

**LEGAL NOTICE
CITY OF ONEIDA
LOCAL LAW NO. 3 of 2026**

The Common Council of the City of Oneida, Madison County, State of New York, pursuant to the authority vested in it by law does hereby enact Local Law No. 3 of 2026, amending Chapter 190 (Zoning) of the Code of the City of Oneida regarding Wireless Communication Facilities and Towers within the City of Oneida as follows:

**A LOCAL LAW AMENDING CHAPTER 190 (ZONING) OF THE CODE OF THE CITY OF ONEIDA REGARDING
WIRELESS COMMUNICATION FACILITIES AND TOWERS**

Be it enacted by the Common Council of the City of Oneida as follows:

Section 1. Authority.

This local law is adopted pursuant to the Municipal Home Rule Law of the State of New York, the General City Law, and Section 3.4 of the Charter of the City of Oneida.

Section 2. Legislative Intent.

The Common Council finds that the City's existing zoning regulations do not contain comprehensive standards governing large-scale wireless communication towers. The purpose of this local law is to establish clear siting, dimensional, design, safety, co-location, and removal standards to protect the public health, safety, and general welfare while permitting telecommunications infrastructure in appropriate zoning districts.

Section 3. Amendment to Chapter 190.

Chapter 190 of the Code of the City of Oneida is hereby amended as follows:

A. Section 190-5, titled "Definitions," is hereby amended to include the following additional definitions:

"Co-location. The placement of antennas or wireless communication equipment on an existing or approved tower or structure.

Large-scale wireless communication tower. A wireless communication facility mounted on an existing building, structure, or utility pole, or constructed as a freestanding support structure, including but not limited to a monopole or lattice tower, exceeding fifty (50) feet in total height and designed primarily to support antennas and related wireless communication equipment.

Small wireless facility. A wireless communication facility mounted on an existing building, structure, or utility pole that does not exceed fifty (50) feet in total height as measured from finished grade.

Total height (wireless communication facilities and towers). The vertical distance measured from finished grade at the base of the structure to the highest point of the tower or wireless facility, including all antennas and appurtenances.”

B. Chapter 190 is further amended by adding a new section, § 190-26.4, to read, in its entirety, as follows:

“§ 190-26.4. Wireless Communication Facilities and Towers.

A. Applicability and Review.

(1) Small wireless facilities shall be permitted only in the zoning districts authorized by Schedule A and shall require approval of a Conditional Use Permit pursuant to § 190-28 and Site Plan Review pursuant to § 190-29, except to the extent otherwise required or preempted by applicable federal or state law. Small wireless facilities located within the public right-of-way shall also be subject to the requirements of Chapter 145 of the City Code, where applicable.

(2) Large-scale wireless communication towers shall be permitted only in the zoning districts authorized by Schedule A and shall require approval of both a Conditional Use Permit pursuant to § 190-28 and Site Plan Review pursuant to § 190-29.

B. Permitted Districts.

(1) Small wireless facilities shall be permitted only as Conditional Uses in the Agricultural (A), Light Industrial (L-I), and Manufacturing-Industrial (M-I) Districts and shall be prohibited in all other zoning districts.

(2) Large-scale wireless communication towers shall be permitted only as Conditional Uses in the following zoning districts:

(a) Agricultural (A) District, on parcels of ten (10) acres or greater;

(b) Light Industrial (L-I) District; and

(c) Manufacturing-Industrial (M-I) District.

(3) Large-scale wireless communication towers shall be prohibited in all other zoning districts.

C. Dimensional Standards.

(1) Maximum height: 199 feet, measured in accordance with the definition of total height set forth in § 190-5.

(2) Towers exceeding 199 feet shall not be permitted.

(3) Minimum setback from all property lines shall be one hundred ten percent (110%) of the total height.

(4) Where a tower abuts or is adjacent to a residential zoning district, the minimum setback shall be one hundred fifty percent (150%) of the total height.

D. Co-Location and Shared Use.

(1) The City strongly encourages shared use of existing and approved towers and structures to minimize construction of new facilities.

(2) Prior to approval of any application for construction of a new tower or for substantial modification of an existing tower, the applicant shall demonstrate that co-location on an existing or approved tower or structure within the geographic area necessary to meet the applicant's demonstrated service objectives is not reasonably feasible.

(3) Applicants shall submit written documentation of good-faith efforts to secure shared use and shall demonstrate technical, structural, or economic reasons why such shared use is not practicable. Such documentation shall include an analysis of alternative locations, structures, and technologies and an explanation as to why such alternatives are not feasible.

(4) All newly approved towers shall be designed and constructed to accommodate future co-location where technically feasible.

E. Design Standards.

(1) Monopole design is preferred unless the applicant demonstrates that an alternative design is necessary.

(2) Towers shall have a neutral, non-reflective finish.

(3) No signage pertaining to advertising shall be permitted on any wireless facility or tower. Required safety signage, owner identification signage, and emergency contact signage shall be permitted, provided that such signage shall not exceed five (5) square feet in total area and shall comply with Subsection (7) below.

(4) Ground equipment and accessory structures shall be screened from public view and adjacent properties to the maximum extent reasonably practicable by fencing, landscaping, existing vegetation, topography, or a combination thereof, as determined through Site Plan Review.

