

*Town of Oneonta, NY
Tuesday, August 4, 2026*

Chapter 103. Zoning

Article XI. PDD Planned Development District Regulations

§ 103-38. Purpose and intent.

- A. The purpose of the planned development district classification is to provide for the rezoning of land to residential, commercial and industrial development zones either jointly or separately in conformance with provisions and standards which ensure compatibility among all the land uses, foster innovation in site planning and development and encourage sound design practices.
- B. Provision is included for planned development districts to permit establishment of areas in which diverse uses may be brought together in a compatible and unified plan of development which shall be in the interest of the general welfare of the public. In planned development districts, land and structures may be constructed and used for any lawful purposes in accordance with the provisions set forth herein.

§ 103-39. Procedures.

- A. All development undertaken within a planned development district shall be subject to site plan review and approval as outlined in Article **XVI**. In addition to those items specified in Article **XVI**, any site plan for development in a planned development district shall also include those items listed under § **103-40** below.
- B. Whenever a proposal for development in a planned development district involves a change of zone, such application and procedures as specified in Article **XIX** shall be followed, with the additional requirement that the site plan review involving the proposed development accompany the application for change of zone. Notwithstanding any other provision of this chapter, whenever a site plan review accompanies an application for change of zone, it shall be reviewed and acted upon at the same time and according to the same procedures as the application for a change of zone, and the Town Board may make its approval of the zone change conditional upon development in accordance with an approved site plan application and may provide for the approval of the site plan to expire if development has not begun by a certain time.

§ 103-40. Additional site plan requirement.

- A. In addition to the requirements of items to be shown on a site plan application as specified in Article **XVI**, all plans and specifications submitted in compliance with this Article shall bear the signature of the person responsible for the design and drawings and, when required by § 7302, as amended, of Article 147 of the Education Law of the State of New York, the seal of a licensed architect or professional engineer. The proposed development plan shall include the following:
 - (1) Survey of the property showing existing features of the property, including contours, buildings, structures, trees over four inches in trunk diameter, streets, utility easements, rights-of-way and adjacent land use.

- (2) Proposed site plan showing building locations, occupancy and land use areas, including any subdivision intended within the district.
- (3) Proposed traffic circulation, parking areas, pedestrian walks and landscaping.
- (4) Proposed public utilities plan, including water supply, sewerage and stormwater drainage.
- (5) Landscaping plan, including site grading and landscape planting and structures.
- (6) Preliminary drawings of buildings to be constructed in the current phase, including floor plans, exterior elevations and sections.
- (7) Final engineering plans, including street improvements, drainage system and public utility extension. All improvements shall comply, where applicable, with construction standards outlined in the Town of Oneonta subdivision regulations.^[1]

[1] *Editor's Note: See Ch. 88, Subdivision of Land.*

- (8) Letters in appropriate cases directed to the Chairman of the Planning Board, signed by a responsible official of the agency, utility company, government authority or special district having jurisdiction in the area of sewer, water, telephone, electric or gas improvements, approving such proposed installations.
- (9) Engineering feasibility studies for the solution of any anticipated problems which might arise due to the proposed development, as required by the Planning Board.
- (10) Performance bond estimate for items listed in Subsection **A(5)** and **(7)** above.
- (11) Offers of cession and proposed restrictive covenants.
- (12) Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas, as applicable.
- (13) Complete documentation of means for the continual maintenance of common open space and buildings.
- (14) Sworn statement by the applicant that the performance standards of this chapter will not be violated.

B. This development plan shall be in general conformance with the approved preliminary development plan. Such approval shall be secured by the owner for each phase of the development. Such approval for each phase shall be valid for two years, at which time, unless the proposed development has been completed, the development plan approval shall terminate and no additional building permits shall be issued. If two or more lots (with separate deeds) are provided for in the planned development district, the development plans shall be in such form as to be acceptable, according to the subdivision regulations of the Town of Oneonta, as a final subdivision plat and may be approved in accordance with the procedures and requirements of the subdivision regulations of the Town of Oneonta.^[2]

[2] *Editor's Note: See Ch. 88, Subdivision of Land.*

§ 103-41. Standards.

