, extension of time period due to lack of, **§ 42:29**
Reduction of statutory time periods, **§ 42:26**
Strict enforcement of, **§ 42:25**
Substantial compliance, **§ 42:27**
Tolling, **§ 42:30, 42:31**
Tolling, time limitations, **§ 42:30, 42:31**
Transcripts of record, **§ 42:33**
Undertakings and bonds for appeal, **§ 42:34**
Validity of zoning ordinance, **§ 42:44**
Vendees and vendors as aggrieved persons entitled to review, **§ 42:10**

APPLICATIONS AND PETITIONS
Amendment of Ordinances (this index)
Appeal and certiorari, **§ 42:21 et seq.**
Boards of Appeal (this index)
Declaratory judgment, effect of application for administrative relief on, **§ 45:13**
Mandamus, **§ 43:3**
Official Maps (this index)
Subdivisions (this index)
Variances. Boards of Appeal (this index)

APPRAISAL
Value and Valuation (this index)

APPROVALS
Consent, Approval, or Acquiescence (this index)
Vested Rights (this index)

ARCHITECTS
Design Control (this index)
Ethics and land use law, **§ 38:4**
Home professions, **§ 19:20**

AREA VARIANCES
Boards of appeals
Jurisdiction, **§ 40:4**
Variance applications, **§ 39:23**
Buildings and Structures (this index)
Hardship (this index)
Home occupations or professions, **§ 19:36**
Lot Area or Size (this index)
Special permits distinguished, **§ 14:2**

ARLINGTON HEIGHTS CASE
Exclusionary zoning, **§ 22:4**

ARTISTS' STUDIOS
Home professions, **§ 19:26**

ASSISTED LIVING FACILITIES
Nursing Homes and Assisted Living Facilities (this index)

ASSOCIATIONS AND ORGANIZATIONS
Appeal and certiorari, representational standing, **§ 42:14**
Clubs and Societies (this index)
Declaratory judgment, standing of associations to seek, **§ 45:6**
Religious Uses (this index)

ATHLETICS
Sports (this index)

ATTORNEYS
Boards of Appeal (this index)
Ethics and Land Use Law (this index)
Home professions, **§ 19:19**
Municipal attorneys, **§ 40:40**

ATTORNEY'S FEES
Civil rights acts claims, **§ 46:14**
Outdoor advertising, **§ 26:16**

ATTORNEY'S FEES—Cont'd
Religious Land Use and Institutionalized Person Act of 2000, **§ 28:8**

AUTOMOBILES
Motor Vehicles and Highway Traffic (this index)

BAD FAITH
Good Faith (this index)

BALANCING PUBLIC AND PRIVATE INTERESTS
Aesthetics purpose, **§ 7:25**

BALLOTS
Initiative and Referendum (this index)

BANKING OF LAND
Group control techniques, **§ 34:11**

BARBERSHOPS
Home occupations, **§ 19:27**

BARS
Sexually Oriented Businesses (this index)

BEACHES
Generally, **§ 18:16**
Swimming, regulation of, **§ 18:15**
Waterfront property. Waters and Waterfront Property (this index)

BEAUTIFICATION
Aesthetics (this index)

BEAUTIFUL CITY MOVEMENT
Development of urban planning, **§ 1:7**

BEAUTY PARLORS AND SHOPS
Home occupations, **§ 19:27**

BEDROOMS
Exclusionary zoning, limitations on number of, **§ 22:9**

BEER SALES
Regulation of uses, **§ 18:52**

BENEFITS
Spot rezoning, property owners and public, **§ 6A:4**

BEST USE
Highest and Best Use (this index)

BIG BOX STORES
Generally, **§ 18:68.30**

BILLBOARDS
Outdoor Advertising (this index)

BILLIARD ROOMS
Regulation of uses, **§ 18:16**

BIRDS AND FOWL
Agricultural uses and districts, **§ 33:8**
Commercial poultry houses, **§ 33:8**
Pets, chickens as, **§ 18:10**
Pigeons, **§ 18:13**

BLIGHTED PROPERTIES
Eminent domain, **§ 17:20**

BOARDING HOUSES AND ROOMING HOUSES
Generally, **§ 19:31**

BOARDS OF ADJUSTMENT
Administration of Zoning (this index)
Boards of Appeal (this index)
Conflicts of interest, **§ 38:13**
Decisions, opinions, and resolutions, **§ 42:3**
Delegation of grants of power, **§ 2:16**
Members
Generally, **§ 4:7**
Training, **§ 4:8**

BOARDS OF APPEAL
Generally, **§ 39:6 et seq., 40:1 et seq.**
Adequacy of findings, **§ 40:42**
Appellate jurisdiction
Generally, **§ 40:3**
Administrative decisions, **§ 40:5**
Variances, **§ 40:4**
Boards of Adjustment (this index)
Building inspectors, powers as to, **§ 40:7**
Changed circumstances and rehearings, **§ 40:51**
Conclusory findings, **§ 40:44**
Contents of notices, **§ 40:21**
Creation, **§ 39:12 et seq.**
Cross-examination rights, **§ 40:33**
Decisions, **§ 40:45 et seq.**
Delayed decisions, **§ 40:47**
Development, **§ 39:6**
Different relief, new applications, post decision, for, **§ 40:53**
Duties, **§ 39:22 et seq.**
Establishment, **§ 39:12 et seq.**
Ethics and land use law, **§ 40:46**

BOARDS OF APPEAL—Cont'd
Evidence
Generally, **§ 40:30 et seq.**
Competent evidence, **§ 40:32**
Cross-examination rights, **§ 40:33**
Expert witnesses, **§ 40:36**
Governmental reports, **§ 40:39**
Hearings, generally, **§ 40:30 et seq.**
Hearsay, **§ 40:35**
Inspections of premises, **§ 40:38**
Oath, testimony under, **§ 40:34**
Opinion evidence, **§ 40:36**
Personal knowledge of members, **§ 40:37**
Planning staff, **§ 40:39**
Reports, governmental, **§ 40:39**
Rules of evidence, **§ 40:31**
Substantial evidence, **§ 40:32**
Executive sessions, **§ 40:25**
Expert witnesses, **§ 40:36**
Fair hearings, **§ 40:24**
Filing fees, **§ 40:16**
Final disposition powers, **§ 40:8**
Findings, **§ 40:41 et seq.**
Governmental reports, **§ 40:39**
Hearings, generally, **§ 40:17 et seq., 40:24 et seq.**
Identical relief, new applications, post decision, for, **§ 40:52**
Incomplete findings, **§ 40:43**
Informal procedures, **§ 40:1**
Jurisdiction
Generally, **§ 40:2 et seq.**
Administrative decisions, **§ 40:5**
Appellate jurisdiction, **§ 40:3, 40:4**
Exceptions, **§ 40:3**
Original jurisdiction, **§ 40:3**
Special permits, **§ 40:3**
Variances, **§ 40:4**
Majority decisions, **§ 40:45**
Meetings, **§ 39:19**
Members
Generally, **§ 4:7, 39:14, 39:15**
Training, **§ 4:8**
Multiple hearings, **§ 40:22**
Municipal attorneys, **§ 40:40**
New applications, post decision
Different relief, **§ 40:53**
Identical relief, **§ 40:52**
Notices, **§ 40:17 et seq.**
Oath, testimony under, **§ 40:34**

BOARDS OF APPEAL—Cont'd
Officers, **§ 39:16**
Opinion evidence, **§ 40:36**
Ordinance challenges, **§ 40:9**
Organization, **§ 39:16 et seq.**
Original jurisdiction, **§ 40:3**
Parties to actions, **§ 40:11, 40:12**
Persons entitled to notices, **§ 40:19**
Planning staff testimony, **§ 40:39**
Pleadings, **§ 40:13 et seq.**
Posting of notices, **§ 40:20**
Powers
Generally, **§ 39:22 et seq., 40:6 et seq.**
Building inspectors, **§ 40:7**
Final disposition rulings, **§ 40:8**
Ordinance challenges, **§ 40:9**
Rule making, **§ 40:10**
Stays of administrative decisions, **§ 40:6**
Privileges, **§ 40:29**
Procedures, **§ 40:1 et seq.**
Publication of notices, **§ 40:20**
Public hearings, **§ 40:25**
Purposes, **§ 39:7, 39:8**
Qualifications of members, **§ 39:14**
Quorums, **§ 39:19 et seq., 40:26**
Records
Generally, **§ 39:21**
Evidence, governmental reports, **§ 40:39**
Of proceedings, **§ 40:27**
Of votes, **§ 40:48**
Rehearings, **§ 40:49 et seq.**
Res judicata, **§ 40:50**
Review of administrative decisions, **§ 39:22**
Right to counsel, **§ 40:28**
Rules and rule making powers, generally, **§ 39:20, 40:10**
Service of notices, **§ 40:20**
Special permits
Applications, **§ 39:24**
Jurisdiction, **§ 40:3**
Staff, **§ 39:16 et seq.**
Stays of administrative decisions, **§ 40:6**
Terms of members, **§ 39:15**
Time limitations, **§ 40:15**
Timeliness of notices, **§ 40:18**
Vacancies, **§ 39:15**
Validity of ordinances, **§ 40:9**

BOARDS OF APPEAL—Cont'd
Variances and variance applications
Generally, **§ 39:23**
Applications, generally, **§ 39:23**
Jurisdiction, **§ 40:4**
Votes, records of, **§ 40:48**
Waiver of irregular notice, **§ 40:23**

BOATS AND BOATING
Marinas, regulation of uses, **§ 18:53**

BODY PIERCING SERVICES
Generally, **§ 18:71.10**

BONDS AND UNDERTAKINGS
Appeal and certiorari, **§ 42:34**
Subdivision performance bonds, **§ 31:49, 31:50**

BOULEVARDS
Design control, **§ 9:75**

BOUNDARY LINES
Districts and Boundary Lines (this index)
Municipalities (this index)

BOWLING LANES
Regulation of uses, **§ 18:17**

"BUILDER'S REMEDY"
Exclusionary zoning, **§ 22:18**

BUILDING INSPECTORS
Generally, **§ 4:9**
Boards of appeal, powers as to, **§ 40:7**

BUILDING PERMITS
Generally, **§ 39:2**
Exactions, **§ 16:8**
Official maps, buildings on mapped streets, **§ 30:14**
Vested Rights (this index)

BUILDINGS AND STRUCTURES
Accessory and Incidental Uses (this index)
Area limitations and restrictions
Dwelling units, **§ 9:72**
Floor Area Limitations and Restrictions (this index)
Home occupations or professions, **§ 19:36**
Building Inspectors (this index)
Building Permits (this index)
Construction Works (this index)

BUILDINGS AND STRUCTURES —Cont'd
Design Control (this index)
Eaves as encroachment violation, **§ 9:62**
Encroachments, **§ 9:62, 9:64**
Energy and climate change, private sector initiatives, **§ 37:8**
Exterior design. Design Control (this index)
Floor Area Limitations and Restrictions (this index)
Floor plan requirements, sexually oriented businesses, **§ 29:15**
Green building codes, **§ 36:11**
Height Regulations (this index)
Houses. House or Home (this index)
Limitations and restrictions. Area limitations and restrictions, above
Nonconforming use, **§ 12:11**
Nonconforming Uses (this index)
Objectives articulated in enabling legislation, **§ 7:12, 7:19, 7:21**
Official Maps (this index)
Porches as encroachment violation, **§ 9:62**
Setback Restrictions and Regulations (this index)
Sexually oriented businesses, floor plan requirements, **§ 29:15**
Signs. Outdoor Advertising (this index)
Size
Area limitations and restrictions, above
Height Regulations (this index)
Stairway or steps as encroachment violation, **§ 9:62**
Value of building, conservation of, **§ 7:12**

BULK RESTRICTIONS AND REGULATIONS
Generally, **§ 9:56**

BURDEN OF PROOF
Presumptions and Burden of Proof (this index)

BURFORD ABSTENTION
Federal action or forum, civil rights acts claims, **§ 46:10**

BURIAL GROUNDS
Cemeteries (this index)

BUSINESS USES AND DISTRICTS
Commercial Uses and Districts (this index)

CALIFORNIA
Growth control techniques, **§ 34:6, 34:7**
Inclusionary zoning, state affordable housing laws, **§ 22:26**

CAMPS AND CAMPING
Trailer parks. Mobile Homes and Mobile Home Parks (this index)
Uses for profit, **§ 18:18**

CANCELLATION OF NONCONFORMING USE
Nonconforming Uses (this index)

CAPTIONS
Construction and interpretation of ordinance, **§ 41:12**

CARBON DIOXIDE
Energy and Climate Change (this index)

CARS
Motor Vehicles and Highway Traffic (this index)

CASE OR CONTROVERSY
Justiciable controversy for purpose of declaratory judgment, **§ 45:2**

CATS
Regulation of uses, **§ 18:8**

CAUSATION
Takings claims, **§ 16:5**

CELL TOWERS
Wireless Facility Zoning (this index)

CEMETERIES
Generally, **§ 18:19**

CERTAINTY AND DEFINITENESS
District boundary lines, **§ 9:5**

CERTIFICATES AND CERTIFICATION
Occupancy permits or certificates, **§ 39:3**
Planning and planners, certification of professional planners, **§ 4:3**

CERTIFICATES OF APPROPRIATENESS
Hardship exemptions, **§ 27:7**
Historic preservation, **§ 27:7**

CERTIORARI
Appeal and Certiorari (this index)

CHAIN STORES
Generally, **§ 18:68.20**

CHALLENGES
Exclusionary zoning, **§ 22:4 et seq.**
Free exercise, **§ 27:10**
Free speech, **§ 27:11**
Historic preservation, **§ 27:9 et seq.**
Penn Central takings test, **§ 27:9**

CHANGE OR MISTAKE RULE
Generally, **§ 6A:8 et seq.**
Burden of Proof, **§ 6A:11**
Exceptions, **§ 6A:9**
Standard of review, **§ 6A:11**
Variances, **§ 6A:10**

CHANGES
Alteration or Modification (this index)
Amendment of Ordinances (this index)
Change or Mistake Rule (this index)
Circumstances, **§ 6A:12**
Nonconforming Uses (this index)
Rezoning or Reclassification (this index)

CHARACTERISTICS
Constitutionality and Validity (this index)
Neighborhood character, **§ 7:26**
Zoning ordinances, **§ 9:14 et seq.**

CHARTERS OF MUNICIPALITIES
Home-rule power, **§ 2:8**

CHECKERBOARDING
Substandard size lots, **§ 9:70**

CHECKLIST
Community benefits agreements, **§ 32:17**

CHICKENS
Pets, **§ 18:10**

CHILD CARE
Group home for children in need of supervision, **§ 9:35**
Home occupations, **§ 19:29**
Single-family districts, group homes in, **§ 9:34, 9:35**

CHILDREN AND MINORS
Child Care (this index)

CHILDREN AND MINORS—Cont'd
Group homes for children in single-family districts, **§ 9:34, 9:35**
Schools and Education (this index)

CHILDREN IN NEED OF SUPERVISION, HOMES FOR
Group homes in single-family districts, **§ 9:35**

CHURCHES AND SYNAGOGUES
Religious Land Use and Institutionalized Person Act of 2000, **§ 3:7**
Religious Uses and Institutions (this index)

CITIES
Municipalities (this index)

CITIZENS
Review, citizens as aggrieved persons entitled to, **§ 42:15**

CITY BEAUTIFUL MOVEMENT
Development of urban planning, **§ 1:7**

CITY OF RENTON v. PLAYTIME THEATRES, INC.
Sexually oriented businesses, **§ 29:6**

CITY PRACTICAL PERIOD
Development of urban planning, **§ 1:8**

CIVIC ASSOCIATIONS
Appeal and certiorari, representational standing, **§ 42:14**

CIVIL RIGHTS ACTS CLAIMS
Generally, **§ 46:1-46:15**
Abstention, federal action or forum, **§ 46:8-46:12**
Actions, **§ 46:1**
Attorney's fees, **§ 46:14**
Color of law, **§ 46:2**
Damages, **§ 46:3, 46:14**
Immunities, **§ 46:4 et seq.**
Judicial immunity, **§ 46:4**
Jury trial rights, **§ 46:15**
Legislative immunity, **§ 46:5**
Post-deprivation remedies, adequacy, **§ 46:3**
Pre-deprivation remedies, adequacy, **§ 46:3**
Qualified immunity, **§ 46:6**
Quasi-judicial immunity, **§ 46:4**
Remedies, **§ 46:3, 46:14**

CIVIL RIGHTS ACTS CLAIMS —Cont'd
Res judicata, **§ 46:13**
Rooker-Feldman doctrine, **§ 46:13**
Sovereign immunity, **§ 46:7**
Takings Claims (this index)

CLIMATE CHANGE
Energy and Climate Change (this index)

CLUBS AND SOCIETIES
Fraternity and sorority houses in single-family districts, **§ 9:38**
Religious Uses (this index)

CLUSTER DEVELOPMENT
Generally, **§ 31:20 et seq.**
Special permits, establishment by, **§ 31:22**
Subdivision controls, **§ 31:21**

COASTAL AREAS
Waterfront property, generally. Waters and Waterfront Property (this index)

COASTAL NONPOINT POLLUTION CONTROL PROGRAM
Generally, **§ 36A:28-36A:31**
Development and approval of State Coastal nonpoint Pollution Control Programs, **§ 36A:30**
Funding, **§ 36A:31**
Management measures, **§ 36A:29**
Overview, **§ 36A:28**
State Coastal nonpoint Pollution Control Programs, development and approval of, **§ 36A:30**
Technical assistance and funding, **§ 36A:31**

COASTAL ZONE MANAGEMENT ACT OF 1972 (CZMA)
Generally, **§ 36A:3-36A:33**
Administration, **§ 36A:6**
Amendments, **§ 36A:4**
Climate change, national policy and, **§ 36A:9**
Coastal Barrier Resources Act, **§ 36A:34**
Coastal Nonpoint Pollution Control Program
Generally, **§ 36A:28-36A:31**
Development and approval of State Coastal nonpoint Pollution Control Programs, **§ 36A:30**

COASTAL ZONE MANAGEMENT ACT OF 1972 (CZMA)—Cont'd
Coastal Nonpoint Pollution Control Program—Cont'd
Funding, **§ 36A:31**
Management measures, **§ 36A:29**
Overview, **§ 36A:28**
State Coastal nonpoint Pollution Control Programs, development and approval of, **§ 36A:30**
Technical assistance and funding, **§ 36A:31**
Coastal zone, definition of, **§ 36A:7**
Coastal Zone Enhancement Program
National priorities for Section 309 Enhancement Program, **§ 36A:27**
Overview, **§ 36A:26**
Consistency. Federal consistency, below
Federal consistency
Generally, **§ 36A:18-36A:25**
Activities and effects triggering consistency review, **§ 36A:19**
Consistency determinations
appeals, **§ 36A:25**
federal agencies, **§ 36A:21**
federal licenses, **§ 36A:23**
outer continental shelf plans, **§ 36A:24**
state objections to, **§ 36A:22**
Consistency review, activities and effects triggering, **§ 36A:19**
Federal agencies, consistency determination for, **§ 36A:21**
Maximum extent practicable, **§ 36A:20**
Federal laws affecting planning and zoning in coastal areas
Coastal Barrier Resources Act, **§ 36A:34**
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Water-related laws, overview of, **§ 36A:36**
Interjurisdictional land use control, **§ 3:3**
Jurisdiction
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Legislative history, **§ 36A:3**
Local level administration, **§ 36A:33**
Maximum extent practicable, **§ 36A:20**

COASTAL ZONE MANAGEMENT ACT OF 1972 (CZMA)—Cont'd
National Estuarine Research Reserve (NERR), **§ 36A:32**
National policy, **§ 36A:8, 36A:9**
National priorities for Section 309 Enhancement Program, **§ 36A:27**
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Section 309 Enhancement Program, national priorities for, **§ 36A:27**
States, CZMA administration in
Generally, **§ 36A:10-36A:25**
Amendments, **§ 36A:12**
Constitutional challenges, **§ 36A:16**
Development and approval of, **§ 36A:11**
Development restrictions, **§ 36A:14**
Federal consistency, above
Financial assistance, **§ 36A:17**
Implementation
generally, **§ 36A:13-36A:16**
constitutional challenges, **§ 36A:16**
development restrictions, **§ 36A:14**
near-shore and offshore development restrictions, **§ 36A:15**
Near-shore and offshore development restrictions, **§ 36A:15**
Structure, **§ 36A:5**

COHABITATING
Single-family districts, unrelated persons living in single homes in, **§ 9:30**

COLORADO RIVER ABSTENTION
Federal action or forum, civil rights acts claims, **§ 46:12**

COMMERCIAL POULTRY HOUSES
General discussion, **§ 33:8**

COMMERCIAL USES AND DISTRICTS
Generally, **§ 9:43 et seq.**
Accessory uses, **§ 9:45**
Exclusion of funeral homes, **§ 18:22**
Home Occupations or Professions (this index)
Pawn shops, **§ 18:63.10**
Residential uses and districts
Exclusion of residential uses, **§ 9:44**
Residential districts excluding commercial uses, **§ 9:26**

COMMERCIAL USES AND DISTRICTS—Cont'd
Review, business competitors as aggrieved persons entitled to, **§ 42:16**
Sexually Oriented Businesses (this index)
Tattoo parlors and body piercing services, **§ 18:71.10**

COMMON LAW
Nuisance, **§ 7:15, 18:39**
Subdivisions, dedication of, **§ 31:30 et seq.**

COMMON OR JOINT OWNERSHIP
Area regulations and common ownership of adjacent lots, **§ 9:69**

COMMUNICATIONS TOWERS
Generally. Wireless Facility Zoning (this index)
Wind turbines accommodating cell towers, **§ 9:51**

COMMUNITY PLANNING AND DEVELOPMENT
Generally, **§ 1:17 et seq., 5:1 et seq.**
Aesthetic purposes of zoning laws, **§ 7:13 et seq.**
Antitrust law and zoning laws, **§ 7:29**
Building preservation purposes of zoning, **§ 7:12**
Case law development, **§ 2:21**
Checklist for community benefits agreements, **§ 32:17**
Community benefits agreements, **§ 32:15-32:17**
Competition, affect of zoning regulation on, **§ 7:28**
Condemnation costs as zoning law consideration, **§ 7:31**
Constitutional litigation and community planning, **§ 2:26**
Definitions, **§ 1:18, 1:21**
Design controls, **§ 9:76 et seq.**
Devices for controlling use of land, **§ 1:11 et seq.**
Early comprehensive zoning ordinances, **§ 2:20**
Economy in government, purpose of zoning law to preserve, **§ 7:32**
Environmental considerations as objective of zoning laws, **§ 7:33**

COMMUNITY PLANNING AND DEVELOPMENT—Cont'd
Euclid v. Ambler Realty, **§ 2:22, 2:24**
Exclusionary zoning as legitimate zoning purpose, **§ 7:18**
Facilities element plans, **§ 5:8**
Fire prevention purposes of zoning, **§ 7:10**
Floor space requirements as zoning law purpose, **§ 7:21**
General welfare, purpose of zoning laws to preserve, **§ 7:13 et seq.**
Governmental services, provision as zoning law consideration, **§ 7:27**
Health purposes of zoning regulation, **§ 7:4 et seq.**
History, **§ 1:19**
Implementing plans for community development, **§ 1:17 et seq.**
Internet land use law resources, **§ 48:15**
Intersection of constitutional litigation and community planning, **§ 2:26**
Light and air adequacy, zoning to provide, **§ 7:5**
Lot area requirements as zoning purpose, **§ 7:20**
Moral values and zoning regulations, **§ 7:11**
Natural resources, conservation as purpose of zoning laws, **§ 7:33**
Nectow v. City of Cambridge, **§ 2:23, 2:24**
Neighborhood character preservation as zoning law purpose, **§ 7:26**
Official maps, **§ 1:21**
Overcrowding, purpose of zoning to alleviate, **§ 7:6**
Property value, purposes of zoning to preserve, **§ 7:12**
Recreational uses, purpose of zoning to provide, **§ 7:7**
Regulations applied to specific property, **§ 2:25**
Safety purposes of zoning regulation, **§ 7:4 et seq.**
Setback requirements and zoning law purposes, **§ 7:19**
Specific property regulations, **§ 2:25**
Subdivision control, **§ 1:20**
Tax revenues as zoning law consideration, **§ 7:30**

