



CITY OF ONEIDA
Department of Planning &
Development



PROCEDURE FOR REQUESTING CONDITIONAL USE PERMIT

City of Oneida – City Code Chapter 190

Conditional Use Permits within the City of Oneida are governed by Chapter 190 of the City Code. The following outlines the required process.

Step 1 – Pre-Application Conference (Required)

Before submitting a Conditional Use Permit application, the applicant must schedule a pre-application conference with the Director of Planning and Development.

This meeting may include:

- Planning and Development
- City Engineer
- Code Enforcement
- Assessor
- Department of Public Works
- Water and Sewer Department
- Fire Department
- Other agencies or departments as determined necessary by the City

The purpose of this meeting is to:

- review zoning compliance
- determine whether the proposed use is eligible for a Conditional Use Permit within the zoning district
- determine whether Site Plan Review is required
- identify parking, access, circulation, drainage, utility, landscaping, screening, lighting, or infrastructure concerns
- identify required studies or supporting documentation
- identify outside agency coordination requirements
- review SEQR requirements
- identify potential operational concerns associated with the proposed use



CITY OF ONEIDA
Department of Planning &
Development



No Conditional Use Permit application will be accepted until the pre-application conference has occurred.

Step 2 – Submission of Conditional Use Permit Application

Following the pre-application conference, the applicant shall submit:

- completed Conditional Use Permit application
- completed Combined PCZBA Cover Sheet
- required application fee
- affidavit or authorization from property owner (if applicable)
- assessor/location map
- fifteen (15) paper copies and one (1) digital copy of all submission materials
- required SEQR forms
- any additional materials identified during pre-application review

If Site Plan Review is also required, all Site Plan Review materials must be submitted concurrently.

Conditional Use Permit Submission Requirements

Conditional Use Permit applications must include sufficient information for the Planning Commission / Zoning Board of Appeals (PCZBA) to evaluate:

- zoning compliance
- site compatibility
- operational impacts
- parking and circulation
- utilities and infrastructure
- lighting and screening
- impacts on neighboring properties
- consistency with Chapter 190 and the Comprehensive Plan



CITY OF ONEIDA
Department of Planning &
Development



A separate “Conditional Use Permit Requirements Guide” shall be provided to the applicant and must be followed.

The City reserves the right to require additional information necessary to evaluate the application and determine compliance with Chapter 190.

Completeness Determination

Applications that do not include required information may be:

- deemed incomplete and not scheduled for PCZBA review
- returned to the applicant for revision
- tabled pending submission of additional materials
- subject to conditions requiring correction prior to final approval

Submission of materials does not constitute a determination of completeness.

Step 3 – Environmental Review (SEQR)

The applicant must submit required environmental assessment forms pursuant to the New York State Environmental Quality Review Act (SEQR).

The PCZBA will complete environmental review prior to taking action on the application.

Additional environmental documentation may be required depending on the scope and potential impacts of the project.

Step 4 – County Referral (If Required)

If the application meets referral thresholds under General Municipal Law §239-m, the application will be referred to Madison County Planning.

No final action will be taken until:

- a response is received from Madison County Planning, or
- the statutory review period has expired



CITY OF ONEIDA
Department of Planning &
Development



Additional outside agency review may also be required depending on the nature and location of the project.

Step 5 – Public Hearing

A public hearing will be scheduled in accordance with Chapter 190 and applicable New York State law.

Notice of the public hearing shall be published in the official newspaper at least five (5) days prior to the hearing unless otherwise required by law.

Applicants and/or their authorized representatives are expected to attend the public hearing and PCZBA meeting.

Step 6 – Decision

The PCZBA will render a decision in accordance with Chapter 190.

The Board may:

- approve
- approve with conditions
- deny

All conditions of approval shall be satisfied prior to issuance of permits or commencement of the approved use unless otherwise specified by the Board.

The PCZBA may impose reasonable conditions and safeguards directly related to the proposed use and its impacts.

Step 7 – Post-Approval Requirements

Following approval, the applicant must:

- comply with all conditions of approval
- submit revised plans or materials incorporating required conditions (if applicable)



CITY OF ONEIDA

Department of Planning & Development



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- obtain all required outside agency approvals
 - obtain all required building permits and inspections from Code Enforcement

Approval of a Conditional Use Permit does not waive:

- zoning requirements
- Site Plan Review requirements
- building permit requirements
- fire code requirements
- outside agency approvals
- any other applicable local, county, state, or federal regulations

Conditional Use Permit Compliance

Conditional Use Permits shall remain subject to:

- ongoing compliance with all conditions of approval
- compliance with Chapter 190
- compliance with all applicable City Code provisions

Modifications to the approved use, site layout, operations, occupancy, parking, or other material aspects of the approval may require amended PCZBA review and approval.

Failure to comply with conditions of approval or applicable regulations may result in enforcement action as authorized by the City Code.

Conditional Use Permits run with the land unless otherwise specified by the PCZBA.

Appeals

Any person aggrieved by a decision of the PCZBA may seek judicial review pursuant to Article 78 of the Civil Practice Law and Rules.