

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 04-26**

AMENDING CHAPTER 95, ZONING, OF THE CODE OF THE TOWNSHIP OF MORRIS BY ADDING THE MF-TH/AH ZONE, AND ADOPTING ASSOCIATED REGULATIONS

WHEREAS, pursuant to the New Jersey Supreme Court “Mount Laurel” decisions every municipality within the state has the constitutional obligation to provide opportunities for the development of affordable housing; and

WHEREAS, the Township desires to adopt this zoning ordinance in furtherance of its obligations under the Amended Fair Housing Act and the Township’s Housing Element and Fair Share Plan

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

Section 1: Chapter 95, Article II, Section 5, Designation of Zones, is hereby amended to add the following:

MF-TH/AH Multifamily/Townhouse Residential Affordable Housing Zone

Section 2: Chapter 95, Article II, Section 6, Zoning Map, is hereby modified to change the zone designation for Block 9301, Lot 8 from OL-15 to MF-TH/AH and to further amend same 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 February 18, 2026, which is attached hereto and hereby made part of this chapter. Said map and all notations referenced and designations shown therein shall be, as such, part of this chapter 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:

§ 95-20.9 MF:TH/AH Multifamily/Townhouse Residential Affordable Housing Zone

A. The following are permitted principal uses:

- (1) Market-rate townhouses with integrated affordable townhouse/stacked units;
- (2) Market-rate multifamily units with integrated affordable units.

B. The following are permitted accessory uses:

- (1) Uses that are subordinate and customarily incidental to a permitted principal use.
- (2) Off-street parking, inclusive of structured parking for multifamily units.
- (3) Recreational, social and communal facilities for the exclusive use of residents and guests, inclusive of rooftop amenities.
- (4) Active and passive outdoor recreation facilities for the exclusive use of residents and guests.
- (5) Roof or building-mounted solar energy systems as provided in § 95-34.4.
- (6) Building-integrated solar energy systems as provided in § 95-34.4.

- (7) Geothermal energy systems as provided in § 95-34.4.
 - (8) Maintenance facilities.
 - (9) Generators and ancillary enclosures.
 - (10) Stormwater management facilities and other utility infrastructure.
 - (11) Signs.
 - (12) Fences and walls.
 - (13) Individual and common mailboxes.
 - (14) Management offices.
- C. The following are permitted conditional uses:
- (1) None.
- D. Development and design requirements:
- (1) The maximum development yield shall be 382 units. A minimum of 84 units shall be set aside for low- and moderate-income households. The maximum number of multi-family units shall be 306, a minimum of which 72 shall be affordable units. The remaining units shall consist of a maximum of 64 market-rate townhouses and a minimum of 12 affordable townhouse/stacked units.
 - (2) The minimum building setback from Columbia Road for market rate townhouses with integrated affordable townhouse/stacked units shall be 75 feet.
 - (3) The minimum building setback from Columbia Road for multi-family units shall be 300 feet. The minimum building setback from Whippany Road shall be 250 feet. The minimum building setback from any other property line shall be 25 feet. Such setbacks shall also apply to accessory parking structures.
 - (4) The maximum building coverage shall be 30%.
 - (5) The maximum improved lot coverage shall be 70%.
 - (6) The maximum height of townhouses shall be 3 stories/46.5 feet.
 - (7) The maximum height of a multi-family building/accessory parking structure shall be 4 stories/50 feet.
 - (8) The minimum surface parking setback shall be 10 feet from any property line other than Columbia Road, where said minimum setback shall be 75 feet.
 - (9) Parking shall be provided in accordance with New Jersey Residential Site Improvement Standards (RSIS).
 - (10) The minimum distance between townhouse buildings shall be as follows:
 - (a) Front to front: 65 feet.
 - (b) Rear to rear: 65 feet.
 - (c) Side to side: 25 feet.

- (11) The minimum distance between a multifamily building and a townhouse building shall be 50 feet.
- (12) Multiple buildings on a lot shall be permitted.
- (13) Affordable units shall not be permitted within a separate building or buildings but instead shall be interspersed in buildings with market-rate units, although buildings with exclusively market-rate townhouses shall be permitted. No more than 3 affordable units shall be vertically stacked when integrated with market-rate townhouses. Ground level entrances may be shared by no more than 2 units. No more than 2 stacks of affordable units shall be permitted in any building.
- (14) There shall be no more than 12 units per building where affordable units are integrated with market-rate townhouses and no more than 8 units per building where no affordable units are integrated with market-rate townhouses.
- (15) Parking structures for multifamily units shall have no more than 2 of 4 sides exposed to public view.
- (16) Any development pursuant to this ordinance shall comply with all requirements of the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., as may be amended and supplemented.
- (17) A minimum 10-foot landscaped buffer shall be provided along Columbia Road. Said buffer shall not include any above ground stormwater management basin or portion thereof.
- (18) A landscaping plan shall be prepared and submitted for development and shall be subject to Planning Board review and approval. Said landscaping plan shall include provisions for screening adjacent properties and/or the public viewshed and shall consist of either existing vegetation, new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (19) Chapter 95, Section 35B.(2) shall not apply to this district.
- (20) Development may be subdivided for financing purposes or to distinguish different ownership entities and/or to permit the phasing of construction provided that the standards contained herein are complied with. If the development is internally subdivided no additional bulk standards shall be applied beyond those set forth herein. In relation to internally subdivided lots, appropriate cross easements shall be provided for shared facilities (i.e., access, parking and utilities) at the time the subdivision is perfected and the subdivision plats are filed and recorded. Such filing shall be in a form acceptable to the Planning Board attorney.
- (21) Two monument signs identifying the development shall be permitted, one each along Columbia Road and Whippany Road. Said monument signs shall be subject to the following:
 - (a) Minimum setback from property line: 5 feet.

- (b) Maximum height of structural base: 6 feet.
- (c) Maximum area of structural base: 36 square feet.
- (d) Maximum area of identification panel: 12 square feet.
- (e) The sign shall be externally lit.
- (f) The sign shall not conflict with sight triangle requirements.

Additionally, either a façade or canopy sign identifying a multifamily building shall be permitted. Said building façade or canopy sign shall not exceed 30 square feet in area. The sign may be self-illuminated provided the light source is shielded or directed towards the sign.

Section 4. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. All Ordinances or part of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

The foregoing is a true copy of an ordinance introduced and adopted on first reading by the governing body of the Township of Morris on February 18, 2026.

ATTEST:

TOWNSHIP OF MORRIS

Suzanne Walsh, Township Clerk

Donna J. Guariglia, Mayor

INTRODUCTION: 2/18/2026
MASTER PLAN CONSISTENCY:
ADOPTION: