TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 08-25

AMENDING CHAPTER 95 OF THE ZONING CODE OF THE TOWNSHIP OF MORRIS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, Strate of New Jersey, as follows:

Section 1: Chapter 95, Article II, Section 5, Designation of Zones, is hereby amended to add the following after CO Conservation Overlay Zone:

CBO Cannabis Business Overlay Zone

Section 2: Chapter 95, Article II, Section 6, Zoning Map, is hereby amended to read in its entirety as follows:

The location and boundaries of said zones or districts are hereby established on the Zoning Map of the Township of Morris in Morris County, dated January 29, 2025, which is attached hereto and hereby made part of this ordinance. Said map and all notations referenced and designations shown thereon shall be, as such, part of the ordinance as if the same were all fully described and set forth herein.

Section 3: Chapter 95, Article III, Use Regulations, is hereby amended to add the following:

§ 95-27.5 CBO Cannabis Business Overlay Zone

A. Purpose. The purpose of the CBO Cannabis Business Overlay Zone is to establish an appropriate overlay district within a portion of the Township's existing I-21 Industrial Zone where all classes of cannabis business may locate subject to the standards contained herein. Such overlay zoning shall neither replace nor supercede the underlying I-21 Industrial zone classification, but shall instead provide an additional development option for those properties within the limits of the overlay district. Nothing contained herein shall preclude development of any property within the overlay zone in accordance with the underlying I-21 Industrial zone classification.

B. Permitted Principal Uses. The following are permitted principal uses in the CBO Cannabis Business Overlay Zone:

(1) Cannabis cultivator, which shall mean a business or organization owned and operated by a license holder that holds a Class 1 Cannabis Cultivator license issued by the New Jersey Cannabis Regulatory Commission and which grows and cultivates cannabis.

(2) Cannabis manufacturer, which shall mean a business or organization owned and controlled by license holder that holds a Class 2 Manufacturer license issued by the New Jersey Cannabis Regulatory Commission and which manufactures, prepares and packages cannabis items.

(3) Cannabis wholesaler, which shall mean a business or organization owned and controlled by a license holder who holds a Class 3 Cannabis Wholesaler license issued by the New Jersey Cannabis Regulatory Commission and which obtains and sells cannabis items for later resale by other licensees.

(4) Cannabis distributor, which shall mean a business or organization owned and controlled by a license holder that holds a Class 4 Cannabis Distributor license issued by the New Jersey Cannabis Regulatory Commission and which transports cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another.

(5) Cannabis retailer, which shall mean a business or organization owned and controlled by a license holder who holds a Class 5 Cannabis Retailer license issued by the New Jersey Cannabis Regulatory Commission and which sells cannabis items and related supplies to consumers.

(6) Cannabis delivery service, which shall mean a business or organization owned and controlled by a license holder that holds a Class 6 Cannabis Delivery license issued by the New Jersey Cannabis Regulatory Commission and which provides courier services for consumer purchases that are fulfilled by a licensed Cannabis Retailer in order to make deliveries of the purchased items to a consumer, and which services would include the ability of a consumer to make a purchase directly through the cannabis delivery service.

C. Permitted Accessory Uses

(1) Off-street parking and loading facilities.

(2) Signs.

(3) Accessory storage within a wholly enclosed permanent structure, of materials, goods and supplies.

(4) Uses which are customarily incidental to a permitted principal use.

D. Area, Bulk, Yard and Related Requirements. The following requirements shall apply to development in the CBO Cannabis Business Overlay Zone and any relief from same shall be cognizable under N.J.S.A. 40:55D-70c.

(1) All cannabis businesses shall be subject to site plan review and approval of the Planning Board.

(2) Development shall adhere to the Schedule of Area, Bulk and Yard Requirements for the I-21 Industrial Zone as set forth in Chapter 95, Attachment 3.

(3) The cultivation or manufacturing of cannabis shall be performed completely indoors (i.e., within an enclosed building or greenhouse structure).

(4) Cannabis plants, products or paraphernalia shall not be visible from any sidewalk, street or public right-of-way.

(5) No cannabis business shall display signs containing images of cannabis plants and/or images intended to promote consumption of legal marijuana products.

(6) All cannabis products and accessories shall be stored indoors and the outdoor display of same shall be prohibited. Samples of cannabis products offered for sale shall be displayed on shelves, counters or display cases. All bulk cannabis products shall be located within a separate vault or safe, with no other items stored in the vault or safe, securely fastened to a wall or floor.

(7) Cannabis businesses shall not be located with 250 feet of a school, child care center or place of worship, as measured from property line to property line.

(8) Cannabis businesses located west of Ridgedale Avenue shall not be located within 500 feet of a residential zone, as measured from property line to property line.

(9) The consumption of cannabis-related products on the premises (i.e., within or outside a building) shall be prohibited.

(10) Drive-through cannabis businesses shall be prohibited.

(11) Cannabis businesses shall be prohibited from operating as a home occupation.

(12) Cannabis businesses shall not be located in a vehicle or any movable or mobile structure.

(13) Cannabis retailers shall be prohibited on any property where there exists a grocery store, delicatessen, local market or other business engaged in retail sales of food, or a store where alcoholic beverages are sold.

(14) More than one cannabis business class shall be permitted on a single lot.

(15) Off-street parking for cannabis retailers shall be required at a minimum of 1 space per 200 square feet of gross floor area (GFA). For all other cannabis businesses the minimum off-street parking requirement shall be 1 space for every 500 square feet of gross floor area (GFA).

(16) Off-street loading for cannabis businesses shall be in accordance with the requirements contained in Chapter 95 Article IX, Section 55 for "retail, commercial, planned commercial and industrial development groups, wholesaling, manufacturing and industrial uses".