COMMUNITY PLANNING AND DEVELOPMENT—Cont'd
Traffic congestion, purpose of zoning regulations to alleviate, **§ 7:9**
Zoning, defined, **§ 1:18**

COMPACTS, INTERSTATE
Interjurisdictional land use control, **§ 3:10**

COMPENSATION AND WAGES
Metropolitan and regional planning boards and commissions, **§ 10:8**
Planning boards and commissions, members of, **§ 10:8**

COMPETITION AND COMPETITION CONTROL
Objective of zoning to regulate competition, **§ 7:28**
Special permits to control competition, **§ 14:23**

COMPLAINT OR INFORMATION
Criminal proceedings to enforce zoning and planning regulations, **§ 47:3**

COMPLAINTS IN CIVIL ACTIONS
Pleadings (this index)

COMPREHENSIVE PLAN
Master or Comprehensive Plan (this index)

CONDEMNATION
Eminent Domain (this index)
Takings Claims (this index)

CONDITIONAL PERMITS
Generally, **§ 14:30 et seq.**
Authority to impose conditions, **§ 14:30**
Temporary permits, **§ 14:33**

CONDITIONAL ZONING
Device employed to make zoning more flexible, **§ 9:20**
Exactions, **§ 16:8**

CONDITIONS
Conditional Permits (this index)
Device employed to make zoning more flexible, conditional zoning as, **§ 9:20**
Subdivisions (this index)
Variances (this index)

CONFISCATION
Eminent Domain (this index)
Takings Claims (this index)

CONFLICT OF INTEREST
Generally, **§ 38:9 et seq.**
Advisory board members, **§ 38:13**
Boards of Appeal (this index)
Employment-based, **§ 38:3**
Ethics and Land Use Law (this index)
Familial relationships, **§ 38:11**
Financial interests, **§ 38:10**
Memberships creating, **§ 38:16**
Personal interests, **§ 38:9, 38:10**
Personal relationships, **§ 38:11**
Planning Boards and Commissions (this index)
Remediation, **§ 38:19**
Residency-based, **§ 38:12**

CONFLICT OR INCONSISTENCY
Conflict of Interest (this index)
Enabling legislation, **§ 2:18, 34:14**
Growth controls and enabling legislation, **§ 34:14**
Jurisdictions, annexation, **§ 6:8**
Spot zoning
Comprehensive plan, **§ 6A:3**
Consistency with surrounding uses, **§ 6A:5**
State law, **§ 2:18**

CONNECTICUT
Inclusionary zoning, state affordable housing laws, **§ 22:27**

CONSENT, APPROVAL, OR ACQUIESCENCE
Amendment of Ordinances (this index)
Nonconforming Uses (this index)
Special permits, consent of neighboring landowners to, **§ 14:15**
Subdivisions (this index)

CONSERVATION OF NATURAL RESOURCES
Environmental Considerations (this index)
Objectives of zoning, **§ 7:33**

CONSISTENCY
Conflict or Inconsistency (this index)

CONSTITUTIONAL ISSUES
Historic preservation, **§ 27:8**

CONSTITUTIONALITY AND VALIDITY
Generally, **§ 2:21, 15:1-15:11**
Adoption of construction which upholds ordinance, **§ 41:6**
Aesthetic purposes of zoning laws, **§ 7:13 et seq.**
Age-restricted housing, **§ 21:6**
Airport zoning, **§ 18:4**
Antitrust law and zoning laws, **§ 7:29**
Appeal and certiorari on issue of validity of ordinance, **§ 42:44**
Billboards, **§ 26:10**
Boards of appeal powers to rule on validity of ordinances, **§ 40:9**
Building preservation purposes of zoning, **§ 7:12**
Burden of proof. Presumptions and burden of proof of constitutionality, below
City of Renton v. Playtime Theatres, Inc., **§ 29:6**
Community planning and constitutional litigation, **§ 2:26**
Competition, affect of zoning regulation on, **§ 7:28**
Condemnation costs as zoning law consideration, **§ 7:31**
Conduct regulation, **§ 29:15**
Constitutional issues (this index)
Construction and interpretation of ordinances, **§ 41:6**
Content-based and content-neutral regulations
Sexually oriented businesses, **§ 29:3 et seq.**
Signs and billboards, **§ 26:7**
Declaratory judgment, **§ 45:14, 45:16**
Designs, community-wide control of, **§ 9:77**
Development of zoning law jurisprudence, **§ 1:11 et seq.**
Due Process (this index)
Early comprehensive zoning ordinances, **§ 2:20**
Early zoning cases, **§ 1:12**
Economy in government, purpose of zoning law to preserve, **§ 7:32**
Eminent domain, **§ 17:1**
Enabling legislation, ultra vires acts not within, **§ 34:14**

CONSTITUTIONALITY AND VALIDITY—Cont'd
Environmental considerations as objective of zoning laws, **§ 7:33**
Equal Protection (this index)
Errors, legislative, **§ 8:21**
Establishment Clause, **§ 28:9**
Euclid v. Ambler Realty, **§ 2:22, 2:24**
Exclusionary zoning as legitimate zoning purpose, **§ 7:18**
Exterior designs, community-wide control of, **§ 9:77**
Facial and as applied takings claims, **§ 16:1**
Fire prevention purposes of zoning, **§ 7:10**
Floor space requirements as zoning law purpose, **§ 7:21**
General welfare, purpose of zoning laws to preserve, **§ 7:13 et seq.**
Governmental services, provision as zoning law consideration, **§ 7:27**
Group control, substantive due process, **§ 34:15**
Health purposes of zoning regulation, **§ 7:4 et seq.**
Home-rule powers, **§ 2:6**
Initiative, **§ 11:7**
Intersection of constitutional litigation and community planning, **§ 2:26**
Judicial review and enforcement, **§ 42:38, 45:14**
Legislative errors and omissions, **§ 8:21**
Light and air adequacy, zoning to provide, **§ 7:5**
Lot area requirements as zoning purpose, **§ 7:20**
Mandamus to test validity of zoning ordinance, **§ 43:8 et seq.**
Moral values and zoning regulations, **§ 7:11**
Natural resources, conservation as purpose of zoning laws, **§ 7:33**
Nectow v. City of Cambridge, **§ 2:23, 2:24**
Neighborhood character preservation as zoning law purpose, **§ 7:26**
Nonconforming Uses (this index)
Nuisance law, **§ 1:13**
Objectives of zoning, limitations on, **§ 7:2**

CONSTITUTIONALITY AND VALIDITY—Cont'd
Official maps, constitutional problems, **§ 30:3**
Omissions, legislative, **§ 8:21**
Ordinances, boards of appeal powers to rule on validity of, **§ 40:9**
Outdoor advertising
Generally, **§ 26:10**
Commercial vs. noncommercial speech, **§ 26:7**
Free speech interests, **§ 26:6**
Outdoor Advertising (this index)
Overcrowding, purpose of zoning to alleviate, **§ 7:6**
Power to zone, generally, **§ 2:2, 2:6**
Presumptive constitutionality of laws
Generally, **§ 15:8, 15:9, 42:38**
Judicial review, **§ 45:14**
Prior restraints
Advertising, **§ 26:9**
Sexually oriented businesses, **§ 29:19**
Property value, purposes of zoning to preserve, **§ 7:12**
Recreational uses, purpose of zoning to provide, **§ 7:7**
Referendum, **§ 11:7**
Religious Land Use and Institutionalized Person Act of 2000, **§ 28:2**
Religious Uses (this index)
Safety purposes of zoning regulation, **§ 7:4 et seq.**
Setback requirements and zoning law purposes, **§ 7:19**
Sexually Oriented Businesses (this index)
Signs and billboards, **§ 26:10**
Special permits, delegation of power, **§ 14:9**
State zoning power, **§ 2:2**
Substantial government interests, time, place, and manner regulation, **§ 29:17**
Takings Claims (this index)
Tax revenues as zoning law consideration, **§ 7:30**
Time, place, and manner regulation
Hours of operation regulation, **§ 29:15**
Licensing, **§ 29:15, 29:18**
Sexually Oriented Businesses (this index)

CONSTITUTIONALITY AND VALIDITY—Cont'd
Time, place, and manner regulation —Cont'd
Substantial government interests, **§ 29:17**
Traffic congestion, purpose of zoning regulations to alleviate, **§ 7:9**
Ultra vires acts not within enabling legislation, **§ 34:14**
United States v. O'Brien, **§ 29:4, 29:5**
Vagueness, **§ 41:8**

CONSTRUCTION AND INTERPRETATION
Generally, **§ 41:1-41:16**
Administrative construction, **§ 41:10**
Adoption of construction upholding ordinance, **§ 41:6**
Boards of Appeal (this index)
Boundary lines of districts, **§ 9:7**
Captions in ordinances, **§ 41:12**
Common meaning, **§ 41:14**
Construction provisions of zoning ordinances, **§ 41:3**
Context of language, **§ 41:11**
Definitions, **§ 41:15 et seq.**
Glossary of terms, **§ 41:16**
Governmental uses of land, **§ 18:36**
Intent of Legislature or Ordinance (this index)
Judicial attitude towards zoning procedures, **§ 8:1**
Language of zoning, generally, **§ 41:1**
Legislative intent, **§ 41:7**
Liberal construction, generally, **§ 41:9**
Maxims of construction, **§ 41:2**
Offstreet parking requirement, **§ 9:54**
Open meeting laws, **§ 3A:3**
Ordinances, generally, **§ 41:1**
Preambles, **§ 41:12**
Provisions in zoning ordinances for construction, **§ 41:3**
Purpose clauses of ordinances, **§ 41:12**
Repeal by implication, **§ 41:13**
Special permits, **§ 14:18**
Special Permits (this index)
Statutory construction acts, **§ 41:2**
Strict construction, generally, **§ 41:4, 41:5**
Subdivision plats, **§ 31:34**
Vagueness, **§ 41:8**

CONSTRUCTION WORKS
Building Permits (this index)
Nonconforming Uses (this index)

CONTEMPLATION AND ANTICIPATION
Special permits for anticipated violations, **§ 14:25**

CONTRACTS AND AGREEMENTS
Boards of Appeal (this index)
Contract zoning, **§ 9:21, 9:22**
Development agreements
Generally, **§ 32:13**
Model law, **§ 32:14**
Offer and acceptance of subdivision dedication, **§ 31:30, 31:31**
Review, contract vendors as aggrieved persons entitled to, **§ 42:10**

CONTRACT ZONING
Generally, **§ 9:21, 9:22**
Exactions, **§ 16:8**

CONTROLLED SUBSTANCES ACT
Marijuana, federal preemption, **§ 33A:2**

CONTROVERSY OR CASE
Justiciable controversy for purpose of declaratory judgment, **§ 45:2**

CORNER LOTS
Area or size, **§ 9:61**

COSMETOLOGISTS
Home occupations, **§ 19:27**

COSTS AND EXPENSES
Eminent domain, minimizing costs of, **§ 7:31**
Fees (this index)

COUNTY PLANNING BOARDS
Conflicts of interest, **§ 38:13**

COVERAGE LIMITATIONS ON LOTS
Generally, **§ 9:71**

CRIMINAL PROCEEDINGS
Generally, **§ 47:1-47:6**
Accusation, **§ 47:3**
Burden of proof, **§ 47:4**
Defenses, **§ 47:5**
Discriminatory enforcement, **§ 47:6**
Enabling acts, **§ 47:2**

CRIMINAL PROCEEDINGS—Cont'd
Injunctions against criminal conduct, **§ 44:13**
Injunction to restrain criminal conduct. Injunctions (this index)
Penalties (this index)
Presumptions, **§ 47:4**
Violations (this index)

CRITICAL HABITAT AREAS
Environmental considerations, **§ 36:19**

CUMULATIVE ZONING ORDINANCES
Generally, **§ 9:14**

CYBERCAFES
Use regulations, **§ 18:20**

DAMAGES
Civil rights acts claims, **§ 46:3, 46:14**
Declaratory judgment, special damages in action for, **§ 45:3**
Eminent domain, minimizing damages for, **§ 7:31**

DANCE STUDIOS
Home professions, **§ 19:25**

DATE
Time or Date (this index)

DECIBEL LEVEL
Wind turbines, **§ 9:51**

DECISIONS AND OPINIONS
Appeal and Certiorari (this index)
Boards of adjustment, **§ 42:3**
Boards of Appeal (this index)
Delay in making decision, **§ 31:16**
Injunctions to review, **§ 44:6**
Legislative decision or action. Legislative Action or Authority (this index)
Metropolitan and Regional Planning (this index)
Metropolitan and regional planning boards and commissions, administrative review of decisions, **§ 10:13, 10:14**
Metropolitan plans, **§ 10:14**
Planning boards and commissions, decisions of, **§ 42:4**
Regional plans, **§ 10:14**
Stays of administrative decisions, **§ 40:6**
Subdivision controls, **§ 31:15, 31:16**

DECLARATORY JUDGMENTS
Generally, **§ 45:1-45:17**
Amendment of ordinance while action pending, **§ 45:17**
Application for administrative relief, effect of, **§ 45:13**
Associations and organizations as having standing to sue, **§ 45:6**
Availability of remedy, **§ 45:1, 45:2**
Compliance, effect of, **§ 45:13**
Effect of declaratory judgment, generally, **§ 45:15**
Exhaustion of administrative remedies, **§ 45:11, 45:12**
Governmental agencies as having standing to seek relief, **§ 45:5**
Indispensable parties, **§ 45:8**
Invalidity or validity, **§ 45:14, 45:16**
Justiciable controversy, **§ 45:2**
Owners, standing of, **§ 45:4**
Parties to action, **§ 45:3 et seq.**
Pleadings
Generally, **§ 45:9, 45:10**
Application for administrative relief, effect of, **§ 45:13**
Exhaustion, **§ 45:12**
Presumption of validity, **§ 45:14**
Reclassification, **§ 45:16**
Scope of review, **§ 45:14**
Special damages, **§ 45:3**
Tenants as having standing to seek relief, **§ 45:4**
Timeliness of pleading, **§ 45:10**
Validity or invalidity, **§ 45:14, 45:16**
Vendors and vendees as having standing to sue, **§ 45:7**
Violation, effect of, **§ 45:13**

DEDICATION
Abandonment or vacation of, **§ 31:33**
Acceptance and offer, **§ 31:30, 31:31**
Common law, **§ 31:30 et seq.**
Exactions (this index)
Money in lieu of
Education and other uses, **§ 31:44, 31:45**
Parks and recreational areas, **§ 31:42**
Offer and acceptance of subdivision dedication, **§ 31:30, 31:31**
Official map, amendment of, **§ 30:9**
Park dedications, **§ 31:42, 31:43**
Recreational uses, **§ 31:42, 31:43**

DEDICATION—Cont'd
Revocation of, **§ 31:32**
Schools, **§ 31:44, 31:45**
Subdivisions (this index)
Vacation of, **§ 31:33**

DEFENSES
Criminal proceedings to enforce zoning and planning regulations, **§ 47:5, 47:6**
Exclusionary zoning challenges, **§ 22:11 et seq.**
Open meetings laws, **§ 3A:19**

DEFINITIONS
Construction of terms, **§ 41:15 et seq.**
Glossary of terms, **§ 41:16**
Adult business, **§ 29:7, 29:8**
Agricultural uses and districts, **§ 33:1**
Coastal zone, **§ 36A:7**
Community planning, **§ 1:18**
Family, **§ 9:30**
Home occupations or professions, **§ 19:2**
Initiative, **§ 11:3**
Meeting, **§ 3A:5**
Metropolitan planning, **§ 10:2**
Mobile home, **§ 20:3**
Official map, **§ 1:21, 30:1**
Planned unit development, **§ 24:8**
Planning, **§ 1:4**
Referendum, **§ 11:3**
Regional planning, **§ 10:2**
Sexually oriented businesses, **§ 29:7, 29:8**
Special permit, **§ 14:1**
Subdivision, **§ 1:20**
Variance, **§ 13:1**
Zoning, **§ 1:18**

DELAY
Laches and Delay (this index)

DELEGATION OF POWERS
Boards of adjustment, **§ 2:16**
Districts, **§ 2:13**
Eminent domain powers, **§ 17:2**
Enabling Acts (this index)
Enabling acts authority to delegate, **§ 2:9 et seq.**
Planned unit development authority, **§ 24:17**
Special permits, **§ 14:9, 14:10**

DELEGATION OF POWERS—Cont'd
Subdivision plats, **§ 31:8**

DE NOVO PROCEEDINGS
Appeal and certiorari, review on, **§ 42:41**

DENSITY RESTRICTIONS
Growth Control (this index)
Population and Population Control (this index)

DENTISTS
Home professions, **§ 19:16**

DEPARTMENTS
Agencies, Boards, Commissions, and Departments (this index)

DEPRECIATION
Special permits, diminution of neighborhood property, **§ 14:14**

DESIGN CONTROL
Generally, **§ 9:74 et seq.**
Community-wide design controls, **§ 9:76 et seq.**
Enabling acts, **§ 9:77**
Home occupations, restrictions on exterior evidence of, **§ 19:35**
Patterns of regulation, **§ 9:76**
Police power, **§ 9:77**
Public parks and boulevards, design controls in and around, **§ 9:75**
Standards of design, **§ 9:79**
Subdivisions, streets and highways of, **§ 31:36**
Validity of community-wide controls, **§ 9:77**

DEVELOPMENT AND DEVELOPERS
Agreements, development
Generally, **§ 32:13**
Community benefits agreements, **§ 32:15-32:17**
Model law, **§ 32:14**
Vested Rights (this index)
Agricultural Uses and Districts (this index)
Community Planning and Development (this index)
Development rights, conservation easements and transfer of development rights, **§ 34:12**
Growth Controls (this index)

DEVELOPMENT AND DEVELOPERS —Cont'd
Interim development ordinances, **§ 32:10**
Moratoria (this index)
Official maps, **§ 1:21, 30:2**
Planned Development Districts (this index)
Planned Unit Development (this index)
Planning and Planners (this index)
Subdivisions, **§ 1:20, 31:1, 31:21**

DISABLED PERSONS
Americans with Disabilities Act (ADA) (this index)
Group homes, **§ 9:33, 9:37**

DISASTER MITIGATION ACT OF 2000
Interjurisdictional land use control, **§ 3:8**

DISCONTINUANCE
Nonconforming uses, **§ 12:22**

DISCRETIONARY OR DIRECTORY MATTERS
District boundary lines, legislative discretion as to, **§ 9:3**
Inclusionary zoning, **§ 22:42, 22:43**
Procedural limitations on municipal zoning power, **§ 8:4**
Special permits, range of discretion, **§ 14:17, 14:18**

DISCRIMINATION
American with Disabilities Act of 1990, **§ 3:4**
Criminal proceedings to enforce zoning and planning regulations, **§ 47:6**
Fair Housing Act, **§ 3:5**
Religious Land Use and Institutionalized Person Act of 2000, **§ 28:7**
Special permits, discrimination between applicants for, **§ 14:29**
Wireless facility zoning, discrimination among providers of functionally equivalent services, **§ 25:2**

DISTRICTS AND BOUNDARY LINES
Generally, **§ 9:2 et seq.**
Adjacent districts, generally, **§ 9:4 et seq.**
Agricultural Uses and Districts (this index)
Alleys as boundary lines, **§ 9:6**

DISTRICTS AND BOUNDARY LINES —Cont'd
Annexation (this index)
Boundary lines, generally, **§ 9:4 et seq.**
Buffer districts, **§ 9:11**
Business Uses and Districts (this index)
Certainty of boundary lines, **§ 9:5**
Commercial Uses and Districts (this index)
Construction and interpretation as to boundary lines, **§ 9:7**
Delegation of powers, **§ 2:13**
Discretion of legislature as to district boundary lines, **§ 9:4**
Floating Zones (this index)
Historic Preservation (this index)
Industrial Uses and Districts (this index)
Like areas, boundary lines separating, **§ 9:9**
Maps, **§ 9:3**
Multiple-Family Dwellings and Districts (this index)
Planned Development Districts (this index)
Residential Uses and Districts (this index)
Senior housing districts, **§ 21:7**
Shore lines as boundary lines, **§ 9:13**
Single-Family Uses and Districts (this index)
Split lots between districts, **§ 9:12**
Streets as boundary lines, **§ 9:6**
Underwater land as boundary lines, **§ 9:13**
Unlike districts, boundary lines between, **§ 9:8**
Use restrictions, districts based on, **§ 9:24 et seq.**
Zoning districts, generally, **§ 9:2**
Zoning maps, **§ 9:3**

DISTURBANCES
Objectives of zoning to prevent disturbances, **§ 7:34**

DOCKAGE AND WHARFAGE
Marinas, regulation of, **§ 18:53**

DOCTORS
Home professions, **§ 19:16**

DOGS
Agricultural uses and districts, **§ 33:7**
Regulation of uses, **§ 18:8**

DOMESTIC ANIMALS
Animals and Animal Husbandry (this index)

DOMESTIC SERVANT QUARTERS
Single-family districts, facilities for servants in, **§ 9:39**

DORMANT COMMERCE CLAUSE
Landfill regulation, **§ 18:49**

DRAINAGE
Subdivision approval, **§ 31:46**

DRESSMAKING
Home occupations, **§ 19:28**

DRIVE-IN RESTAURANTS
Generally, **§ 18:68**

DRIVING RANGES
Generally, **§ 18:27**

DRY CLEANING
Laundries and Dry Cleaners (this index)

DUE PROCESS
Generally, **§ 15:1 et seq., 34:15**
Arbitrariness, **§ 15:11**
Constitutional zoning issues generally, **§ 15:1**
Federal court review of claims, **§ 15:3**
Form-based codes, **§ 23:6**
Growth controls and substantive due process, **§ 34:15**
Initiative, **§ 11:7**
Nonconforming uses of property, **§ 12:14**
Presumptive constitutionality of laws, **§ 15:8, 15:9**
Proof standards, **§ 15:10**
Referendum, **§ 11:7**
Ripeness, **§ 15:7**
Standard of review, **§ 15:1**
Substantive due process, **§ 15:2**
Takings Claims (this index)
Unreasonability, **§ 15:11**

DUMPS AND DUMPING
Junkyards (this index)

DWELLING OR HOUSE
House or Home (this index)
Multiple-Family Dwellings and Districts (this index)

EASEMENTS
Group control techniques, conservation easements and transfer of development rights, **§ 34:12**

EAVES
Encroachments, **§ 9:62**

ECONOMIC MATTERS
Financial and Economic Matters (this index)

EDUCATION
Schools and Education (this index)

ELDERLY PERSONS AND ZONING LAWS
Generally, **§ 21:1 et seq.**
Accessory apartments, **§ 21:8**
Affordable housing, senior citizens, **§ 22:47**
Aged person accessory apartments, **§ 21:8**
Age-restricted housing
Generally, **§ 21:5**
Americans with Disabilities Act, **§ 21:3**
Constitutionality, **§ 21:6**
Fair Housing Act, **§ 21:2**
Americans with Disabilities Act, **§ 18:63, 21:3**
Assisted living facilities. Nursing Homes and Assisted Living Facilities (this index)
Comprehensive plan and senior housing, **§ 21:4**
Cottages, elder, **§ 21:9**
Fair Housing Act, **§ 18:63, 21:2**
Housing districts for seniors, **§ 21:7**
Incentives for senior housing, **§ 21:13**
Inclusionary zoning, affordable senior housing, **§ 22:47**
Master plan and senior housing, **§ 21:4**
Mobile homes and manufactured housing for seniors, **§ 21:12**
Multi-family housing for seniors, **§ 21:11**
Nursing Homes and Assisted Living Facilities (this index)
Policy considerations, **§ 21:1**
Senior housing
Comprehensive plan and, **§ 21:4**
Districts, **§ 21:7**
Zoning incentives for, **§ 21:13**

ELDERLY PERSONS AND ZONING LAWS—Cont'd
Shared living residences, **§ 21:10**
Variances and special permits, **§ 18:62**

ELECTIONS
Initiative and Referendum (this index)

ELECTRONIC SIGNS AND BILLBOARDS
Generally, **§ 26:15**

ELIGIBILITY
Qualification or Eligibility (this index)

EMERGENCY VEHICLES
Subdivisions, allowance for entry and exit of emergency vehicles, **§ 31:36**