(5) Lighting shall be permitted only as required by the Federal Aviation Administration or other applicable authority.

(6) The Joint Zoning Board of Appeals/Planning Commission may require visual simulations or other documentation as part of Site Plan Review.

(7) Wireless facilities shall include clearly visible and properly maintained hazard warning signage, including but not limited to high-voltage and radio frequency exposure notices, in accordance with applicable federal, state, and local regulations. All required signage shall be maintained in good condition and remain clearly legible. The name and emergency contact information of the facility owner

or operator shall be clearly posted at the primary facility access point. Such signage shall be limited to safety, owner identification, and emergency contact purposes.

(8) All access and egress to wireless communication facilities shall comply with the current edition of the International Fire Code, including but not limited to Section 503 relating to fire apparatus access roads, as adopted and enforced by the State of New York. Fire apparatus access roads shall be maintained in an unobstructed condition at all times. A road and parking sufficient for at least one service vehicle shall be provided to assure adequate emergency and maintenance access. Maximum use of existing roads and drives shall be made, and ground and vegetation disturbance shall be minimized to the maximum extent reasonably practicable.

(9) Utility connections. All utility connections to wireless facilities shall be installed beneath the ground surface to the maximum extent reasonably practicable.

(10) Wireless facilities and associated access roads shall be designed and constructed to prevent erosion, sedimentation, and adverse stormwater runoff impacts to adjacent properties and public rights-of-way. All site disturbance shall comply with applicable local, state, and federal stormwater regulations, including but not limited to the New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, where applicable.

(11) Structural Certification. All large-scale wireless communication towers shall be designed and certified by a professional engineer licensed in the State of New York. Plans submitted for building permit shall include sealed structural calculations demonstrating compliance with the New York State Uniform Fire Prevention and Building Code, including applicable wind load, ice load, and structural design requirements.

(12) Geotechnical Investigation. A geotechnical report prepared by a qualified professional shall be submitted demonstrating that subsurface soil conditions are adequate to support the proposed tower and foundation system. The report shall include soil characteristics, bearing capacity, groundwater conditions, and recommended foundation design parameters.

(13) Security Fencing. All large-scale wireless communication towers and associated ground equipment shall be enclosed by security fencing not less than seventy-eight (78) inches in height or otherwise secured by equivalent anti-climb measures to prevent unauthorized access. Access gates shall remain locked except during authorized maintenance or service activity.

F. Abandonment and Removal.

(1) A wireless communication tower that is not operated or providing wireless communication service for a period of twelve (12) consecutive months shall be deemed abandoned.

(2) The owner shall remove the tower and all associated equipment and restore the site to its pre-existing condition, reasonable wear and tear excepted, within ninety (90) days of written notice from the City.

(3) In the event that the owner fails to remove the tower and restore the site within the required time period, the City may cause such removal and restoration to be completed and may recover the cost thereof from the owner or from any security provided pursuant to this section.

(4) Security.

(a) Prior to the issuance of any permit for a large-scale wireless communication tower, the applicant shall deposit with the City Clerk cash, bond, or other form of security reasonably acceptable to the City Attorney and/or City Engineer in an amount sufficient to ensure the faithful performance of the terms and conditions of the permit and to provide for the removal and restoration of the site upon abandonment or decommissioning of the tower.

(b) The amount of such bond or security shall be one hundred twenty-five percent (125%) of the cost of removal of the large-scale wireless communication tower and restoration of the property, as determined by a professional engineer licensed in the State of New York, with an annual escalator of two percent (2%) for the life of the facility. The decommissioning amount shall be reduced by the estimated salvage value of the facility.

(c) In the event of default upon performance of such conditions, after proper notice and expiration of any cure period, the cash deposit, bond, or security shall be forfeited to the City, which shall be entitled to maintain an action thereon. The security shall remain in full force and effect until site restoration is completed to the satisfaction of the City.

G. Annual Certification.

(1) The owner of any approved large-scale wireless communication tower shall submit annual certification prepared by a professional engineer licensed in the State of New York verifying the structural integrity of the tower and continued compliance with the New York State Uniform Fire Prevention and Building Code and all other applicable safety standards.

(2) Such certification shall be submitted to the City on or before the anniversary date of the issuance of the original permit or approval, unless otherwise specified by the City.

(3) Failure to submit the required annual certification may result in enforcement action by the City, including but not limited to revocation of any applicable permit or approval, in accordance with applicable law.”

Section 4. Amendment to Schedule A.

Schedule A (Schedule of Uses) of Chapter 190 of the Code of the City of Oneida is hereby amended by deleting the existing entry for “Wireless communication facility” and replacing it with the following use categories:

“Small wireless facility – Conditional Use in the Agricultural (A), Light Industrial (L-I), and Manufacturing-Industrial (M-I) Districts; prohibited in all other zoning districts.

Large-scale wireless communication tower – Conditional Use in the Agricultural (A) District (minimum ten (10) acres), Light Industrial (L-I) District, and Manufacturing-Industrial (M-I) District; prohibited in all other zoning districts.

All such uses shall be subject to the requirements of § 190-26.4.”

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.”

SANDRA L. LAPERA
CITY CLERK
Adopted July 7, 2026