Where a change in zone must be obtained, the Planning Board, after determining that the requirements of this chapter dealing with planned development districts have been met, shall recommend the approval, approval with modifications or disapproval of the preliminary development to the Town Board. The Planning Board shall enter its reasons for such action in its records and transmit its findings by resolution to the Town Board. The Planning Board may recommend the establishment of a planned development district (where a change in zone must be obtained) or development of a planned development district (where no change in zone must be obtained), provided that it finds that the facts submitted with the preliminary development plan establish that:

- A. The uses proposed will not be detrimental to the natural characteristics of the site or to present and potential surrounding uses but will have a beneficial effect which could not be achieved under any other district.
- B. Land surrounding the proposed development can be developed in coordination with the proposed development and be compatible in use.
- C. Any proposed change to a planned development district is in conformance with the general intent of the Master Plan for the town.
- D. Existing and proposed streets are suitable and adequate to carry anticipated traffic within the proposed district and in the vicinity of the proposed district.
- E. Existing and proposed utility services are adequate for the proposed development.
- F. Each phase of the proposed development, as it is proposed to be completed, contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment.

§ 103-42. Approval requirements.

A planned unit development is a development of diversified land uses integrated into a carefully considered plan. Any of the uses listed in §§ **103-43** through **103-45** may be permitted, subject to the requirements of those sections. Where development standards may be in conflict or unnecessary due to the integrated nature of the plan, the Town Board may approve a planned unit development that does not meet all required standards, provided that a written justification of each modification is provided as a part of the application.

§ 103-43. Planned development: residential standards.

- A. Permitted uses. The following uses may be permitted:

- (1) One-family dwelling, two-family dwelling.
- (2) Multiple-family dwelling.
- (3) Professional residence-office.
- (4) Religious institution.
- (5) School.
- (6) Community center.
- (7) Membership clubhouse.
- (8) Public outdoor recreation.
- (9) Nursing or convalescent home.
- (10) Accessory uses.
- (11) Parking.
- (12) Townhouses.

[Added 12-13-2006 by L.L. No. 10-2006]

- B. Area, yard, coverage and supplementary regulations.

- (1) District area minimum: four acres.

- (2) District width minimum: 300 feet.
- (3) District depth minimum: 200 feet.
- (4) Densities.

Description	Requirement
Residential	A maximum of 20 dwelling units per gross acre
Nonresidential	20,000 square feet of land for each 10,000 square feet of building

- (5) Minimum yards required. Front yards, rear yards, and side yards for residential uses shall be designed so that no building is closer than 20 feet to any other building and no building is closer than 30 feet to any boundary line of the district or public street except that townhouses may be constructed with no side yard setback required where dwelling units adjoin by a common wall, and said wall meets the requirements of the Residential Code of the State of New York.
[Amended 12-13-2006 by L.L. No. 10-2006]
- (6) Maximum building coverage of any parcel: 50%.
- (7) Maximum height of structures. No building shall be erected to a height in excess of 60 feet.
- (8) Off-street parking and loading spaces. As required by Article **XIII**.
- (9) Common open space. Ten percent of the gross development area shall be developed and maintained as common open space. Such common open space shall be developed for active recreation (with facilities); or sitting areas (with facilities); or bicycle, walking or horse trails (marked by developed paths); or developed wooded areas (cleared of underbrush) or any other uses found appropriate by the Town Board.
- (10) Signs and displays. See Town of Oneonta Sign Ordinance.^[1]
[1] *Editor's Note: See Ch. 76, Signs.*

§ 103-44. Planned development: business and commercial standards.

A. Permitted uses. The following uses may be permitted:

- (1) Retail stores, restaurants.
- (2) Business offices.
- (3) Hotels, motels.
- (4) Religious institutions.
- (5) Community centers and government buildings.
- (6) Indoor recreation.
- (7) Personal services.
- (8) Enclosed accessory uses.
- (9) Parking.