EMINENT DOMAIN
Generally, **§ 17:1-17:22**
Aesthetic purposes, **§ 7:14**
Airports, condemnation of flight hazards for, **§ 18:5**
Bad faith, **§ 17:9**
Blighted properties, **§ 17:20**
Constitutional considerations, **§ 17:1**
Delegation of the power, **§ 17:2**
Economic development as public purpose, **§ 17:7**
Federal condemnation proceedings, **§ 17:16**
Internet land use law resources, **§ 48:14**
Inverse condemnation, **§ 17:14**
Just compensation
Generally, **§ 17:17**
Statutory requirements, **§ 17:22**
Kelo case, **§ 17:18**
Minimizing condemnation costs, **§ 7:31**
Necessity requirements
Bad faith, **§ 17:9**
Pretextual, **§ 17:8**
Resolutions of necessity, **§ 17:13**
Statutory, **§ 17:10**
Negotiations, pre-condemnation, **§ 17:12, 17:13**
Objectives of enabling acts, **§ 7:14, 7:31**
Pretextual public purposes and private benefits, **§ 17:8**
Procedures
Generally, **§ 17:11**
Statutory requirements, **§ 17:21**
Property subject to condemnation, **§ 17:3**

EMINENT DOMAIN—Cont'd
Public use requirement, **§ 17:5, 17:6**
Quick-take condemnation procedures, **§ 17:15**
Statutory necessity requirements, **§ 17:10**
Statutory restrictions, **§ 17:19 et seq.**
Supreme Court cases, **§ 17:4**
Takings Claims (this index)
Valuation
Generally, **§ 17:17**
Statutory requirements, **§ 17:22**
Zoning law jurisprudence development, **§ 1:15**

EMPLOYEES
Home occupation regulation, **§ 19:10**
Public Officers and Employees (this index)
Servant quarters in single-family districts, **§ 9:39**

ENABLING ACTS
Generally, **§ 2:9 et seq., 7:4 et seq.**
Adjustment board, **§ 2:16**
Administration, **§ 2:16**
Aesthetics, **§ 7:13 et seq.**
Airport zoning, **§ 18:4**
Amendment of ordinances, **§ 2:15**
Antitrust liability, **§ 7:29**
Authority to delegate, **§ 2:9**
Billboards, **§ 7:16**
Board of adjustment, **§ 2:16**
Condemnation or eminent domain considerations, **§ 7:14, 7:31**
Conflicts, **§ 2:18, 34:14**
Criminal proceedings to enforce zoning and planning regulations, **§ 47:2**
Delegation of powers, generally, **§ 2:9 et seq.**
Design control, **§ 9:78**
Districts, grant of powers to, **§ 2:13**
Eminent domain or condemnation considerations, **§ 7:14, 7:31**
Enactment or adoption of ordinances, **§ 2:15**
Exclusionary zoning, **§ 7:18**
Exterior designs, community-wide control of, **§ 9:78**
Financial and economic matters, **§ 7:14, 7:30 et seq.**
Fragmentation of power, **§ 2:19**
General delegation of power, **§ 2:10**

ENABLING ACTS—Cont'd
Grant of powers, **§ 2:12 et seq.**
Growth controls, **§ 34:14**
Home-rule powers, **§ 2:7**
Injunctions, **§ 44:2**
Limitations and restrictions, **§ 7:2**
Metropolitan and regional boards and commissions, **§ 10:4**
Mobile homes and mobile home parks, **§ 20:2**
Moral objectives of zoning, **§ 7:11**
Natural resources, conservation of, **§ 7:33**
Nuisances, **§ 7:15**
Objectives articulated in enabling legislation, **§ 7:4 et seq.**
Official map, adoption of, **§ 30:4**
Planning, authorization for, **§ 10:4**
Planning boards and commissions, **§ 10:4**
Police power, **§ 7:3**
Powers, delegation of, generally, **§ 2:9 et seq.**
Procedural limitations on municipal zoning power to enact or adopt ordinances, **§ 4:1-4:11; for detailed treatment, see topic Enactment or Adoption**
Public health and safety, **§ 7:4 et seq.**
Public or general welfare, **§ 7:13 et seq.**
Purposes, **§ 2:14**
Remedies, **§ 2:16, 2:17**
Repeal of ordinances, **§ 2:15**
Standard State Zoning Enabling Act, **§ 2:11**
Subdivision controls, **§ 31:5**
Tax considerations, **§ 7:30**
Ultra vires acts, **§ 34:14**
Value of buildings and property, **§ 7:12, 7:24**

ENABLING LAWS
Patterns of enabling legislation affecting procedural limitations, **§ 8:2**
Planned unit development, **§ 24:18**

ENACTMENT OR ADOPTION
Generally, **§ 2:15, 8:1-8:34**
Amendment of Ordinances (this index)
Bias, **§ 8:7**
Compliance with procedural requirements, **§ 8:5 et seq.**

ENACTMENT OR ADOPTION —Cont'd
Comprehensive plan, regional plan, **§ 10:12**
Delay, **§ 8:8**
Delegation of power to enact ordinances by enabling legislation, generally, **§ 2:19-2:29; for detailed treatment, see topic Enabling Acts**
Directory or discretionary procedural requirements, **§ 8:4**
Enabling legislation, delegation of power to enact ordinance, generally, **§ 2:19-2:29; for detailed treatment see topic Enabling Acts**
Errors or omissions in final legislative action, **§ 8:21**
Executive session, hearing in, **§ 8:17**
Final legislative action, **§ 8:18 et seq.**
Hearing
Generally, **§ 8:11 et seq.**
Executive session, **§ 8:17**
Minutes of hearing, **§ 8:19**
Nature of hearing, **§ 8:16, 8:17**
Necessity for second hearing, **§ 8:15**
Notice of hearing, **§ 8:11 et seq.**
Public hearing, **§ 8:17**
Judicial attitude on procedural limitations, generally, **§ 8:1**
Mandatory or discretionary procedural requirements, **§ 8:3**
Mandatory procedural requirements, **§ 8:3**
Metropolitan or regional plan, adoption of, **§ 10:12**
Minutes, entry of final action in, **§ 8:19**
Mistakes or omissions in final legislative action, **§ 8:21**
Municipal planning boards and commissions, preliminary planning by, **§ 8:10**
Notice
Contents of, **§ 8:14**
Final legislative action, **§ 8:20**
Hearing, **§ 8:11 et seq.**
Publication, below
Official Maps (this index)
Ordinances. Enactment or Adoption of Ordinances (this index)
Patterns of enabling legislation affecting procedural limitations, **§ 8:2**

ENACTMENT OR ADOPTION —Cont'd
Personal service of final legislative action, **§ 8:20**
Planned Unit Development (this index)
Planning boards, preliminary planning, **§ 8:10**
Posting final legislative action, **§ 8:20**
Prejudice or bias, **§ 8:7**
Preliminary planning, **§ 8:9, 8:10**
Process or papers, service of. Service of papers, below
Publication
Final legislative action, **§ 8:20**
Hearing, notice of, **§ 8:13**
Public hearing, **§ 8:17**
Reconsideration of legislative actions, **§ 8:25**
Service of papers
Final legislative action, **§ 8:20**
Notice of hearing, **§ 8:13**
Special permit pending adoption of ordinance, **§ 14:20**
Strict compliance with procedural requirements, **§ 8:5**
Substantial compliance with procedural requirements, **§ 8:6**
Time or date
Notice of hearing, **§ 8:12**
Protest petition to amendment, **§ 8:31**
Trial. Hearing, above
Voting requirements in enactment of ordinances, **§ 8:18**
Waiver of procedural requirements, **§ 8:8**
Zoning commission, preliminary planning, **§ 8:9**

ENCROACHMENTS
Generally, **§ 9:62 et seq.**
Accessory buildings, **§ 9:64**
Buildings and structures, **§ 9:62, 9:64**
Fences and walls, **§ 9:63**
Parking and storage of motor vehicles, **§ 9:65**
Porches, eaves, steps, etc., **§ 9:62**
Walls, **§ 9:63**

ENDANGERED SPECIES ACT OF 1973
Generally, **§ 3:3.10**

ENERGY AND CLIMATE CHANGE
Generally, **§ 37:1-37:10**
Climate change, national policy and, **§ 36A:9**
Energy Policy Act of 2005, **§ 3:8.10**
Federal laws, **§ 37:3**
Green building movement, **§ 37:8**
International initiatives, **§ 37:2**
Internet land use law resources, **§ 37:10, 48:13**
Local initiatives, **§ 37:7**
Massachusetts v. EPA, **§ 37:4**
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Private sector initiatives, **§ 37:8**
Regional initiatives, **§ 37:5**
Renewable energy— wind power, **§ 37:9**
State initiatives, **§ 37:6**
Wind turbines, **§ 9:51**

ENERGY POLICY ACT OF 2005
Generally, **§ 3:8.10**

ENFORCEMENT
Generally, **§ 39:2 et seq.**
Appeal and certiorari, enforcement of time limitations, **§ 42:25**
Home occupations or professions, **§ 19:39**
Open meetings laws, **§ 3A:17**

ENGINEERS
Home professions, **§ 19:20**

ENGLAND RESERVATION
Federal action or forum, civil rights acts claims, **§ 46:8**

ENTERTAINMENT
See also Recreation and Recreational Uses (this index)
Amusement Establishments (this index)
Sexually Oriented Businesses (this index)
Sports (this index)

ENVIRONMENTAL ASSOCIATIONS
Appeal and certiorari, representational standing, **§ 42:14**

ENVIRONMENTAL CONSIDERATIONS
Coastal Zone Management Act of 1972, **§ 3:3**

ENVIRONMENTAL CONSIDERATIONS—Cont'd
Critical habitat areas, **§ 36:19**
Enabling acts, objectives of, **§ 7:33**
Endangered Species Act of 1973, **§ 3:3.10**
Energy and Climate Change (this index)
Environmental Policy Acts, **§ 36:21 et seq.**
Excavation and grading, **§ 36:17**
Exclusionary zoning, environmentally sensitive areas, **§ 22:16**
Floodplain regulations, **§ 36:15**
Impact fees, local environmental law, **§ 36:12**
Interjurisdictional Land Use Control (this index)
Justice and equity, **§ 36:27**
Local environmental law, **§ 36:1 et seq.**
Marijuana dispensaries and cultivation facilities, regulation, **§ 33A:10**
Massachusetts v. EPA, **§ 37:4**
Municipal planning and comprehensive plan, **§ 5:10**
National Environmental Policy Act, **§ 36:21**
Preemption (this index)
Review
Generally, **§ 36:24 et seq.**
Adequacy Environmental Review, **§ 36:26**
Programmatic Environmental Review, **§ 36:25**
Site plan review, **§ 36:9**
Soil, **§ 36:17**
State Environmental Policy Acts, **§ 36:22**
Steep slopes and hillsides, **§ 36:18**
Tree preservation, **§ 36:16**
Wetlands, **§ 36:14**
Wireless facility zoning, regulation based on environmental effects of radio frequency emissions, **§ 25:9**

ENVIRONMENTAL PROTECTION AGENCY (EPA)
***Massachusetts v. EPA,* § 37:4**

EQUAL PROTECTION
Generally, **§ 15:1 et seq.**
Constitutional zoning issues generally, **§ 15:1**
Exclusionary zoning, **§ 22:22**

EQUAL PROTECTION—Cont'd
Initiative, **§ 11:7**
Nonconforming uses of property, **§ 12:14**
Presumptive constitutionality of laws, **§ 15:8, 15:9**
Proof standards, **§ 15:10**
Quasi-suspect classifications, **§ 15:6**
Rational basis review, **§ 15:4, 15:5**
Referendum, **§ 11:7**
Ripeness, **§ 15:7**
Standard of review, **§ 15:1**
Suspect classifications, **§ 15:6**
Takings Claims (this index)

EQUIPMENT AND MACHINERY
Home occupations, restrictions on, **§ 19:33**

EQUITABLE OWNERS
Review, equitable owners as aggrieved persons entitled to, **§ 42:10**

EQUITY
Takings claims, **§ 16:21**

ERRORS
Appeal and error. Appeal and Certiorari (this index)
Mistakes, Errors, or Omissions (this index)

ESCROW
Wind turbines, available funds to pay for decommissioning, **§ 9:51**

ESTOPPEL
Vested Rights (this index)

ETHICS AND LAND USE LAW
Generally, **§ 38:1 et seq.**
Advisory board members' conflicts, **§ 38:13**
American Institute of Certified Planners (AICP) Code, **§ 38:23**
Architects, **§ 38:4**
Attorneys, **§ 38:5**
Bankers, **§ 38:6**
Bias, **§ 38:14**
Boards of appeal, **§ 40:46**
Compatible offices, **§ 38:20 et seq.**
Conduct, improper, **§ 38:17**
Conflicts of interest
Generally, **§ 38:2, 38:9 et seq.**
Advisory board members, **§ 38:13**

ETHICS AND LAND USE LAW —Cont'd
Conflicts of interest—Cont'd
Employment-based, **§ 38:3**
Familial relationships, **§ 38:11**
Financial interests, **§ 38:10**
Memberships creating, **§ 38:16**
Personal interests, **§ 38:9, 38:10**
Personal relationships, **§ 38:11**
Remediation, **§ 38:19**
Residency-based, **§ 38:12**
Dual office holders, **§ 38:20 et seq.**
Employment-based conflicts of interest, **§ 38:3**
Ex parte communications, **§ 38:18**
Familial relationship conflicts, **§ 38:11**
Financial conflicts of interest, **§ 38:10**
Improper pressure, **§ 38:15**
Memberships creating conflicts of interest, **§ 38:16**
Motives, improper, **§ 38:17**
Other professions, **§ 38:7**
Personal conflicts of interest, **§ 38:9, 38:10**
Personal relationship conflicts, **§ 38:11**
Planners, **§ 38:7**
Prejudgment, **§ 38:14**
Residency-based conflicts of interest, **§ 38:12**

EUCLID CASE OR EUCLIDIAN ZONING
Growth control techniques, **§ 34:2**

EUCLID v. AMBLER REALTY
Power to zone, **§ 2:22, 2:24**

EVIDENCE
Affidavits (this index)
Appeal and Certiorari (this index)
Appeals, **§ 42:38 et seq.**
Area Variances (this index)
Boards of Appeal (this index)
Certiorari, **§ 42:38 et seq.**
Competent evidence, boards of appeal hearings, **§ 40:32**
Constitutionality and validity (this index)
Cross-examination rights, boards of appeal hearings, **§ 40:33**
Expert witnesses, boards of appeal hearings, **§ 40:36**

EVIDENCE—Cont'd
Hearsay, boards of appeal hearings, **§ 40:35**
Home occupations, restrictions on exterior evidence of, **§ 19:35**
Inspections of premises, boards of appeal hearings, **§ 40:38**
Nonconforming uses, substantial evidence, **§ 12:6**
Oath, testimony under, boards of appeal hearings, **§ 40:34**
Official maps as evidence of location, **§ 30:12**
Opinion evidence, boards of appeal hearings, **§ 40:36**
Presumptions and Burden of Proof (this index)
Rules of evidence, **§ 40:31**
Substantial evidence, boards of appeal hearings, **§ 40:32**
Wireless facility zoning, denial of siting request, **§ 25:7**
Wireless facility zoning, denial of siting request "in writing," **§ 25:6**

EXACTIONS
Generally, **§ 16:8**
Dedication (this index)
Development agreements
Generally, **§ 32:13**
Model law, **§ 32:14**
Essential nexus, **§ 16:9**
Impact fees, **§ 16:11**
Rough proportionality, **§ 16:10**
Subdivisions, **§ 31:45**
Takings Claims (this index)

EXAMINATION AND INSPECTION
Inspection and Examination (this index)

EXAMINATION OF WITNESSES
Boards of Appeal (this index)

EXCAVATION AND GRADING
Local environmental law, **§ 36:17**

EXCEPTIONS
Generally. Objections and Exceptions (this index)
Boards of Appeal (this index)
Change or Mistake Rule, **§ 6A:9**
Devices employed to make zoning more flexible, **§ 9:19**

EXCEPTIONS—Cont'd
Exhaustion of administrative remedies, exceptions to rule, **§ 42:37**
Jurisdiction, **§ 40:3**
Special Permits (this index)
Special permits distinguished, **§ 14:3**
Subdivisions, **§ 31:51**
Variances (this index)

EXCLUSIONARY ZONING
As to inclusions, see topic Inclusionary Zoning (this index)
Generally, **§ 7:18, 9:15**
Agricultural land, **§ 22:16**
Airports, **§ 18:6**
Appearance of community, protection of, **§ 7:18**
Arlington Heights case, **§ 22:4**
Bedrooms, limitations on, **§ 22:9**
"Builder's remedy," **§ 22:18**
Buildings and Structures (this index)
Burden of proof, **§ 22:17**
Challenges, **§ 22:4 et seq.**
Character of community, **§ 22:15**
Convicted sex offenders, residency restrictions for, **§ 22:24**
Criticism, early, **§ 22:3**
Defenses to exclusionary zoning challenges, **§ 22:11 et seq.**
Early criticism of exclusionary zoning, **§ 22:3**
Enabling acts, **§ 7:18**
Environmentally sensitive areas, **§ 22:16**
Equal protection claims, **§ 22:22**
Federal challenges, **§ 22:4**
Federal court standing, **§ 22:19**
Federal Fair Housing Act, **§ 22:21**
Funeral homes, **§ 18:22**
Group homes, **§ 22:23**
Growth controls, **§ 34:16**
Historic community character, **§ 22:15**
History and development, **§ 22:1 et seq.**
Infrastructure and traffic, **§ 22:13**
Junkyards, exclusions from municipalities and certain districts, **§ 18:41 et seq., 18:42**
Large-lot zoning, **§ 22:7**
Marijuana dispensaries and cultivation facilities, regulation, **§ 33A:7**
Mobile Homes and Mobile Home Parks (this index)
Mount Laurel case, **§ 22:5**

EXCLUSIONARY ZONING—Cont'd
Multiple-family dwellings and districts, **§ 9:41, 22:8**
Municipal finances, **§ 22:12**
Open space, **§ 22:16**
Population control, **§ 34:16**
Property values, **§ 22:14**
Restrictions for convicted sex offenders residency, **§ 22:24**
Right to travel, **§ 22:25**
Rural community character, **§ 22:15**
Sensitive areas, **§ 22:16**
Sex offenders, residency restrictions for, **§ 22:24**
Shared residences, **§ 22:23**
Site-specific relief, **§ 22:18**
Standing, **§ 22:19, 22:20**
State challenges, **§ 22:5**
State court standing, **§ 22:20**
Suburban development, **§ 22:2**
Traffic, **§ 22:13**
Traveling rights, **§ 22:25**
Types, generally, **§ 22:6 et seq.**
Unique community character, **§ 22:15**
Uses, prohibition of, **§ 9:16**
Values and valuation of property, **§ 22:14**

EXECUTIVE SESSIONS
Boards of appeal, **§ 40:25**
Enactment or adoption of ordinance, hearing on, **§ 8:17**
Open meetings laws, **§ 3A:16**

EXEMPTIONS
Agricultural uses and districts, **§ 33:4**
Certificates of appropriateness, **§ 27:7**
Exceptions (this index)
Hardship, historic preservation, **§ 27:7**
Variances (this index)

EXHAUSTION OF ADMINISTRATIVE REMEDIES
Appeal and Certiorari (this index)
Declaratory judgments, **§ 45:11, 45:12**
Injunctions, **§ 44:14**
Mandamus, **§ 43:10**

EXISTING USES
Nonconforming Uses (this index)

EX PARTE COMMUNICATIONS
Ethical considerations, **§ 38:18**

EXPENSES
Costs and Expenses (this index)

EXPERT AND OPINION EVIDENCE
Boards of Appeal (this index)

EXTENSION AND EXTENSION DISTRICTS
Nonconforming Uses (this index)

EXTENSION OF TIME
Appeal and certiorari, extension of limitations period, **§ 42:28, 42:29**

EXTERIOR DESIGN, CONTROL OF
Design Control (this index)

EXTRATERRITORIAL JURISDICTION
Territorial Jurisdiction or Limitation (this index)

FAIR HOUSING ACT
Generally, **§ 3:5**
Age-restricted housing, **§ 21:2**
Assisted living facilities, **§ 18:63**
Exclusionary zoning, **§ 22:21**
Group homes in single-family districts, Fair Housing Act Amendments of 1988, **§ 9:32**
Interjurisdictional land use control, **§ 3:5**
Nursing homes and assisted living facilities, **§ 18:63**

FAIR PROCEEDINGS
Boards of Appeal (this index)

FAMILY
Defined, **§ 9:30**
Multiple-Family Dwellings and Districts (this index)
Single-Family Uses and Districts (this index)

FARMS AND FARMING
Agricultural Uses and Districts (this index)

FAST FOOD RESTAURANTS
Generally, **§ 18:68**

FEDERAL ACTION OR FORUM
Abstention, civil rights acts claims
Burford abstention, **§ 46:10**
Colorado River abstention, **§ 46:12**
England reservation, **§ 46:8**
Pullman abstention, **§ 46:9**

FEDERAL ACTION OR FORUM —Cont'd
Abstention, civil rights acts claims —Cont'd
Younger abstention, **§ 46:11**
Due process claims, **§ 15:3**
Exclusionary zoning, **§ 22:4, 22:19**

FEDERAL FAIR HOUSING ACT
Fair Housing Act (this index)

FEDERAL LAW
American with Disabilities Act of 1990, **§ 3:4**
Coastal Zone Management Act of 1972, **§ 3:3**
Energy and climate change, **§ 37:3**
Fair Housing Act (this index)
Form-based codes, **§ 23:9**
Highway Beautification Act, **§ 26:2**
Interjurisdictional Land Use Control (this index)
Internet land use law resources, **§ 48:3**
Marijuana dispensaries and cultivation facilities, court challenges, **§ 33A:3**
Telecommunication Act of 1996, **§ 3:6**

FEDERAL PREEMPTION
Airport zoning, **§ 18:2**
Environmental considerations, generally, **§ 36:3**
Landfill regulations, **§ 18:50**
Marijuana regulation, Controlled Substances Act, **§ 33A:2**

FEDERAL TELECOMMUNICATIONS ACT OF 1996
Generally, **§ 25:1, 25:3**
Section 253, **§ 25:3**

FEED LOTS
Agricultural uses and districts, **§ 33:8**

FEES
Freedom of Information Laws, access, storage, and fees for records disclosure, **§ 3A:29**
Impact fees, local environmental law, **§ 36:12**
Inclusionary zoning, mandatory inclusionary housing fees, **§ 22:43**
Subdivisions, **§ 31:43, 31:48**

FENCES AND WALLS
Encroachments, **§ 9:62**

FENCES AND WALLS—Cont'd
Junkyards, enclosure of, **§ 18:46**

FILING FEES
Boards of appeal, **§ 40:16**

FINALITY
Judicial review, decision on, **§ 42:46**

FINANCIAL AND ECONOMIC MATTERS
Condemnation considerations, **§ 7:14, 7:31**
Hardship (this index)
Metropolitan and regional planning, **§ 10:8**
Municipal planning and comprehensive plan, **§ 5:9**
Objective of zoning articulated in enabling legislation, **§ 7:14, 7:30 et seq.**
Objectives of enabling acts, **§ 7:14**
Payday loan stores and other alternative financial services providers, **§ 18:63.20**
Promotion of economy in government, **§ 7:32**

FINDINGS
Boards of Appeal (this index)

FIRE ISLAND NATIONAL SEASHORE ACT OF 1964
Generally, **§ 3:2.10**

FIRE PROTECTION AND SAFETY
Objectives of zoning, **§ 7:10**
Subdivision alarm requirements, **§ 31:41**

FIRST AMENDMENT
Free Speech (this index)
Religious Uses (this index)

FLEXIBILITY
Devices employed to make zoning flexible, **§ 9:17 et seq.**

FLOATING ZONES
Generally, **§ 9:80**
Judicial review, **§ 9:81, 9:82**
Method of establishing planned unit development, **§ 24:11**
Planned unit development, **§ 24:11**

FLOODPLAIN REGULATIONS
Generally, **§ 36:15**

FLOOR AREA LIMITATIONS AND RESTRICTIONS
Generally, **§ 9:73**
Objectives of zoning, **§ 7:21**

FLORIDA
Inclusionary zoning, state affordable housing laws, **§ 22:28**

FORM-BASED CODES
Generally, **§ 23:1 et seq.**
Authority for, **§ 23:2**
Content of, **§ 23:3**
Due process, **§ 23:6**
Federal interests, **§ 23:9**
First Amendment concerns, **§ 23:8**
Implementation, **§ 23:4**
Takings issues, **§ 23:7**

