

FOURTH ROUND

HOUSING ELEMENT AND FAIR SHARE PLAN

MORRIS TOWNSHIP, NEW JERSEY

Prepared for:

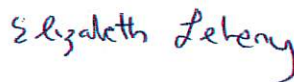
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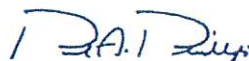
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ACKNOWLEDGMENTS

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1 INTRODUCTION

This Fourth Round Housing Element and Fair Share Plan has been prepared on behalf of the Township of Morris, New Jersey (the “Township”), in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-28b(3)), the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 (2024)) as amended, applicable rules established by the Council on Affordable Housing (“COAH”), and the Administrative Office of the Courts Directive #14-24. This document addresses the Township’s plans to address its 2025-2035 obligation to provide its fair share of the regional need for affordable housing.

The Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., requires that a municipal master plan include a Housing Element in order for the municipality to exercise the power to zone and regulate land use. The Housing Element and Fair Share Plan is adopted by the Township Planning Board and endorsed by the governing body. It is intended to achieve the goal of meeting the Township’s obligations to plan and regulate land use to provide for a fair share of the regional need for affordable housing.

Morris Township remains committed to meeting its constitutional obligation to provide, through its land use regulations, a realistic opportunity for a fair share of the region’s present and prospective needs for housing for low- and moderate-income families. This Fourth Round Housing Element and Fair Share Plan document outlines how the Township will address its affordable housing obligations.

2 Affordable Housing In New Jersey and Morris Township

2.1 Mount Laurel I and Mount Laurel II

In 1975 the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), commonly referred to as Mount Laurel I, ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low- and moderate-income housing needs.

In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), commonly referred to as Mount Laurel II, to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan.

2.2 Fair Housing Act (1985) and COAH Rounds One and Two

In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act N.J.S.A. 52:2D-301, et seq. ("FHA") which transformed the judicial doctrine that became known as the "Mount Laurel doctrine" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan ("HEFSP") that would satisfy its constitutional obligation by creating an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it. COAH proceeded to adopt regulations in 1986 for the First Round applicable from 1987-1994. In 1994, COAH adopted regulations for the Second Round that created a cumulative obligation from 1987 to 1999.

2.3 COAH Round Three

COAH first proposed Third Round substantive and procedural rules in 2003, but due to multiple legal challenges, these rules were not adopted until 2008. However, the Third Round rules adopted in 2008 were challenged in an appeal entitled In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 416 N.J. Super. 462 (App. Div. 2010) (the "2010 Case"). In October 2010, the Appellate Division determined, among other things, that the methodology in the rules adopted in 2008 was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second Rounds, i.e. 1987-1999.

In 2013, the Supreme Court of New Jersey affirmed the Appellate Division's invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 215 N.J. 578 (2013) (the "2013 Case"). COAH proceeded to propose such regulations in accordance with the schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised

Third Round regulations.

Due to COAH's failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center ("FSHC"), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant's rights.

On March 10, 2015, the New Jersey Supreme Court issued its decision on FSHC's motion. The Supreme Court found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (the "2015 Case"), also referred to as Mount Laurel IV. In doing so, the Supreme Court established a transitional process for municipalities to file a declaratory judgement action with the trial courts seeking to declare their HEFSPs as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation.

2.4 Morris Township's Affordable Housing History

2.4.1 Mt. Laurel Lawsuit Prior to Fair Housing Act

In the early 1980s the Township was the defendant in an exclusionary zoning suit. The case was brought by the Public Advocate, Morris County Fair Housing Council and Morris County branch of the NAACP against municipalities in Morris County, including Morris Township, alleged to have zoning ordinances which were unconstitutional because they failed to provide a realistic opportunity for the construction of low- and moderate- income housing in accordance with Mt. Laurel I and II. Morris was also the defendant in two separate Mount Laurel actions brought by developers. In 1984, Morris Township reached a settlement with the Public Advocate and one of the developers, Charles Development Corporation. The court issued a judgment of compliance which barred for six years any claim that Morris Township was failing to provide sufficient realistic housing opportunities for low and moderate income households. The settlement resulted in the rezoning of properties in the Township to permit inclusionary zoning as well as the subsequent construction of inclusionary projects throughout the Township.

2.4.2 Prior Round (1987-1999) Obligation

In 1994, COAH's Second Round rules assigned Morris Township a cumulative obligation for the period between 1987 and 1999 of 293 affordable units of new construction and 31 units of rehabilitated housing. On March 1, 1995, the Township Committee submitted a formal petition for certification of its Housing Element and Fair Share Plan (HEFSP) to COAH. In reviewing the Township's proposal for substantive certification, COAH issued its compliance report for the HEFSP on August 3, 1995. A mediation report followed on October 23, 1995.

The COAH compliance report found that through its fair share plan the Township demonstrated via reductions, credits and adjustments that it had a 1987-1999 obligation of zero. COAH determined that the Township was eligible under the then applicable rules to receive credit for the 334 units of affordable housing which had actually been constructed and for 21 rental bonus credits. Following its compliance report, COAH issued a report summarizing the mediation that occurred between the Township and

Steven Hudacek, a property owner who objected to his 7-acre lot being part of the Township's Fair Share Plan. As a result of mediation, the Hudacek property and the adjoining Starett property on Mt. Kemble Avenue were removed from the Township's fair share plan. The loss of units through this action was compensated by the inclusion of 11-units of affordable transitional housing which were built by the Morris County Housing Authority.

A second objection to the Township's Fair Share Plan was filed by the Collinsville Civic and Improvement League. It challenged COAH's jurisdiction of the Township's Housing Element and Fair Share Plan. COAH concluded that the issues raised by the Collinsville Civic and Improvement League were not subject to the mediation process. Pursuant to the COAH compliance and mediation reports, the Township prepared an amended Housing Element and Fair Share Plan which was adopted as part of the Township Master Plan by resolution of the Planning Board on September 18, 1995. After further delays and appeals arising from the Collinsville League's objection, COAH granted substantive certification of the Township's Fair Share Plan on May 1, 1996. Under this certification, the Township's period of protection from exclusionary zoning litigation was extended by COAH for six years until May 1, 2002 and further extended by COAH on March 9, 2005 until December 20, 2005.

2.4.3 First Iteration of COAH's Third Round Rules

The first iteration of COAH's adopted Third Round Rules (N.J.A.C. 5:94 and 5:95) became effective on December 20, 2004. The Morris Planning Board adopted a Third Round Housing Element and Fair Share Plan on November 14, 2005, and subsequently petitioned COAH for Substantive Certification. The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules.

2.4.4 Second Iteration of COAH's Third Round Rules

The second iteration of COAH's Third Round Rules regulations (N.J.A.C. 5:96 and 5:97) became effective on June 2, 2008. Amendments to these rules became effective on October 20, 2008. The Morris Township Planning Board adopted an Amended Third Round Housing Element and Fair Share Plan on December 15, 2008. The Plan provided a strategy for the Township to address its 37-unit rehabilitation obligation; 293-unit Prior Round obligation; and 224-unit growth share obligation. The Township petitioned COAH for third round Substantive Certification on December 22, 2008. COAH deemed the submission complete on June 12, 2009. The Township's petition had not been certified by COAH prior to the Court's invalidation of the second iteration of COAH's Third Round Rules.

2.4.5 Declaratory Judgment Action

Pursuant to In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, on July 7, 2015, Morris Township filed a Declaratory Judgment action under Docket No. MRS-L-1670-15 respectfully requesting that the Court grant the following relief: an Order exercising jurisdiction over the compliance by the Township of Morris with its constitutional affordable housing obligations; an Order declaring that the Township has fully discharged its constitutional affordable housing obligations and is granted protection and repose against

exclusionary zoning litigation; a Judgment of Compliance and Repose for a period of ten (10) years from its date of entry; and an Order granting such additional relief as the Court deems equitable and just. Further, the Township adopted an updated Housing Element and Fair Share Plan in April 2016, addressing its third round housing obligation and sought to obtain a Judgment of Compliance and Repose from the Court.

Through the declaratory judgment process, the Township and Fair Share Housing Center (“FSHC”) agreed to settle the litigation and to present that settlement to the trial court. The Township and FSHC memorialized the terms in an agreement settling the litigation (the “Settlement Agreement”) dated December 5, 2017 (see **Appendix A**).

Pursuant to the terms of the Settlement Agreement, the Planning Board adopted an Amended Housing Element and Fair Share Plan (“Amended HEFSP”) on May 7, 2018, and the Township Committee adopted various ordinances amending its zoning ordinances and otherwise implementing the terms of the Settlement Agreement. As part of its Fair Share Plan, the Township requested and received an adjustment to its fair share obligations based upon the findings of a vacant land adjustment (“VLA”) due the lack of vacant, or otherwise developable land. The VLA adjusted the Township’s Third Round obligation of 767 units to a realistic development potential of 400 units.

A Compliance Hearing on the Township’s Amended HEFSP, Affordable Housing Trust Fund, Spending Plan took place was held on June 15, 2018. The court entered an Order for Final Judgment of Compliance and Repose, dated October 31, 2018 to remain in effect for ten (10) years, commencing on July 1, 2015 and ending on July 1, 2025 during which time the Township will have immunity and repose from any and all Mount Laurel lawsuits.

2.4.6 Red Bulls’ Litigation 2021-2023

In 2021, the Township became aware that the Red Bulls professional soccer club, through its affiliated entity, Red Bull Arena, Inc. (“RBA”) was considering Block 9101, Lots 4 and 5 for a soccer training facility. The lots were formerly part of Honeywell Corporation and were zoned for non-residential, commercial uses as part of a General Development Plan related to the redevelopment of the site. The Third Round Amended HEFSP did not contemplate any affordable units being constructed on the lot. The lots were assigned a realistic development potential of zero (0) units, due to their inclusion in the Honeywell Complex development plan as “redevelopment for office development.

RBA moved forward with the purchase of the lots and sought a refinement of the existing non-residential zoning to include athletic facilities. On November 10, 2021, an ordinance amending and supplementing the existing “Office and Research Laboratory/Planning Unit Development Zone” to include Athletic Facilities was introduced. Public hearings on this ordinance were held on December 2 and 8, 2021 and the ordinance was adopted unanimously on December 21, 2021.

Subsequent to the adoption of the amended zoning ordinance, FSHC filed a Mount Laurel lawsuit against the Township alleging that the Township’s rezoning of the Property to permit athletic training facilities violated the Mount Laurel doctrine because it failed to incorporate the lots in the RDP calculation. FSHC

contended that a municipality's RDP and fair share plan, adjusted by a vacant land adjustment, must account for changed circumstances where a municipality's development potential has increased. In other words, the Third Round RDP must be recalculated to incorporate the lots and potentially utilize them to address its affordable housing obligation.

FSHC filed a Complaint In Lieu of Prerogative Writs, Declaratory Judgment, Injunctive Relief and Damages bearing Docket No. MRS-L-217-22 against the Township and a Motion for Recalculation of Realistic Development Potential, Amended Compliance Plan, Scarce Resource Restraints, and Appointment of a Special Master in the Declaratory Judgment Action which were subsequently consolidated by the court.

A Global Agreement was signed on April 6, 2023 (see **Appendix B**). Pursuant to the terms of the Global Agreement, the Township was required to undertake the following actions:

- Secure a **50-unit 100-percent affordable multifamily** development on portions of Block 1901, Lots 1 and 1.01 on Ketch Road owned by Morris County.
- Place an **overlay zone on Lindsley Drive** (specifically Block 10001, Lot 7) for inclusionary development at a density of 12 units per acre with a 15 percent set-aside and a density of 15 units per acre with a 20 percent set aside.
- **Increase the density at existing overlay zones** agreed upon in the 2017 Settlement Agreement to 12 dwelling units per acre with a 15 percent set aside and a density of 15 units per acre with a 20 percent set aside.

