

(Published in the Journal Record 20TH day of MAY, 2026)

ORDINANCE NO. 28,084

AN ORDINANCE AMENDING ORDINANCE NO. 28,071 AS ADOPTED BY THE CITY COUNCIL ON APRIL 21, 2026, DECLARING TEMPORARY MORATOIRUM ON NEW APPLICATIONS FOR PROCESSING OF AND ISSUANCE OF REZONING REQUESTS AND PERMITS, INCLUDING BUILDING PERMITS, THAT WOULD ALLOW CONSTRUCTION ON, EXPANSION OF, OR USE OF PROPERTY FOR A DATA CENTER LOCATED IN OKLAHOMA CITY BY AMENDING SECTION 3 TO PROVIDE CLARITY, ADDING SECTION 7 TO DEFINE DATA CENTERS SUBJECT TO THE TEMPORARY MORATORIUM, ADDING SECTION 8 TO STATE THAT CONTINUED OPERATION OF A DATA CENTER IS NOT AN AFFIRMATION THAT SUCH USE IS PERMITTED UNDER OR LAWFULLY SUPPORTED BY CURRENT LAW; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 3 of Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to read as follows:

Section 3. The provisions of this Ordinance shall apply only to (1) applications for the processing of and issuance of rezoning requests and (2) permits, including building permits, for the construction and/or expansion of or use of property for data centers, as defined herein, which are filed after the effective date of this Ordinance as set forth in Section 4 below; provided, this Ordinance shall not apply to (1) the pending Applications for rezoning known as PUD-2105 (located at I-40 and Frisco Rd.) and PUD-2124 (located at NW 23rd Street and Frisco Road), (2) the proposed data center projects at 7725 W Reno Ave and PUD-1426, as may be permitted, provided that potable water is only used for domestic consumption, irrigation, and fire protection purposes, and (3) to any permits, including building permits, related to the above-referenced PUDs or projects.

SECTION 2. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 7 to read as follows

Section 7. Data center as used herein shall mean any building, structure, or group of buildings, that is newly constructed or expanded, or any proposed addition to an existing facility, where the use of real property is primarily used or intended to be used to house a group of networked computer servers and associated components for the purpose of storing, processing, managing, or disseminating data and/or providing high-density computing services, including but not limited to, cloud computing, artificial intelligence training or inference, and cryptocurrency mining that has an anticipated or actual net new electrical load which exceeds 75 MW. Net new electrical load means the additional capacity to be installed or enabled as part of the proposed construction, expansion, or new phase of development, including the capacity of new service entrances, substations, transformers, or distribution equipment, regardless of whether any portion of that capacity is designated for redundancy or failover purposes. For purposes of determining net new electrical load, the Applicant shall submit a comprehensive electrical one-line diagram and detailed electrical plan stamped by a professional engineer licensed in the State of Oklahoma. A facility or project shall not be considered a data center under this section solely because the addition of its net new electrical load, when combined with the electrical load of the site existing as of the effective date of this Ordinance, would cause the cumulative total to reach or exceed 75 MW, unless the net new electrical load exceeds 75 MW.

SECTION 3. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 8 to read as follows:

Section 8. The allowance for any data center to continue operations pursuant to previously issued building or zoning permits, or to otherwise remain in service during the term of this moratorium shall not be construed as a determination, representation, or acknowledgement by the City that such facility is a permitted use under the City's current zoning code or that existing zoning classifications, use categories, or development standards lawfully support data center uses.

SECTION 4. An emergency is hereby declared to exist for the preservation of public peace, health, safety, and welfare by reason whereof this Ordinance shall take effect immediately upon its adoption and publication.

INTRODUCED AND CONSIDERED in the open meeting of the Council of The City of Oklahoma City, Oklahoma, this 19TH day of MAY, 2026.

PASSED AND SIGNED by the Council of The City of Oklahoma City, Oklahoma, this 19TH day of MAY, 2026.

ATTEST:

Amy K Simpson
City Clerk



David Holt
Mayor

REVIEWED as to form and legality.

Walter Gill
Deputy Municipal Counselor



MEMORANDUM

Council Agenda
Item No. XI. X
5/19/2026

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

1. Ordinance to be introduced and adopted with emergency, amending Ordinance No. 28,071 declaring a temporary moratorium on the acceptance of new applications for processing of and issuance of rezoning requests and permits, including building permits, that would allow construction on, expansion of, or use of property for a data center located in Oklahoma City by amending Section 3 to provide clarity, adding Section 7 to define data centers subject to the temporary moratorium and adding Section 8 to state that continued operation of a data center is not an affirmation that such use is permitted under or lawfully supported by current law; and declaring an emergency;

OR

2. Ordinance to be introduced and adopted with emergency, amending Ordinance No. 28,071 declaring a temporary moratorium on the acceptance of new applications for processing of and issuance of rezoning requests and permits, including building permits, that would allow construction on, expansion of, or use of property for a data center located in Oklahoma City by amending Section 3 to provide clarity and additional exemptions, adding Section 7 to define data centers subject to the temporary moratorium and adding Section 8 to state that continued operation of a data center is not an affirmation that such use is permitted under or lawfully supported by current law; and declaring an emergency.

