

**GREENE TOWNSHIP  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2023-2**

**AN ORDINANCE OF GREENE TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 105 – “ZONING” OF THE CODE OF THE TOWNSHIP OF GREENE TO REMOVE “MOBILE HOME PARKS,” “TOWNHOUSES OR ATTACHED DWELLINGS,” AND “MULTIPLE DWELLING RESIDENCES (GARDEN APARTMENTS)” AS CONDITIONAL USES IN THE LOW-DENSITY RESIDENTIAL DISTRICT (R-1) AND TO PROVIDE CONSISTENCY THROUGHOUT CHAPTER 105 AS IT PERTAINS TO MULTIFAMILY DWELLING USES AND RELATED DEFINITIONS.**

**WHEREAS**, the Board of Supervisors of Greene Township desires to remove “Mobile home parks,” “Townhouses or attached dwellings,” and “Multiple dwelling residences (garden apartments)” as conditional uses in the Low-Density Residential District (R-1);

**WHEREAS**, the Board of Supervisors desires to redefine or delete certain defined terms in Chapter 105 of the Code of the Township of Greene (the “Code”) related to multifamily dwelling uses;

**WHEREAS**, the Board of Supervisors further desires to amend certain sections of Chapter 105 of the Code in order to provide consistency between those sections and the amended defined terms; and

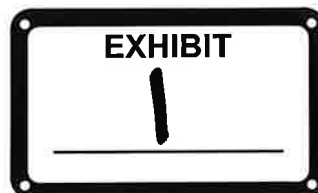
**WHEREAS**, the Board of Supervisors deems it in the best interest and for the general welfare of the citizens and residents of the Township of Greene to amend certain provisions of Chapter 105 of the Code.

**BE IT HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of Greene Township, Franklin County, Pennsylvania, as follows:

Section 1. Chapter 105 of the Code, entitled “Zoning,” Article XIII thereof, entitled “Definitions,” §105-64 thereof, entitled “Definitions,” is hereby amended by (a) removing “Garden Apartments” as a defined term and deleting its definition in its entirety; and (b) redefining the term “Multifamily Dwelling” by deleting the current definition and replacing it in its entirety with the following definition:

**DWELLING, MULTIFAMILY**

A two-story building containing three or more one-story dwelling units under one ownership. For purposes of this definition, such structures may be referred to as “garden apartments.”



Section 2. Chapter 105 of the Code, entitled “Zoning,” Article III thereof, entitled “District Use Regulations,” §105-7 thereof, entitled “Low-Density Residential District (R-1),” is hereby amended to remove “Mobile home parks,” “Townhouses or attached dwellings,” and “Multiple dwelling residences (garden apartments)” as conditional uses in the R-1 District by deleting the existing §§105-7.B.(7)–(9) in their entirety. The current §§105-7.B.(10)–(14) shall be redesignated to §§105-7.B.(7)–(11).

Section 3. Chapter 105 of the Code, entitled “Zoning,” Article III thereof, entitled “District Use Regulations,” §105-8 thereof, entitled “Medium-Density Residential District (R-2),” is hereby amended by deleting the current §105-8.A.(6) and replacing it in its entirety with the following:

- (6) Multifamily dwellings (garden apartments).

Section 4. Chapter 105 of the Code, entitled “Zoning,” Article III thereof, entitled “District Use Regulations,” §105-9 thereof, entitled “Community Commercial District (CC),” is hereby amended by deleting the current §105-9.A.(7) and replacing it in its entirety with the following:

- (7) Multifamily dwellings (garden apartments).

Section 5. Chapter 105 of the Code, entitled “Zoning,” Article IV thereof, entitled “Minimum Area and Parking Regulations,” is hereby amended by renaming §105-20, currently entitled “Multiple dwelling residences (garden apartments),” to “Multifamily dwelling residences (garden apartments).”

Section 6. Chapter 105 of the Code, entitled “Zoning,” Article IV thereof, entitled “Minimum Area and Parking Regulations,” §105-20 thereof, now entitled (in accordance with Section 5 above) “Multifamily dwelling residences (garden apartments),” is hereby amended by deleting the following ~~struckthrough~~ language from and adding the following underlined language to §105-20.A.(1):

- (1) Each ~~multiple~~ multifamily dwelling residential project shall contain a minimum of 40,000 square feet of lot area in accordance with the following standards: . . . .

Section 7. All ordinances, or parts thereof, of the Township of Greene inconsistent with the provisions of this Ordinance are hereby repealed.

Section 8. In all other respects, the ordinances of the Township of Greene shall remain as previously enacted and ordained.

Section 9. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

Section 10. This Ordinance shall be effective five (5) days after enactment.