2.5 Amended Fair Housing Act (2024) and Fourth Round (2025-2035)

On March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act"). The Amended FHA eliminated COAH, and it set forth standards by which the fair share of municipalities must be established for the Fourth Round covering the period July 1, 2025, through June 30, 2035, and for subsequent rounds. It also created the Affordable Housing Dispute Resolution Program (the "Program") to oversee disputes and provide for mediation.

The Amended FHA also established a timeline by which government entities and municipalities are required to act including the following:

- **October 20, 2024:** Per the Amended FHA, the New Jersey Department of Community Affairs ("DCA") was required to determine the obligation of all municipalities based upon the standards in the Amended FHA and to issue a non-binding report no later than October 20, 2024, setting forth its estimates of each municipality's non-binding obligation based upon those standards. DCA issued their report setting forth their estimates of each municipality's non-binding obligation on October 18, 2024.
- **January 31, 2025:** The Amended FHA permits municipalities the choice to either accept the DCA determination of their obligation described above, or to provide their own determination based upon the standards in the Amended FHA. Municipalities were required to adopt a binding resolution of its Fourth Round obligation by January 31, 2025. If the municipality met this January

31 deadline, then the municipality's determination of its obligation would be established by default and would bear a presumption of validity beginning on March 1, 2025, as the municipality's obligation for the fourth round, unless challenged by an interested party on or before February 28, 2025.

- **February 28, 2025:** The deadline for an interested party to file a challenge with the Program regarding a Township's determination of its Fourth Round obligation was February 28, 2025. Any challenge was required to state with particularity how the municipal calculation failed to comply with the Amended FHA and include the challenger's own calculation of the fair share obligations.
- **March 31, 2025:** The Program was required to consider a challenge and resolve a dispute initiated by an interested party no later than March 31, 2025.
- **June 30, 2025:** A municipality is required to adopt a housing element and fair share plan and propose drafts of the appropriate zoning and other ordinances and resolutions to implement its present and prospective obligations. The plan must be filed with the Program. Any municipality that does not adopt a housing element and fair share plan by June 30, 2025, shall lose its immunity from builders' remedy lawsuits.
- **August 31, 2025:** An interested party may file a challenge with the Program on or before August 31, 2025, alleging that the municipality's fair share plan and housing element are not in compliance with the Amended FHA or the Mount Laurel doctrine. Any interested party that files a challenge shall specify with particularity which sites or elements of the municipal fair share plan do not comply with the Amended FHA or the Mount Laurel doctrine, and the basis for alleging such noncompliance. If a municipality's fair share plan and housing element is not challenged on or before August 31, 2025, then the program shall apply an objective standard to conduct a limited review of the fair share plan and housing element for consistency and to determine whether it enables the municipality to satisfy the fair share obligation, applies compliant mechanisms, meets the threshold requirements for rental and family units, does not exceed limits on other unit or category types, and is compliant with the Amended FHA and the Mount Laurel doctrine.
- **December 31, 2025:** The program shall facilitate communication between the municipality and any interested parties for a challenge and provide the municipality until December 31, 2025 to commit to revising its fair share plan and housing element in compliance with the changes requested in the challenge, or provide an explanation as to why it will not make all of the requested changes, or both. Upon resolution of a challenge, the program shall issue compliance certification, conditioned on the municipality's commitment, as necessary, to revise its fair share plan and housing element in accordance with the resolution of the challenge. The program may also terminate immunity if it finds that the municipality is not determined to come into constitutional compliance at any point in the process.
- **March 15, 2026:** The requirement to adopt all implementing ordinances to effectuate the HEFSP as set forth in and incorporating any changes from the program, shall be adopted on or before

March 15, 2026. Failure to meet the March 15 deadline shall result in the municipality losing immunity from exclusionary zoning litigation.

This Housing Element and Fair Share Plan pursuant to applicable law and regulations and addresses Morris' affordable housing obligation through the Fourth Round.

3 HOUSING ELEMENT/ FAIR SHARE PLAN REQUIREMENTS

In accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.), a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the Fair Housing Act, a municipality's housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. The housing element must contain at least the following, as per the Amended FHA at N.J.S.A. 52:27D-310.

- a. *An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;*
- b. *A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;*
- c. *An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;*
- d. *An analysis of the existing and probable future employment characteristics of the municipality;*
- e. *A determination of the municipality's present and prospective fair share of low- and moderate- income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing; and*
- f. *A consideration of the lands most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing; and*
- g. *An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, pursuant to N.J.S.A. 52:27D-329.20f.(1);*
- h. *For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for*

Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and

- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.*

The Administrative Office of the Courts issued Administrative Directive #14-24 on December 13, 2024 establishing guidelines implementing the Affordable Housing Alternative Dispute Resolution Program ("the Program") established pursuant to section 5 of P.L.2024, c.2 (N.J.S.A. 52:27D-313.2). The Directive imposed additional requirements not included in the Amended FHA. Included in the Directive is the requirement to include a Spending Plan, Affirmative Marketing Plan, Affordable Housing Ordinance, and Mandatory Set-Aside Ordinance in the Housing Element and Fair Share Plan.

4 HOUSING STOCK AND DEMOGRAPHIC ANALYSIS

4.1 Housing Stock Inventory

In 2023, there were 8,442 housing units in Morris Township, of which 174, or 2 percent, were vacant. Of the 8,442 occupied units, 85.8 percent were owner-occupied, and 14.2 percent were renter-occupied. Table 1, Housing Units by Occupancy Status, 2023, illustrates this occupancy status.

Table 1. Housing Units by Occupancy Status, 2023

	Housing Units	Owner-Occupied	Renter-Occupied
Occupied	8,442	7,240	1,202
Vacant	174	-	-
Total	8,616	-	-

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Approximately 73 percent of the total housing stock consists of single-family detached units. Single-family attached units make up approximately 13 percent of the housing stock and structures with three or more units make up approximately 12 percent of the total housing stock. See Table 2, Housing Units by Number of Units in Structure, 2023, for a detailed explanation of the Township's housing units.

Table 2. Housing Units by Number of Units in Structure, 2023

Number of Units	Total	Percent
1, Detached	6,257	72.6%
1, Attached	1,110	12.9%
2	191	2.2%
3 or 4	291	3.4%
5 to 9	242	2.8%
10 to 19	342	4.0%
20+	175	2.0%
Mobile Home	8	0.1%
Other	0	0.0%
Total	8,616	100.0%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Table 3, Housing Units by Age, 2023, illustrates the age of the Township's housing stock. Only 15.8 percent of the Township's housing stock was constructed prior to 1940. Close to 64 percent of the extant housing stock was constructed between 1950 and 1990. Approximately 7 percent of housing units were constructed in the years since 2000.

Table 3. Housing Units by Age, 2023

Year Built	Total Units	Percent
2020 or later	37	0.4%
2010-2019	390	4.5%
2000-2009	177	2.1%
1990-1999	954	11.1%
1980-1989	1,367	15.9%
1970-1979	995	11.5%
1960-1969	1,801	20.9%
1950-1959	1,325	15.4%
1940-1949	210	2.4%
Before 1940	1,360	15.8%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Table 4, Comparison of Housing Units by Number of Rooms for Morris Township and Morris County, 2023, illustrates that approximately 7 percent of housing units in Morris Township have between one and three rooms; 25 percent of housing units have between four and six rooms; and 68 percent have seven or more rooms. In Morris County, approximately 13 percent of housing units have between one and three rooms; 36 percent have between four and six rooms; and 52 percent have seven or more rooms. The median number of rooms per unit in the Township is 8, which indicates that the housing stock in Morris is, on average, larger in size as compared to the median number of rooms for Morris County, which is 6.6.

Table 4. Housing Units by Number of Rooms for Morris Township and Morris County, 2023

Rooms	Number of Units in Morris	Percent of Units in Morris	Number of Units in Morris County	Percent of Units in Morris County
1	131	1.5%	3,231	1.6%
2	149	1.7%	4,927	2.5%
3	342	4.0%	17,467	8.8%
4	466	5.4%	23,012	11.6%
5	869	10.1%	22,577	11.4%
6	796	9.2%	24,978	12.6%
7	761	8.8%	26,090	13.1%
8	1,708	19.8%	27,717	14.0%
9+	3,394	39.4%	48,612	24.5%
Total	8,616	100.0%	198,611	100.0%
Median Rooms per Unit	8		6.6	

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Tables 5 and 6, Housing Values, Owner Occupied, 2016 and 2023, respectively, illustrate that the median housing values of owner-occupied housing in Morris increased by 29 percent between 2016 and 2023. During this time, the median value in Morris County increased by 30 percent. In 2016, the median value of owner-occupied housing units in Morris (\$559,000) was 30 percent higher than that of Morris County (\$428,900). In 2023, Morris' median housing value of \$723,300 was also 30 percent higher than that of Morris County (\$557,000).

Table 5. Housing Values, Owner Occupied, 2016

Housing Value	Number in Morris	Percent in Morris	Number in Morris County	Percent in Morris County
Less than \$50,000	114	1.6%	2,633	1.9%
\$50,000 to \$99,999	108	1.6%	1,164	0.9%
\$100,000 to \$149,999	153	2.2%	1,488	1.1%
\$150,000 to \$199,999	48	0.7%	3,662	2.7%
\$200,000 to \$299,999	199	2.9%	20,864	15.4%
\$300,000 to \$499,999	2,183	31.6%	55,419	40.9%
\$500,000 to \$999,999	3,676	53.2%	42,817	31.6%
\$1,000,000 or more	433	6.3%	7,322	5.4%
Total	6,914	100.0%	135,369	100.0%
2016 Median Value	\$559,000		\$428,900	

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Table 6. Housing Values, Owner Occupied, 2023

Housing Value	Number in Morris	Percent in Morris	Number in Morris County	Percent in Morris County
Less than \$50,000	92	1.3%	1,404	1.0%
\$50,000 to \$99,999	168	2.3%	1,480	1.0%
\$100,000 to \$149,999	46	0.6%	878	0.6%
\$150,000 to \$199,999	10	0.1%	1,472	1.0%
\$200,000 to \$299,999	90	1.2%	9,969	7.0%
\$300,000 to \$499,999	1,086	15.0%	44,816	31.6%
\$500,000 to \$999,999	4,599	63.5%	67,465	47.6%
\$1,000,000 or more	1,149	15.9%	14,287	10.1%
Total	7,240	100.0%	141,771	100.0%
2023 Median Value	\$723,300		\$557,000	

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

Monthly rental costs in Morris Township are significantly higher than monthly rental costs for the rest of Morris County, wherein over 87 percent of renters pay \$1,500 or more per month in rent; in Morris County, 72 percent of renters pay \$1,500 or more. The largest percentage of Morris County renters, 29.9 percent, pay \$1,500 to \$1,999 in rent. See Table 7, Comparison of Morris Township and Morris County, Monthly Rental Cost, 2023, for additional details.

Table 7. Comparison of Morris Township and Morris County, Monthly Rental Cost – Occupied Rental Units, 2023

Monthly Rent	Number in Morris	Percent in Morris	Number in Morris County	Percent in Morris County
Less than \$500	55	5.0%	2,209	4.6%
\$500 - \$999	0	0.0%	1,930	4.0%
\$1,000 - \$1,499	85	7.7%	9,666	20.0%
\$1,500 - \$1,999	323	29.1%	14,466	29.9%
\$2,000 - \$2,499	223	20.1%	8,520	17.6%
\$2,500 - \$2,999	150	13.5%	5,679	11.7%
\$3,000 or more	275	24.8%	5,970	12.3%
Total	1,111	100.0%	48,440	100.0%
Median Rent	\$2,207		\$1,860	

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

In 2023, 19 percent of Morris Township owner-occupied households contributed 30 percent or more of their income towards monthly housing costs, whereas approximately 63 percent contributed less than 20 percent of their income towards monthly housing costs. See Table 8, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2023, for further information.