B. Area, yard, coverage and supplementary regulations.

- (1) District area minimum: four acres.
- (2) District width minimum: 350 feet.
- (3) District depth minimum: 150 feet.
- (4) Front yard minimum: 40 feet.
- (5) Rear yard minimum: 25 feet, or 100 feet when abutting MHD, PDD-R, R-80, RA-40, R-20 or R-10 Districts.
[Amended 1-22-1986 by L.L. No. 1-1986; 2-12-1992 by L.L. No. 5-1992]
- (6) Side yard minimum: 25 feet, or 100 feet when abutting MHD, PDD-R, R-80, RA-40, R-20 or R-10 Districts. No side yard is required for commercial buildings with separating fire walls.
[Amended 1-22-1986 by L.L. No. 1-1986; 2-12-1992 by L.L. No. 5-1992]
- (7) Maximum coverage of any parcel: 50%.
- (8) Maximum height of structure. No building shall be erected to a height in excess of 60 feet.
- (9) Off-street parking and loading spaces. As required by Article XIII.
- (10) Signs and displays. See Town of Oneonta Sign Ordinance.^[1]
[1] *Editor's Note: See Ch. 76, Signs.*
- (11) Along any lot line between a residential and nonresidential use, a landscaped area shall be provided if requested by the Planning Board. Such landscaped area shall include a screening fence or nondeciduous trees and shrubs, or both, as deemed necessary by the Planning Board to protect the character of adjoining residential areas. Such fence or shrubs shall have a minimum erected or planted height of six feet and shall be located within a strip at least 10 feet in width on the nonresidential side of the lot line. Such landscaped areas may be included in satisfying the minimum side or rear lot requirements.
[Added 2-12-1992 by L.L. No. 5-1992]

§ 103-45. Planned development: industrial standards.

A. Permitted uses. The following uses may be permitted:

- (1) Manufacturing industries.
- (2) Machinery and equipment sales.
- (3) Warehouse.
- (4) Wholesale uses.
- (5) Public utilities.
- (6) Enclosed service and repair.
- (7) Trucking and freight terminal.
- (8) Enclosed industrial processes and services.
- (9) Garage for repair of automotive equipment.
- (10) Enclosed accessory uses.
- (11) Parking.

B. Area, yard, coverage and supplementary regulations.

- (1) District area minimum: 10 acres.
- (2) District width minimum: 300 feet.
- (3) District depth minimum: 200 feet.
- (4) Front yard minimum: 50 feet.
- (5) Rear yard minimum: 25 feet, or 100 feet when abutting MHD, PDD-R, R-80, RA-40, R-20 or R-10 Districts.
[Amended 1-22-1986 by L.L. No. 1-1986; 2-12-1992 by L.L. No. 5-1992]
- (6) Side yard minimum: 25 feet, or 100 feet when abutting MHD, PDD-R, R-80, RA-40, R-20 or R-10 Districts. No side yard is required for industrial buildings with separate fire walls.
[Amended 1-22-1986 by L.L. No. 1-1986; 2-12-1992 by L.L. No. 5-1992]
- (7) Maximum coverage of any single lot or the district as a whole: 50%.
- (8) Maximum height of structures. No building shall be erected to a height in excess of 60 feet.
- (9) Off-street parking and loading spaces. As required by Article **XIII**.
- (10) Signs and displays. See Town of Oneonta Sign Ordinance.^[1]
[1] *Editor's Note: See Ch. 76, Signs.*
- (11) Along any lot line between a residential and nonresidential use, a landscaped area shall be provided if requested by the Planning Board. Such landscaped area shall include a screening fence or nondeciduous trees and shrubs, or both, as defined necessary by the Planning Board to protect the character of adjoining residential areas. Such fence or shrubs shall have a minimum erected or planted height of six feet and shall be located within a strip at least 10 feet in width on the nonresidential side of the lot line. Such landscaped areas may be included in satisfying the minimum side or rear lot requirements.
[Added 2-12-1992 by L.L. No. 5-1992]