[INTENTIONALLY BLANK; SIGNATURE PAGE FOLLOWS]

**DULY ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2023, by the Board of Supervisors of Greene Township, Franklin County, Pennsylvania, in lawful session duly assembled.

**ATTEST:**

**BOARD OF SUPERVISORS  
GREENE TOWNSHIP**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Todd E. Burns

\_\_\_\_\_  
Travis L. Brookens

\_\_\_\_\_  
Shawn M. Corwell

**APPROVED** this \_\_\_ day of \_\_\_\_\_, 2023

# memorandum

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**DATE:** February 7, 2023

**TO:** Greene Township Board of Supervisors  
cc: Dan Bachman, Kurt Williams

**SUBJECT:** Proposed Zoning Ordinance Text Amendment - Elimination of Mobile Home Parks, Townhouses, and Multi-Family Dwelling Residences as Conditional Uses in the Low Density Residential (R-1) Zoning District  
Our file: 1538 (ZIP-T6/1538R1.1)

**FROM:** Tim Cormany, AICP

The Township is currently considering the elimination of Code Sections 105-7.B.(7), (8), and (9). This action would occur via a text amendment to the Zoning Ordinance; thereby eliminating the uses of mobile home parks, townhouses (attached dwellings) and multi-family dwelling residences (garden apartments) within the boundaries of the Township's R-1 Low Density Residential zoning district.

Our office recommends proceeding with said amendment based on the following planning concepts. The Township's zoning program has evolved over the years to include multiple residential zones, each intended to represent a specific character defined by density and housing type, compatibility with existing housing development patterns, and proximity to infrastructure suited to serve the needs of varying degrees of population. As such, the R-1 district was defined as low density and has historically developed primarily as neighborhoods of single-family detached residences. The continued inclusion of traditionally higher density residential options within the low density residential district increases the probability of conflict and incompatibility between adjoining properties. The Township should recognize this potential as a primary concern within its land use regulations. The enactment of the proposed amendment would serve to diffuse certain future conflicts and improve the overall integrity of the Township's planning and zoning program.

Ample area has been designated throughout the Township for the R-2 Medium Density Residential zoning district. As its name suggests, its objective is to cater to a greater density of residential development and a wider variety of housing types that would benefit from locations closer to infrastructure and amenities designed to serve a greater and more densely-populated environment. These areas were designated around historic population nodes such as Fayetteville, Scotland, Greenvillage and Chambersburg; and also in areas with proximity to busier transportation arteries and a concentration of public utilities and services. Targeting a greater density of development for these areas precludes the need for stretching road and utility improvements further into the Township's rural areas and encouraging greater development in competition with agricultural and established lower density single-family detached housing neighborhoods.



**martin and martin, incorporated**

37 South Main Street - Suite A - Chambersburg, Pennsylvania 17201-2251  
Phone (717) 264-6759 Fax (717) 264-7339 E-mail [tcormany@martinandmartininc.com](mailto:tcormany@martinandmartininc.com)



The current ordinance has allowed mobile home parks, townhouses, and garden apartments in the R-1 district for many years as a conditional use. Presumably, the thought was that the conditional use process would allow for flexibility on the Township's part to grant approval for the occasional higher density development project with the ability to utilize a wide range of potential conditions. The legislative reality is a conditional use remains a permitted use subject only to those specific conditions identified within the Ordinance. The Township is not free to deviate from those published standards with any great degree of subjectivity unless a clear and imminent danger to the public health, safety and welfare is identified.

Considering the above-referenced factors, we recommend that the Township move forward with the necessary Zoning Ordinance text amendment to remove mobile home parks, townhouses and multi-family dwelling residences from the R-1 zoning district. This will allow those specific housing types to remain as viable options for development in Greene Township within the R-2, CC and TC zoning districts, which are areas better-suited to serve the associated higher densities of residents. It will also allow the R-1 district to maintain a greater degree of neighborhood compatibility and eliminate the intrusion of development-related improvements which often add market pressure for additional development further away from the Township's intended growth areas and further towards the Township's intended low density, rural and conservation areas.

In summary, the amendment as proposed would a) offer greater protection of established single-family detached housing neighborhoods, b) eliminate certain potential conflicts and incompatibilities between adjoining properties, c) promote a better municipal understanding of the limitations of the conditional use, d) guide developments of higher density to areas where suitable improvements, services and resources are more readily available, and e) discourage the introduction of attractive development resources further into areas of the Township not intended for growth.