Table 8. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2023

Household Income	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.1%	0.0%	1.9%
\$20,000 - \$34,999	0.6%	0.7%	1.5%
\$35,000 - \$49,999	0.0%	1.0%	1.8%
\$50,000 - \$74,999	0.9%	1.4%	4.9%
\$75,000 or more	60.9%	15.2%	8.8%
Zero or Negative Income¹	0.3%		

Source: American Community Survey, 2019-2023 (Table S2503 Financial Characteristics)

In 2023, close to 37 percent of Morris Township renter-occupied households contributed 30 percent or more of their income towards monthly rental costs, whereas approximately 31 percent contributed less

¹ Negative income constitutes business or investment losses larger than other income.

than 20 percent of their income towards monthly rental costs. See Table 9, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2023, for further information.

Table 9. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2023

Household Income	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.0%	2.4%	4.7%
\$20,000 - \$34,999	0.0%	0.0%	8.7%
\$35,000 - \$49,999	0.0%	0.0%	5.2%
\$50,000 - \$74,999	0.0%	1.6%	10.5%
\$75,000 or more	31.2%	20.5%	7.7%
Zero or Negative Income	0.0%		
No Cash Rent Units ²	7.6%		

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

According to American Community Survey data, Morris has 30 housing units that lack complete plumbing facilities and 81 units that are considered overcrowded (defined as having 1.01 or more persons per room). The Township also has 152 units that have no telephone service available and 30 units that lack complete kitchen facilities. See Table 10, Selected Quality Indicators, Occupied Housing Stock, 2023, for additional details.

Table 10. Selected Quality Indicators, Occupied Housing Stock, 2023

	Overcrowded	No Telephone Service Available	Lacking Complete Plumbing Facilities	Lacking Complete Kitchen Facilities
No. Units	81	152	30	30

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP04 Selected Housing Characteristics)

4.2 General Population Characteristics

The population of Morris Township increased from 19,952 persons in 1990 to 22,974 persons in 2020. The largest growth in population occurred between 1990 and 2000, with an increase of approximately 9 percent; during this same time period, the County grew close to 11 percent. See Table 11, Population Growth, 1990-2020 for more information.

² Such units are generally provided for free by friends or relatives or in exchange for services such as resident manager, caretaker, minister, or tenant farmer.

Table 11. Population Growth, 1990-2020

	1990	2000	Percent Change (1990-2000)	2010	Percent Change (2000-2010)	2020	Percent Change (2010-2020)
Morris	19,952	21,796	9.2%	22,306	2.3%	22,974	3.0%
Morris County	421,353	470,212	10.4%	492,279	4.7%	509,285	3.5%

Source: 1990, 2000, 2010, and 2020 U.S. Census

From 2010 through 2020, there were shifts in Morris' age distribution. The age group of 65-74 years old experienced the greatest positive percentage change (i.e., 30.6 percent). The 55-64-year-old age group also increased (i.e., 18.9 percent). Three age groups, 5-14-year-olds, 35-44-year-olds and 45-54 year olds experienced negative percent change (i.e., -13.9 percent, -15.8 percent and -14.3 percent, respectively). Perhaps correspondingly, the under 5 years old age group also declined (i.e., -14.6 percent). The data suggest that the population in Morris is aging, which may have an impact on housing preferences. For example, residents whose children have left home but would like to remain in Morris Township may wish to downsize to smaller single-family detached homes or seek other types of housing such as townhomes or apartment living. See Table 12, Comparison of Age Distribution, 2010- 2020, for additional details.

Table 12. Comparison of Age Distribution, 2010 - 2020

Age Group	2010	2020	Percent Change (2010-2020)
Under 5	1,339	1,143	-14.6%
5-14	2,862	2,465	-13.9%
15-24	2,244	2,711	20.8%
25-34	2,191	2,579	17.7%
35-44	3,105	2,615	-15.8%
45-54	3,637	3,116	-14.3%
55-64	3,038	3,613	18.9%
65-74	1,927	2,516	30.6%
75+	1,963	2,216	12.9%
Total	22,306	22,974	3%
Median Age	43.3	44.9	-

Source: 2010 and 2020 U.S. Census

4.3 Household Characteristics

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. As a subset of households, a family is identified as a group of people including a householder and one or more people related by blood, marriage, or adoption, all living in the same household. In 2023, there were 8,442 households in Morris Township, with an average of 2.63 persons per household. Approximately 66 percent of households are comprised of married couples with or without children. Approximately 25 percent of the Morris Township households are non-family households, which includes individuals (Source: American Community Survey, 2023 (Table S1101)).

4.4 Income Characteristics

People residing in Morris Township have, on average, higher incomes than that of Morris County. Annual median income for Morris households in 2023 was \$194,142, whereas annual median income for households in the County was \$134,929. The most notable difference with regard to income between Morris Township and Morris County is the percentage of households earning \$150,000 or more (i.e., 60 percent and 45 percent, respectively). Table 13, Household and Family Income by Income Brackets for Morris and Morris County, 2023, further illustrates these findings.

Table 13. Household and Family Income by Income Brackets for Morris and Morris County, 2023

	Morris		Morris County	
	Households	Percent	Household	Percent
Less than \$5,000	52	0.6%	3,659	1.9%
\$5,000 - \$9,999	34	0.4%	1,630	0.8%
\$10,000 - \$14,999	112	1.3%	2,711	1.4%
\$15,000 - \$19,999	52	0.6%	2,423	1.3%
\$20,000 - \$24,999	95	1.1%	2,975	1.6%
\$25,000 - \$34,999	226	2.7%	7,383	3.8%
\$35,000 - \$49,999	323	3.8%	10,491	5.5%
\$50,000 - \$74,999	672	8%	19,409	10.1%
\$75,000 - \$99,999	676	8%	19,283	10.1%
\$100,000 - \$149,999	1,118	13.2%	35,184	18.3%
\$150,000 or more	5,082	60.2%	86,692	45.2%
Total	8,442	100.0%	191,840	100.0%
Median Income	\$194,142		\$134,929	

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table S2503 Financial Characteristics)

4.5 Employment Characteristics

Table 14, Employment Status, indicates the number of Township residents 16 years and over who are in the labor force, the type of labor force (i.e., civilian or armed forces) and employment status. Approximately 65 percent of Morris residents 16 and over are in the in the labor force. Of the residents in the civilian labor force, approximately 96 percent are employed and approximately 4 percent are

unemployed.

Table 14. Employment Status

	Number in Morris	Percent in Morris
Population 16 years and over	19,095	-
In Labor Force	12,543	65.7%
Civilian Labor Force	12,533	65.6%
<i>Employed</i>	12,002	95.8%
<i>Unemployed</i>	531	4.2%
Armed Forces	10	0.1%
Not in Labor Force	6,552	34.3%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP03 Selected Economic Characteristics)

Table 15, Employment by Occupation, Morris, 2023, identifies the occupation of employed persons. While Morris Township residents work in a variety of job sectors, approximately 65 percent of employed residents work in Management, Business, Science and Arts-related occupations; and approximately 21 percent of employed residents work in Sales and Office-related occupations. Very few employed residents work in the Natural Resources, Construction and Maintenance sector, Service sector, or the Production, Transportation and Moving sector (3.6 percent, 5.8 percent, and 4 percent, respectively).

Table 15. Employment by Occupation, Morris, 2023

Sector Jobs	Number	Percent
Management, Business, Science, and Arts Occupations	7,830	65.2%
Service	695	5.8%
Sales and Office	2,557	21.3%
Natural Resources, Construction, and Maintenance	435	3.6%
Production, Transportation, and Moving	485	4.0%
Total	12,002	100.0%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP03 Selected Economic Characteristics)

Table 16, Distribution of Employment by Industry, Township Residents, 2023, shows the distribution of employment by industry for employed Morris Township residents. The four industries to capture the largest segment of the population were the Educational, Health and Social Services industry (25 percent); the Professional, Scientific, Management, Administrative, and Waste Management Services industry (17.5 percent); the Financing, Insurance, Real Estate, Renting and Leasing industry (16 percent); and the Manufacturing industry (9.7 percent).

Table 16. Distribution of Employment by Industry, Township Residents, 2023

Job Sectors	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	7	0.1%
Construction	542	4.5%
Manufacturing	1,163	9.7%
Wholesale Trade	422	3.5%
Retail Trade	1,055	8.8%
Transportation and Warehousing, and Utilities	251	2.1%
Information	292	2.4%
Financing, Insurance, Real Estate, Renting, and Leasing	1,923	16%
Professional, Scientific, Management, Administrative, and Waste Management Services	2,100	17.5%
Educational, Health and Social services	3,031	25.3%
Arts, Entertainment, Recreation, Accommodation and Food services	531	4.4%
Public Administration	278	2.3%
Other	407	3.4%
Total	12,002	100.0%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP03 Selected Economic Characteristics)

Of the employed Morris residents, approximately 82 percent are private wage and salary workers; 12 percent are government workers; and 6 percent are self-employed. See Table 17, Distribution by Class of Worker, 2023, for additional details.

Table 17. Distribution by Class of Worker, 2023

	Number in Morris	Percent in Morris
Private Wage and Salary Workers	9,805	81.7%
Government Workers	1,477	12.3%
Self-employed in own not incorporated business workers	711	5.9%
Unpaid family workers	9	0.1%
Total	12,002	100.0%

Source: American Community Survey 5-Year Estimates Data Profiles, 2019-2023 (Table DP03 Selected Economic Characteristics)

4.6 Multigenerational Housing Continuity

Multigenerational housing is becoming a desired housing option in the State due to rising housing costs and an aging population. Housing for multigenerational families is necessary to offer a diverse housing stock and to account for population trends. Multigenerational housing can provide an opportunity for residents to age in place, save on costs associated with housing, and provide in-house care for an older adult or persons with disabilities. Additionally, multigenerational housing is a more sustainable approach to meeting housing obligations as there is no need for the construction of new homes in order to provide housing for additional individuals.

On November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-

329.209, which established the Multigenerational Family Housing Continuity Commission. The commission is allocated within the Department of Community Affairs. The duties of the commission include: preparing and adopting recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.

The bill requires that a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain, among other requirements:

An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission).

This language is included in the Amended FHA at N.J.S.A. 52:27D-310. It should be noted that at the time of the preparation of this Housing Element and Fair Share Plan, the commission has made no recommendations. That said, Morris Township is committed to promoting multigenerational family continuity through the provision of a variety of housing options offered to a variety of income levels in a manner consistent with the regulations. In recent years, Morris Township has increased the diversity of its housing stock with the construction of multifamily housing offering one-level living.

The Township also permits supplementary apartments as a conditional use in single-family detached homes in all residential zones. These apartments permit multiple generations of a family to live in close proximity.

The Township offers a variety of services to seniors. The Senior Citizen Advisory Committee (SCAC) was established by Ordinance 25-21 in October 2021. SCAC is an advisory committee whose purpose is to explore the needs of Morris Township seniors and recommend ways to address those needs in such areas as housing, transportation, medical/health, and social/recreational/educational activities.

Through the State, the Township offers Senior Citizen Property Tax Reduction which permits annual tax deductions of up to \$250.00 from property taxes for homeowners age 65 or older or disabled person who meet certain income and residency requirements. Eligible residents are also able to participate in The Stay NJ program which offers property tax benefits to eligible homeowners aged 65 and older. It reimburses applicants for 50% of their property tax bills, up to a maximum of \$13,000.

Additionally, the Township seniors may take advantage of programs through Morris County which are designed to help seniors age in place. Through NewBridge SAIL (Senior Assistance for Independent

Living), Morris County residents age 60 and over are connected with available community resources that enable them to remain in their homes. The free program includes at-home evaluations by a registered nurse, in-home professional counseling to homebound seniors and individuals with physical difficulties in Morris County. It also offers respite care and counseling to those who are caring for an elderly or infirm family member or friend. The program also links seniors to local providers of additional services, including senior day programs, home health aides, transportation, shopping assistance, nutrition programs, legal counseling, medication management, home repairs, hospice care and other assistance.