(17) Signage for cannabis businesses shall be in accordance with the requirements contained in Chapter 95, Article VI, Sections 42 and 44.

(18) Buffer requirements for cannabis businesses shall be in accordance with Chapter 95, Article V, Section 34.1.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

SECTION ONE: Chapter 95, Article II, Section 5, Designation of Zones, is hereby amended to add the following after CO Conservation Overlay Zone**:** CBO Cannabis Business Overlay Zone

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is determined to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity or enforceability of the remaining provisions of this ordinance, which shall remain in full force and effect.

SECTION THREE: All ordinances or parts of ordinances of the Township of Morris that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistency.

SECTION FOUR: This ordinance shall take effect immediately upon final passage and publication as required by law.

The foregoing is a true copy of a bond ordinance introduced and adopted on first reading by the governing body of the Township of Morris on February 19, 2025.

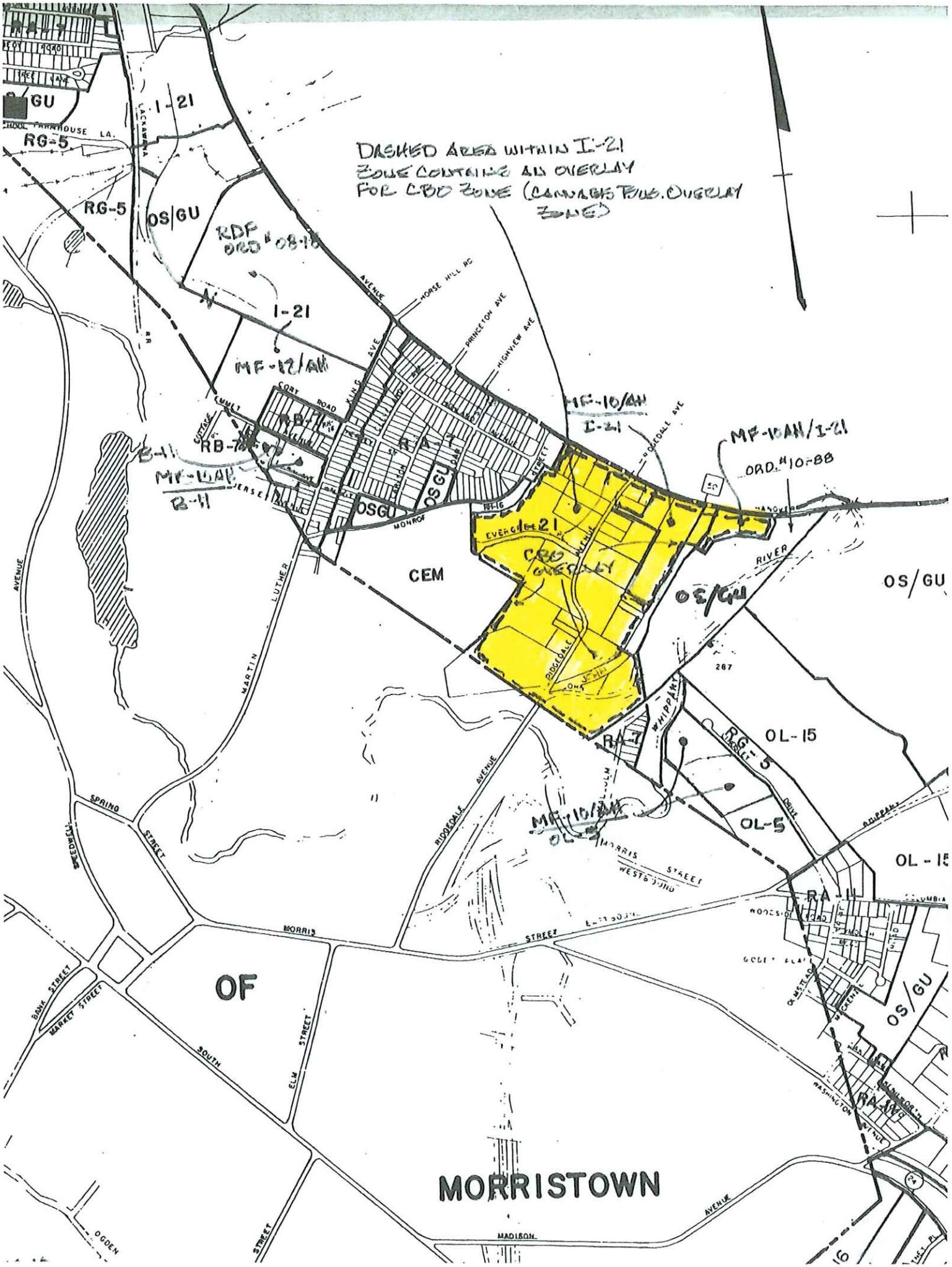
TOWNSHIP OF MORRIS

ATTEST:

_____
Donna J. Guariglia, Mayor

_____
Suzanne Walsh, Township Clerk

INTRODUCTION: FEBRUARY 19, 2025
ADOPTION:


DASHED AREA WITHIN I-21
ZONE CONTAINS AN OVERLAY
FOR CBD ZONE (CANNABIS PUB. OVERLAY
ZONE)
I-21
RG-5
OS/GU
RDF
ORD. #08-16
MF-12/AH
MF-10/AH
I-21
MF-10AH/I-21
ORD. #10-88
RB-7
B-11
OSGU
CEM
CBD OVERLAY
RA-7
OS/GU
OL-15
OL-5
RG-5
OF
MORRISTOWN
MADISON AVENUE
MORRIS STREET
SPRING STREET
MARTIN LUTHER
RIDGEDALE AVENUE
WHIPPANY
RIVER
SOUTH STREET
ELM STREET
MARKET STREET
BANK STREET
WASHINGTON
287