FORMULA RETAIL OPERATIONS
Generally, **§ 18:68.20**

FOSTER HOMES
Group homes in single-family districts, **§ 9:34**

FOWL
Birds and Fowl (this index)

FRATERNITIES
Group homes in single-family districts, **§ 9:38**

FREEDOM OF INFORMATION LAWS
Generally, **§ 3A:20 et seq.**
Access, storage, and fees for records disclosure, **§ 3A:29**
Appealing denial of process, **§ 3A:30**
Defending denial of process, **§ 3A:31**
Entities subject to Freedom of Information Laws, **§ 3A:23**
Geographical Information System data and access to records, **§ 3A:25**
Public policy, **§ 3A:22**
Records exempt from, **§ 3A:26**
Remedies for wrongful denial of process, **§ 3A:32**
Requests and responding, generally, **§ 3A:28**
Social media, **§ 3A:33**
Statutory construction, **§ 3A:21**

FREE SPEECH
City of Renton v. Playtime Theatres, Inc., **§ 29:6**
Content-based and content-neutral regulations
Sexually oriented businesses, **§ 29:3 et seq.**
Signs and billboards, **§ 26:7**
Form-based codes, **§ 23:8**
Outdoor advertising
Generally, **§ 26:6**
Commercial vs. noncommercial speech, **§ 26:7**
Viewpoint neutrality, **§ 26:7**
Prior restraints
Advertising, **§ 26:9**
Sexually oriented businesses, **§ 29:19**
Sexually Oriented Businesses (this index)
Substantial government interests, **§ 29:17**
Time, place, and manner regulation
Hours of operation regulation, **§ 29:15**
Licensing regulation, **§ 29:15, 29:18**
Sexually Oriented Businesses (this index)
Substantial government interests, **§ 29:17**
United States v. O'Brien, **§ 29:4, 29:5**
Viewpoint neutrality, **§ 26:7**

FREQUENCY OF USE
Nonconforming Uses (this index)

FRONTAGE REGULATIONS
Generally, **§ 9:66**

FUNERAL DIRECTORS AND HOMES
Generally, **§ 18:21 et seq.**
Change of zone to accommodate funeral homes, **§ 18:23**
Commercial districts, exclusion from, **§ 18:22**
Exclusion, **§ 18:22**
Home occupations, **§ 19:30**
Residential districts, exclusion from, **§ 18:22**
Special permits, **§ 18:24**
Use variances, **§ 18:25**

GARAGES
Encroachments, storage or garages as, **§ 9:65**

GARBAGE, REFUSE, AND TRASH
Junkyards (this index)

GAS AND OIL
Mining and quarrying, **§ 18:59**

GENERAL WELFARE
Generally, **§ 7:13 et seq.**

GEOGRAPHICAL INFORMATION SYSTEM DATA
Freedom of Information Laws, **§ 3A:25**

GLOBAL WARMING
Energy and Climate Change (this index)

GLOSSARY OF TERMS
Construction and interpretation of ordinance, **§ 41:16**

GOLF AND GOLF COURSES
Generally, **§ 18:26, 18:27**
Driving ranges, **§ 18:27**
Miniature golf courses, **§ 18:27**

GOOD FAITH
Nonconforming Uses (this index)
Vested rights, **§ 32:5**

GOVERNING LAW
Conflict of Interest (this index)

GOVERNMENT AGENCIES
Agencies, Boards, Commissions, and Departments (this index)

GOVERNMENTAL USES OF LAND
Generally, **§ 18:28 et seq.**
Conflicts with state laws, **§ 18:36**
Construction and interpretation, **§ 18:36**
Intermunicipal problems, **§ 18:32 et seq.**
Municipal, **§ 18:29 et seq.**
Municipal Uses of Land (this index)
Proprietary function test, **§ 18:31**
State Uses of Land (this index)

GOVERNMENT OFFICERS AND EMPLOYEES
Public Officers and Employees (this index)

GOVERNMENT SERVICES
Public Services (this index)

GRAVEYARDS
Cemeteries (this index)

GREEN BUILDING CODES
Local environmental law, **§ 36:11**

GREEN DEVELOPMENT
Energy and Climate Change (this index)

GREENHOUSES
Generally, **§ 18:37**

GROUP HOMES
Americans with Disabilities Act, **§ 9:33**
Apartments, **§ 9:41**
Children in need of supervision, homes for, **§ 9:35**
College housing, **§ 9:38**
Exclusionary zoning, **§ 22:23**
Fair Housing Act, **§ 9:32**
Foster homes, **§ 9:34**
Fraternities and sororities, **§ 9:38**
Guest facilities, **§ 9:39**
Halfway houses, **§ 9:36**
Mentally handicapped persons, homes for, **§ 9:37**
Rehabilitation centers, **§ 9:36**
Rental units, **§ 9:40**
Servants facilities, **§ 9:39**
Single-family districts, group homes in, **§ 9:31 et seq.**

GROWTH CONTROL
Generally, **§ 34:1-34:16**
Basic legal issues, **§ 34:14 et seq.**
California, **§ 34:6, 34:7**
Ceilings on population, **§ 34:10**
Conflict with enabling legislation, **§ 34:14**
Development and Developers (this index)
Easements and transfer of development rights, **§ 34:12**
Enabling legislation, **§ 34:14**
Euclidian zoning, **§ 34:2**
Exclusionary zoning, **§ 34:16**
General welfare, **§ 34:15**
Government services, insuring adequacy of, **§ 7:27**
Growth control techniques, **§ 34:2 et seq.**
Historic Preservation (this index)
Initiative, pro-growth/no-growth conflicts, **§ 11:19**
Innovative programs, **§ 34:4**
Interim controls, **§ 34:3**

GROWTH CONTROL—Cont'd
Land banking, **§ 34:11**
Moratoria, **§ 34:3**
New York, **§ 34:8, 34:9**
Overcrowding or undue concentration of population, **§ 7:6**
Petaluma plan, **§ 34:6, 34:7**
Population ceilings, **§ 34:10**
Pro-growth/no-growth conflicts, **§ 11:19**
Public facilities ordinances, **§ 34:13**
Public welfare, **§ 34:15**
Ramapo plan, **§ 34:8, 34:9**
Referendum, pro-growth/no-growth conflicts, **§ 11:19**
Substantive due process, **§ 34:15**
Transfer of development rights, **§ 34:12**
Ultra vires, **§ 34:14**
Undue concentration of population, **§ 7:6**
Urban growth boundaries, **§ 34:5**

GUESTS HOUSES OR FACILITIES
Single-family districts, facilities for guests in, **§ 9:39**

HALFWAY HOUSES AND REHABILITATION CENTERS
Single-family districts, group homes in, **§ 9:36**

HANDICAPPED PERSONS
Disabled Persons (this index)

HARDSHIP
Special permits, **§ 14:11, 14:26**
Unnecessary hardship, generally, **§ 14:11**

HEALTH
Public Health and Safety (this index)

HEARINGS
Boards of Appeal (this index)
De novo hearing on appeal and certiorari, **§ 42:41**
Enactment or Adoption (this index)
Notice of hearing
Generally, **§ 31:12**
Boards of Appeal (this index)
Official maps, **§ 30:6**
Subdivision plat, **§ 31:12**

HEIGHT REGULATIONS
Generally, **§ 9:57**
Wind turbines, **§ 9:51**

HELIPORTS
Regulation of uses, **§ 18:7**

HIGHEST AND BEST USE
Objectives of zoning, **§ 7:12**
Special permits, **§ 14:26**

HIGHWAY BEAUTIFICATION ACT
Generally, **§ 26:2**

HIGHWAYS AND STREETS
Access and Access Routes (this index)
Boulevards, **§ 9:75**
Design control, **§ 9:75**
District boundary lines, **§ 9:6**
Motor Vehicles and Highway Traffic (this index)
Offstreet parking. Parking and Parking Areas (this index)
Setback requirements, **§ 7:19**
Subdivisions (this index)
Traffic Control (this index)

HISTORIC COMMUNITY CHARACTER
Exclusionary zoning, **§ 22:15**

HISTORIC PRESERVATION
Generally, **§ 27:1-27:11**
American preservation movement, **§ 27:1**
Certificates of appropriateness, **§ 27:7**
Challenges, **§ 27:9 et seq.**
Free exercise, **§ 27:10**
Free speech, **§ 27:11**
Penn Central takings test, **§ 27:9**
RLUIPA challenges, **§ 27:10**
Constitutional issues, **§ 27:8**
Exclusionary zoning, **§ 22:15**
Exemptions, hardship, **§ 27:7**
National Historic Preservation Act Section 106, **§ 27:3**
National Historic Preservation Act, **§ 27:2**
Policies, **§ 27:1**
Procedure enacting
District regulations, **§ 27:6**
Local regulations, **§ 27:6**
Statues
Federal, **§ 27:4**
State, **§ 27:5**

HOME
House or Home (this index)

HOME OCCUPATIONS OR PROFESSIONS
Generally, **§ 19:1 et seq.**
Accountants, **§ 19:21**
Architects, **§ 19:20**
Area limitations, **§ 19:36**
Artists' studios, **§ 19:26**
Attorneys, **§ 19:19**
Background, **§ 19:1**
Barbershops, **§ 19:27**
Beauty parlors, **§ 19:27**
Boarding houses and rooming houses, **§ 19:31**
Business uses, generally, **§ 19:32**
Child care, **§ 19:29**
Dance studios, **§ 19:25**
Definition, **§ 19:2**
Dentists, **§ 19:16**
Dressmaking, **§ 19:28**
Dwelling unit relationship, **§ 19:9**
Enforcement, **§ 19:39**
Engineers, **§ 19:20**
Equipment restrictions, **§ 19:33**
Exterior evidence of home occupations, restrictions on, **§ 19:35**
Funeral homes, **§ 19:30**
Insurance agents, **§ 19:23**
Mechanical equipment, restrictions as to, **§ 19:33**
Modern methods of regulation, **§ 19:5**
Music studios, **§ 19:24**
Nuisances, **§ 19:37**
Number of employees on site, **§ 19:10**
Number per dwelling unit, **§ 19:9**
Optometrists, **§ 19:17**
Parking, **§ 19:11**
Patterns of regulation, **§ 19:4**
Physicians and surgeons, **§ 19:16**
Professions, generally, **§ 19:15 et seq.**
Real estate brokers, **§ 19:22**
Regulation, **§ 19:4 et seq.**
Restrictions on home occupations, **§ 19:33 et seq.**
Signs, **§ 19:13**
Size regulation, **§ 19:8**
Special use permits
Generally, **§ 19:6**
Performance standards, **§ 19:7**
Stock in trade, restrictions on, **§ 19:34**
Takings, **§ 19:39**
Terminations, **§ 19:38**

HOME OCCUPATIONS OR PROFESSIONS—Cont'd
Traffic, **§ 19:12**
Veterinarian medicine, **§ 19:18**

HOMEOWNERS' ASSOCIATIONS
Appeal and certiorari, representational standing, **§ 42:14**

HOME-RULE POWERS
Generally, **§ 2:4 et seq.**
Charters of municipalities, **§ 2:8**
Constitutional home-rule powers, **§ 2:6**
Inherent home-rule powers, **§ 2:5**
Legislative home-rule powers, **§ 2:7**

HORSES
Agricultural uses and districts, **§ 33:7**
Racetracks, **§ 18:64**

HOSPITALS
Nursing Homes and Assisted Living Facilities (this index)

HOTELS
Boarding and rooming houses, **§ 19:31**

HOUSE OR HOME
Aged person accessory apartments, **§ 21:8**
Buildings and Structures (this index)
Mobile Homes and Mobile Home Parks (this index)
Modular homes, **§ 20:17**
Municipal planning and comprehensive plans, **§ 5:11**
Porches as encroachment violation, **§ 9:62**
Residential use of buildings or structures, generally. Residential Uses and Districts (this index)

HOUSE TRAILERS AND PARKS
Mobile Homes and Mobile Home Parks (this index)

HOUSING
Fair Housing Act (this index)

HUSBAND AND WIFE
Unmarried persons living in single homes, **§ 9:30**

ICE
Setback restrictions and regulations, ice buildup and wind turbines, **§ 9:51**

ILLEGALITY
Constitutionality and Validity (this index)

ILLINOIS
Inclusionary zoning, state affordable housing laws, **§ 22:29**

IMMUNITIES
Civil rights acts claims, **§ 46:4-46:7**
Judicial, **§ 46:4**
Legislative, **§ 46:5**
Qualified, **§ 46:6**
Quasi-judicial, **§ 46:4**
Sovereign, **§ 46:7**

IMPACT FEES
Local environmental law, **§ 36:12**

IMPROVEMENTS
Official maps, municipal improvements, **§ 30:15**
Subdivisions (this index)

INCENTIVE ZONING
Generally, **§ 9:23**
Inclusionary zoning, incentives for affordable housing, **§ 22:44**
Senior housing, **§ 21:13**

INCIDENTAL USES
Accessory and Incidental Uses (this index)

INCLUSIONARY ZONING
As to exclusions, see topic Exclusionary Zoning (this index)
Generally, **§ 22:40 et seq.**
Accessory apartments, **§ 22:46**
Affordable Housing (this index)
Apartments, accessory apartments, **§ 22:46**
Fees, mandatory inclusionary housing fees, **§ 22:43**
Housing. Affordable Housing (this index)
Incentives for affordable housing, **§ 22:44**
Mandatory inclusionary housing fees, **§ 22:43**
Mandatory inclusionary housing set-asides, **§ 22:42**
Senior housing, affordable, **§ 22:47**
Set-asides, mandatory inclusionary housing set-asides, **§ 22:42**

INCLUSIONARY ZONING—Cont'd
State Affordable Housing Laws (this index)
State policies, **§ 22:41**

INCONSISTENCY
Conflict or Inconsistency (this index)

INDECENCY
Sexually Oriented Businesses (this index)

INDISPENSABLE PARTIES
Necessary and Indispensable Parties (this index)

INDUSTRIAL USES AND DISTRICTS
Generally, **§ 9:46, 9:47**
Performance standards, **§ 9:47**
Residential districts, exclusion of industrial uses from, **§ 9:25**

INFANTS
Children and Minors (this index)

INFORMATION REQUIRED OF APPLICANT
Special permit, failure of applicant to furnish required information, **§ 14:27**

INFRASTRUCTURE
Exclusionary zoning, **§ 22:13**
Municipal planning and comprehensive plan, **§ 5:12**

INITIATIVE AND REFERENDUM
Generally, **§ 11:1-11:20**
Ballots, **§ 11:13**
Constitutionality, **§ 11:7**
Definitions, **§ 11:3**
Due process, **§ 11:7**
Equal protection, **§ 11:7**
Excessive legislative authority, **§ 11:17**
Filing ballots, **§ 11:13**
Legal trends, **§ 11:6**
Legislative/administrative distinction, **§ 11:8 et seq.**
Legislative authority, excessive, **§ 11:17**
Origins, **§ 11:2**
Procedural defects, **§ 11:11**
Pro-growth/no-growth conflicts, **§ 11:19**
Property rights/takings, **§ 11:20**
Quasi-judicial actions, **§ 11:18**
Single subject rule, **§ 11:14**

INITIATIVE AND REFERENDUM —Cont'd
Statutory law violations, **§ 11:16**
Takings challenges, **§ 11:20**
Technical defects, **§ 11:11**
Voting pool considerations, **§ 11:12**

INJUNCTIONS
Generally, **§ 44:1-44:16**
Administrative decisions, injunctions to review, **§ 44:6**
Criminal conduct, **§ 44:13**
Declaratory Judgments (this index)
Enabling acts, **§ 44:2**
Enforcement restraints, **§ 44:4**
Exhaustion of administrative remedies, **§ 44:14**
Laches, **§ 44:15**
Legislation, injunction to require, **§ 44:5**
Limitations or remedy, **§ 44:12**
Nuisance injunctions, **§ 44:7**
Pendente lite, **§ 44:8**
Pending action, amendment during, **§ 44:16**
Restraining orders. Temporary injunctions and restraining orders, below
Standing to obtain, **§ 44:9 et seq.**
Temporary, **§ 44:8**
Uses of injunctions, **§ 44:1**
Violation restraints, **§ 44:3**

INSPECTION AND EXAMINATION
Building Inspectors (this index)
Evidentiary inspections of premises, **§ 40:38**
Sexually oriented businesses, **§ 29:26**
Subdivision inspection fees, **§ 31:48**

INSPECTOR
Building Inspectors (this index)

INSTRUCTIONS
Boards of Appeal (this index)

INSURANCE AGENTS
Home professions, **§ 19:23**

INSURERS
Review, insurers as aggrieved persons entitled to, **§ 42:13**

INTENSITY OF USE
Nonconforming uses, changes in. Nonconforming Uses (this index)

INTENT
Intent of Legislature or Ordinance (this index)

INTENT OF LEGISLATURE OR ORDINANCE
Generally, **§ 41:7**
Special permits, **§ 14:13**

INTEREST IN PROPERTY OR SUBJECT MATTER
Conflict of Interest (this index)
Parties to Actions and Proceedings (this index)
Title and Ownership (this index)

INTERGOVERNMENTAL DYNAMICS
Energy and climate change, international initiatives, **§ 37:2**
Interjurisdictional Land Use Control (this index)
Interstate compacts, interjurisdictional land use control, **§ 3:10**
Municipal uses of land, intermunicipal problems, **§ 18:32 et seq.**
Subdivisions, **§ 31:53**

INTERIM OR STOPGAP ZONING
Stopgap or Interim Zoning (this index)

INTERJURISDICTIONAL LAND USE CONTROL
Generally, **§ 3:1 et seq.**
American with Disabilities Act of 1990, **§ 3:4**
Coastal Zone Management Act of 1972, **§ 3:3**
Compacts, **§ 3:10**
Disaster Mitigation Act of 2000, **§ 3:8**
Endangered Species Act of 1973, **§ 3:3.10**
Energy Policy Act of 2005, **§ 3:8.10**
Fair Housing Act, **§ 3:5**
Federal role, **§ 3:2 et seq.**
Fire Island National Seashore Act of 1964, **§ 3:2.10**
Interstate compacts, **§ 3:10**
Planning, state role, **§ 3:9**
Regional planning, **§ 3:11**
Religious Land Use and Institutionalized Person Act of 2000, **§ 3:7**
State role, **§ 3:9 et seq.**
Telecommunication Act of 1996, **§ 3:6**

INTERNATIONAL INITIATIVES
Energy and climate change, **§ 37:2**

INTERNET LAND USE LAW RESOURCES
Generally, **§ 48:1-48:16**
Codes and statutes, **§ 48:4, 48:5**
Community development, **§ 48:15**
Eminent domain, **§ 48:14**
Energy and climate change, **§ 37:10, 48:13**
Federal resources, **§ 48:3**
Social justice, **§ 48:15**

INTERPRETATION OF LAWS AND ORDINANCES
Construction and Interpretation (this index)

INTERSTATE COMPACTS
Interjurisdictional land use control, **§ 3:10**

INTOXICATING LIQUORS AND BEVERAGES
Regulation of liquor stores and beer sales, **§ 18:52**
Restaurants, **§ 18:67**

INVERSE CONDEMNATION
Generally, **§ 17:14**
Eminent Domain (this index)
Takings claims, **§ 16:3**
Takings Claims (this index)

JOINT OR COMMON OWNERSHIP
Area regulations and common ownership of adjacent lots, **§ 9:69**

JOINT PARTIES
Appeal and certiorari, joining of indispensable parties within limitations period for appeal, **§ 42:32**

JUDGMENTS AND DECREES
Declaratory Judgments (this index)

JUDICIAL ATTITUDES
Generally, **§ 8:1**

JUDICIAL ENFORCEMENT AND REVIEW
Generally, **§ 42:1 et seq.**
Appeal and Certiorari (this index)
Board of adjustment decisions, **§ 42:3**
Declaratory Judgments (this index)

JUDICIAL ENFORCEMENT AND REVIEW—Cont'd
De novo review, **§ 42:41**
Evidence rules, **§ 42:38 et seq.**
Exclusionary Zoning (this index)
Exhaustion of Administrative Remedies (this index)
Federal Telecommunications Act of 1996, **§ 25:8**
Floating zones, **§ 9:81, 9:82**
Injunctions (this index)
Legislative decisions, review of, **§ 42:5**
Mandamus (this index)
Planned unit development districts, **§ 24:6**
Planning board decisions, **§ 42:4**
Scope of review, **§ 42:38 et seq., 45:14**
Standing, **§ 42:6 et seq.**
Statutory remedies, **§ 42:2**
Variances (this index)

JUDICIAL IMMUNITY
Civil rights acts claims, **§ 46:4**

JUNKYARDS
Generally, **§ 18:37 et seq.**
Common law nuisance, **§ 18:39**
Enclosure of junkyards, **§ 18:46**
Exclusion from municipalities and certain districts, **§ 18:41 et seq.**
Legislative controls, **§ 18:40**
Licenses and permits, **§ 18:44, 18:45**
Location in relation to other uses, **§ 18:43**
Nonconforming junkyards, **§ 18:47**
Special permits, **§ 18:44**

JURISDICTION
Boards of Appeal (this index)
Coast and nearshore waters, jurisdiction over, **§ 36A:2**
Exceptions, **§ 40:3**
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Original jurisdiction of boards of appeals, **§ 40:3**
Special permits, **§ 40:3**
Territorial Jurisdiction or Limitation (this index)

JURY TRIAL RIGHTS
Civil rights acts claims, **§ 46:15**

JUST COMPENSATION
Eminent Domain (this index)
Takings Claims (this index)

JUSTICE AND EQUITY
Environmental, **§ 36:27**

JUSTICIABLE CONTROVERSY
Declaratory judgment, **§ 45:2**

KELO CASE
Eminent domain, **§ 17:18**

KENNELS
Regulation of uses, **§ 18:11**

KNOWLEDGE
Notice or Knowledge (this index)

LABORATORIES
Generally, **§ 18:65**

LACHES AND DELAY
Decisions or opinions, delay in, **§ 31:16**
Injunctions, **§ 44:15**
Nonconforming Uses (this index)
Procedural limitations on enactment of ordinance, **§ 8:8**
Subdivision plat, decision of reviewing board on, **§ 31:16**

LAND BANKING
Growth control techniques, **§ 34:11**

LANDFILLS
Generally, **§ 18:48 et seq.**
Dormant Commerce Clause, **§ 18:49**
Federal preemption, **§ 18:50**
Flow control laws, **§ 18:49**
Junkyards (this index)
Local regulation, **§ 18:48**
State law, **§ 18:50**

LANDLORD AND TENANT
Apartments in single districts, **§ 9:41**
Appeal and certiorari, lessees as aggrieved persons entitled to review, **§ 42:11**
Declaratory judgment, standing of tenants, **§ 45:4**
Mobile homes and mobile home parks, rent control ordinances, **§ 20:11**
Rent control ordinances, mobile homes and mobile home parks, **§ 20:11**
Review, lessees as aggrieved persons entitled to, **§ 42:11**

LANDLORD AND TENANT—Cont'd
Single-family districts, leases and rentals in, **§ 9:40, 9:41**
Vacation rental, specific use regulations, **§ 18:72.50**

LANDMARKING LAWS
Historic Preservation (this index)

LAND USE
Municipal planning and comprehensive plan, **§ 5:13**

LARGE-LOT ZONING
Exclusionary zoning, **§ 22:7**

LARGE RETAIL OPERATIONS
Generally, **§ 18:68.30**

LAUNDRIES AND DRY CLEANERS
Generally, **§ 18:51**

LAWYERS
Attorneys (this index)

LEASES
Landlord and Tenant (this index)

LEGALITY
Constitutionality and Validity (this index)

LEGISLATIVE ACTION OR AUTHORITY
Amendment of Ordinances (this index)
Appeal and certiorari, judicial review of legislative decisions by, **§ 42:5**
Enabling Acts (this index)
Enactment or Adoption (this index)
Home-rule powers, **§ 2:7**
Inclusionary Zoning (this index)
Initiative, legislative/administrative distinction, **§ 11:8 et seq.**
Injunctive remedies, **§ 44:5**
Intent of Legislature or Ordinance (this index)
Limitations on legitimate objectives of zoning, **§ 7:1**
Mandamus to require legislative action, **§ 43:7**
Ordinances (this index)
Procedural limitations on enactment or adoption of ordinance. Enactment or Adoption of Ordinances (this index)