Morris Township residents can also participate, if eligible, in Morris Habitat for Humanity's Aging in Place program which provides support relating to home modifications that improve the mobility, accessibility and safety of a home or energy efficiency repairs and improvements. Such improvements include: installing wheelchair ramps; installing chair lifts on stairways; securing handrails and grab bars; changing faucets and door knobs to levers; installing handheld and/or slidebar showerheads; adding LED light fixtures to basement stairs; repairing sidewalks; and other accessibility or weatherization improvements.

The Township is committed to supporting inclusive housing opportunities that meet the needs of residents at every stage of life, actively prioritizing thoughtful planning and following population trends.

4.7 Growth Trends and Projections

4.7.1 Residential Trends and Projections

According to the New Jersey Construction Reporter, between 2013 and 2023, Morris issued 647 certificates of occupancy; of which, 90 percent were for one and two family dwelling units. Approximately 54 percent of these residential certificates of occupancy were issued between 2018 and 2020. See Table 18, Residential Certificates of Occupancy, 2013-2023, for additional details.

Table 18. Residential Certificates of Occupancy, 2013-2023

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
1 & 2 Family	5	39	60	42	6	104	115	126	46	29	9	581
Multifamily	0	0	0	0	0	0	0	6	0	60	0	66
Total	5	39	60	42	6	104	115	132	46	89	9	647

Source: New Jersey Construction Reporter

The Township has seen the construction of predominantly one-family homes, including townhome developments, over the last decade. It is projected that there will be additional single-family and townhomes developed during the ten year duration of this plan particularly involving projects described in Chapter VI which are part of the Township's compliance plan. It is also expected that there will be some new multifamily development in the coming years, as is also detailed further in Chapter VI. However, as much of the vacant land in the Township is characterized by environmental constraints or is reserved for a public or institutional use, the opportunities for additional multifamily housing will be relatively modest in nature.

4.7.2 Non-residential Trends and Projections

According to the New Jersey Construction Reporter, between 2013 and 2023, Morris issued certificates of occupancy for a total of ±700,274 square feet of non-residential building space. See Table 19, Non-Residential Certificates of Occupancy, 2013-2023, for additional details. The majority of the non-residential growth can be attributed to:

- 282,134 square feet of storage space, for which certificates of occupancy were issued every year from 2013 to 2023, with the exception of 2015, 2019, and 2022;
- 160,287 square feet of education space, for which certificates of occupancy were issued in 2016 to 2018, 2021, and 2023; and
- 91,878 square feet of office space, for which certificates of occupancy were issued every year from 2013-2023, with the exception of 2020 and 2021.

Table 19. Non-Residential Certificates of Occupancy, 2013-2023

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Office	15,139	3,033	5,902	5,740	802	3,064	15,555	0	0	1	42,642	91,878
Retail	0	0	0	0	0	0	0	0	0	0	29,305	29,305
A-1	0	0	0	0	960	0	0	0	0	0	0	960
A-2	0	0	0	7,245	0	0	0	0	0	0	0	7,245
A-3	0	2,304	0	0	0	0	2,402	0	0	4,620	0	9,326
A-4	33,007	0	0	0	0	0	0	0	0	0	0	33,007
A-5	0	0	0	0	0	0	0	0	0	0	3,600	3,600
Multifamily/ Dormitories	0	0	0	0	0	0	0	18,955	813	52,022	0	71,790
Hotel/ Motel	0	0	0	0	0	0	0	0	0	0	0	0
Education	0	0	0	43,075	50,625	7,683	0	0	26,421	0	32,483	160,287
Industrial	0	0	1,234	0	0	400	0	0	0	0	0	1,634
Hazardous	0	0	0	0	0	0	0	0	0	0	0	0
Institutional	0	0	0	0	0	0	0	0	0	0	0	0
Storage	120	22,800	0	5,156	154,313	84,379	0	1,470	12,396	0	1,500	282,134
Signs, Fences, Utility and Misc.	0	908	0	1,080	964	1,849	0	1,148	2,055	384	720	9,108
TOTAL	48,266	29,045	7,136	62,296	207,664	97,375	17,957	21,573	41,685	57,027	110,250	700,274

Source: New Jersey Construction Reporter

4.7.3 Capacity for Growth

Morris has the capacity to address its Fourth Round affordable housing obligation. The Township has the infrastructure capacity to meet this obligation. Customary or ordinary improvements to the existing infrastructure, including but not limited to public wastewater and public water, will be completed as necessary. However, Morris is reaching its traffic capacity limit in a number of areas in the Township. The Township anticipates that a limited portion of its obligation will be accommodated on vacant land but the majority of new residential units, particularly townhome and multifamily units, will occur on sites that are currently improved but can be redeveloped for housing.

5 MORRIS TOWNSHIP AFFORDABLE HOUSING PLAN

5.1 Satisfaction of Prior Round Obligations (1987-2025)

Per the Amended FHA (N.J.S.A. 52:27D-304.1.3.a(f)(2)(a)), as part of its housing element and fair share plan, the municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing obligations as established by prior court approval, or approval by COAH, and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its prior round obligations.

As detailed in Chapter 4, pursuant to its 2017 Settlement Agreements with Fair Share Housing Center (“FSHC”) and its Judgment of Compliance and Repose entered by the Court, Morris Township had the following affordable housing obligations for the 1987-2025 compliance periods:

- Prior Round (1987-1999): **293 units**
- Third Round (1999-2025): **767 units.**

5.1.1 Prior Round (1987-1999) Obligation of 293 Units

Morris Township had a Prior Round obligation of 293-units. The Township addressed this obligation through credits at the projects detailed below and summarized in Table 20, Prior Round Affordable Housing Credits.

Table 20. Prior Round Affordable Housing Credits

Project	Block/Lot	Tenancy	Units	Bonus Credits	Total	Status
Prior Cycle Credits= 100 units						
Morris Mews	B: 1901/L: 3	Age-Restricted Rentals	100 ¹		100	Complete
100 Percent Affordable Projects= 21 units and 6 rental bonus credits						
Dean A. Gallo Congregate Living	B: 1901/L: 2	Age-Restricted Rentals	19	6	25	Complete
MLK/Emmett Avenue	B: 10311/L: 21	Sales	2		2	Complete
Inclusionary Development Projects= 200 units						
Moore Estate	B: 7902/L: 1	Sales	64 ²		64	Complete
James St. Commons	B: 6705/L: 2	Sales	16 ²		16	Complete
Woodcrest (Oaks)	B: 9902/L: 48	Sales	21		21	Complete
Cory Road (Millrace)	B: 10311/L: 1	Sales	4		4	Complete
Village at Convent	B: 8301/L: 1	Sales	25		25	Complete
Rose Arbor	B: 1501/L: 1	Sales	70		70	Complete
Alternative Living/ Supportive and Special Needs Housing= 41 units and 41 rental bonus credits						
ARC House (1)	Confidential	Rental	15	15	30	Complete
Homeless Solutions Transitional Housing	Confidential	Rental	11	11	22	Complete
Allegro Autism School Group Home	Confidential	Rental	5	5	10	Complete
Delta Community Support	Confidential	Rental	4	4	8	Complete
ARC House (2)	Confidential	Rental	6	6	12	Complete
Total			362	47	409³	
³Surplus of 116 Units over 293 Unit Prior Round Obligation						

¹ Of the total 100 affordable units at the Morris Mews project, the Township applied 62 units toward addressing its Prior Round obligation and 38 units toward addressing its Third Round Prospective Need obligation as part of a Prior Round surplus.

² The Township applied the 64 units at Moore Estate and 14 of the 16 total units at James Street Commons toward addressing its Third Round Prospective Need obligation as part of a Prior Round surplus.

³ The Township applied a 116 Prior Round surplus units towards addressing its Third Round Prospective Need obligation. These units will be from Morris Mews (38 units), Moore Estate (64 units), and James Street Commons (14 units).

5.1.2 Third Round (1999-2025) Obligation

2017 SETTLEMENT AGREEMENT (RDP: 400 UNITS AND UNMET NEED OF 367 UNITS)

Per the 2017 Settlement Agreement with Fair Share Housing Center ("FSHC"), the Township had a total 1999-2025 obligation of 767 units. In order to address its Prospective Need Obligation of 767 units, the Township undertook a Municipal Adjustment due to lack of land pursuant to N.J.A.C. 5:93-4.2 (i.e., a "VLA"). The VLA estimates that the Township has a **realistic development potential ("RDP") of 400 units**. The RDP of 400 units subtracted from the Prospective Need Obligation of 767 units results in an **unmet need of 367 units**.

INCREASE IN THIRD ROUND RDP ARISING FROM RED BULLS SOCCER FACILITY LITIGATION (50 UNITS)

In 2022, FSHC filed a Mount Laurel lawsuit against the Township alleging that the Township's

rezoning of Block 9101, Lots 4 and 5 on the former Honeywell property for a soccer training facility violated the Mount Laurel doctrine because it failed to incorporate the lots in the RDP calculation. FSHC contended that a municipality's RDP and fair share plan, adjusted by a vacant land adjustment, must account for changed circumstances where a municipality's development potential has increased. In other words, the Third Round RDP must be recalculated to incorporate the lots and potentially utilize them to address its affordable housing obligation.

Pursuant to the terms of the Global Agreement signed on April 6, 2023, the Township was required to provide an additional **50 units** of affordable housing as part of its Third Round RDP. Specifically, the units were to be built on Block 1901, Lots 1 or 1.01 or an alternate site mutually agreed upon by the Township and FSHC.

STATUS OF THIRD ROUND PROJECTS TO ADDRESS RDP

Of the 400-unit RDP listed in the 2017 Settlement Agreement, 304 units and bonus credits are complete. Three projects constituting 96 units and credits are not yet complete including the Sisters of Charity project (33 rental units and 33 bonus credits); 95 Mt. Kemble Avenue (23 units); and 375-403 Mt. Kemble Avenue (7 sale units). Of the three projects, the only project that no longer presents a realistic opportunity for the development of 7 affordable units is 375-403 Mt. Kemble Avenue.

Regarding the 50-unit RDP arising from the Township's Global Agreement with FSHC regarding the Red Bulls site, Morris Ketch Road, LLC is in the process of developing a 50-unit 100-percent affordable multifamily development on portions of Block 1901, Lots 1 and 1.01 on Ketch Road owned by Morris County. The site is expected to receive site plan approval in the coming weeks. When complete, the project will include 50 affordable housing units plus 12 rental bonuses for a total of 62 credits.

A summary of all the projects, surplus credits and bonuses addressing Morris Township's Third Round Prospective Need obligation are provided in Table 21, Projects Addressing Third Round Realistic Development Potential of 450 Units.

Table 21. Projects Addressing Third Round Realistic Development Potential of 450 Units

Project	Block/Lot	Tenancy	Units	Bonus Credits	Total	Status
Prior Round Surplus Credits= 116 units						
Morris Mews	B: 1901/L: 3	Age- Restricted Rentals	38 ¹		38	Complete
Moore Estate	B: 7902/L:1	Sales	64		64	Complete
James St. Commons	B: 6705/L: 2	Sales	14 ¹		14	Complete
100 Percent Affordable Projects= 80 units and 37 rental bonus credits						
MCHA- 19 Carlton	B: 10304/ L: 25	Sales	5		5	Complete
MCHA- 6 Monroe Street/227 MLK Ave	B: 10307/ L: 14	Rentals	6	6	12	Complete
Homeless Solutions- Jean Street Apartments	B: 901/ L: 4.01	Rentals	15	15	30	Complete
Homeless Solutions- 24 Walnut	B: 10306/ L: 7	Rentals	2	2	4	Complete
Homeless Solutions- 88 MLK Ave	B: 10314/ L: 1	Rentals	2	2	4	Complete
Morris Ketch Road, LLC	B: 1901/L: 1 and 1.01 (portions)	Rentals	50	12	62	In process
Inclusionary Development Projects= 147 units and 75 rental bonus credits						
Honeywell Site	B: 9101/ L: 6-7	Sales	24		24	Complete
Colgate	B: 10401/ L: 3	Rental	66	42	108	Complete
Sisters of Charity	Portion of B: 8801/ L: 1	Rental	33	33	66	Planned
95 Mt. Kemble Avenue	B: 5506/ L: 25 B: 5605/ L: 5-8	Rental	23		23	Planned
375-403 Mt. Kemble Avenue	B: 5101/ L: 4-7	Sales	7		7	No longer viable
Grant Homes a.k.a. 122 Mt. Kemble Avenue	B: 5604/ L: 1	Rental	1		1	Complete
Total			343	112	455	
Surplus of 5 Units over 450 Unit RDP						

¹ The Township applied Prior Round "surplus credits" toward its Third Round Prospective Need obligation as follows: 38 of the total 100 affordable units at Morris Mews, 14 of the total 16 affordable units at James Street Commons, and all 64 of the affordable units at Moore Estate.