TCC

**Lindsay N. Loney**

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**From:** Lindsay N. Loney  
**Sent:** Friday, February 17, 2023 9:34 AM  
**To:** lawlibrary@franklinbar.org  
**Subject:** Proposed Ordinance 2023-2  
**Attachments:** ord 2023-2 attest draft.pdf

Good morning,

Please see attached Proposed Greene Township Ordinance 2023-2, Zoning Amendment to remove townhomes, mobile home parks and garden apartments from the R1 zoning district. The Public Hearing is scheduled for March 28, 2023 at noon. If adopted, I will send a signed copy after the meeting.

Thanks and have a great day!

*Lindsay Loney*

Secretary/Treasurer  
Greene Township Board of Supervisors  
1145 Garver Lane  
Chambersburg PA 17202

[www.twp.greene.franklin.pa.us](http://www.twp.greene.franklin.pa.us)


Phone: 717-263-9160

Fax: 717-263-6427

E-mail: lloney@greentwp.us



True Copy - Attested.

  
Lindsay Loney  
3/8/2023

**GREENE TOWNSHIP  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2023-2**

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**WHEREAS**, the Board of Supervisors of Greene Township desires to remove “Mobile home parks,” “Townhouses or attached dwellings,” and “Multiple dwelling residences (garden apartments)” as conditional uses in the Low-Density Residential District (R-1);

**WHEREAS**, the Board of Supervisors desires to redefine or delete certain defined terms in Chapter 105 of the Code of the Township of Greene (the “Code”) related to multifamily dwelling uses;

**WHEREAS**, the Board of Supervisors further desires to amend certain sections of Chapter 105 of the Code in order to provide consistency between those sections and the amended defined terms; and

**WHEREAS**, the Board of Supervisors deems it in the best interest and for the general welfare of the citizens and residents of the Township of Greene to amend certain provisions of Chapter 105 of the Code.

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Section 7. All ordinances, or parts thereof, of the Township of Greene inconsistent with the provisions of this Ordinance are hereby repealed.

Section 8. In all other respects, the ordinances of the Township of Greene shall remain as previously enacted and ordained.

Section 9. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

Section 10. This Ordinance shall be effective five (5) days after enactment.



**DULY ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2023, by the Board of Supervisors of Greene Township, Franklin County, Pennsylvania, in lawful session duly assembled.

**ATTEST:**

**BOARD OF SUPERVISORS  
GREENE TOWNSHIP**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Todd E. Burns

\_\_\_\_\_  
Travis L. Brookens

\_\_\_\_\_  
Shawn M. Corwell

**APPROVED** this \_\_\_ day of \_\_\_\_\_, 2023



Franklin County Planning Department  
272 North Second Street  
Chambersburg, PA 17201  
Phone: 717-261-3855  
Fax: 717-264-8667  
Email: [planning@franklincounty.pa.gov](mailto:planning@franklincounty.pa.gov)

February 24, 2023

Daniel R. Bachman  
Greene Township Zoning Officer  
1145 Garver Lane  
P.O. Box 215  
Scotland, PA 17254-0215

Re: Proposed Zoning Ordinance Amendment

Dear Mr. Bachman,

The Franklin County Planning Department has received the proposed Zoning Ordinance Amendment affecting R-1 zoning districts. The consideration is to remove mobile home parks, townhouses or attached dwellings, and multiple dwelling residences as conditional uses from R-1 (Low Density Residential) districts.

Upon review of the request, the Zoning Amendments would produce more harmonious land uses within R-1 districts and better align housing densities with existing infrastructure. The changes are also generally consistent with Franklin Forward, the County's comprehensive plan. As such, the amendments are recommended for approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Quentin Clapper".

Quentin Clapper  
Planner



# Public Opinion

PART OF THE USA TODAY NETWORK

MAR 07 2023

GREENE TWP SUPERVISORS  
1145 GARVER LANE

CHAMBERSBURG, PA 17202

Publication Cost: \$285.50

Ad No: 0005601120

# of Affidavits: 1

Customer No: 1427786

This is not an invoice

## Affidavit of Publication

### Proof of Publication State of Pennsylvania

The **Public Opinion** is the name of the newspaper(s) of general circulation published continuously for more than six months at its principle place of business, 77 North Third Street, Chambersburg, PA 17201.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said The Public Opinion published in the editions dated on the following dates, viz:

Editions Dated: 02/21/2023, 02/28/2023

I, being first duly sworn upon oath depose and say that I am a legal clerk and employee of The Public Opinion and have personal knowledge of the publication of the advertisement mentioned in the foregoing statement as to the time, place and character of publications are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.

