



**CITY OF ONEIDA**  
Department of Planning &  
Development



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# PROCEDURE FOR REQUESTING A ZONING AMENDMENT

City of Oneida – City Code Chapter 190

Zoning amendments within the City of Oneida are governed by Chapter 190 of the City Code and applicable provisions of New York State General City Law.

The following outlines the required process.

## Step 1 – Pre-Application Conference (Required)

Before submitting a zoning amendment 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

The purpose of this meeting is to:

- review the existing zoning and proposed amendment
- discuss the overall development concept
- evaluate consistency with the Comprehensive Plan
- identify infrastructure, traffic, and utility considerations
- determine required submission materials
- determine SEQR classification and level of review
- identify potential County (GML §239-m) referral requirements

No zoning amendment application will be accepted until the pre-application conference has occurred.



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## Step 2 – Submission of Zoning Amendment Application

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

- Completed Zoning Amendment Application
- Application fee (per City fee schedule)
- Letter of request addressed to the Mayor
- Affidavit of property ownership (if required)
- Concept plan and supporting materials
- Survey and legal description of the property
- SEQR documentation (Short or Full EAF as determined)
- Supporting materials (renderings, elevations, studies, etc.)
- Any additional materials identified during the pre-application conference

Applications must also include all required items listed on the Zoning Amendment Submission Receipt checklist

## Step 3 – Completeness Determination

Upon submission, the Planning Department will review the application for completeness.

Applications that do not include required information may be:

- deemed incomplete and not scheduled for review
- returned to the applicant for revision
- held pending submission of additional materials

Only complete applications will be scheduled for Planning Commission / Zoning Board of Appeals (PCZBA) review.

## Step 4 – Environmental Review (SEQR)

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



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The appropriate Lead Agency will conduct environmental review in accordance with SEQR prior to action. Zoning amendments involving large-scale development, multiple uses, or significant infrastructure impacts may require a Full Environmental Assessment Form and coordinated review.

## Step 5 – County Referral (If Required)

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

No final action will be taken until:

- a response is received, or
- the statutory review period has expired

## Step 6 – Planning Commission / ZBA Review and Recommendation

All zoning amendment applications shall be referred to the Joint Planning Commission / Zoning Board of Appeals (PCZBA).

The PCZBA will:

- review the application and supporting materials
- consider consistency with the Comprehensive Plan
- evaluate impacts to surrounding properties and infrastructure
- consider SEQR findings

The PCZBA shall submit a recommendation to the Common Council within 30 days, as required by law.

Failure to report within the required time shall be deemed a recommendation for approval.



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## Step 7 – Public Hearing

A public hearing will be scheduled before the Common Council as required by law.

Notice of the public hearing will be:

- published in the official newspaper
- provided in accordance with applicable legal requirements

Applicants or their representatives are expected to attend.

## Step 8 – Common Council Action

Following the public hearing and receipt of the PCZBA recommendation and any County comments, the Common Council may:

- approve
- approve with modifications
- deny

A majority vote of the Common Council is required to adopt a zoning amendment, except in cases involving a protest petition under General City Law.

## Step 9 – Filing and Effective Date

Upon approval, the zoning amendment shall be:

- filed as required by law
- recorded and incorporated into the City Zoning Map and Code

The amendment shall take effect in accordance with New York State law.

## Step 10 – Subsequent Approvals

Approval of a zoning amendment does not authorize construction.



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Following rezoning, the applicant must obtain all required approvals, which may include:

- Site Plan Review
- Subdivision Approval
- Conditional Use Permit (if applicable)
- Building Permits

## Appeals

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