THIRD ROUND UNMET NEED (367 UNITS)

Pursuant to the 2017 Settlement Agreement, the Township adopted overlay zoning to provide a realistic opportunity for the development of affordable housing permitting multifamily housing on sites each with a mandatory set aside. On May 24, 2018, the Township adopted the overlay zones, the MF-10/AH Multifamily Affordable Housing Overlay Zone and MF-12/AH Multifamily Affordable Housing Overlay by Ordinance No. 15-18.

Pursuant to the 2023 Global Agreement related to the Red Bulls soccer facility, the Township was

required to increase the densities in the MF-10/AH zone to 12 dwelling units per acre (from 10 dwelling units per acre) with a 15 percent set aside and a density of 15 units per acre with a 20 percent set aside. The Township adopted the revised overlay zoning on June 21, 2023 by Ordinance No. 13-23. Additionally, Block 10001, Lot 7 located on Lindsley Drive was added to the MF-10/AH zone.

A summary of the overlay zones adopted to address Morris Township's Third Round Unmet Need obligation pursuant to the 2017 Settlement Agreement and 2023 Global Agreement are provided in Table 22, Overlay Zones to Address Unmet Need.

Table 22. Overlay Zones to Address Unmet Need

Block/Lot	Density (dwelling units/ acre)	Set-Aside (%)	Overlay Zone
B: 10401/L: 2	12/15	15/20	MF-12/AH Overlay Zone
B: 10312/L: 1 B: 10313/L: 13	12/15	15/20	MF-10/AH Overlay Zone
B: 10103/ L: 4	12/15	15/20	MF-10/AH Overlay Zone
B: 10103/ L: 5	12/15	15/20	MF-10/AH Overlay Zone
B: 10104/ L: 1	12/15	15/20	MF-10/AH Overlay Zone
B: 10104/ L: 13	12/15	15/20	MF-10/AH Overlay Zone
B: 10001/ L: 7	12/15	15/20	MF-10/AH Overlay Zone
B: 10001/ L: 8	12/15	15/20	MF-10/AH Overlay Zone

5.2 Calculation of Fourth Round Obligation (2025-2035)

5.2.1 Introduction

The Fourth Round affordable housing obligation is comprised of two components: a Present Need (or Rehabilitation) obligation; and a Prospective Need obligation.

The Present Need obligation is defined as the number of substandard existing deficient housing units in the municipality currently occupied by low- and moderate-income (LMI) households.

The Prospective Need is a projection of the need for low- and moderate-housing based on development and growth which is reasonably likely to occur in a region or a municipality.

5.2.2 DCA Estimates of Township's Fourth Round Obligations

The Amended FHA required the New Jersey Department of Community Affairs ("DCA") to provide an estimate of the fair share affordable housing obligations of all municipalities on or before October 20, 2024 based upon the criteria of the Amended FHA. DCA issued a report on October 18, 2024 (the "DCA Report") wherein it reported its nonbinding estimate of the fair share affordable housing obligation for all municipalities based upon its interpretation of the standards in the Amended FHA.

The DCA Report calculated Morris Township's Round 4 (2025-2035) Present Need (Rehabilitation) Obligation of 9 units; and Prospective Need of 571 units. The calculation of the 571 units is described below.

Per the Amended DCA, DCA calculated municipal Prospective Need obligations as a share of the region in which the municipality is located. Region 2, in which Morris Township is located, includes Warren, Union, Morris, and Essex Counties. As established in the Amended FHA, the regional Prospective Need is calculated by establishing the increase in households in the region between the 2020 and 2010 Federal Decennial Census and dividing the household change increase by 2.5 to estimate the number of low- and moderate-income households (and the number of homes needed to address same).

The Prospective Need for Region 2 is 20,506 units, with this need allocated to municipalities throughout the region, except for designated Qualified Urban Aid Municipalities, which are exempt from addressing Prospective Need. Regional Prospective Need is then allocated across the non-qualified urban aid municipalities in the region by applying three factors detailed below.

EQUALIZED NONRESIDENTIAL VALUATION FACTOR

The Equalized Nonresidential Valuation Factor measures the change in nonresidential property valuations in the municipality from 1999 to 2023 divided by the regional total change in nonresidential valuations, with the intent to shift housing to municipalities experiencing employment growth. DCA calculated an Equalized Nonresidential Valuation Factor for Morris Township of 0.6 percent.

INCOME CAPACITY FACTOR

The Income Capacity Factor measures the extent to which a municipality's income level differs from that of the lowest-income municipality in the Housing Region. The factor is calculated by averaging two measures. The first is calculating the municipal share of the regional sum of differences between median household income and an income floor of \$100 below the lowest median household income in the region. The second is the same calculation weighted by number of households within the municipality. The intent is to shift portions of the obligation to municipalities with higher household incomes. DCA calculated an Income Capacity Factor for Morris Township of 2.3 percent.

LAND CAPACITY FACTOR

The Land Capacity Factor purports to determine the total acreage that is developable in a municipality as a proportion of developable acreage in the Region. This is determined by utilizing the most recent land use / land cover data from the New Jersey Department of Environmental Protection (DEP), in combination with the most recently available MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from DCA. The calculation of developable land is intended to exclude lands subject to development limitations, including open space, preserved farmland, category one waterways and wetland buffers, steep slopes and open waters. DCA preserved all areas that remained that were greater than 2,500 SF in size, under the assumption that an area of twenty-five feet by 100 feet may be considered developable.

DCA estimated that Morris Township has ±288 acres of developable land. The DCA calculated that Region 2 contains a total of 5,358 acres of developable land. As such, DCA calculated that the Township had 5.37 percent of developable land across Region 2.

AVERAGE ALLOCATION FACTOR

Pursuant to the Amended FHA, DCA averaged the Equalized Nonresidential Valuation Factor, Income Capacity Factor, and Land Capacity Factor for each municipality to determine an Average Allocation Factor, which is the basis for the municipal Prospective Need. DCA calculated that Morris Township's Average Allocation Factor was 2.78 percent. This translated to Morris Township having an affordable housing obligation to provide 2.78 percent of Region 2's Prospective Need of 20,506 units or 571 units.

5.2.3 Township Estimates of Fourth Round Obligation

The Amended FHA provides that the DCA Report is non-binding, thereby giving municipalities the opportunity to propose a different fair share affordable housing obligation from those reported by the DCA on October 18, 2024.

Per the Amended FHA, municipalities were required to make a binding resolution no later than January 31, 2025 setting forth its Present and Prospective Fair Share obligation. A declaratory judgment action

was required to be filed within forty-eight (48) hours of the adoption of the aforementioned binding resolution. The filing of a declaratory judgment action was required in order to protect the municipality from exclusionary zoning litigation and protect the municipality from losing its immunity from said litigation.

Morris Township exercised its right to analyze the data in the DCA Report. The Township accepted the Present Need (Rehabilitation) Obligation of 9 units as reported by the DCA in its October 18, 2024 Report. The Township did challenge DCA's estimate of the Township's Prospective Need obligation of 571 units. The Township analyzed the data used by DCA in order to demonstrate that the data, when correctly applied, supported a lower Round 4 Prospective Need obligation.

The Township did not dispute DCA's calculation of the Township's Equalized Nonresidential Allocation Factor or Income Capacity Allocation Factor. However, the Township did contest DCA's calculations of the Township's Land Capacity Factor which in turn impacted the Township's Average Allocation Factor. The Township found that the amount of developable land used to calculate the Land Capacity Allocation Factor by DCA was overinclusive and, consequently, should be adjusted from ± 288 acres to ± 79 acres to more accurately reflect the developable acreage in Morris Township. As a consequence, the Township contended that the developable land within Region 2 should be reduced by approximately ± 209 acres from 5,358 acres to $\pm 5,149$ acres; the Land Capacity Factor for the Township should be reduced from 5.37 percent to 1.5 percent; and the Average Allocation Factor should also be reduced from 2.78 percent to 1.5 percent. In short, the Township calculated that its Prospective Need obligation is 308 units.

Pursuant to the Amended FHA, on January 29, 2025, the Morris Township Committee adopted a binding resolution (Resolution Number (51-25) of participation with the Affordable Housing Dispute Resolution Program (the "Program") in accordance with the requirements of the Amended FHA. The Township's resolution to set the Township's affordable housing obligations for the Fourth Round as follows: a Present Need of 9 units; and a Prospective Need of 308 units.

The Township subsequently filed the resolution and a declaratory judgment (Docket No. MRS-L-270-25) within 48 hours of adoption with the Superior Court.

5.2.4 Challenge and Settlement of Fourth Round Obligation

In accordance with the timeframes set forth in the Amended FHA, both Fair Share Housing Center and the New Jersey Builders Association ("NJBA") filed objections to the Township's resolution contending that the Township had improperly calculated its Prospective Need obligation.

The Township engaged in settlement conferences with Fair Share Housing Center before reaching a settlement on March 28, 2025 that the Township's Prospective Need obligation for the Fourth Round is 375 units. The Program recommended the obligation to the Mt. Laurel vicinage judge. In a letter dated April 3, 2025, the NJBA confirmed that NJBA did not object to nor file any appeal of the Township's agreement with FSHC.

On May 2, 2025, the Mt. Laurel vicinage judge issued a judgment confirming the Program's

recommendation (see **Appendix C**). In short, the Township's Fourth Round obligation is as follows in Table 23, Fourth Round Obligation.

Table 23. Fourth Round Obligation

Present Need (Rehabilitation) Obligation	9 Units
Prospective Need Obligation	375 Units

5.3 Plan to Address Fourth Round Obligation (2025-2035)

5.3.1 Present Need (9 Unit Obligation)

Morris Township's Affordable Housing Administrative Agent, Rehabco Inc., was appointed to provide housing rehabilitation program services to the Township. Rehabco is in the process of making necessary roof and water line repairs at 14 affordable units at the Oaks Condominium Complex to meet minimum standard of health and safety and code standards as set forth in Morris Township's Housing Rehabilitation Program Guidelines through Morris Township's Affordable Housing Trust Fund; and

Additionally, the Township will continue to participate in The Morris County Housing Rehabilitation Program which provides funds to income eligible homeowners to address major system failures in their primary residence. Additionally, in the event that funds from Morris County Community Development Program are deficient, the Township has sufficient funds in its Affordable Housing Trust Fund which can be used to cover any shortfall.

5.3.2 Plan to Address 375-Unit Prospective Need Obligation

In order to address to its 375-unit Prospective Need obligation the Township proposes the following compliance mechanisms.

EXTENSION OF AFFORDABILITY CONTROLS (121 EXTENSIONS + UP TO 60 BONUSES = 181 CREDITS)

On December 18, 2024, the Township Committee adopted a resolution (No. 289-24) authorizing the Township Administrator and professionals to negotiate agreements for the provision of financial incentives paid from the Affordable Housing Trust Fund to affordable for-sale unit owners in exchange for extensions of affordability controls.