LEGISLATIVE ACTION OR AUTHORITY—Cont'd
Referendum, legislative/administrative distinction, **§ 11:8 et seq.**
Repeal of Ordinances (this index)
State Statutes (this index)

LEGISLATIVE IMMUNITY
Civil rights acts claims, **§ 46:5**

LEWDNESS
Sexually Oriented Businesses (this index)

LICENSES AND PERMITS
Generally, **§ 39:2**
Boards of Appeal (this index)
Building Permits (this index)
Conditional Permits (this index)
Disclosure requirements, sexually oriented businesses, **§ 29:23**
Discretion of licensor, sexually oriented businesses, **§ 29:20**
Erroneous grants, vested rights, **§ 32:6**
Exactions, **§ 16:8**
Fees, **§ 29:22**
Inspections, sexually oriented businesses, **§ 29:26**
Junkyards, **§ 18:44, 18:45**
Mandamus to require issuance, **§ 43:5**
Marijuana dispensaries and cultivation facilities, regulation, **§ 33A:9**
Mobile Homes and Mobile Home Parks (this index)
Moratoria (this index)
Nonconforming Uses (this index)
Occupancy permits or certificates, **§ 39:3**
Official maps, building permits for buildings on mapped streets, **§ 30:14**
Planned Unit Development (this index)
Religious Uses (this index)
Sexually Oriented Businesses (this index)
Special Permits (this index)
Temporary permits, **§ 14:33**
Time, place, and manner regulation, **§ 29:15, 29:18**
Time limits for issuance, **§ 29:21**
Vested Rights (this index)

LIGHT AND AIR
Adequate light as objective of zoning, **§ 7:5**
Solar access, use districts providing for, **§ 9:50**

LIMITATIONS AND RESTRICTIONS
Amendment of ordinances, **§ 8:24, 8:26**
Buildings and Structures (this index)
Bulk restrictions, **§ 9:56**
Conflict with state law, **§ 2:18**
Enabling acts, **§ 7:2**
Enactment or Adoption (this index)
Exclusionary Zoning (this index)
Floor Area Limitations and Restrictions (this index)
Hearing requirements, **§ 8:11 et seq.**
Height Regulations (this index)
Home occupations and professions, **§ 19:33 et seq.**
Judicial attitude towards zoning procedures, **§ 8:1**
Legislative limitation on objectives of zoning, **§ 7:1**
Lots (this index)
Nonconforming Uses (this index)
Notices of hearings, requirements as to, **§ 8:11 et seq.**
Patterns of enabling legislation affecting procedural limitations, **§ 8:2**
Police power, **§ 7:3**
Procedural limitations
Generally, **§ 8:1-8:34, 8:4**
Application for zone change, **§ 8:29**
Discretionary requirements, **§ 8:4**
Executive session consideration of ordinance proposals, **§ 8:17**
Hearings, **§ 8:11 et seq.**
Judicial attitude, **§ 8:1**
Legislative errors and omissions, **§ 8:21**
Mandatory requirements, **§ 8:3**
Notices, **§ 8:11 et seq.**
Publication of zoning changes, **§ 8:20**
Public hearing requirements, **§ 8:17**
Reconsideration of legislative actions, **§ 8:25**
Strict compliance, **§ 8:5**
Substantial compliance, **§ 8:6**
Voting requirements, **§ 8:18**
Repeal of ordinances, **§ 8:22, 8:34**

LIMITATIONS AND RESTRICTIONS —Cont'd
Setback Restrictions and Regulations (this index)
Statute of limitations. Appeal and Certiorari (this index)
Substance of zoning ordinances, generally, **§ 7:1**
Territorial Jurisdiction or Limitation (this index)
Time or Date (this index)
Use Restrictions (this index)
Variances (this index)

LIQUOR
Intoxicating Liquors and Beverages (this index)

LOCATION
Place or Location (this index)

LOT AREA OR SIZE
Generally, **§ 9:66 et seq.**
Aesthetics, **§ 7:20**
Area Variances (this index)
Checkerboarding with substandard lots, **§ 9:70**
Common ownership of adjacent lots, **§ 9:69**
Corner lots, **§ 9:61**
Coverage regulations, **§ 9:71**
Frontage regulations, **§ 9:67**
Legislative objectives of zoning, **§ 7:20**
Nonconforming use, substandard lot, **§ 12:12**
Property maintenance regulations, landscaping, **§ 9:73.50**
Special characteristics, **§ 9:61**
Special permits for lot area deviations, **§ 14:8**
Split lots, districts and boundary lines resulting in, **§ 9:12**
Spot zoning, **§ 6A:2**
Substandard size lots, **§ 9:68 et seq.**
Through lots, restrictions on, **§ 9:61**
Variances (this index)
Yard regulations, **§ 9:60**

MACHINERY AND EQUIPMENT
Home occupations, restrictions on, **§ 19:33**

MAINTENANCE REGULATIONS
Landscaping, **§ 9:73.50**

MANDAMUS
Generally, **§ 43:1-43:11**
Amendment while action pending, **§ 43:11**
Application for relief, **§ 43:3**
Enforcement by public officials of zoning ordinance, requiring of, **§ 43:7**
Exhaustion of administrative remedies, **§ 43:10**
Legislative action, requiring of, **§ 43:7**
License or permit, issuance of, **§ 43:5**
Parties entitled to relief, **§ 43:2**
Purpose of writ, **§ 43:1**
Subdivision plat, approval of, **§ 43:4**
Validity of zoning ordinance, testing of, **§ 43:8 et seq.**
Variance, granting of, **§ 43:6**

MANDATORY REQUIREMENTS
Discretionary or Directory Matters (this index)

MANUFACTURED HOUSING
Generally. Mobile Homes and Mobile Home Parks (this index)
Elderly persons and zoning laws, **§ 21:12**

MANUFACTURING USES AND DISTRICTS
Industrial Uses and Districts (this index)

MAPS AND PLATS
Official Maps (this index)
Recording
Official maps or plats, **§ 30:8**
Subdivision plat, **§ 31:17**
Subdivisions (this index)
Zoning maps, district and boundary lines, **§ 9:3**

MARIJUANA
Generally, **§ 33A:1 et seq.**
Controlled Substances Act, federal preemption, **§ 33A:2**
Dispensaries and cultivation facilities, **§ 33A:1 et seq.**
Environmental review, **§ 33A:10**
Exclusion of marijuana land uses, **§ 33A:7**
Federal court challenges, **§ 33A:3**
Federal preemption, Controlled Substances Act, **§ 33A:2**
Land uses, **§ 33A:1**

MARIJUANA—Cont'd
Licenses and permits, **§ 33A:9**
Moratoria, **§ 33A:6**
Separation requirements, **§ 33A:8**
State preemption of dispensary and cultivation regulation, **§ 33A:4**
Zoning definitions, **§ 33A:5**

MARINAS
Regulation of uses, **§ 18:53**

MARKERS
Subdivisions, requirement of street markers, **§ 31:40**

MARYLAND
Inclusionary zoning, state affordable housing laws, **§ 22:30**

MASSACHUSETTS
Inclusionary zoning, state affordable housing laws, **§ 22:31**

MASSACHUSETTS v. EPA
Energy and climate change, **§ 37:4**

MASTER OR COMPREHENSIVE PLAN
Generally, **§ 5:1 et seq.**
Adoption of comprehensive plan, regional plan, **§ 10:12**
Agricultural element plans, **§ 5:7**
Community facilities element plans, **§ 5:8**
Comprehensive plan
Amendment and review, **§ 5:20**
Consistency, **§ 5:18, 6A:3**
Elements of, **§ 5:6**
Implementation, **§ 5:19**
Prerequisite to zoning, **§ 5:2**
Economic development element plans, **§ 5:9**
Effect of adoption, regional plan, **§ 10:12**
Elderly housing and, **§ 21:4**
Environmental conservation element plans, **§ 5:10**
Housing element plans, **§ 5:11**
Infrastructure element plans, **§ 5:12**
Land use element plans, **§ 5:13**
Metropolitan planning, **§ 10:11, 10:12**
Planned unit development, **§ 24:19**
Preparation of comprehensive plan
Generally, **§ 5:1 et seq.**

MASTER OR COMPREHENSIVE PLAN—Cont'd
Preparation of comprehensive plan —Cont'd
Regional plan, **§ 10:11**
Regional and state planning, **§ 5:16**
Regional planning, **§ 10:11, 10:12**
Safety element plans, **§ 5:14**
Senior housing and, **§ 21:4**
Subdivisions, **§ 31:23**
Transportation element plans, **§ 5:15**

MAXIMS OF CONSTRUCTION OF ORDINANCES
Generally, **§ 41:2**
Construction and Interpretation (this index)

MECHANICAL EQUIPMENT
Home occupations, restrictions on, **§ 19:33**

MEDICAL CARE AND TREATMENT
Home professions, **§ 19:16**
Nursing Homes and Assisted Living Facilities (this index)

MEETINGS
Boards of appeals, **§ 39:19**
Executive Sessions (this index)
Metropolitan and regional boards and commissions, **§ 10:7**
Open Meetings Laws (this index)

MEMBERS AND MEMBERSHIP
Metropolitan and regional boards and commissions, **§ 10:5, 10:8**
Planning boards and commissions, **§ 10:5, 10:5 et seq., 10:8, 38:13**

MENTALLY OR PHYSICALLY HANDICAPPED PERSONS
Group homes, **§ 9:37**

METROPOLITAN AND REGIONAL PLANNING
Generally, **§ 10:1 et seq.**
Adoption of plan, **§ 10:12**
Boards and commissions, generally, **§ 10:4 et seq.**
Compensation of members of boards and commissions, **§ 10:8**
Decisions and opinions
Review of municipal planning decisions, **§ 10:13**

METROPOLITAN AND REGIONAL PLANNING—Cont'd
Decisions and opinions—Cont'd
Zoning decisions, **§ 10:14**
Definitions, **§ 10:2**
Development, **§ 10:3**
Duties and powers of boards and commissions, generally, **§ 10:9 et seq.**
Effect of adoption of plan, **§ 10:12**
Enabling acts authorizing establishment, **§ 10:4**
Establishment of regional boards and commissions, **§ 10:4, 10:5**
Finance, **§ 10:8**
Meetings of boards and commissions, **§ 10:7**
Members or membership of boards and commissions, **§ 10:5, 10:8**
Municipalities
Comprehensive planning, **§ 5:16**
Municipal co-operation, **§ 10:15**
Review of municipal planning decisions, **§ 10:13**
Organization of boards and commissions, **§ 10:6 et seq.**
Powers and duties of boards and commissions, generally, **§ 10:9 et seq.**
Preparation of plan, **§ 10:11**
Qualification of members of boards and commissions, **§ 10:5**
Records of boards and commissions, **§ 10:7**
Research, **§ 10:10**
Review of municipal planning decisions, **§ 10:13**
Rules and rulemaking by boards and commissions, **§ 10:7**
Staff for boards and commissions, **§ 10:6**
Subdivision control, **§ 10:15**
Technical services by boards and commissions, **§ 10:10**
Terms of office of members of boards and commissions, **§ 10:5**
Zoning decisions, **§ 10:14**

MINES
Mining and Quarrying (this index)

MINIATURE GOLF COURSES
Regulation of uses, **§ 18:27**

MINING AND QUARRYING
Generally, **§ 18:54**
Nonconforming uses, **§ 18:58**
Oil and gas, **§ 18:59**
Preemption by state or federal law, **§ 18:55**
Regulatory takings, **§ 18:57**
Special permits and variances, **§ 18:56**

MINORS
Children and Minors (this index)

MINUTES OF HEARING
Final legislative action in enactment of ordinance, entry of, **§ 8:19**

MINUTES OF MEETING
Open meeting laws, **§ 3A:14**

MISTAKES, ERRORS, OR OMISSIONS
Generally, **§ 6A:13**
Appeal and certiorari, extension of time period due to error of board, **§ 42:28**
Changed circumstances, **§ 6A:12**
Change or Mistake Rule (this index)
Final legislative action in enactment of ordinances, **§ 8:21**

MIXED USES
Planned unit development, **§ 24:20**

MOBILE COMMUNICATIONS
Wireless Facility Zoning (this index)

MOBILE HOMES AND MOBILE HOME PARKS
Generally, **§ 20:1-20:17**
Accessory use, **§ 20:8**
Adults only parks, **§ 20:12**
Authority to regulate mobile homes, **§ 20:2**
Confinement to mobile home parks, **§ 20:6**
Definitions, **§ 20:3**
Elderly persons, **§ 21:12**
Enabling acts, **§ 20:2**
Exclusionary zoning
Generally, **§ 20:4, 22:10**
District exclusions, **§ 20:5**
Municipalities, exclusion from, **§ 20:4**
Licenses and permits
Licensing of mobile home parks, **§ 20:14**

MOBILE HOMES AND MOBILE HOME PARKS—Cont'd
Licenses and permits—Cont'd
Special permits, **§ 20:9**
Modular homes, **§ 20:17**
Municipalities, exclusion from, **§ 20:4**
Nonconforming use, **§ 20:16**
Recreational vehicles, **§ 20:7**
Regulation of parks, **§ 20:10**
Rent control ordinances, **§ 20:11**
Senior housing, **§ 21:12**
Special permits, **§ 20:9**
Storage of mobile homes and recreational vehicles, **§ 20:7**
Taxation, **§ 20:14, 20:15**
Time limitations, **§ 20:13**

MODEL CODE SMALL CELL AGREEMENT
Generally, **§ App A**

MODEL LAWS
Development agreements, **§ 32:14**
Planned unit development, **§ 24:22**
Vested rights, **§ 32:12**

MODIFICATION
Alteration or Modification (this index)

MODULAR HOMES
Generally, **§ 20:17**

MONOPOLIES
Competition control, generally. Competition and Competition Control (this index)
Objectives of zoning in violation of antitrust laws, **§ 7:29**

MONUMENTS
Subdivision approval, **§ 31:40**

MORALS
Objectives of zoning, **§ 7:11**

MORATORIA
Generally, **§ 34:3, 35:1 et seq.**
Compliance with laws and procedures, **§ 35:4**
Interim development ordinances, **§ 32:10**
Reasonable time frame, generally, **§ 35:2**
Sexually oriented businesses, **§ 29:14**
Stopgap or Interim Controls (this index)

MORATORIA—Cont'd
Valid public purpose, **§ 35:3**
Vested rights, **§ 32:10**

MORTGAGEES
Review, mortgagees as aggrieved persons entitled to, **§ 42:12**

MORTICIANS
Funeral Directors and Homes (this index)

MOTELS
Boarding and rooming houses, **§ 19:31**

MOTOR HOMES
See also Mobile Homes and Mobile Home Parks (this index)
Storage of recreational vehicles, **§ 20:7**

MOTOR VEHICLES AND HIGHWAY TRAFFIC
Enabling act authorizing control of street congestion and traffic, **§ 7:9**
Encroachments, garages for motor vehicles as, **§ 9:65**
Junkyards (this index)
Mobile Homes and Mobile Home Parks (this index)
Motor homes, storage of, **§ 20:7**
Off-street parking. Parking and Parking Areas (this index)
Parking and Parking Areas (this index)
Recreational Vehicles (this index)
Special permit, traffic congestion as grounds for, **§ 14:22**
Storage or vehicles, **§ 20:7**

MOUNT LAUREL CASE
Exclusionary zoning, **§ 22:5**

MULTIPLE-FAMILY DWELLINGS AND DISTRICTS
Generally, **§ 9:42**
Apartments, exclusion in single residential districts, **§ 9:41**
Elderly persons and zoning laws, **§ 21:11**
Exclusionary zoning, **§ 9:41, 22:8**

MUNICIPALITIES
Amendment of ordinances by municipalities. Amendment of Ordinances (this index)

MUNICIPALITIES—Cont'd
Appeal and certiorari, municipality as aggrieved and entitled to review, **§ 42:19**
Attorneys for, **§ 40:40**
Blighted properties, **§ 17:20**
Boundaries of municipalities
Districts abutting municipal borders, **§ 9:10**
Growth control technique, urban growth boundaries as, **§ 34:5**
Charters of Municipalities (this index)
Development of urban planning, **§ 1:5 et seq.**
Districts abutting municipal borders, **§ 9:10**
Enactment or adoption of ordinances by municipalities, generally. Enactment or Adoption of Ordinances (this index)
Energy and climate change, local initiatives, **§ 37:7**
Exclusionary zoning, municipal finances, **§ 22:12**
Finances of municipality, exclusionary zoning, **§ 22:12**
Growth control technique, urban growth boundaries as, **§ 34:5**
Historic Preservation (this index)
Home-Rule Powers (this index)
Injunctions (this index)
Interjurisdictional Land Use Control (this index)
Intermunicipal use problems, **§ 18:32 et seq.**
Internet land use law resources, **§ 48:4, 48:5**
Junkyards, exclusion of, **§ 18:42**
Master or Comprehensive Plan (this index)
Metropolitan and Regional Planning (this index)
Metropolitan planning, cooperation with, **§ 10:15**
Mobile home park regulations, **§ 20:4**
Nonconforming use, estoppel, **§ 12:9**
Ordinances (this index)
Outdoor Advertising (this index)
Planning and Planners (this index)
Planning Boards and Commissions (this index)
Power to Zone (this index)

MUNICIPALITIES—Cont'd
Regional planning, cooperation with, **§ 10:15**
Religious use restrictions, **§ 28:10, 28:11**
Repeal of Ordinances (this index)
Review, municipality as aggrieved and entitled to, **§ 42:19**
Services, special permits based on inadequacy, **§ 14:24**
Special permit based on inadequacy of municipal services, **§ 14:24**
Subdivision approvals, **§ 31:14**
Territorial Jurisdiction or Limitation (this index)
Use problems, intermunicipal, **§ 18:32 et seq.**
Uses of land by municipalities. Municipal Uses of Land (this index)

MUNICIPAL PLANNING
Planning and Planners (this index)

MUNICIPAL PLANNING BOARDS AND COMMISSIONS
Planning Boards and Commissions (this index)

MUNICIPAL USES OF LAND
Generally, **§ 18:29 et seq.**
Intermunicipal problems, **§ 18:32 et seq.**
Proprietary function test, **§ 18:31**
Specific ordinances and statutes, **§ 18:30**

MUSIC STUDIOS
Home professions, **§ 19:24**

NATIONAL ENVIRONMENTAL POLICY ACT
Generally, **§ 36:21**
Review
Generally, **§ 36:24 et seq.**
Adequacy Environmental Review, **§ 36:26**
Programmatic Environmental Review, **§ 36:25**

NATIONAL HISTORIC PRESERVATION ACT
Historic preservation, **§ 27:2**
Section 106, **§ 27:3**

NATIONAL PRIORITIES FOR SECTION 309 ENHANCEMENT PROGRAM
Coastal Zone Enhancement Program, **§ 36A:27**

NATURAL RESOURCES
Coastal Zone Management Act of 1972, **§ 3:3**
Conservation as objective of zoning, **§ 7:33**
Interjurisdictional Land Use Control (this index)
Mining and Quarrying (this index)
Wind turbines, **§ 9:51**

NECESSARY AND INDISPENSABLE PARTIES
Appeal and certiorari, **§ 42:20, 42:32**
Declaratory judgments, **§ 45:8**

NECTOW v. CITY OF CAMBRIDGE
Power to zone, **§ 2:23, 2:24**

NEIGHBORHOOD AND NEIGHBORING PROPERTY
Adjoining or Abutting Landowners and Property (this index)
Character of neighborhood, **§ 7:26**
Hardship (this index)
Objective of zoning, preservation of neighborhood character as, **§ 7:26**
Special Permits (this index)

NEW EVIDENCE
Appeal and certiorari, evidence on, **§ 42:40, 42:42**

NEW HAMPSHIRE
Inclusionary zoning, state affordable housing laws, **§ 22:32**

NEW HEARING
Boards of Appeal (this index)

NEW JERSEY
Inclusionary zoning, state affordable housing laws, **§ 22:33**

NEWS RACKS
Generally, **§ 18:60**

NEW YORK
Growth control, **§ 34:8, 34:9**
Inclusionary zoning, state affordable housing laws, **§ 22:34**

NOISE
Wind power, **§ 9:51**

NONCONFORMING USES
Generally, **§ 12:1 et seq.**
Abandonment, **§ 12:22**

NONCONFORMING USES—Cont'd
Amortization, **§ 12:23**
Appeal and certiorari, **§ 12:8**
Bill boards, **§ 26:11**
Buildings and structures, **§ 12:11**
Burden of proof, **§ 12:5**
Changes, **§ 12:18**
Damage and reconstruction, **§ 12:20**
Discontinuances, **§ 12:22**
Due process, **§ 12:14**
Equal protection, **§ 12:14**
Expansion of nonconforming use, **§ 12:19**
Illegal change, expansion, or reconstruction, remedies for, **§ 12:21**
Junkyards, **§ 18:47**
Lawful prior use, requirement of, **§ 12:17**
Mining and quarrying, **§ 18:58**
Mobile homes and mobile home parks, **§ 20:16**
Municipal estoppel, **§ 12:9**
Pre-existing use, **§ 12:16**
Quarries, **§ 18:58**
Reconstruction, **§ 12:20**
Registration of uses, **§ 12:2, 39:4**
Regulations, **§ 12:4**
Repairs, **§ 12:20**
Retroactive zoning, **§ 12:15**
Scope of property, **§ 12:13**
Signs, **§ 26:11**
Special permit requirement, **§ 14:7**
Standard of review, **§ 12:5**
State law requirements, **§ 12:2**
Strict construction, **§ 12:7**
Structures, **§ 12:11**
Substandard lots, **§ 12:12**
Substantial evidence, **§ 12:6**
Takings claims, **§ 12:15**
Termination, **§ 12:24**
Vested rights, **§ 12:10**

NONPROFIT USES AND ORGANIZATIONS
Clubs and Societies (this index)

NORTH CAROLINA
Inclusionary zoning, state affordable housing laws, **§ 22:35**

NOTICE OR KNOWLEDGE
Amendment of Ordinances (this index)

NOTICE OR KNOWLEDGE—Cont'd
Appeal and certiorari, extension of time period due to lack of notice of decision, **§ 42:29**
Boards of Appeal (this index)
Enactment or Adoption (this index)
Hardship (this index)
Open meetings laws, **§ 3A:14**
Subdivisions (this index)

NUISANCE
Common law nuisance, **§ 18:39**
Home occupations or professions, **§ 19:37**
Injunctions, **§ 44:7**
Junkyards as common law nuisance, **§ 18:39**
Local environmental law, abatement, **§ 36:6**
Objective of zoning articulated in enabling statute, **§ 7:15**
Sexually oriented businesses, **§ 29:2**
Zoning law jurisprudence development, **§ 1:13**

NURSERIES (PLANT)
Generally, **§ 18:37**

NURSING HOMES AND ASSISTED LIVING FACILITIES
Generally, **§ 18:61**
Americans with Disabilities Act, **§ 18:63**
Federal Fair Housing Act, **§ 18:63**
Variances and special permits, **§ 18:62**

OATH OR AFFIRMATIONS
Board of adjustment (this index)

OBJECTIONS AND EXCEPTIONS
Amendment of ordinances, protest of. Amendment of Ordinance (this index)
Special permits, objections from adjoining landowners, **§ 14:28**

OBJECTIVES OF ZONING
Generally, **§ 7:1-7:34, 41:12**

OBSCENITY
Sexually Oriented Businesses (this index)

OCCUPANCY PERMITS OR CERTIFICATES
Generally, **§ 39:3**

OFFER AND ACCEPTANCE
Subdivision dedication, **§ 31:30, 31:31**

OFFICERS AND EMPLOYEES
Public Officers and Employees (this index)

OFFICIAL MAPS
Generally, **§ 30:1 et seq.**
Abandonment, **§ 30:10**
Administrative relief, **§ 30:16**
Agencies for adoption of official maps, **§ 30:5**
Amendment of official map, **§ 30:8 et seq.**
Buildings and structures
Not on mapped streets, **§ 30:15**
Permits for building on mapped streets, **§ 30:14**
Constitutional problems, **§ 30:3**
Dedication as amendment, **§ 30:9**
Definitions and distinctions, **§ 1:21, 30:1**
Development, **§ 1:21, 30:2**
District and boundary line zoning maps, **§ 9:3**
Effect of official map, **§ 30:11 et seq.**
Enabling acts, **§ 30:4**
Establishment or adoption of official maps, **§ 30:4 et seq.**
Evidence of location, **§ 30:12**
Filing approved plat as amendment, **§ 30:8**
Hearing, **§ 30:6**
Improvements by municipality, **§ 30:15**
Notice of hearing for adoption, **§ 30:6**
Permits for building in mapped streets, **§ 30:14**
Procedure for adoption, **§ 30:7**
Purpose, **§ 30:2**
Subdivision plat approval, **§ 30:13**
Subdivisions (this index)
Vacation, **§ 30:10**

