

**TOWNSHIP OF MORRIS  
MORRIS COUNTY – NEW JERSEY  
ORDINANCE NO. 05-26**

AMENDING CHAPTER 95, ZONING, OF THE CODE OF THE TOWNSHIP OF MORRIS BY ADDING  
THE TH-8/AH-2 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:

TH-8/AH-2 Townhouse Residential Affordable Housing Zone

Section 2: Chapter 95, Article II, Section 6, Zoning Map, is hereby modified so as to change the zone designation for Block 601, Lot 16 from RA-15 to TH-8/AH-2 and also for Block 601, a portion of Lot 18 from OS-GU to TH-8/AH-2 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:

§ 95-20.7 TH-8/AH-2 Townhouse Residential Affordable Housing Zone

A. The following are permitted principal uses:

(1) Market-rate townhouses with integrated affordable townhouse/stacked 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.
- (3) Recreational, social and communal facilities for the exclusive use of residents and guests.
- (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 175 units. A minimum of 35 units shall be set aside for low- and moderate-income households.
- (2) The minimum building setback from Sussex Avenue shall be 50 feet.  
The minimum building setback from any other property line shall be 25 feet.
- (3) The maximum building coverage shall be 30%.
- (4) The maximum improved lot coverage shall be 70%.
- (5) The maximum building height shall be 3 stories/46.5 feet.
- (6) The minimum parking setback shall be 25 feet from any property line other than Sussex Avenue, where said minimum setback shall be 50 feet.
- (7) Parking shall be provided in accordance with New Jersey State Residential Site Improvement Standards (RSIS).
- (8) The minimum distance between buildings shall be as follows:
  - (a) Front to front: 65 feet.
  - (b) Rear to rear: 65 feet.
  - (c) Side to side: 25 feet.
- (9) 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 units shall be permitted. No more than 3 affordable units shall be vertically stacked.
- (10) There shall be no more than 10 units per building and no more than 8 units per building where there are no affordable units.
- (11) 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.
- (12) Multiple buildings on a lot shall be permitted.
- (13) 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.

(14) A monument sign identifying the development shall be permitted and 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.

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.

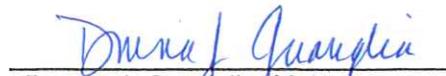
Section 6. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

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: 3/2/2026  
ADOPTION: 3/9/2026

**PLANNING BOARD  
TOWNSHIP OF MORRIS**

**RESOLUTION FINDING ORDINANCE NO. 05-26 TO BE CONSISTENT  
WITH THE MASTER PLAN PURSUANT TO SECTIONS 26(a) AND 64 OF  
THE MUNICIPAL LAND USE LAW**

**WHEREAS**, on February 18, 2026, at a duly noticed and constituted public meeting, the Township Committee of the Township of Morris (the "Township Committee") introduced, on first reading, proposed Ordinance No. 05-26, which amends the Township Land Use and Zoning Ordinance and adopts the Townhouse Residential Affordable Housing Zone TH-8/AH- (the "Proposed Ordinance") which implements in part the Township's Fourth Round Housing Element and Fair Share Plan; and

**WHEREAS**, after introduction, the Township Committee referred the Proposed Ordinance to the Planning Board of the Township of Morris (the "Planning Board") for Master Plan consistency review pursuant to N.J.S.A. 40:55D-26(a) and N.J.S.A. 40:55D-64; and

**WHEREAS**, on March 2, 2026, at a duly noticed and constituted public meeting, the Planning Board considered the testimony of the Board Planner and determined that the Proposed Ordinance is consistent with the Township's Master Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Morris, County of Morris, as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board hereby finds and determines that the Proposed Ordinance No. 05-26, which is attached hereto as Exhibit A, is consistent with the Township's Master Plan.

Section 3. The Secretary of the Planning Board shall forward a copy of this Resolution to the Township Committee. This Resolution shall serve as the report to the Township Committee in accordance with N.J.S.A. 40:55D-26(a) and N.J.S.A. 40:55D-64.

Section 4. This Resolution shall take effect immediately.

I hereby certify that this is a true copy of a resolution of the Morris Township Planning Board duly adopted at a regular public meeting held on March 2, 2026

  
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Ryan Kurpat, Secretary  
Morris Township Planning Board