In Spring 2025, the Township sent letters to owners of low- and moderate-income homes for which deed restrictions were expiring explaining that the Township will pay \$10,000 to the homeowner in exchange for the homeowner signing an agreement to extend affordability restrictions on their unit for an additional 30 years. A sample copy of the letter to homeowners and the Agreement to Extend Affordability Restrictions containing the deed restrictions is enclosed in **Appendix D**. As of the time of this plan, we have signed extension agreements with 121 households and anticipate additional participation in the coming months.

SUPPORTIVE SPECIAL NEEDS HOUSING (5 BEDROOMS + UP TO 5 BONUSES = 10 CREDITS)

Block 8602/Lot 10, otherwise known as 4 Old Turnpike Road, is a 0.53-acre site owned by Morris Township (see **Figure 1**). It is in the B-11 Zone. Community Hope intends to purchase the property to create five permanent supportive housing beds for individuals with disabilities. Community Hope ("CH") will be the project sponsor, service provider and owner. Nouvelle, LLC will be the developer for the project.

The lot is located in a mixed-use area of residential and commercial uses. The proposed lot consists of an existing 2 story home that will be renovated to accommodate a 5-bedroom, 2-bathroom project. There are many pharmacies, stores, parks, recreational activities, and transportation within driving and walking distance.

The exterior of the house will have vinyl siding and a pitched roof. Access to the building is gained by a sloped walkway at both the front and back doors. The building will include 5 bedrooms, 2 bathrooms, a kitchen, dining area, a family room, laundry area, den, and an office. The first floor will be accessible for the residents. Each bedroom will be a minimum of approximately 100 sq. ft.

CH will provide the services to the 5 residents. This program will provide housing to low income individuals with disabilities who usually are at or under 30 percent of area median income. There is no minimum income needed to afford the proposed housing. Potential residents typically rely on Supplemental Security Income (SSI) or Social Security Disability (SSD) benefits. Income will be verified through income statements, paychecks, SSI/SSD checks, etc.

CH was awarded the Residential Services for Individuals Discharged from Nursing Facilities contract to provide 24-hour care to people with mental illness leaving a nursing home after an episode of care. Capital funding to purchase and renovate a location and operating funding were awarded for this Community Residence.

The site is in the RA-35 zone and will be rezoned to permit the project. The draft zoning (the "SN/SS Zone") is included in **Appendix E**

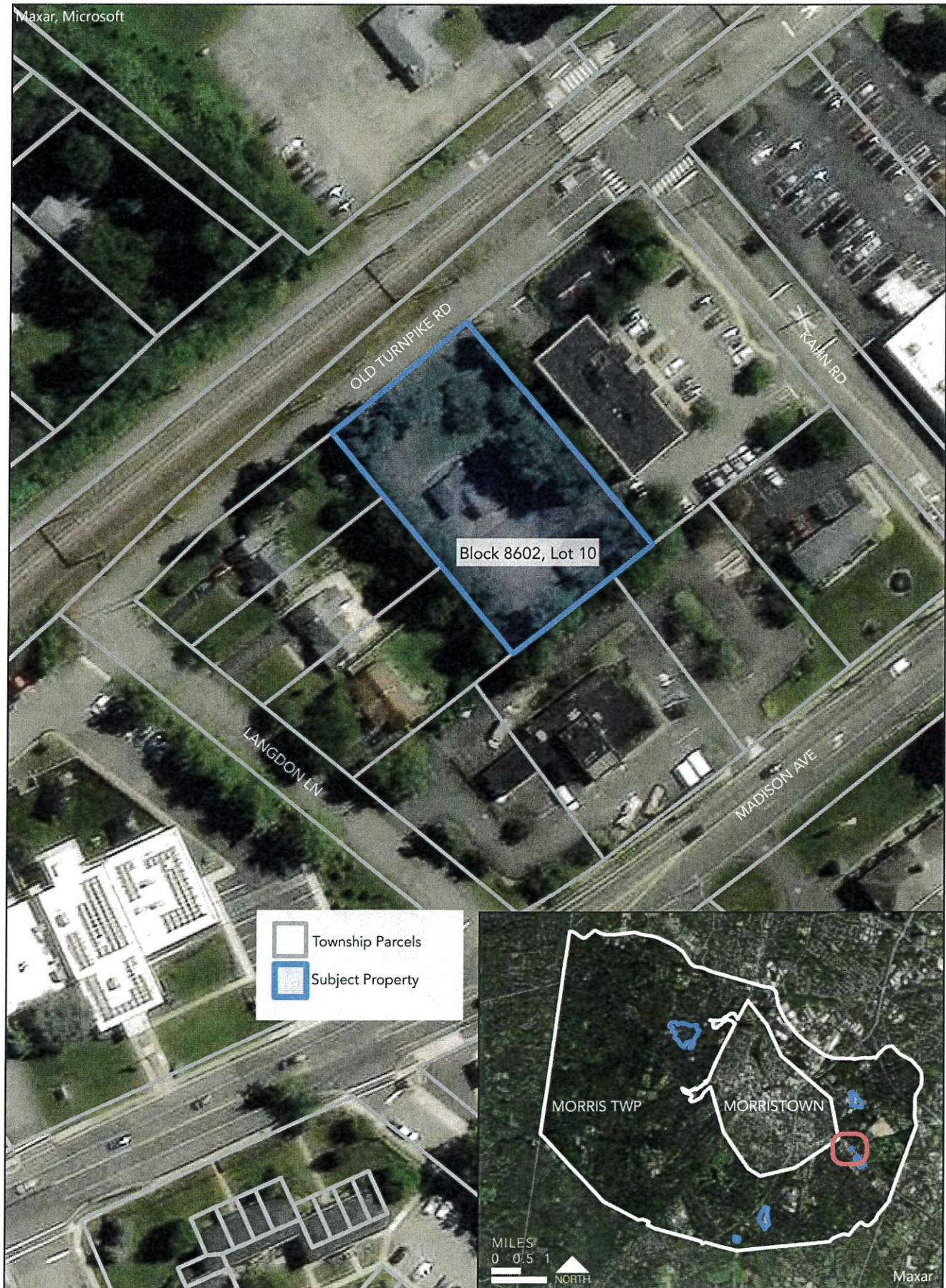


Figure 1: 4 Old Turnpike Road, Block 8602, Lot 10

INCLUSIONARY HOUSING PROJECTS (167 AFFORDABLE HOUSING UNITS + 29 BONUSES = 196 CREDITS)

The Township plans to rezone the five privately-owned properties for inclusionary development that will yield a minimum of 167 affordable units and a minimum of 29 bonus credits. A description of each site's proposed conceptual development is described in the next section. Draft zoning is included in **Appendix E**.

Additionally, the site suitability of each project is provided in the next section. In accordance with the requirements of N.J.A.C 5:93-5.3, municipalities shall designate sites that are:

- **Available**, i.e., have clear title and is free of encumbrances which preclude development);
- **Suitable**, i.e., adjacent to compatible land uses, have access to appropriate streets, and are consistent with the environmental policies of N.J.A.C. 5:93-4;
- **Developable**, i.e., have access to appropriate water and sewer infrastructure and are consistent with the areawide water quality management plan.
- **Approvable**, i.e., can be developed in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site;
- Align with the **State Development and Redevelopment Plan** ("SDRP"), per N.J.A.C. 5:93-5.4.

5.4 Description and Site Suitability for Proposed Inclusionary Projects

100 SOUTHGATE PARKWAY (21 AFFORDABLE UNITS AND UP TO 10 BONUS CREDITS)					
BLOCK/LOT:	7101/ 2	ADDRESS:	100 Southgate Parkway	CURRENT ZONING	OL-15
				DRAFT ZONING	TH-5/AH
ACREAGE:	19.17	DENSITY	5 dwelling units/acre based on gross acreage (±10 dwelling units/acre based on developable acreage)	UNIT TYPE(S)	Townhouses
					Family
TOTAL UNITS	104	SET AIDE	20 percent	AFFORDABLE UNITS	21
CURRENT USE	Office Building (vacant)	POTENTIAL BONUS TYPE	0.5 credits for office redevelopment	POTENTIAL BONUS CREDITS	Up to 10
<p>AVAILABLE: To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary housing.</p>					
<p>SUITABLE: The proposed townhouse development would be adjacent to the James Place townhouse development and across the street from single-family residential uses. The site has frontage on Southgate Parkway in close proximity to Route 287. The site also has frontage on Laura Lane. The Great Brook runs along the western edge of the property. As shown on the aerial map (see Figure 2), the site includes areas in the regulatory floodway, and floodplains. However these environmental constraints will not preclude the proposed affordable housing development. The site will not impact any historic or architecturally important sites and districts. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of affordable housing.</p>					
<p>DEVELOPABLE: The site has access to appropriate water and sewer infrastructure and is consistent with the areawide water quality management plan. The Township Administrator has also confirmed that the Township's public sewer and water system has sufficient capacity to serve the proposed project.</p>					
<p>APPROVABLE: The Township will rezone the site to permit the proposed project. The development can be accommodated outside of the regulatory floodway, floodplains, and any required associated buffers. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).</p>					
<p>ALIGN WITH THE SDRP: The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites, in this case a vacant office building.</p>					



Figure 2: 100 Southgate Parkway, Block 7101, Lot 2

300 MADISON AVENUE (24 AFFORDABLE UNITS AND UP TO 12 BONUS CREDITS)					
BLOCK/LOT:	8601/ 4	ADDRESS:	300 Madison Avenue	CURRENT ZONING	OL-15
				DRAFT ZONING	TH-15/AH
ACREAGE:	7.8	DENSITY	15 dwelling units/acre	UNIT TYPE(S)	Townhouses/ Stacked Townhouses
					Family
TOTAL UNITS	118	SET AIDE	20 percent	AFFORDABLE UNITS	24
CURRENT USE	Office Building (vacant)	POTENTIAL BONUS TYPE	0.5 credits for office redevelopment/ half-mile from NJ Transit station	POTENTIAL BONUS CREDITS	Up to 12

AVAILABLE: To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development.

SUITABLE: The proposed development would be across Punchbowl Road from the Brownstones townhouse development and is in close proximity to Liberty Green townhouses and other single-family development (see **Figure 3**). The site has frontage on Madison Avenue, a major thoroughfare connecting the Township to Morristown. The site is also within a half mile of Convent Station NJ Transit station. There are no known environmental constraints on the property. The site will not impact any historic or architecturally important sites and districts. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of affordable housing.

DEVELOPABLE: The site has access to appropriate water and sewer infrastructure and is consistent with the areawide water quality management plan. The Township Administrator has also confirmed that the Township's public sewer and water system has sufficient capacity to serve the proposed project.

APPROVABLE: The Township will rezone the site to permit the proposed project. The development can be accommodated outside of the regulatory floodway, floodplains, and any required associated buffers. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP: The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites, in this case a vacant office building. Additionally, the project will be within walking distance of mass transit, i.e., NJ Transit.