OFFSTREET PARKING
Parking and Parking Areas (this index)

OIL AND GAS
Mining and quarrying, **§ 18:59**

OMISSIONS
Mistakes, Errors, or Omissions (this index)

OPEN MEETINGS LAWS
Generally, **§ 3A:1 et seq.**
Cures for violations, **§ 3A:18**
Defenses, **§ 3A:19**
Enforcement of laws, **§ 3A:17**
Entities subject to open meetings laws, **§ 3A:7**
Executive sessions, **§ 3A:16**
Live-streaming public meetings, **§ 3A:19.50**
Location, **§ 3A:11**
Meeting, defined, **§ 3A:5**
Minutes, **§ 3A:14**
Notice of meetings, **§ 3A:8**
Public participation, **§ 3A:12**
Public policy, **§ 3A:4**
Quorum, **§ 3A:6**
Recording devices, **§ 3A:13**
Records subject to, **§ 3A:24**
Remote participation, **§ 3A:19.50**
Statutory construction, **§ 3A:3**
Subject matter, **§ 3A:10**
Timing, **§ 3A:9**
Voting, **§ 3A:15**

OPEN SPACE
Exclusionary zoning, **§ 22:16**

OPINION EVIDENCE
Boards of Appeal (this index)

OPINIONS
Decisions and Opinions (this index)

OPTIONS ON PROPERTY
Review, option holders as aggrieved persons entitled to, **§ 42:10**

OPTOMETRISTS
Home professions, **§ 19:17**

ORDERS OF COURT
Appeal and Certiorari (this index)
Injunctions (this index)

ORDINANCES
See also Legislative Action or Authority (this index)
Amendment of Ordinances (this index)
Boards of appeal powers to challenge, **§ 40:9**
Characteristics, **§ 9:14 et seq.**
Constitutionality and Validity (this index)

ORDINANCES—Cont'd
Construction and Interpretation (this index)
Cumulative zoning ordinances, **§ 9:14**
Enactment or Adoption (this index)
Intent of Legislature or Ordinance (this index)
Repeal of Ordinances (this index)
Variances (this index)

OREGON
Inclusionary zoning, state affordable housing laws, **§ 22:36**

ORGANIZATIONS
Associations and Organizations (this index)

OUTDOOR ADVERTISING
Generally, **§ 26:1 et seq.**
Aesthetics purposes, **§ 26:4**
Amortization, **§ 26:11**
Attorney's fees, **§ 26:16**
Billboards
Electronic signs and billboards, **§ 26:15**
Objectives of zoning, **§ 7:16**
Constitutionality
Generally, **§ 26:10**
Commercial vs. noncommercial speech, **§ 26:7**
Different types of signs, **§ 26:13**
Electronic signs and billboards, **§ 26:15**
Exclusion of signs, **§ 26:12**
Free speech interests
Generally, **§ 26:6**
Commercial vs. noncommercial speech, **§ 26:7**
Viewpoint neutrality, **§ 26:7**
Highway Beautification Act, **§ 26:2**
Highways, signs near, **§ 26:14**
Highways and Streets (this index)
Home occupations or professions, **§ 19:13**
Nonconforming signs, **§ 26:11**
Off-premises signs, **§ 26:8**
Parks, signs near, **§ 26:14**
Power to regulate, **§ 26:3**
Preemption, **§ 26:5**
Purposes of regulation, **§ 26:4**
Regulation of signs, **§ 26:1 et seq.**
Sign regulations, **§ 26:1 et seq.**
Traffic safety purposes, **§ 26:4**

OUTDOOR ADVERTISING—Cont'd
Viewpoint neutral regulation, **§ 26:7**

OVERCROWDING
Population and Population Control (this index)

OWNERSHIP
Title and Ownership (this index)

PANIC
Objective of zoning, securing safety from panic as, **§ 7:10**

PARCELS
Lots (this index)

PARKING AND PARKING AREAS
Administrative application, offstreet parking, **§ 9:54**
Construction and interpretation, offstreet parking requirement, **§ 9:54**
Encroachments, garages and storage for vehicles as, **§ 9:65**
Home occupation regulation, **§ 19:11**
Mobile homes, storage of, **§ 20:7**
Offsite parking spaces, **§ 9:53**
Off-street parking
Generally, **§ 9:52 et seq.**
Administrative application, **§ 9:54**
Construction and interpretation, **§ 9:54**
Offsite parking space, **§ 9:53**
Recreational vehicles, **§ 20:7**
Variances, **§ 9:55**
Recreational vehicles, storage of, **§ 20:7**
Variances, offstreet parking, **§ 9:55**

PARKS
Design control in and around public parks, **§ 9:75**
Mobile Homes and Mobile Home Parks (this index)
Outdoor advertising regulation, **§ 26:14**
Sign regulation, **§ 26:14**
Subdivisions, reservation or dedication requirements, **§ 31:42, 31:43**

PARTIES IN LAND USE GAME
Generally, **§ 4:1-4:11**
Boards of appeal members
Generally, **§ 4:7**
Training, **§ 4:8**
Building inspectors, **§ 4:9**
Legislative bodies, **§ 4:5**

PARTIES IN LAND USE GAME —Cont'd
Planners and Planning (this index)
Planning Boards (this index)
Zoning administrators, **§ 4:11**

PARTIES TO ACTIONS AND PROCEEDINGS
Administrators, **§ 4:11**
Appeal and Certiorari (this index)
Boards of appeal actions, **§ 40:11, 40:12**
Declaratory judgments, **§ 45:3 et seq.**
Landlord and Tenant (this index)
Mandamus, persons entitled to, **§ 43:2**
Necessary and Indispensable Parties (this index)
Vendors and vendees, **§ 45:7**

PAWN SHOPS
Generally, **§ 18:63.10**

PAYDAY LOAN STORES
Generally, **§ 18:63.20**

PENALTIES
Generally, **§ 47:1**

PENDENTE LITE
Injunctions (this index)

PENDING ACTIONS
Amendment while action pending, **§ 42:45, 43:11, 44:16, 45:17**

PENDING ADOPTIONS OF ORDINANCES
Special permits, **§ 14:20**

PENN CENTRAL CASE
Generally, **§ 16:12-16:15**
Character of government action, **§ 16:15**
Economic impact of regulation, **§ 16:13**
Investment-backed expectations, **§ 16:14**
Takings claims, **§ 16:12**

PENNSYLVANIA
Inclusionary zoning, state affordable housing laws, **§ 22:37**

PERFORMANCE BONDS
Subdivisions, **§ 31:49, 31:50**

PERFORMANCE STANDARDS
Industrial use districts, **§ 9:47**

PERMISSION
Consent, Approval, or Acquiescence (this index)

PERMITS OR CERTIFICATES
Generally, **§ 39:2**
Licenses and Permits (this index)

PERSONAL INTEREST
Interest in Property or Subject Matter (this index)

PERSONAL WIRELESS SERVICE FACILITIES
Wireless Facility Zoning (this index)

PETALUMA PLAN
California growth control techniques, **§ 34:6, 34:7**

PETITIONS
Applications and Petitions (this index)

PETS
Animals and Animal Husbandry (this index)

PHYSICALLY HANDICAPPED PERSONS
Group homes for mentally handicapped in single-family districts, **§ 9:37**

PHYSICIANS AND SURGEONS
Home professions, **§ 19:16**

PIERS
Marinas, regulation of, **§ 18:53**

PIGEONS
Regulation of uses, **§ 18:13**

PIGS
Regulation of uses, **§ 18:9**

PLACE OR LOCATION
Amendment of ordinances, protest petitions against, **§ 8:31**
Junkyards, location in relation to other uses, **§ 18:43**
Official maps or evidence of location, **§ 30:12**
Open meetings laws, **§ 3A:11**

PLANNED DEVELOPMENT DISTRICTS
Generally, **§ 24:1-24:22**
Benefits, **§ 24:4**
Creation, **§ 24:3**

PLANNED DEVELOPMENT DISTRICTS—Cont'd
Judicial review, **§ 24:6**
Standards, **§ 24:5**

PLANNED UNIT DEVELOPMENT
Generally, **§ 24:7 et seq.**
Adoption, generally, **§ 24:10 et seq.**
Appeal and review, **§ 24:6**
Application process, **§ 24:12**
Benefits, **§ 24:9**
Challenges, **§ 24:15, 24:16**
Cluster Developments (this index)
Comprehensive plans, **§ 24:19**
Creation, **§ 24:10**
Definition problem, **§ 24:8**
Delegations of authority, **§ 24:17**
Development agreements
Generally, **§ 32:13**
Model law, **§ 32:14**
District. Planned Development Districts (this index)
Enabling laws, **§ 24:18**
Establishment or enactment, generally, **§ 24:10 et seq.**
Exception, creation by, **§ 24:14**
Final legislative action, **§ 24:13**
Floating zones as method of establishing, **§ 24:11**
Judicial review, **§ 24:6**
Mixed uses, **§ 24:20**
Model law, **§ 24:22**
Objectives of planned unit development, **§ 24:9**
Planned Development Districts (this index)
Special permits
Generally, **§ 24:14**
Cluster development, **§ 31:22**
Standards
Floating zones, **§ 24:11**
Planned development districts, **§ 24:5**
Standing to challenge, **§ 24:15**
Subdivision controls, cluster development, **§ 31:21**
Uniformity, **§ 24:21**
Vested Rights (this index)

PLANNING AND PLANNERS
Generally, **§ 1:4 et seq., 4:2, 5:1**

PLANNING AND PLANNERS—Cont'd
Agencies and departments of municipality, planning by
Master or Comprehensive Plan (this index)
Planning Boards and Commissions (this index)
Agricultural plans
Elements, **§ 5:7**
Preservation, **§ 33:10**
Amendment of ordinances, planning review, **§ 8:28**
American Institute of Certified Planners (AICP) Code, **§ 38:23**
Appeals, **§ 5:22**
Authority for planning, **§ 10:4**
Boards and commissions for planning. Planning Boards and Commissions (this index)
Certification of professional planners, **§ 4:3**
City beautiful movement, **§ 1:7**
City practical period, **§ 1:8**
Community facilities element plans, **§ 5:8**
Community Planning and Development (this index)
Comprehensive plan. Master or Comprehensive Plan (this index)
Contemporary urban planning, **§ 1:10**
Definition of planning, **§ 1:4**
Development and Developers (this index)
Economic development element plans, **§ 5:9**
Enabling acts authorizing planning, **§ 10:4**
Energy and Climate Change (this index)
Environmental conservation element plans, **§ 5:10**
Ethics and land use law, **§ 5:23, 38:7**
Housing element plans, **§ 5:11**
Infrastructure element plans, **§ 5:12**
Interjurisdictional land use control, **§ 3:9**
Land use element plans, **§ 5:13**
Master or Comprehensive Plan (this index)
Metropolitan and Regional Planning (this index)
Municipal planning, generally, **§ 5:1 et seq.**
New Deal era planning, **§ 1:9**

PLANNING AND PLANNERS—Cont'd
Planning Boards and Commissions (this index)
Preliminary planning prior to enactment or adoption of ordinances, **§ 8:9, 8:10**
Preservation, agricultural preservation planning, **§ 33:10**
Procedures, **§ 5:5**
Regional planning. Metropolitan and Regional Planning (this index)
Regulation of professional planners, **§ 4:3**
Safety element plans, **§ 5:14**
Sanitary reform movement, **§ 1:6**
Smart growth, local environmental law, **§ 36:8**
Training requirements, **§ 4:4**
Transportation element plans, **§ 5:15**
Urban planning, development of, **§ 1:5 et seq.**

PLANNING BOARDS AND COMMISSIONS
Generally, **§ 4:6**
Agencies or departments of municipality, planning by, **§ 5:3**
Agricultural element plans, **§ 5:7**
Appeal and certiorari, judicial review by, **§ 42:4**
Appeals, **§ 5:22**
Authority of planning board, **§ 5:4**
Community facilities element plans, **§ 5:8**
Compensation and wages of members of boards and commissions, **§ 10:8**
Comprehensive plan, elements of, **§ 5:6**
Conflicts of interest, **§ 38:13**
Consistency of comprehensive plan, **§ 5:18**
County Planning Boards and Commissions (this index)
Economic development element plans, **§ 5:9**
Enabling acts, **§ 10:4**
Environmental conservation element plans, **§ 5:10**
Ethics and land use law, **§ 5:23, 38:7**
Housing element plans, **§ 5:11**
Infrastructure element plans, **§ 5:12**
Judicial review by appeal and certiorari, **§ 42:4**
Land use element plans, **§ 5:13**

PLANNING BOARDS AND COMMISSIONS—Cont'd
Members or membership, **§ 10:5 et seq., 38:13**
Metropolitan and Regional Planning (this index)
Metropolitan planning, **§ 10:5**
Municipal planning boards and commissions, generally, **§ 8:10**
Organization, **§ 10:6 et seq.**
Procedures, **§ 5:5**
Qualification for membership, **§ 10:5**
Records, **§ 10:7**
Referral to planning board, special permits, **§ 14:16**
Regional and state planning, **§ 5:16, 10:5**
Rules, **§ 10:7**
Safety element plans, **§ 5:14**
Special permits, **§ 14:16**
Staff, **§ 10:6**
Subdivisions (this index)
Transportation element plans, **§ 5:15**
Zoning commissions, **§ 8:9**

PLATS
Maps and Plats (this index)

PLEADINGS
Appeal and certiorari, **§ 42:22**
Applications and Petitions (this index)
Boards of appeal, **§ 40:13 et seq.**
Declaratory Judgments (this index)
Mandamus (this index)

POLICE POWER
Community-wide design controls, **§ 9:77**
Design control, **§ 9:77**
Enabling acts, **§ 7:3**
Limitations and restrictions, **§ 7:3**
Objectives of zoning, **§ 7:3**
Zoning law jurisprudence development, **§ 1:16, 1:17**

POOL ROOMS
Regulation of uses, **§ 18:16**

POPULATION AND POPULATION CONTROL
Adequacy of government services, insuring of, **§ 7:27**
Exclusionary zoning, **§ 34:16**
Growth Controls (this index)

POPULATION AND POPULATION CONTROL—Cont'd
Overcrowding or undue concentration of population, **§ 7:6**

PORCHES
Encroachments, **§ 9:62**

PORNOGRAPHY
Sexually Oriented Businesses (this index)

POSTING
Enactment or adoption of ordinance, final legislative action on, **§ 8:20**

POULTRY
Birds and Fowl (this index)

POULTRY HOUSES
Agricultural uses and districts, **§ 33:8**

POWER TO ZONE
Generally, **§ 2:1-2:26**
Administrative powers, **§ 2:16**
Adoption power grants, **§ 2:15**
Aesthetic purposes of zoning laws, **§ 7:13 et seq.**
Amendment of ordinance, **§ 8:23, 8:24**
Amendment power grants, **§ 2:15**
Antitrust law and zoning laws, **§ 7:29**
Authority delegations, **§ 2:9 et seq.**
Boards of adjustment, **§ 2:16**
Boards of appeal, final disposition powers, **§ 40:8**
Building preservation purposes of zoning, **§ 7:12**
Case law development, **§ 2:21**
Charters, municipal, **§ 2:8**
Competition, affect of zoning regulation on, **§ 7:28**
Condemnation costs as zoning law consideration, **§ 7:31**
Conflicts, **§ 2:18**
Constitutional home rule powers, **§ 2:6**
Constitutionality and Validity (this index)
Delegations of authority, **§ 2:9 et seq.**
Districts, grants of power to, **§ 2:13**
Early comprehensive zoning ordinances, **§ 2:20**
Economy in government, purpose of zoning law to preserve, **§ 7:32**
Enabling acts, **§ 2:11**
Enabling Acts (this index)

POWER TO ZONE—Cont'd
Environmental considerations as objective of zoning laws, **§ 7:33**
Euclid v. Ambler Realty, **§ 2:22, 2:24**
Exclusionary zoning as legitimate zoning purpose, **§ 7:18**
Fire prevention purposes of zoning, **§ 7:10**
Floor space requirements as zoning law purpose, **§ 7:21**
Fragmentation of power, **§ 2:19**
General welfare, purpose of zoning laws to preserve, **§ 7:13 et seq.**
Governmental services, provision as zoning law consideration, **§ 7:27**
Health purposes of zoning regulation, **§ 7:4 et seq.**
Home-rule powers of municipalities. Home-Rule Powers (this index)
Inherent home rule powers, **§ 2:5**
Legislative home rule powers, **§ 2:7**
Light and air adequacy, zoning to provide, **§ 7:5**
Limitations on power. Limitations and Restrictions (this index)
Local regulation, state guidelines for, **§ 2:3**
Lot area requirements as zoning purpose, **§ 7:20**
Mobile homes and mobile home parks, **§ 20:2**
Moral values and zoning regulations, **§ 7:11**
Municipalities, generally, **§ 2:4 et seq.**
Natural resources, conservation as purpose of zoning laws, **§ 7:33**
Nature of power to zone, **§ 2:1**
Nectow v. City of Cambridge, **§ 2:23, 2:24**
Neighborhood character preservation as zoning law purpose, **§ 7:26**
Outdoor advertising, **§ 26:3**
Overcrowding, purpose of zoning to alleviate, **§ 7:6**
Police power, **§ 1:17**
Property value, purposes of zoning to preserve, **§ 7:12**
Recreational uses, purpose of zoning to provide, **§ 7:7**
Remedies, **§ 2:17**
Repeal of Ordinances (this index)
Repeal power grants, **§ 2:15**

POWER TO ZONE—Cont'd
Safety purposes of zoning regulation, **§ 7:4 et seq.**
Setback requirements and zoning law purposes, **§ 7:19**
Sexually oriented businesses, limitations on zoning power, **§ 29:9**
Source of power to zone, generally, **§ 2:1**
State constitutions, **§ 2:2**
State enabling acts, **§ 2:11**
State guidelines for local regulation, **§ 2:3**
State zoning power, **§ 2:2**
Tax revenues as zoning law consideration, **§ 7:30**
Territorial Jurisdiction or Limitation (this index)
Traffic congestion, purpose of zoning regulations to alleviate, **§ 7:9**

PRACTICAL CITY PERIOD
Development of urban planning, **§ 1:8**

PREAMBLES
Construction and interpretation of ordinance, **§ 41:12**

PREEMPTION
Environmental considerations, generally, **§ 36:3, 36:4**
Mining and quarrying, **§ 18:55**
Outdoor advertising, **§ 26:5**

PRE-EXISTING USE
Nonconforming uses, **§ 12:16**

PREJUDICE AND BIAS
Enactment or Adoption (this index)

PRESERVATION
Affordable housing preservation, **§ 22:45**
Agricultural preservation districts, **§ 33:9, 33:10**
Historic Preservation (this index)
Tree preservation, local environmental law, **§ 36:16**

PRESUMPTIONS AND BURDEN OF PROOF
Change or mistake, **§ 6A:11**
Constitutionality of challenged legislation, **§ 15:8 et seq., 15:9**

PRESUMPTIONS AND BURDEN OF PROOF—Cont'd
Criminal proceedings to enforce zoning and planning regulations, **§ 47:4**
Declaratory judgment, **§ 45:14**
Due process challenges to legislation, **§ 15:8 et seq.**
Equal protection challenges to legislation, **§ 15:8 et seq.**
Exclusionary zoning, **§ 22:17**
Nonconforming uses, **§ 12:5**
Spot zoning, **§ 6A:6**

PRIVATE SWIMMING POOLS
Generally, **§ 18:71**

PRIVILEGES
Boards of appeal hearings, **§ 40:29**

PROCEDURAL LIMITATIONS
Compliance, **§ 8:5 et seq.**

PROCESS AND SERVICE OF PROCESS AND PAPERS
Boards of Appeal (this index)
Enactment or Adoption (this index)

PROFESSIONAL CONDUCT
Ethics and Land Use Law (this index)

PROFIT, REGULATION OF USES FOR
Hardship (this index)

PROHIBITION OF USES
Generally, **§ 9:16**
Wireless facility zoning, provision of personal wireless services, **§ 25:4**

PROPERTY RIGHTS
Takings Claims (this index)

PROPERTY VALUES
Exclusionary zoning, **§ 22:14**

PROPRIETARY FUNCTION TEST
Governmental uses of land, **§ 18:31**

PROTEST
Amendment of Ordinances (this index)
Objections and Exceptions (this index)
Objectives of zoning to quiet protest, **§ 7:34**

PUBLICATION
Enactment or Adoptions (this index)

PUBLIC BENEFIT, INTEREST, OR NEED
Open Meeting Laws (this index)
Special Permits (this index)

PUBLIC CONTROL OF PRIVATE LAND
Generally, **§ 1:1-1:22**
City beautiful movement, **§ 1:7**
City practical movement, **§ 1:8**
Contemporary urban planning, **§ 1:10**
Historical development, **§ 1:3**
New Deal era planning, **§ 1:9**
Planned development generally, **§ 1:4**
Sanitary reform movement, **§ 1:6**
Urban planning movement, **§ 1:5**

PUBLIC HEALTH AND SAFETY
Generally, **§ 7:4 et seq.**
Fire Protection and Safety (this index)
Municipal planning and comprehensive plan, **§ 5:14**
Special permits, **§ 14:21**
Traffic control. Motor Vehicles and Highway Traffic (this index)

PUBLIC HEARINGS
Boards of appeal, **§ 40:25**

PUBLIC LANDS AND USES
Governmental Uses of Land (this index)
Parks (this index)
Schools and Education (this index)

PUBLIC OFFICERS AND EMPLOYEES
Administration of Zoning (this index)
Boards of Appeal (this index)
Building Inspector (this index)
Compelling public officer to act, **§ 43:7**
Mandamus to compel public officials to enforce zoning ordinances, **§ 43:7**

PUBLIC OR GENERAL WELFARE
Generally, **§ 7:13 et seq.**

PUBLIC SERVICES
Objectives of zoning to insure adequate government services, **§ 7:27**
Special permits based on inadequacy of municipal services, **§ 14:24**
Wind power, special zoning provisions, **§ 9:51**

PULLMAN ABSTENTION
Federal action or forum, civil rights acts claims, **§ 46:9**

PURPOSE OR OBJECTIVES OF ZONING
Generally, **§ 7:1-7:34, 41:12**

QUALIFICATION OR ELIGIBILITY
Metropolitan and regional boards and commissions, members, **§ 10:5**
Planning boards and commissions, membership of, **§ 10:5**

QUALIFIED IMMUNITY
Civil rights acts claims, **§ 46:6**

QUARRIES
Mining and Quarrying (this index)

QUASI-JUDICIAL ACTIONS
Generally, **§ 11:18**

QUASI-JUDICIAL IMMUNITY
Civil rights acts claims, **§ 46:4**

QUORUMS
Boards of appeals, **§ 39:19 et seq., 40:26**
Open meeting laws, **§ 3A:6**

RACETRACKS
Generally, **§ 18:64**

RADIO FREQUENCY EMISSIONS
Wireless facility zoning, regulation based on environmental effects of, **§ 25:9**

RAMAPO PLAN
New York growth control, **§ 34:8, 34:9**

REAL ESTATE BROKERS
Home professions, **§ 19:22**

RECLASSIFICATION
Rezoning or Reclassification (this index)

RECORDS AND RECORDING
Appeal and certiorari, transcript of record on, **§ 42:33**
Boards of Appeal (this index)
Enactment of ordinance, entry of final legislative action in minutes, **§ 8:19**
Freedom of Information Laws (this index)
Maps and Plats (this index)

RECORDS AND RECORDING —Cont'd
Meetings. Open Meeting Laws (this index)
Metropolitan and regional planning boards and commissions, **§ 10:7**
Nonconforming Uses (this index)
Official maps and plats, **§ 30:8**
Planning boards and commissions, **§ 10:7**
Subdivision plat, **§ 31:17**

RECREATIONAL VEHICLES
Boating, regulation of marinas, **§ 18:53**
Mobile Homes and Mobile Home Parks (this index)
Storage of recreational vehicles, **§ 20:7**