Linda Tett

Subscribed and sworn to before on February 28, 2023:

Kathleen Allen

Notary, State of Wisconsin, County of Brown

1-7-25

My commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

EXHIBIT  
5

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Greene Township, Franklin County, Pennsylvania, will hold a public hearing to consider for adoption an Ordinance entitled and summarized hereinafter, at its regularly scheduled meeting to be held on March 28, 2023, at Noon, at the Greene Township Municipal Building. The title of the proposed Ordinance is:

**AN ORDINANCE OF GREENE TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 105 - "ZONING" OF THE CODE OF THE TOWNSHIP OF GREENE TO REMOVE "MOBILE HOME PARKS," "TOWNHOUSES OR ATTACHED DWELLINGS," AND "MULTIPLE DWELLING RESIDENCES (GARDEN APARTMENTS)" AS CONDITIONAL USES IN THE LOW-DENSITY RESIDENTIAL DISTRICT (R-1) AND TO PROVIDE CONSISTENCY THROUGHOUT CHAPTER 105 AS IT PERTAINS TO MULTIFAMILY DWELLING USES AND RELATED DEFINITIONS.**

Following the public hearing, the Board of Supervisors may vote to enact said proposed ordinance.

A summary of the proposed Ordinance is as follows:

Amending Chapter 105 - "Zoning" by: (1) removing "Mobile home parks," "Townhouses or attached dwellings," and "Multiple dwelling residences (garden apartments)" as conditional uses in the Low-Density Residential District (R-1); (2) deleting "Garden Apartments" as a defined term and redefining the term "Multifamily Dwelling"; and (3) amending other certain sections of Chapter 105 in order to provide consistency between those sections and the amended defined terms. All other aspects of the Code of the Township of Greene are to remain the same, provisions of the Ordinance are severable, and certain ordinances or parts thereof inconsistent with this Ordinance are repealed.

The full text of the proposed Ordinance may be examined at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, Pennsylvania 17202, during regular business hours. A copy of the proposed Ordinance has been filed with the newspaper publishing this notice and at the Greene Township Municipal Building.

MAR 14 2023

# Public Opinion

PART OF THE USA TODAY NETWORK

GREENE TWP SUPERVISORS  
1145 GARVER LANE

CHAMBERSBURG, PA 17202

Publication Cost: \$145.75

Ad No: 0005620367

# of Affidavits: 1

Customer No: 1427786

**This is not an invoice**

## Affidavit of Publication

### Proof of Publication State of Pennsylvania

The **Public Opinion** is the name of the newspaper(s) of general circulation published continuously for more than six months at its principle place of business, 77 North Third Street, Chambersburg, PA 17201.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said The Public Opinion published in the editions dated on the following dates, viz:

Editions Dated: 03/08/2023

I, being first duly sworn upon oath depose and say that I am a legal clerk and employee of The Public Opinion and have personal knowledge of the publication of the advertisement mentioned in the foregoing statement as to the time, place and character of publications are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.

Linda Jutt

Subscribed and sworn to before on March 8, 2023:

Kathleen Allen

Notary, State of Wisconsin, County of Brown

1-7-25

My commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin



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March 22, 2023

Greene Township Board of Supervisors  
1145 Garver Lane  
Chambersburg, PA 17202

**Re: Proposed Ordinance 2023-2**

Dear Board of Supervisors:

On March 13, 2023, at 7 p.m., the Greene Township Planning Commission (the "Planning Commission") held a regularly scheduled meeting, during which it considered, among other items, proposed Ordinance No. 2023-2 (the "Proposed Ordinance"), which would amend the Township Zoning Ordinance to remove mobile home parks, townhouses or attached dwellings, and multiple dwelling residences (garden apartments) as conditional uses in the R-1 (low residential) zoning district.

The Planning Commission received copies of correspondence from the Franklin County Planning Department and Tim Cormany, AICP, the Township planner. Both letters indicate, in short, that the Proposed Ordinance promotes greater compatibility and harmony of uses within the R-1 zone. The Planning Commission also recognizes that the Township's Zoning Ordinance still provides for mobile home parks, townhouses or attached dwellings, and multiple dwelling residences (garden apartments) in other zoning districts of the Township. Having reviewed the Proposed Ordinance, the Township's Zoning Ordinance and Zoning Map, and the correspondence from Township consultants, the Planning Commission agrees that the Proposed Ordinance is appropriate from a planning perspective and improves the harmony of uses in the R-1 zoning district.

In light of the foregoing, the Planning Commission unanimously voted to recommend that the Board of Supervisors adopt and enact the Proposed Ordinance as written.

Please let me know if you have any questions. Thank you.

Sincerely,



Bill Green, Chairman  
Greene Township Planning Commission

CC: Kurt E. Williams, Esq., Greene Township Solicitor  
Tyler R. Beaston, Esq., Greene Township Planning Commission Solicitor