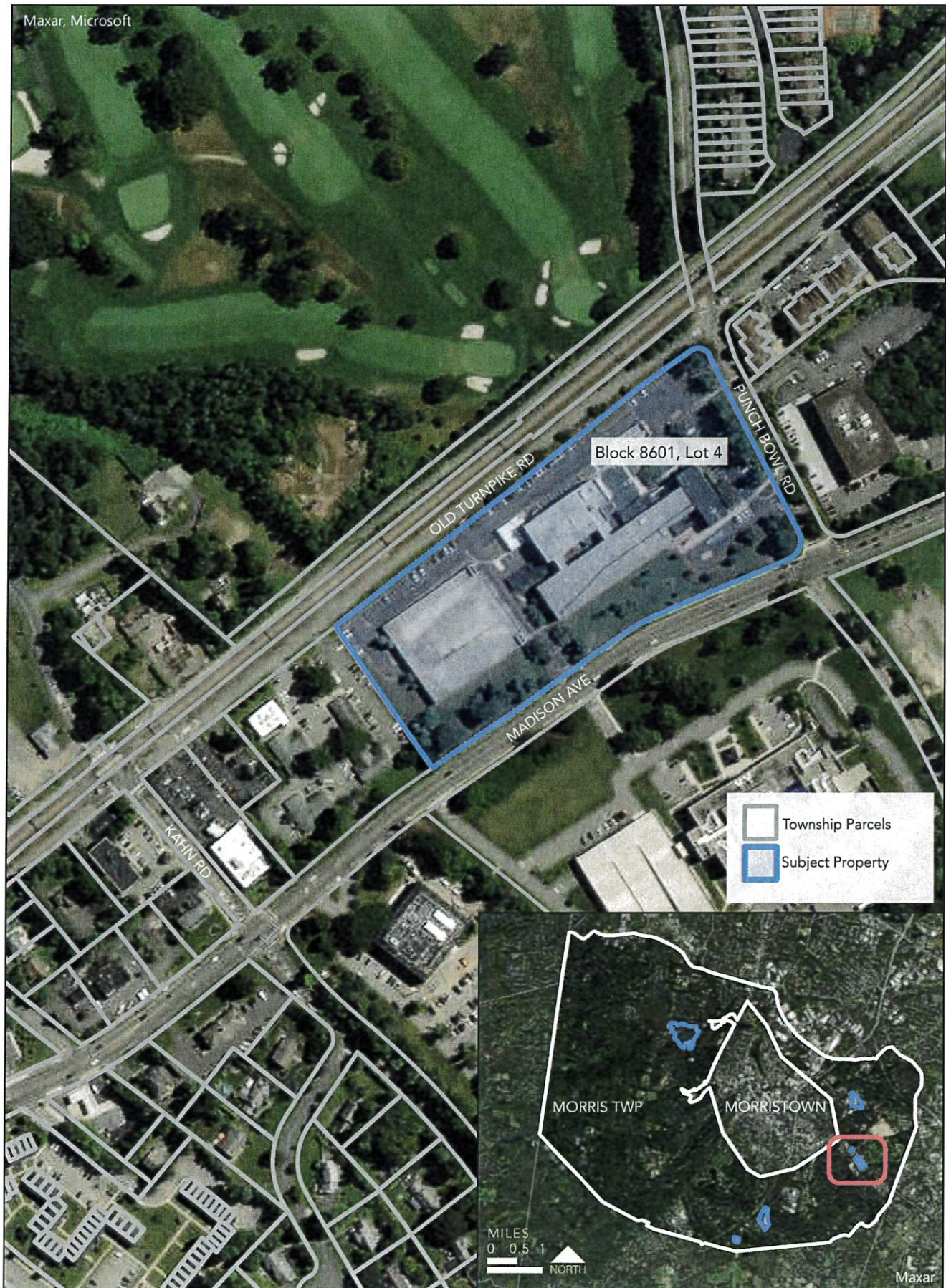


Figure 3: 300 Madison Avenue, Block 8601, Lot 4

291 JAMES STREET (3 AFFORDABLE UNITS)					
BLOCK/LOT:	6705/5	ADDRESS:	291 James Street	CURRENT ZONING	RA-35
				DRAFT ZONING	TH-6/AH-2
ACREAGE:	2.69	DENSITY	6 dwelling units/acre	UNIT TYPE(S)	Townhouses
					Family
TOTAL UNITS	15	SET AIDE	20 percent	AFFORDABLE UNITS	3
CURRENT USE	Single-Family Home	POTENTIAL BONUS TYPE	n/a	POTENTIAL BONUS CREDITS	---
<p>AVAILABLE: To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development.</p>					
<p>SUITABLE: The proposed development would be across adjacent to single-family homes and a Church of Latter Day Saints (see Figure 4). The site is also across from Dorset Hollow condominiums. The site has frontage on James Street in close proximity Route 287. There are no known environmental constraints on the property. The site will not impact any historic or architecturally important sites and districts. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of affordable housing.</p>					
<p>DEVELOPABLE: The site has access to appropriate water and sewer infrastructure and is consistent with the areawide water quality management plan. The Township Administrator has also confirmed that the Township's public sewer and water system has sufficient capacity to serve the proposed project.</p>					
<p>APPROVABLE: The Township will rezone the site to permit the proposed project.. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).</p>					
<p>ALIGN WITH THE SDRP: The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development.</p>					



Figure 4: 291 James Street, Block 6705, Lot 5

60 COLUMBIA ROAD (84 AFFORDABLE UNITS AND UP TO 42 BONUS CREDITS)					
BLOCK/LOT:	9301/8	ADDRESS:	60 Columbia Road	CURRENT ZONING	OL-15
				DRAFT ZONING	MF-25/TH-25 Multi-Family/ Townhouse Affordable Housing Zone
ACREAGE:	15.4	DENSITY	25 dwelling units/acre	UNIT TYPE(S)	Townhouses/ Multifamily Family
TOTAL UNITS	382	SET AIDE	22 percent	AFFORDABLE UNITS	84
CURRENT USE	Office Building	POTENTIAL BONUS TYPE	0.5 credits for office redevelopment	POTENTIAL BONUS CREDITS	Up to 42
<p>AVAILABLE: To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development.</p>					
<p>SUITABLE: The site has frontage on Columbia Road which serves as a connector between Routes 24 and 287 (see Figure 5). The site also has access from Whippany Road. The site's topography is up to 20 feet lower than the grade of Columbia Road which will help to mitigate any views of the project from the roadway. The site is located between an office building and the Morris Museum. To the rear of the property is Holy Rood Cemetery. Across Columbia Road is Frelinghuysen Park and across Whippany Road from the site is the Frelinghuysen Arboretum. There are no known environmental constraints on the property. The site will not impact any historic or architecturally important sites and districts. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of affordable housing.</p>					
<p>DEVELOPABLE: The site has access to appropriate water and sewer infrastructure and is consistent with the areawide water quality management plan. The Township Administrator has also confirmed that the Township's public sewer and water system has sufficient capacity to serve the proposed project.</p>					
<p>APPROVABLE: The Township will rezone the site to permit the proposed project. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).</p>					
<p>ALIGN WITH THE SDRP: The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development. The site is consistent with other SDRP objectives including redevelopment of improved sites.</p>					

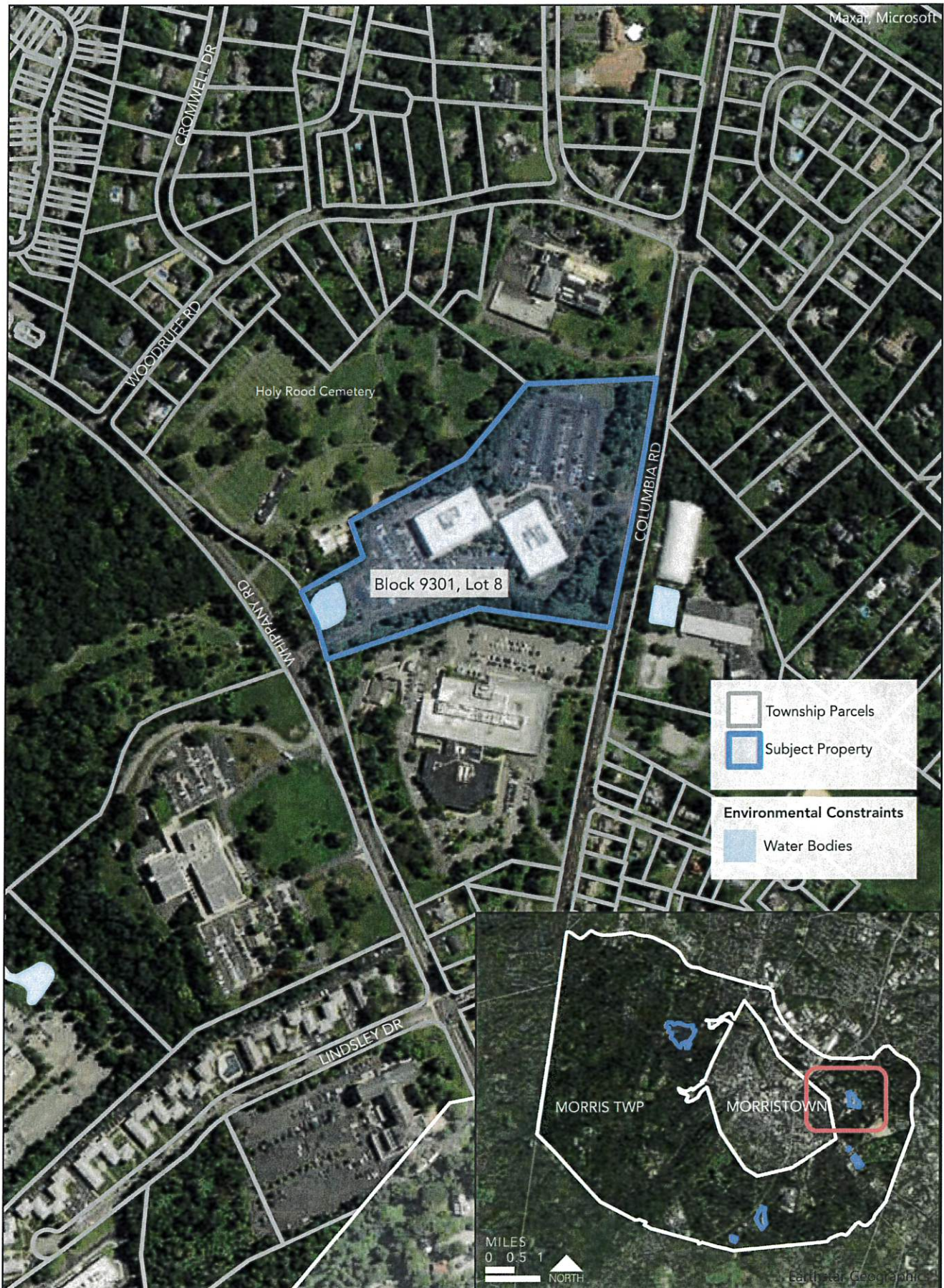


Figure 5: 60 Columbia Road, Block 9301, Lot 8

227 SUSSEX AVENUE (35 AFFORDABLE UNITS)					
BLOCK/LOT:	601/18	ADDRESS:	227 Sussex Avenue	CURRENT ZONING	OSGU
				DRAFT ZONING	TH-8/AH-2
ACREAGE:	21.46	DENSITY	8 dwelling units/acre	UNIT TYPE(S)	Townhouses
					Family
TOTAL UNITS	175	SET AIDE	20 percent	AFFORDABLE UNITS	35
CURRENT USE	Vacant Land	POTENTIAL BONUS TYPE	n/a	POTENTIAL BONUS CREDITS	---

AVAILABLE: To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development.

SUITABLE: The site is 21.46-acres that would be subdivided from a larger mostly vacant parcel owned by the Rabbinical College of America ("RCA") (see **Figure 6**). Dormitories for the college are located in a western portion of the larger lot but would not be part of this project. There are also two outparcel residential lots not owned by RCA. These parcels are not part of this project but the Township may consider providing overlay zoning on the lots at a future date.

The site has frontage on Sussex Avenue and is situated between residential homes on Lake Valley Road and Rambling Woods Drive to the east and Streeter Pool to the west. Single-family homes are located across Sussex Avenue as is the Rabbinical College campus. The Whippany River and one of its tributaries runs through the northern portion of the site which is mostly wooded. The Patriots Path abuts the northern boundary.

As part of any redevelopment project, RCA or the site developer will create a trail connecting Lake Valley Road to Sussex Avenue. Additionally, RCA will work together with the Township in good faith with the intent of dedicating to the Township a significant portion, and preserving as open space the entirety, of a ~26.5 acre open space area in the northern portion of the site.

Additionally, as part of this project RCA or the developer commits to a 50-foot wide buffer, with a significant portion thereof dedicated to the Township by way of conservation easement, along the easterly border of the property to protect the residences on Lake Valley Road and Rambling Woods from visual intrusion, glare, noise, etc. from any future development in that portion of the parcel with the understanding that the Township recognizes that the need for a future ingress/egress driveway to that portion of the site may require modest reductions in the width of that buffer in the area of the driveway. That said, RCA or the developer will endeavor to locate the driveway as far to the west as reasonably practicable to maximize the width of the buffer.