RECREATION AND RECREATIONAL USES
Beaches, regulation of, **§ 18:15**
Boating, regulation of marinas, **§ 18:53**
Golf and Golf Courses (this index)
Objective of zoning, adequate recreation as, **§ 7:7**
Parks (this index)
Recreational Vehicles (this index)
Sports (this index)
Subdivisions, reservation or dedication of recreational areas, **§ 31:42, 31:43**

REDUCTION OF TIME
Appeal and certiorari, reduction of statutory time periods, **§ 42:26**

REGIONAL PLANNING
Energy and climate change, regional initiatives, **§ 37:5**
Interjurisdictional land use control, **§ 3:11**
Metropolitan and Regional Planning (this index)
Municipal planning and comprehensive plan, **§ 5:16**

REGISTRATION OF USES
Generally, **§ 39:4**

REGULATIONS
Historic preservation
District procedure enacting, **§ 27:6**
Free exercise, **§ 27:10**
Local procedure enacting, **§ 27:6**
RLUIPA challenges, **§ 27:10**

REGULATIONS—Cont'd
Rules and Rulemaking (this index)

REGULATORY TAKINGS
Mining and quarrying, **§ 18:57**

REHABILITATION CENTERS
Nursing Homes and Assisted Living Facilities (this index)

REHEARING OR REOPENING OF CASE
Boards of Appeal (this index)

RELIANCE
Amendment, reliance on existing zoning regulations, **§ 8:25**
Nonconforming Uses (this index)
Vested rights, **§ 32:4, 32:11**

RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSON ACT OF 2000
Generally, **§ 28:1 et seq.**
Attorney's fees, **§ 28:8**
Compelling governmental interests, **§ 28:6**
Constitutionality, **§ 28:2, 28:3**
Interjurisdictional land use control, **§ 3:7**
Nondiscrimination, **§ 28:7**
Ripeness, **§ 28:8.50**
State Religious Freedom Restoration Acts, **§ 28:2.10**
Substantial burdens, **§ 28:4, 28:5**

RELIGIOUS USES
Generally, **§ 28:1 et seq.**
Establishment Clause, **§ 28:9**
Municipal restrictions, **§ 28:10, 28:11**
Religious Land Use and Institutionalized Person Act of 2000 (this index)
Special permits, **§ 28:11**
State Religious Freedom Restoration Acts, **§ 28:2.10**

REMAND OF CASE
Appeal and certiorari, **§ 42:46**

REMEDIES
Generally. Actions and Remedies (this index)

RENTAL PROPERTY
Landlord and Tenant (this index)

REOPENING OR REHEARING OF CASE
Boards of Appeal (this index)

REPAIRS
Nonconforming Uses (this index)

REPEAL OF ORDINANCES
Generally, **§ 8:1-8:34**
Application for zone change, **§ 8:29**
Compliance with procedural requirements, **§ 8:5 et seq.**
Delay, **§ 8:8**
Discretionary procedural requirements, **§ 8:4**
Enabling legislation, delegation of power by, **§ 2:15**
Executive session consideration of ordinance proposals, **§ 8:17**
Implication, repeal of ordinance by, **§ 41:13**
Legislative errors and omissions, **§ 8:21**
Limitations and restrictions on power, **§ 8:22, 8:34**
Mandatory procedural requirements, **§ 8:3**
Notices and hearings, **§ 8:11 et seq.**
Prejudice, noncompliance with procedural requirements, **§ 8:7**
Protest petitions, **§ 8:30 et seq.**
Publication of zoning changes, **§ 8:20**
Public hearing requirements, **§ 8:17**
Reconsideration of legislative actions, **§ 8:25**
Voting requirements, **§ 8:18**
Waiver of procedural requirements, **§ 8:8**

REPORTS AND REPORTING
Boards of Appeal (this index)
Planning boards and commissions (this index)

REPRESENTATIONAL STANDING
Appeal and certiorari, **§ 42:14**

RESEARCH
Laboratories, **§ 18:65**
Metropolitan and regional boards and commissions, **§ 10:10**

RESEARCH LABORATORIES
Generally, **§ 18:65**

RESERVATIONS
Subdivisions, **§ 31:28 et seq.**

RESIDENTIAL USES AND DISTRICTS
Generally, **§ 9:24 et seq.**
Accessory uses, **§ 9:28**
Access routes, exclusion of, **§ 9:27**
Agricultural districts, residential development in, **§ 33:6**
Commercial areas, exclusion from, **§ 9:44**
Commercial Uses and Districts (this index)
Exclusion from commercial areas, **§ 9:44**
Funeral homes, exclusion of, **§ 18:22**
Group homes, **§ 9:31, 9:33**
Home Occupations or Professions (this index)
Industrial uses, exclusion of, **§ 9:25**
Mobile Homes and Mobile Home Parks (this index)
Modular homes, **§ 20:17**
Multiple residents. Multiple-Family Dwellings and Districts (this index)
Planned residential development. Appeal and Certiorari (this index)
Single-Family Uses and Districts (this index)
Swimming pools, private, **§ 18:71**

RES JUDICATA
Boards of appeal decisions, **§ 40:50**
Civil rights acts claims, **§ 46:13**

RESOLUTIONS
Boards of Appeal (this index)
Planning Boards and Commissions (this index)
Subdivisions (this index)

RESTAURANTS
Generally, **§ 18:66-18:68**
Alcoholic beverages, sale of, **§ 18:67**
Drive-in and fast food restaurants, **§ 18:68**

RESTORATION
Nonconforming Uses (this index)

RESTRAINING ORDERS
Injunctions (this index)

RESTRAINTS AGAINST COMPETITION
Competition control, generally. Competition and Competition Control (this index)
Objectives of zoning in violation of antitrust laws, **§ 7:29**

RESTRICTIONS
Limitations and Restrictions (this index)

RESTRICTIVE COVENANTS
Zoning law jurisprudence development, **§ 1:14**

RETAIL SALES
Generally, **§ 18:68.10 et seq.**

RETROACTIVE ZONING
Nonconforming uses, **§ 12:15**

REVIEW
Appeal and Certiorari (this index)

REVOCATION
Special permits, **§ 14:34**
Subdivision dedication, revocation of, **§ 31:32**

REZONING OR RECLASSIFICATION
See also Amendment of Ordinances (this index)
Agricultural uses and districts, **§ 33:3**
Declaratory judgment of invalidity of ordinance, **§ 45:16**
Funeral home, change of zone to accommodate, **§ 18:23**
Reconsideration of legislative action, **§ 8:25**
Subdivision, effect of approval on power to rezone or reclassify, **§ 31:26**

RHODE ISLAND
Inclusionary zoning, state affordable housing laws, **§ 22:38**

RIGHTS OF WAY
Subdivisions, **§ 31:35**

RIGHT TO COUNSEL
Boards of appeal, **§ 40:28**

RIGHT TO FARM LAWS
Generally, **§ 33:5**

RIGHT TO TRAVEL
Traveling Rights (this index)

RIPENESS
Due process claims, **§ 15:7**
Equal protection claims, **§ 15:7**
Procedures, **§ 16:18**
Religious Land Use and Institutionalized Person Act of 2000, **§ 28:8.50**
Takings claims, **§ 16:18**
Takings Claims (this index)

RLUIPA
Religious Land Use and Institutionalized Person Act of 2000 (this index)

ROOKER-FELDMAN DOCTRINE
Civil rights acts claims, **§ 46:13**

ROOMING HOUSES AND BOARDING HOUSES
Generally, **§ 19:31**

ROUGH PROPORTIONALITY TEST
Takings Claims (this index)

RULES AND RULEMAKING
Boards of Appeal (this index)
Metropolitan and regional planning boards and commissions, **§ 10:8**
Metropolitan planning boards, **§ 10:7**
Mining and quarrying, regulatory takings, **§ 18:57**
Planning boards and commissions, **§ 10:7**
Regional planning boards, **§ 10:7**
Subdivisions (this index)

RURAL ZONING
Generally, **§ 9:48**
Exclusionary zoning, rural community character, **§ 22:15**

SAFETY
Public Health and Safety (this index)

SALES AND TRANSFERS
Agricultural preservation planning, **§ 33:10**
Declaratory judgment, standing to seek, **§ 45:7**
Growth control, conservation easements and transfer of development rights, **§ 34:12**
Hardship (this index)
Intoxicating Liquors and Beverages (this index)
Parties to actions, **§ 45:7**
Retail sales, **§ 18:68.10 et seq.**

SALES AND TRANSFERS—Cont'd
Review, vendees and vendors as aggrieved persons entitled to, **§ 42:10**

SANITARY REFORM MOVEMENT
Development of urban planning, **§ 1:6**

SCHOOLS AND EDUCATION
Subdivisions, reservation or dedication requirements, **§ 31:44, 31:45**

SCRAP
Junkyards (this index)

SECTION 1983
Civil Rights Acts Claims, **§ 46:1-46:15**

SEMI-PUBLIC SWIMMING POOLS
Generally, **§ 18:70**

SENIOR CITIZENS
Elderly Persons and Zoning Laws (this index)

SENIOR HOUSING
Elderly Persons and Zoning Laws (this index)

SENSITIVE AREAS
Exclusionary zoning, **§ 22:16**

SERVANT QUARTERS
Single-family districts, facilities for servants in, **§ 9:39**

SERVICE
Boards of appeal notices, **§ 40:20**

SERVICE OF PROCESS
Process and Service of Process and Papers (this index)

SERVICES
Public Services (this index)

SET-ASIDES
Inclusionary zoning, mandatory inclusionary housing set-asides, **§ 22:42**

SETBACK RESTRICTIONS AND REGULATIONS
Generally, **§ 9:58, 9:59**
Ice buildup and wind turbines, **§ 9:51**
Objectives of zoning, **§ 7:19**
Variances, **§ 9:59**
Wind turbines, **§ 9:51**

SEWERS AND SEWAGE
Subdivision approval, **§ 31:46**

SEX OFFENDERS
Exclusionary zoning, residency restrictions for, **§ 22:24**

SEXUALLY ORIENTED BUSINESSES
Generally, **§ 29:1-29:27**
Adult business definitions, **§ 29:7, 29:8**
Amortization, **§ 29:13**
Approaches to zoning regulation, **§ 29:10**
Availability of land, **§ 29:12**
Background, **§ 29:1**
Civil disability provisions, **§ 29:24**
Conduct regulation, **§ 29:15**
Constitutionality
Generally, **§ 29:1**
City of Renton v. Playtime Theatres, Inc., **§ 29:6**
Content-based and content-neutral regulations, **§ 29:3 et seq.**
Prior restraints, **§ 29:19**
Time, place, and manner regulation, below
United States v. O'Brien, **§ 29:4, 29:5**
Content-based and content-neutral regulations, **§ 29:3 et seq.**
Definitions, **§ 29:7, 29:8**
Disclosure requirements, **§ 29:23**
Fees, licensing, **§ 29:22**
Floor plan requirements, **§ 29:15**
Free speech. Constitutionality, above
Historical approaches, **§ 29:2**
Hours of operation regulation, **§ 29:15**
Inspections, **§ 29:26**
Interior layout requirements, **§ 29:15**
Licensing regulation
Generally, **§ 29:15, 29:18**
Disclosure requirements, **§ 29:23**
Discretion of licensor, **§ 29:20**
Fees, **§ 29:22**
Inspections, **§ 29:26**
Time limits for issuance, **§ 29:21**
Limitations on zoning power, **§ 29:9**
Moral values and zoning regulations, **§ 7:11**
Moratoria, **§ 29:14**
Nuisance abatement, **§ 29:2**
Obscenity prosecution, **§ 29:2**
Overview of zoning approaches, **§ 29:10**

SEXUALLY ORIENTED BUSINESSES —Cont'd
Prior restraints, **§ 29:19**
Reasonable amount of land, **§ 29:11**
Substantial government interests, time, place, and manner regulation, **§ 29:17**
Time, place, and manner regulation
Generally, **§ 29:2, 29:7**
Conduct regulation, **§ 29:15**
Constitutionality, generally, **§ 29:2, 29:7**
Hours of operation regulation, **§ 29:15**
Licensing, **§ 29:15, 29:18**
Licensing regulation, **§ 29:15, 29:18**
Substantial government interests, **§ 29:17**
Time of operation restrictions, **§ 29:16**
Vicarious liability, **§ 29:25**

SHARED LIVING RESIDENCES
Elderly persons and zoning laws, **§ 21:10**
Exclusionary zoning, **§ 22:23**

SHELTERS
Animal shelters, **§ 18:11**

SHIPS AND SHIPPING
Marinas, regulation of uses, **§ 18:53**

SHORE LINES
District boundary lines, **§ 9:13**

SHORES
Beaches, **§ 18:15**

SIGNATURES
Amendment of ordinance, protest petitions against, **§ 8:32**

SIGNS
Home occupation regulation, **§ 19:13**
Outdoor Advertising (this index)

SINGLE-FAMILY USES AND DISTRICTS
Generally, **§ 9:29 et seq.**
Aged person accessory apartments, **§ 21:8**
Apartments, exclusion of, **§ 9:41**
Exclusionary zoning of multiple family dwellings. Multiple-Family Dwellings and Districts (this index)

SINGLE-FAMILY USES AND DISTRICTS—Cont'd
Family, defined, **§ 9:30**
Group homes, **§ 9:31 et seq.**
Leases or rentals, **§ 9:40, 9:41**
Servant and guest quarters, **§ 9:39**
Unrelated persons, **§ 9:30**

SITE-SPECIFIC RELIEF
Exclusionary zoning, **§ 22:18**

SIZE
Area Variances (this index)
Buildings and Structures (this index)
Height Regulations (this index)
Lot Area or Size (this index)
Spot zoning, **§ 6A:2**
Subdivision streets and highways, **§ 31:36**

SOCIAL JUSTICE
Internet land use law resources, **§ 48:15**

SOCIAL MEDIA
Freedom of Information Laws, **§ 3A:33**

SOCIETIES
Clubs and Societies (this index)

SOIL
Local environmental law, **§ 36:17**

SOLAR ACCESS
Use districts providing for solar access, **§ 9:50**

SORORITIES
Group homes in single-family districts, **§ 9:38**

SOVEREIGN IMMUNITY
Civil rights acts claims, **§ 46:7**

SPECIAL EVENTS
Specific use regulations, **§ 18:68.40**

SPECIAL EXCEPTIONS
Boards of Appeal (this index)

SPECIAL PERMITS
Generally, **§ 14:1 et seq.**
Adjoining owners, objections from, **§ 14:28**
Agricultural uses and districts, **§ 33:3**
Amendment of ordinance distinguished, **§ 14:4**
Anticipated violations, **§ 14:25**

SPECIAL PERMITS—Cont'd
Applications, **§ 39:24**
Approval of neighboring landowners, **§ 14:15**
Area deviations, **§ 14:8**
Assisted living facilities, **§ 18:62**
Authority or power to issue, **§ 14:9, 14:10, 14:30**
Basis for issuance or denial of permit, generally, **§ 14:19 et seq.**
Best and highest use, **§ 14:26**
Boards of Appeal (this index)
Cluster development, **§ 31:22**
Competition, control of, **§ 14:23**
Condition, special permits on. Conditional Permits (this index)
Consent of neighboring landowners, **§ 14:15**
Construction and interpretation of language of zoning ordinances
Generally, **§ 14:18**
Definitions and distinctions, **§ 14:1**
Definition, **§ 14:1**
Delegation of powers, **§ 14:9, 14:10**
Diminution of property values, **§ 14:14**
Discretion, range of, **§ 14:17 et seq.**
Discrimination between applicants, **§ 14:29**
Exceptions or objections to permit from adjoining owners, **§ 14:28**
Exceptions to zoning ordinances and regulations
Generally. Exceptions to Zoning Ordinances and Regulations (this index)
Distinguished, **§ 14:3**
Failure of applicant to furnish required information, **§ 14:27**
Flexibility of zoning, use for, **§ 9:18**
Funeral homes, **§ 18:24**
Hardship, **§ 14:11, 14:26**
Highest and best use, **§ 14:26**
Home occupations
Generally, **§ 19:6**
Performance standards, **§ 19:7**
Intent and purpose of ordinance, **§ 14:13**
Junkyards, **§ 18:44**
Jurisdiction of boards of appeals, **§ 40:3**
Mining and quarrying, **§ 18:56**
Mobile homes and mobile home parks, **§ 20:9**

SPECIAL PERMITS—Cont'd
Motor vehicle traffic congestion, **§ 14:22**
Municipal services, inadequacy of, **§ 14:24**
Neighborhood and neighboring landowners
Adjacent landowners, objections from, **§ 14:28**
Consent of neighboring landowners, **§ 14:15**
Effect on neighborhood, **§ 14:14**
Harmony with neighborhood, **§ 14:13**
Nonconforming Uses (this index)
Nursing homes, **§ 18:62**
Objections or exceptions from adjoining owners, **§ 14:28**
Ordinance provision as basis for permit, generally, **§ 14:19**
Pending ordinances, **§ 14:20**
Planned Unit Development (this index)
Planning commission, referral to, **§ 14:16**
Prior violations, **§ 14:25**
Public benefit, convenience, and welfare
Generally, **§ 14:12**
Public safety, **§ 14:21**
Quarries, **§ 18:56**
Religious uses, **§ 28:11**
Reservation of power by legislative body, **§ 14:10**
Revocation, **§ 14:34**
Safety of public, **§ 14:21**
Services by municipality, inadequacy of, **§ 14:24**
Spot zoning distinguished, **§ 14:4**
Standards, generally, **§ 14:9, 14:11 et seq., 14:19 et seq.**
Substandard lots, **§ 14:8**
Sufficiency or adequacy
Municipal services, inadequacy of, **§ 14:24**
Standards, adequacy of, **§ 14:9**
Temporary permits, **§ 14:33**
Traffic congestion, **§ 14:22**
Uniformity requirement, **§ 14:5**
Unnecessary hardship, requirement of, **§ 14:11**
Uses commonly subject to special permit requirements, **§ 14:6 et seq.**
Validity of delegation of power, **§ 14:9**

SPECIAL PERMITS—Cont'd
Value of property, diminution of neighborhood property, **§ 14:14**
Variances
Generally. Variances (this index)
Variances distinguished, **§ 14:2**
Vested Rights (this index)
Violations in past or anticipated, **§ 14:25**

SPECIFIC USE REGULATIONS
Agricultural Uses and Districts (this index)
Airport Zoning (this index)
Animals, **§ 18:8 et seq.**
Assisted living facilities. Nursing Homes and Assisted Living Facilities (this index)
Auction houses, **§ 18:14**
Beaches, **§ 18:15**
Beer sales, **§ 18:52**
Billiard rooms, **§ 18:16**
Bowling alleys, **§ 18:17**
Campgrounds, **§ 18:18**
Cemeteries, **§ 18:19**
Cybercafes, **§ 18:20**
Dry cleaners, **§ 18:51**
Funeral Directors and Homes (this index)
Golf courses, **§ 18:26, 18:27**
Governmental Uses of Land (this index)
Greenhouses, **§ 18:37**
Home Occupations (this index)
Junkyards (this index)
Landfills (this index)
Laundries, **§ 18:51**
Liquor stores, **§ 18:52**
Marinas, **§ 18:53**
Mining and Quarrying (this index)
Municipal Uses of Land (this index)
News racks, **§ 18:60**
Nurseries, **§ 18:37**
Nursing Homes and Assisted Living Facilities (this index)
Pawn shops, **§ 18:63.10**
Racetracks, **§ 18:64**
Research laboratories, **§ 18:65**
Retail sales, **§ 18:68.10 et seq.**
Special events zoning, **§ 18:68.40**
State Uses of Land (this index)
Swimming Pools (this index)
Tattoo parlors and body piercing, **§ 18:71.10**

SPECIFIC USE REGULATIONS —Cont'd
Tennis, **§ 18:72**
Vacation rentals, **§ 18:72.50**
Vending Machines (this index)

SPLIT LOTS
Districts and boundary lines, **§ 9:12**

SPORTS
Billiard rooms, **§ 18:17**
Bowling lanes, **§ 18:17**
Golf and Golf Courses (this index)
Marinas, regulation of uses for profit, **§ 18:53**
Racetracks, **§ 18:64**
Tennis facilities, **§ 18:72**

SPOT ZONING
Generally, **§ 6A:1 et seq.**
Benefits, property owners, public, **§ 6A:4**
Burden of proof, **§ 6A:6**
Consistency with surrounding uses, **§ 6A:5**
Plan consistency, comprehensive, **§ 6A:3**
Reverse spot zoning, **§ 6A:7**
Size of rezoned property, **§ 6A:2**
Special permit distinguished, **§ 14:4**
Standard of review, **§ 6A:6**

SPOUSES
Unmarried persons living in single homes, **§ 9:30**

STAFF
Boards of appeals, **§ 39:16 et seq.**

STAFF OF BOARD OF ADJUSTMENT
Boards of Appeal (this index)

STAIRWAYS AND STEPS
Encroachments, **§ 9:62**

STANDARD OF REVIEW
Change or mistake, **§ 6A:11**
Due process, **§ 15:1**
Equal protection, **§ 15:1**
Nonconforming uses, **§ 12:5**
Spot zoning, **§ 6A:6**
Subdivisions, **§ 31:23 et seq.**

STANDARDS
Community-wide design controls, validity of, **§ 9:77**

STANDARDS—Cont'd
Industrial districts, performance standards for, **§ 9:47**
Planned development districts, **§ 24:5**
Planned Unit Development (this index)
Special Permits (this index)
State Zoning Enabling Act, **§ 2:11**
Subdivisions, standards of review. Subdivisions (this index)

STANDARD STATE ZONING ENABLING ACT
Generally, **§ 2:11**

STANDING
Appeal and Certiorari (this index)
Exclusionary zoning, **§ 22:19, 22:20**
Injunctions, standing to obtain, **§ 44:9 et seq.**
Parties to Actions and Proceedings (this index)
Planned unit development challenges, **§ 24:15**
Representational standing, appeal and certiorari, **§ 42:14**

STATE AFFORDABLE HOUSING LAWS
Generally, **§ 22:26 et seq.**
California, **§ 22:26**
Connecticut, **§ 22:27**
Florida, **§ 22:28**
Illinois, **§ 22:29**
Maryland, **§ 22:30**
Massachusetts, **§ 22:31**
New Hampshire, **§ 22:32**
New Jersey, **§ 22:33**
New York, **§ 22:34**
North Carolina, **§ 22:35**
Oregon, **§ 22:36**
Pennsylvania, **§ 22:37**
Rhode Island, **§ 22:38**
Washington, **§ 22:39**

STATE COURT
Exclusionary zoning, **§ 22:5, 22:20**

STATE ENVIRONMENTAL POLICY ACTS
Generally, **§ 36:22**

STATE PLANNING
Municipal planning and comprehensive plan, **§ 5:16**

STATE POLICIES
Inclusionary zoning, **§ 22:41**
State Environmental Policy Acts, **§ 36:22**

STATE RELIGIOUS FREEDOM RESTORATION ACTS
Generally, **§ 28:2.10**

STATE STATUTES
See also Legislative Action or Authority (this index)
Appeal and certiorari, statutes providing for, **§ 42:2**
Condemnation, statutory restrictions, **§ 17:19 et seq.**
Conflict between state law and ordinance, **§ 2:18**
Eminent domain, statutory restrictions, **§ 17:19 et seq.**
Enabling Acts (this index)
Energy and climate change, state initiatives, **§ 37:6**
Environmental Policy Acts, **§ 36:22**
Internet land use law resources, **§ 48:4, 48:5**
Landfill regulations, **§ 18:50**
State Environmental Policy Acts, **§ 36:22**
Variances (this index)

STATE USES OF LAND
Proprietary function test, **§ 18:31**

STATE ZONING LAWS
Generally, **§ 2:2 et seq.**
Appeal procedures, **§ 42:2**
Certiorari procedures, **§ 42:2**
Conflict between state law and local ordinances, **§ 2:19**
Constitutional issues, **§ 2:2**
Enabling Acts (this index)
Interjurisdictional Land Use Control (this index)

STATUES
Historic preservation
Federal, **§ 27:4**
State, **§ 27:5**

STATUTES
Ordinances (this index)
State Statutes (this index)

STAYS OF ADMINISTRATIVE DECISIONS
Boards of appeal, **§ 40:6**

STEPS AND STAIRWAYS
Encroachment, **§ 9:62**

STOCK IN TRADE
Home occupations or professions, restrictions on, **§ 19:34**

STOPGAP OR INTERIM ZONING
Growth control techniques, **§ 34:3**
Moratoria (this index)

STORAGE
Freedom of Information Laws, access, storage, and fees for records disclosure, **§ 3A:29**
Mobile homes, **§ 20:7**
Motor vehicles, **§ 20:7**

STREETS
Highways and Streets (this index)

STRICT COMPLIANCE
Procedural requirements on enactment of ordinance, **§ 8:5**

STRICT CONSTRUCTION
Nonconforming uses, **§ 12:7**

STRICT ENFORCEMENT
Appeal and certiorari, time limitations, **§ 42:25**

STRUCTURES
Buildings and Structures (this index)

SUBDIVISIONS
Generally, **§ 31:1 et seq.**
Abandonment or vacation of dedication, **§ 31:33**
Acceptance and offer of dedication, **§ 31:30, 31:31**
Access problems, **§ 31:36, 31:38**
Administrative review, generally, **§ 31:7 et seq.**
Agencies and departments
Co-ordinate municipal departments, approval by, **§ 31:14**
Reviewing agencies, **§ 31:9**
Allowable deviations from zoning regulations, **§ 31:25**
Annexation of subdivision, **§ 31:47**
Appeal and review of subdivision plats, generally, **§ 31:7 et seq.**

SUBDIVISIONS—Cont'd
Application of subdivision definition and related terms, **§ 31:2**
Applications and petitions
Generally, **§ 31:11**
Processing fees, **§ 31:48**
Approval of subdivision plats, generally, **§ 31:7 et seq.**
Bonds for performance of improvements, **§ 31:49, 31:50**
Cluster development, establishment of, **§ 31:21**
Common-law dedication, **§ 31:30 et seq.**
Conditional approval, generally, **§ 31:27**
Consent to subdivision plats, generally, **§ 31:7 et seq.**
Construction and interpretation of plats, **§ 31:34**
Controls, generally, **§ 31:1**
Co-ordinate municipal departments, approval by, **§ 31:14**
Decisions of reviewing board, **§ 31:15, 31:16**
Dedication or reservation of land
Generally, **§ 31:27 et seq., 31:28 et seq.**
Abandonment or vacation, **§ 31:33**
Acceptance and offer, **§ 31:30, 31:31**
Common-law dedication, **§ 31:30 et seq.**
Construction and interpretation of plats, **§ 31:34**
Education and other uses, **§ 31:44, 31:45**
Highways and streets, **§ 31:35**
Parks, **§ 31:42, 31:43**
Recreational areas, **§ 31:42, 31:43**
Revocation, **§ 31:32**
Statutory dedication, **§ 31:29**
Definitions, **§ 1:20, 31:2**
Delay of decision as to approval of plat, **§ 31:16**
Delegation of power, **§ 31:8**
Design of streets and highways, **§ 31:36**
Development, **§ 1:20, 31:1, 31:21**
Development agreements
Generally, **§ 32:13**
Model law, **§ 32:14**
Deviations from zoning regulations which are permissible, **§ 31:25**
Disapprovals, reasons for, **§ 31:15**

SUBDIVISIONS—Cont'd
Drainage, **§ 31:46**
Education, reservation or dedication of land for, **§ 31:44, 31:45**
Emergency vehicles, allowance for entry and exit of, **§ 31:36**
Enabling legislation authorizing control, **§ 31:5**
Enforcement of performance bonds, **§ 31:50**
Exactions, **§ 16:8, 31:45**
Exceptions, **§ 31:51**
Extraterritorial jurisdiction to control, **§ 31:6**
Fees, **§ 31:43, 31:48**
Filing of plat, **§ 31:17**
Final plats, **§ 31:13**
Fire alarm signal devices, **§ 31:41**
Hearing, **§ 31:12**
Highways and streets
Generally, **§ 31:35 et seq.**
Access problems, **§ 31:38**
Dedication, **§ 31:35**
Monuments, **§ 31:40**
Off-site problems, **§ 31:39**
Size and design, **§ 31:36**
Street markers, **§ 31:40**
Suitable improvement requirement, **§ 31:37**
Traffic impact fee, **§ 31:39**
Improvements, generally, **§ 31:35 et seq.**
Inspection fees, **§ 31:48**
Intergovernmental dynamics, **§ 31:53**
Interpretation and construction of plats, **§ 31:34**
Local environmental law, **§ 36:10**
Mandamus to require approval of subdivision plat, **§ 43:4**
Maps and plats, approval of, generally, **§ 31:7 et seq.**
Markers for streets and highways, **§ 31:40**
Master or comprehensive plan, **§ 31:23**
Metropolitan planning, **§ 10:15**
Money in lieu of dedication or reservation of land
Education and other uses, **§ 31:44, 31:45**
Parks and recreational areas, **§ 31:42**
Notice, **§ 31:12**
Objectives of subdivision control, **§ 31:3**

SUBDIVISIONS—Cont'd
Offer and acceptance of dedication, **§ 31:30, 31:31**
Official maps
Generally, **§ 31:23**
Approval of subdivision plats, official maps as, **§ 30:13**
Off-site or outside of subdivision, problems relating to, **§ 31:39**
Opinions of reviewing board, **§ 31:15, 31:16**
Parks, **§ 31:42, 31:43**
Performance bonds for improvements, **§ 31:49, 31:50**
Permission for subdivision plats, generally, **§ 31:7 et seq.**
Plats and maps, approval of, generally, **§ 31:7 et seq.**
Power to impose subdivision controls, **§ 31:4 et seq.**
Preliminary plats, **§ 31:13**
Procedure for review of maps and plats, **§ 31:10 et seq.**
Processing fees, **§ 31:48**
Purpose of subdivision control, **§ 31:3**
Reasons for disapproval of subdivision plat, **§ 31:15**
Recording of plat, **§ 31:17**
Recreational areas, **§ 31:42, 31:43**
Reduction of performance bond, **§ 31:50**
Regional planning, **§ 10:15**
Regulations. Rules and regulations, below
Relief from subdivision regulations, **§ 31:51, 31:52**
Reservations, **§ 31:28 et seq.**
Review of subdivision plats, generally, **§ 31:7 et seq.**
Revocation of dedication, **§ 31:32**
Rezoning or reclassification, effect of approval on power of, **§ 31:26**
Rights-of-way, **§ 31:35**
Rules and regulations
Subdivision regulations, **§ 31:19, 31:51, 31:52**
Zoning regulations, control by, **§ 31:24, 31:25**
Sewers, **§ 31:46**
Size of streets and highways, **§ 31:36**
Standards of review, generally, **§ 31:18 et seq.**
Subdivision regulations, **§ 31:19**

SUBDIVISIONS—Cont'd
Tentative approval of subdivision plat, **§ 31:13**
Timeliness of decisions, **§ 31:16**
Vacation or abandonment of dedication, **§ 31:33**
Variances
Generally, **§ 31:51**
Permissible deviation in absence of variance, **§ 31:25**
Vested Rights (this index)
Waiver of conditions, **§ 31:52**
Water supply, **§ 31:46**
Zoning regulations, control by, **§ 31:24, 31:25**

SUBPOENAS
Process and Service of Process and Papers (this index)

SUBSTANDARD SIZE LOTS
Generally, **§ 9:68 et seq.**

SUBSTANTIAL COMPLIANCE
Appeal and certiorari, time limitations, **§ 42:27**
Procedural requirements on enactment of ordinance, **§ 8:6**

SUBSTANTIAL EVIDENCE
Nonconforming uses, **§ 12:6**

SUBSTANTIAL EVIDENCE RULE
Appeal and certiorari, **§ 42:39**

SUBSTANTIVE DUE PROCESS
Due Process (this index)

SUBURBAN DEVELOPMENT
Exclusionary zoning, **§ 22:2**

SUFFICIENCY OR INSUFFICIENCY
Boards of Appeal (this index)
Evidence (this index)
Special Permits (this index)

SUNSHINE ACTS
Generally, **§ 3A:1 et seq.**
Freedom of Information Laws (this index)
Open Meetings Laws (this index)

SURGEONS AND PHYSICIANS
Physicians and Surgeons (this index)

SWIMMING AND SWIMMING POOLS
Generally, **§ 18:69-18:71**
Beaches, regulation of, **§ 18:15**
Private pools, **§ 18:71**
Semi-public pools, **§ 18:70**

SYNAGOGUES AND CHURCHES
Religious Uses (this index)

TAKINGS CLAIMS
Generally, **§ 16:1 et seq.**
Causation, **§ 16:5**
Compensation statutes, **§ 16:19**
Constitutional basis, **§ 16:1**
Eminent Domain (this index)
Equity, **§ 16:21**
Exactions
Generally, **§ 16:8-16:11**
Essential nexus, **§ 16:9**
Impact fees, **§ 16:11**
Rough proportionality, **§ 16:10**
Facial and as applied claims, **§ 16:1**
Federal law, **§ 16:2**
Form-based codes, **§ 23:7**
History of remedy, **§ 16:1**
Home occupations or professions, **§ 19:39**
Initiative challenges, **§ 11:20**
Inverse condemnation, **§ 16:3**
Inverse condemnation, **§ 17:14**
Judicial takings, **§ 16:20**
Just compensation, **§ 16:19**
Mining and quarrying, **§ 18:57**
Nonconforming uses, **§ 12:15**
Penn Central analysis, **§ 16:12**
Physical invasions, **§ 16:6**
Physical takings, **§ 16:6**
Protected property interests, **§ 16:4**
Referendum challenges, **§ 11:20**
Regulations takings compensation statutes, **§ 16:19**
Regulatory takings, **§ 18:57**
Regulatory takings, temporary, **§ 16:17**
Ripeness, **§ 16:18**
State law, **§ 16:2**
Statutory compensation, **§ 16:19**
Temporary regulatory takings, **§ 16:17**
Total parcel rule, **§ 16:16**
Total takings, **§ 16:7**

TATTOO PARLORS AND BODY PIERCING SERVICES
Generally, **§ 18:71.10**

TAVERNS
Sexually Oriented Businesses (this index)

TAXES AND ASSESSMENTS
Mobile homes and mobile home parks, **§ 20:15**
Objectives of zoning to increase or maintain tax revenues, **§ 7:30**

TAXPAYERS
Review, taxpayers as aggrieved persons entitled to, **§ 42:15**

TECHNICAL SERVICES
Metropolitan and regional boards and commissions, **§ 10:10**

TELECOMMUNICATION ACT OF 1996
Interjurisdictional land use control, **§ 3:6**

TEMPORARY INJUNCTIONS
Injunctions (this index)

TEMPORARY MATTERS
Injunctions (this index)
Special permits, **§ 14:33**

TENANT
Landlord and Tenant (this index)

TENNIS FACILITIES
Generally, **§ 18:72**

TERMINATION
Home occupations or professions, **§ 19:38**
Nonconforming uses, **§ 12:24**

TERM OF OFFICE
Metropolitan and regional boards and commissions, **§ 10:5**
Metropolitan planning boards, **§ 10:5**
Regional planning boards, **§ 10:5**

TERRITORIAL JURISDICTION OR LIMITATION
Annexation, **§ 2:17, 6:7**
Subdivision control, **§ 31:6**

THREE-FAMILY DWELLINGS
Multiple-family dwellings, generally. Multiple-Family Dwellings and

THREE-FAMILY DWELLINGS —Cont'd
Districts (this index)

THROUGH LOTS
Generally, **§ 9:61**

TIME OR DATE
Amendment of ordinance, protest petition against, **§ 8:31**
Appeal and Certiorari (this index)
Boards of Appeal (this index)
Declaratory judgment, pleading of actions for, **§ 45:10**
Enactment or Adoption (this index)
Limitations
Boards of appeal, **§ 40:15**
Wireless facility zoning, **§ 25:5**
Moratoria (this index)
Nonconforming Uses (this index)
Open meeting laws, **§ 3A:9**
Temporary Matters (this index)

TITLE AND OWNERSHIP
Adjoining or Abutting Landowners and Property (this index)
Declaratory judgment, standing to seek, **§ 45:4**
Review, aggrieved persons entitled to, **§ 42:9, 42:10, 42:17**

TOLLING
Appeal and certiorari, time limitations, **§ 42:30, 42:31**

TOURIST CAMPS AND TRAILERS
Trailers and trailer parks. Mobile Homes and Mobile Home Parks (this index)

TOWERS
Wind turbines accommodating cell towers, **§ 9:51**

TRAFFIC CONTROL
Billboards, **§ 26:4**
Community planning and development, **§ 7:9**
Constitutionality of zoning to alleviate, **§ 7:9**
Exclusionary zoning, **§ 22:13**
Home occupation regulation, **§ 19:12**
Motor Vehicles and Highway Traffic (this index)
Outdoor advertising, **§ 26:4**

TRAFFIC CONTROL—Cont'd
Signs, **§ 26:4**
Special permits, **§ 14:22**
Subdivisions, traffic impact fee, **§ 31:39**

TRAILERS AND TRAILER PARKS
Mobile Homes and Mobile Home Parks (this index)

TRANSCRIPT OF RECORD
Appeal and certiorari, **§ 42:33**

TRANSFERABILITY
Vested rights, **§ 32:8**

TRANSFERS
Sales and Transfers (this index)

TRANSMITTER TOWERS
Wind turbines accommodating cell towers, **§ 9:51**

TRAVELING RIGHTS
Exclusionary zoning, **§ 22:25**

TREE PRESERVATION
Local environmental law, **§ 36:16**

TRIAL
Hearing (this index)

TRIAL DE NOVO
Appeal and certiorari, review on, **§ 42:41**

TURBINES
Wind power, **§ 9:51**

TWO-FAMILY DWELLINGS
Multiple-family dwellings, generally. Multiple-Family Dwellings and Districts (this index)

TYPES OF ZONING
Generally, **§ 9:1-9:82**
Agricultural Uses and Districts (this index)
Boundary lines, **§ 9:2 et seq.**
Business Uses and Districts (this index)
Commercial Uses and Districts (this index)
Conditional zoning, **§ 9:20**
Contract zoning, **§ 9:22**
Cumulative zoning, **§ 9:14**
District and Boundary Lines (this index)
Districts, zoning, **§ 9:2**
Exclusive zoning, **§ 9:15**

TYPES OF ZONING—Cont'd
Floating Zones (this index)
Incentive zoning, **§ 9:23**
Industrial Uses and Districts (this index)
Maps, zoning, **§ 9:3**
Multiple-Family Dwellings and Districts (this index)
Prohibitions of uses, **§ 9:16**
Residential Uses and Districts (this index)
Single Family Uses and Districts (this index)
Spot Zoning (this index)
Uniformity, **§ 9:23.10**

ULTRA VIRES
Enabling legislation, acts not within, **§ 34:14**

UNDERTAKERS
Funeral Directors and Homes (this index)

UNDERWATER LAND
Waters and Waterfront Property (this index)

UNIFORMITY
Ordinances, characteristics of, **§ 9:23.10**
Planned unit development, **§ 24:21**
Special permits, **§ 14:5**

UNIQUE COMMUNITY CHARACTER
Exclusionary zoning, **§ 22:15**

UNITED STATES v. O'BRIEN
Sexually oriented businesses, **§ 29:4, 29:5**

UNNECESSARY HARDSHIP
Hardship (this index)

UNRELATED PERSONS
Single-family districts, unrelated persons living in single home in, **§ 9:30**

URBAN AREAS
Annexation, **§ 6:5**
Municipalities (this index)

URBAN PLANNING
Aesthetic purposes of zoning laws, **§ 7:13 et seq.**
Antitrust law and zoning laws, **§ 7:29**

URBAN PLANNING—Cont'd
Building preservation purposes of zoning, **§ 7:12**
Case law development, **§ 2:21**
City beautiful movement, **§ 1:7**
Competition, affect of zoning regulation on, **§ 7:28**
Condemnation costs as zoning law consideration, **§ 7:31**
Contemporary urban planning, **§ 1:10**
Development of, **§ 1:5 et seq.**
Development of urban planning, **§ 1:8**
Early comprehensive zoning ordinances, **§ 2:20**
Economy in government, purpose of zoning law to preserve, **§ 7:32**
Environmental considerations as objective of zoning laws, **§ 7:33**
Euclid v. Ambler Realty, **§ 2:22, 2:24**
Exclusionary zoning as legitimate zoning purpose, **§ 7:18**
Fire prevention purposes of zoning, **§ 7:10**
Floor space requirements as zoning law purpose, **§ 7:21**
General welfare, purpose of zoning laws to preserve, **§ 7:13 et seq.**
Governmental services, provision as zoning law consideration, **§ 7:27**
Health purposes of zoning regulation, **§ 7:4 et seq.**
Light and air adequacy, zoning to provide, **§ 7:5**
Lot area requirements as zoning purpose, **§ 7:20**
Moral values and zoning regulations, **§ 7:11**
Nectow v. City of Cambridge, **§ 2:23, 2:24**
Neighborhood character preservation as zoning law purpose, **§ 7:26**
New Deal era planning, **§ 1:9**
Overcrowding, purpose of zoning to alleviate, **§ 7:6**
Property value, purposes of zoning to preserve, **§ 7:12**
Recreational uses, purpose of zoning to provide, **§ 7:7**
Safety purposes of zoning regulation, **§ 7:4 et seq.**
Sanitary reform movement, **§ 1:6**

URBAN PLANNING—Cont'd
Setback requirements and zoning law purposes, **§ 7:19**
Tax revenues as zoning law consideration, **§ 7:30**
Traffic congestion, purpose of zoning regulations to alleviate, **§ 7:9**

USE PERMITS
Special Permits (this index)

USE RESTRICTIONS
Generally, **§ 9:16, 9:24 et seq.**
Districts for particular uses. Districts and Boundary Lines (this index)
Nonconforming Uses (this index)
Variances. Use Variances (this index)
Wind power, **§ 9:51**

USE VARIANCES
Boards of appeals
Jurisdiction, **§ 40:4**
Variance applications, **§ 39:23**
Funeral homes, **§ 18:25**
Hardship (this index)
Nonconforming Uses (this index)
Registration of uses, **§ 39:4**
Special permits distinguished, **§ 14:2**
Unnecessary hardship. Hardship (this index)

UTILITIES
Public Utilities (this index)

VACATION
Abandonment or Vacation (this index)

VACATION RENTALS
Specific use regulations, **§ 18:72.50**

VALIDITY
Constitutionality and Validity (this index)

VALUE AND VALUATION
Aesthetics and property value, **§ 7:24**
Enabling acts, objectives articulated in, **§ 7:12, 7:24**
Exclusionary zoning, property values, **§ 22:14**

VARIANCES
Generally, **§ 13:1-13:41**
Agricultural uses and districts, **§ 33:3**
Applications and petitions. Boards of Appeal (this index)

VARIANCES—Cont'd
Area Variances (this index)
Assisted living facilities, **§ 18:62**
Boards of Appeal (this index)
Buildings and Structures (this index)
Change or Mistake Rule, **§ 6A:10**
Conditions
Conditional variances (this index)
Use Variances (this index)
Definition of terms, **§ 13:1**
Exceptions to zoning ordinances and regulations
Generally. Exceptions to Zoning Ordinances and Regulations (this index)
Financial and Economic Matters (this index)
Funeral homes, **§ 18:25**
Hardship (this index)
Lots
Area variances (this index)
Setback regulations, **§ 9:59**
Mandamus to require granting of variance, **§ 43:6**
Mining and quarrying, **§ 18:56**
Nursing homes and assisted living facilities, **§ 18:62**
Offstreet parking, **§ 9:55**
Quarries, **§ 18:56**
Registration of uses, **§ 39:4**
Setback regulations, **§ 9:59**
Size of lots. Lots, above
Special Permits (this index)
Special permits distinguished, **§ 14:2**
Subdivisions (this index)
Use Variances (this index)
Vested Rights (this index)

VEHICLES
Motor Vehicles and Highway Traffic (this index)

VENDING MACHINES
Generally, **§ 18:73**
News racks, **§ 18:60**

VESTED RIGHTS
Generally, **§ 32:1-32:14**
Amendment powers limitations, **§ 32:11**
Development agreements
Generally, **§ 32:13**
Model law, **§ 32:14**
Earlier vesting, **§ 32:9, 32:10**

VESTED RIGHTS—Cont'd
Expiration, **§ 32:7**
Good faith, **§ 32:5**
Interim development ordinances, **§ 32:10**
Limitations on power to amend, **§ 32:11**
Model law, **§ 32:12**
Moratoria, **§ 32:10**
Nonconforming use, **§ 12:10**
Permit granted in error, **§ 32:6**
Reliance, **§ 32:4, 32:11**
Timing
Generally, **§ 32:3**
Earlier vesting, **§ 32:9, 32:10**
Transferability, **§ 32:8, 32:9**

VETERINARIANS' OFFICES
Home professions, **§ 19:18**
Regulation of uses, **§ 18:11**

VICARIOUS LIABILITY
Sexually oriented businesses, **§ 29:25**

VIOLATIONS
Criminal Proceedings (this index)
Declaratory judgments, **§ 45:13**
Injunctions (this index)
Open meetings laws, cures for violations, **§ 3A:18**
Special permits, anticipated or prior violations, **§ 14:25**

VOTING
Boards of Appeal (this index)
Enactment or Adoption (this index)
Initiative and Referendum (this index)
Open meeting laws, **§ 3A:15**

WAGES
Compensation and Wages (this index)

WAIVER
Procedural requirements on enactment of ordinance, **§ 8:8**
Subdivision conditions, **§ 31:52**
Vested Rights (this index)

WALLS
Fences and Walls (this index)

WASHINGTON
Inclusionary zoning, state affordable housing laws, **§ 22:39**

WATER DRAINAGE
Subdivision approval, **§ 31:46**

WATERS AND WATERFRONT PROPERTY
Beaches, **§ 18:16**
Coastal Nonpoint Pollution Control Program
Generally, **§ 36A:28-36A:31**
Development and approval of State Coastal nonpoint Pollution Control Programs, **§ 36A:30**
Funding, **§ 36A:31**
Management measures, **§ 36A:29**
Overview, **§ 36A:28**
State Coastal nonpoint Pollution Control Programs, development and approval of, **§ 36A:30**
Technical assistance and funding, **§ 36A:31**
Coastal Zone Enhancement Program, **§ 36A:26, 36A:27**
Coastal Zone Management Act of 1972 (this index)
Federal laws affecting planning and zoning in coastal areas
Coastal Barrier Resources Act, **§ 36A:34**
Coastal Zone Management Act of 1972 (this index)
Offshore energy development, federal jurisdiction over, **§ 36A:35**
Water-related laws, overview of, **§ 36A:36**
Fire Island National Seashore Act of 1964, **§ 3:2.10**
Jurisdiction, coast and nearshore waters, **§ 36A:2**
Marinas, regulation of, **§ 18:53**
National Estuarine Research Reserve (NERR), **§ 36A:32**
Planning and zoning in the coastal zone, generally, **§ 36A:1-36A:36**
Shore lines as boundary lines of districts, **§ 9:13**
Underwater lands, boundary lines of districts, **§ 9:13**

WATER SUPPLY
Subdivision approval, **§ 31:46**

WELFARE OF PUBLIC
Generally, **§ 7:13 et seq.**

WETLANDS
Local environmental law, **§ 36:14**

WHARFAGE AND DOCKAGE
Marinas, regulation of, **§ 18:53**

WIFE OR HUSBAND
Unmarried persons living in single homes, **§ 9:30**

WIND POWER
Use restrictions, **§ 9:51**

WIND TURBINES
Generally, **§ 9:51**

WIRELESS FACILITY ZONING
Generally, **§ 25:1 et seq.**
Amateur radio facilities and information services, **§ 25:12**
Denial of siting request ''in writing,'' **§ 25:6**
Denial of siting request ''supported by substantial evidence,'' **§ 25:7**
Discrimination among providers of functionally equivalent services, **§ 25:2**
Environmental effects of radio frequency emissions, regulation based on, **§ 25:9**
Judicial review, **§ 25:8**
Model Code Small Cell Agreement, **§ App A**
Prohibitions on provision of personal wireless services, **§ 25:4**
Small cell wireless facilities, **§ 25:10**
Spectrum Act, **§ 25:11**
Time, action within reasonable period of, **§ 25:5**
Wind turbines accommodating cell towers, **§ 9:51**

WITNESSES
Boards of Appeal (this index)

WORDS AND PHRASES
Generally, **§ 41:15 et seq.**
Definitions (this index)

YARD REGULATIONS
Generally, **§ 9:60**

YOUNGER ABSTENTION
Federal action or forum, civil rights acts claims, **§ 46:11**