227 SUSSEX AVENUE (35 AFFORDABLE UNITS)

The site will not impact any historic or architecturally important sites and districts. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of affordable housing.

DEVELOPABLE: The site has access to appropriate water and sewer infrastructure and is consistent with the areawide water quality management plan. The Township Administrator has also confirmed that the Township's public sewer and water system has sufficient capacity to serve the proposed project.

APPROVABLE: The Township will rezone the site to permit the proposed project. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP: The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development. The site is consistent with other SDRP objectives including redevelopment of improved sites.

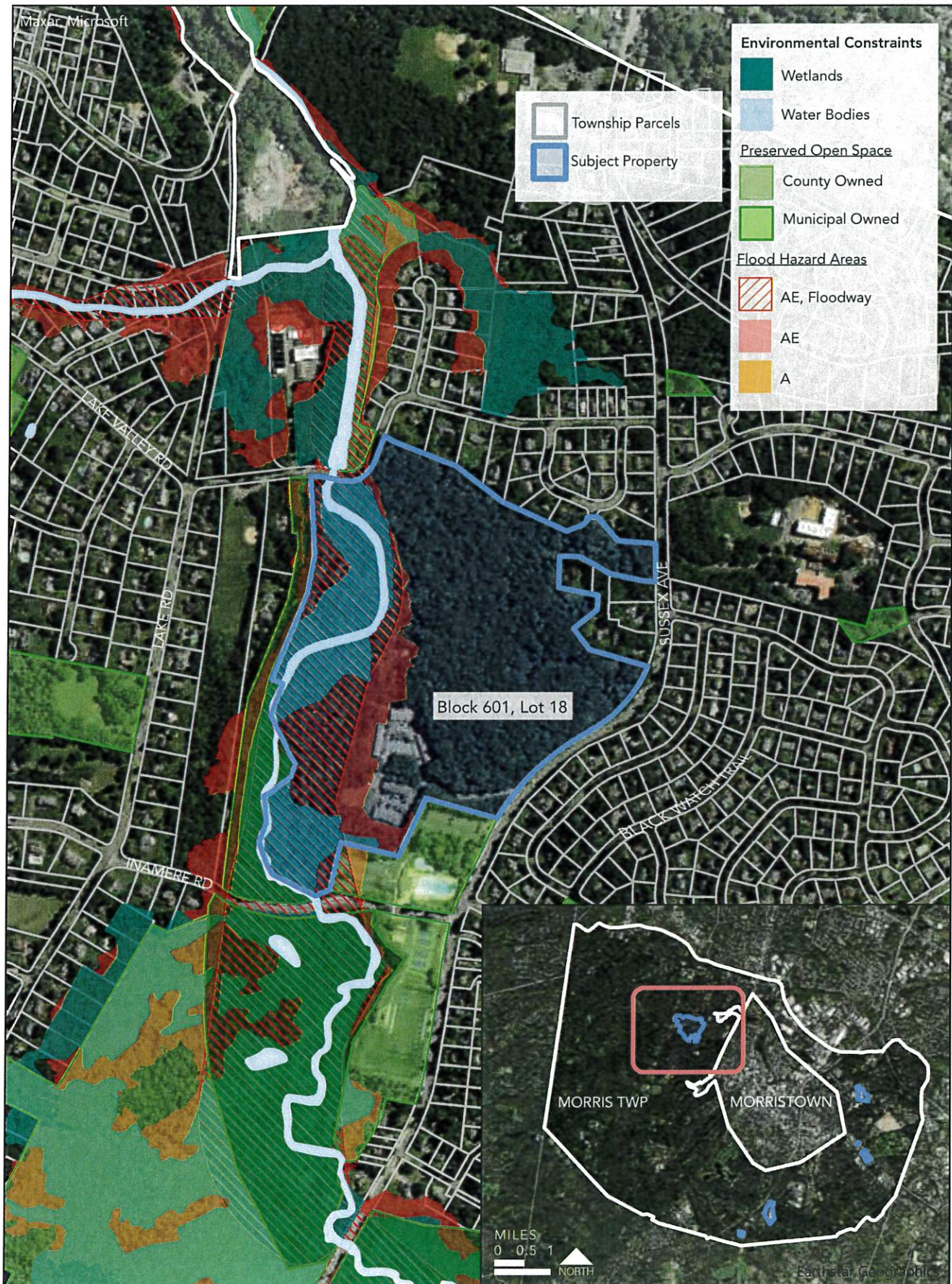


Figure 6: 227 Sussex Avenue, Block 601, Lot 18

5.5 Summary of Fourth Round Affordable Housing Plan

A summary of the overlay zones adopted to address Morris Township's Third Round Unmet Need obligation pursuant to the 2017 Settlement Agreement and 2023 Global Agreement are provided in Table 24, Fourth Round Affordable Housing Plan. Please note that a portion of the 12-unit surplus will be used to address the 7-unit project at 375-403 Mt. Kemble Avenue which was part of the Township's Third Round Plan but which no longer presents a realistic opportunity for. As a result, the 7 units will be addressed in the Township's Fourth Round Plan.

Table 24. Fourth Round Affordable Housing Plan

Project	Block/Lot	Tenancy	Units	Bonus Credits	Total
4 Old Turnpike Road/Community Hope	8602/10	Supportive Housing/ Special Needs	5	5	10
100 Southgate Parkway	7101/2	Sales	21	10	31
300 Madison Avenue	8601/4	Sales	24	12	36
291 James Street	6705/5	Sales	3		3
60 Columbia Road	9301/8	Sales/Rentals	84	42	126
227 Sussex Avenue	601/18	Sales	35		35
Extension of Affordability Controls			121	25	
Total			293	94*	387
Surplus					12 Units

*Although the projects listed in the table are, in some cases, eligible for additional bonuses, per the Amended FHA, the total number of bonus credits shall in no circumstance exceed 25 percent of the municipality's prospective obligation. In this case, 25 percent of the Prospective Need obligation of 375 units is 94 units.

5.6 Other Requirements

The Township will comply with the following requirements pursuant to the Amended FHA:

- **Very Low Income Obligation.** Per the Amended FHA, the Township will require that 13% of all units created in this plan, except those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low-income units, with half of the very low-income units being available to families.
- **Low Income Obligation.** Per the Amended FHA, the Township will require that at least 50 percent of the units created to address the Fourth Round Prospective Need will be affordable to very low-income and low-income households, with the remainder affordable to moderate-income households.
- **Minimum Rental Obligation.** Per the Amended FHA, a municipality shall satisfy a minimum of 25 percent of the actual affordable housing units created, exclusive of any bonus credits, to address its prospective need affordable housing obligation, through rental housing, including at least half

of that number available to families with children. The Township is creating 172 affordable units to address its 375 unit obligation. Twenty-five percent of 172 units is 43 units. The Township will satisfy this obligation with 60 family rental units the 60 Columbia Road project and 5 special needs/supportive housing beds at 4 Old Turnpike Road.

- **Minimum Family Obligation.** Per the Amended FHA, a municipality shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any bonus credits, created to address its prospective need affordable housing obligation through the creation of housing available to families with children. The Township is creating 172 affordable units to address its 375-unit obligation. All are available to households with children except the 5 special needs/supportive beds at 4 Old Turnpike Road.
- **Maximum Permitted Age-Restricted Units.** The Township does not anticipate any age-restricted development at this time. However, if age-restricted units are developed, the Township will comply with an age-restricted cap of 30 percent per the Amended FHA.
- **Required Bedroom Distribution.** All units shall include the required bedroom distribution, and be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1 et seq. or any successor regulation.

5.7 Spending Plan

The Township's Fourth Round Spending Plan is included in **Appendix F**.

6 Consistency with the State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

The State Plan is not a regulation, but a policy guide, and is meant to coordinate planning activities and development throughout the state. At the municipal level, master plans are required to be evaluated and, if necessary, modified to reflect policies of the State Plan. The State Plan is also important when the State makes infrastructural and other investment decisions, i.e., in determining where available State funds should be expended.

A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been readopted once during the 32 years since its original adoption. A new State Strategic Plan (SSP) was proposed in 2011 as the revision to the 2001 SDRP, but it has not been advanced in recent years. The State Office of Planning Advocacy started the process of preparing a new State Plan in 2023 and the State Planning Commission has been engaging with stakeholders. As part of the update process, the State Planning Commission approved the Preliminary State Development and Redevelopment Plan on December 4, 2024, and is now undertaking the Cross-Acceptance process (i.e. review of the plan at the county level).

Spatially, the last adopted State Plan utilizes planning areas, centers, and environs as a framework for implementing Statewide goals and policies. The State Plan Map indicates that the Township of Morris is located within the Metropolitan Planning Area (PA1), Fringe Planning Area (PA3), and the Environmentally Sensitive Planning Area (PA5).

For the Metropolitan Planning Area, the State Plan has four major aims, as follows: (1) to provide for much of the state's future redevelopment; (2) to revitalize cities and towns and promote growth in compact forms; (3) to stabilize older suburbs and redesign areas of sprawl; and (4) to protect the character of existing stable communities.

The land use policy objectives of the Metropolitan Planning Area are to:

1. Promote redevelopment and development in cores and neighborhoods through cooperative regional planning efforts;
2. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community; and

3. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

For the Fringe Planning Area, the State Plan has four major aims, as follows: (1) to provide a buffer between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas; (2) to accommodate growth, but confine programmed sewers and public water services to Centers and revitalize cities and towns; (3) to protect natural resources and Environs; and (4) to protect the character of existing stable communities.

The land use policy objectives of the Fringe Planning Area are to:

1. Focus development and redevelopment in appropriately located and designed Centers to accommodate growth that would otherwise occur in the Environs;
2. Protect the Environs primarily as open lands; and
3. Development and redevelopment in the Environs should not exceed the carrying capacity of the area and should maintain or enhance the character of the Environs.

For the Environmentally Sensitive Planning Area, the State Plan has four major aims, as follows: (1) to protect the environmental resources through the protection of large contiguous areas of land; (2) to accommodate growth only in Centers and confine programmed sewers and public water services to Centers; (3) to revitalize cities and towns; and (4) to protect the character of existing stable communities.

The land use policy objectives of the Environmentally Sensitive Planning Area are to:

1. Protect natural systems and environmentally sensitive feature by guiding development and redevelopment into Centers and establishing Center Boundaries and buffers and greenbelts around these boundaries;
2. Maintain open space networks, critical habitat and large contagious tracts of land in the Environs by a variety of land use techniques;
3. Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems and protects areas where public investments in open space preservation have been made; and
4. Development and redevelopment in the Environs should maintain and enhance the natural resources and character of the area.

The Morris Township Housing Element and Fair Share Plan recognizes the need to encourage development and redevelopment on the limited developable land in the Township, while also prioritizing the protection of its natural resources and maintaining the character of the area. This Housing Plan promotes strategic and smart planning for compact forms of housing and mixed-use development in appropriate locations served by existing infrastructure and proximate to transit, stores and services, and is therefore consistent with the State Plan.

7 Appendixes

- Appendix A** 2017 Third Round Settlement Agreements with Fair Share Housing Center
- Appendix B** 2023 Global Agreement Settling Litigation Resulting From Rezoning for Red Bulls Soccer Facility
- Appendix C** Decision and Order Fixing Municipal Obligations for “Present Need” and “Prospective Need” for the Fourth Round
- Appendix D** Sample Letter to Resident and Sample Agreement to Extend Affordability Restrictions
- Appendix E** Draft Zoning for Fourth Round Inclusionary Sites
- Appendix F** Spending Plan
- Appendix G** Adopted Affordable Housing Ordinance (to be revised as needed)
- Appendix H** Adopted Affirmative Marketing Plan
- Appendix I** Resolution Appointing Municipal Housing Liaison
- Appendix J** Resolution Appointing Administrative Agent