Background:

Ordinance No. 28,071 was adopted with an emergency on April 21, 2026, to declare a temporary moratorium on the acceptance of new applications for processing of and issuance of rezoning requests and permits, including building permits, that would allow for the construction on, the expansion of, or the use of real property located in the City of Oklahoma City for data centers. Version 1 clarifies that the moratorium is intended to address data centers with net new electrical loads of greater than 75MW ensuring that only large-scale builds with significant infrastructure and grid impacts are subject to the temporary moratorium, clarifies exemptions and states continued operation of a data center is not affirmation that such use is permitted under or lawfully supported by current law. Version 2 includes all of amendments of Version 1 plus the addition of exempting the proposed data center project at 7725 N. Reno Ave provided that potable water is only used for domestic consumption, irrigation, and fire protection purposes.

Review:

City Manager's Office

Recommendation: Ordinance be introduced and adopted with an emergency.

**City Council Action
Financial Impact Report**

Title of Item:

Amendment to Ordinance No. 28,071 adopted by Council on April 21, 2026.

Originating Department: The City Manager's Office

Description of Impact

The financial impact of this ordinance is inherently unquantifiable; however, realized financial impacts are expected to be minimal specifically because the ordinance establishes a temporary moratorium with defined expiration. Consequently, any potential financial effects would be the result of activity being deferred for a short period, rather than a permanent loss.

This reasoning applies equally to both the business community and the City organization, as presumably any associated revenue to the City would be simply delayed but not lost follow the expiration of the moratorium.

The financial impact upon residents is likewise minimal, however this group carries the largest potential risk from the consequence of proceeding without the moratorium and its associated review of zoning code and other related effects from these types of facilities. The risk to the resident stems from their reliance upon the shared resources necessary to operate the data centers, property values, and other potential impacts.

Summary of Impact

a. Cost to City Organization: \$0

b. Cost to Citizens: \$0

c. Cost to Business Community: \$0

d. Revenue Produced: \$0

Source of Funds

Fund Name: N/A

Agency Name: The City Manager's Office

Department Head Signature:

OMB Review Completed by: Christian York, Budget Director

Christian York

(Published in the Journal Record _____ day of _____, 2026)

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 28,071 AS ADOPTED BY THE CITY COUNCIL ON APRIL 21, 2026, DECLARING TEMPORARY MORATOIRUM ON NEW APPLICATIONS FOR PROCESSING OF AND ISSUANCE OF REZONING REQUESTS AND PERMITS, INCLUDING BUILDING PERMITS, THAT WOULD ALLOW CONSTRUCTION ON, EXPANSION OF, OR USE OF PROPERTY FOR A DATA CENTER LOCATED IN OKLAHOMA CITY BY AMENDING SECTION 3 TO PROVIDE CLARITY, ADDING SECTION 7 TO DEFINE DATA CENTERS SUBJECT TO THE TEMPORARY MORATORIUM AND ADDING SECTION 8 TO STATE THAT CONTINUED OPERATION OF A DATA CENTER IS NOT AN AFFIRMATION THAT SUCH USE IS PERMITTED UNDER OR LAWFULLY SUPPORTED BY CURRENT LAW.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 3 of Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to read as follows:

Section 3. The provisions of this Ordinance shall apply only to (1) applications for the processing of and issuance of rezoning requests and (2) permits, including building permits, for the construction and/or expansion of or use of property for data centers, as defined herein, which are filed after the effective date of this Ordinance as set forth in Section 4 below; provided, this Ordinance shall not apply to the pending Applications for rezoning known as PUD-2105 (located at 1-40 and Frisco Rd.) and PUD-2124 (located at NW 23rd Street and Frisco Road), or to any permits, including building permits, related thereto.

SECTION 2. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 7 to read as follows

Section 7. Data center as used herein shall mean any building, structure, or group of buildings, that is newly constructed or expanded, or any proposed addition to an existing facility, where the use of real property is primarily used or intended to be used to house a group of networked computer servers and associated components for the purpose of storing, processing, managing, or disseminating data and/or providing high-density computing services, including but not limited to, cloud computing, artificial intelligence training or inference, and cryptocurrency mining that has an anticipated or actual net new electrical load which exceeds 75 MW. Net new electrical load means the additional capacity to be installed or enabled as part of the proposed construction, expansion, or new phase of development, including the capacity of new service entrances, substations, transformers, or distribution equipment, regardless of whether any portion of that capacity is designated for redundancy or failover purposes. For purposes of determining net new electrical load, the Applicant shall submit a comprehensive electrical one-line diagram and detailed electrical plan stamped by a professional engineer licensed in the State of Oklahoma. A facility or project shall not be considered a data center under this section solely because the addition of its net new electrical load, when combined with the electrical load of the site existing as of the effective date of this Ordinance, would cause the cumulative total to reach or exceed 75 MW, unless the net new electrical load exceeds 75 MW.

SECTION 3. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 8 to read as follows:

Section 8. The allowance for any data center to continue operations pursuant to previously issued building or zoning permits, or to otherwise remain in service during the term of this moratorium shall not be construed as a determination, representation, or acknowledgement by the City that such facility is a permitted use under the City's current zoning code or that existing zoning classifications, use categories, or development standards lawfully support data center uses.

SECTION 4. An emergency is hereby declared to exist for the preservation of public peace, health, safety, and welfare by reason whereof this Ordinance shall take effect immediately upon its adoption and publication.

INTRODUCED AND CONSIDERED in the open meeting of the Council of The
City of Oklahoma City, Oklahoma, this _____ day of____
, 2026.

PASSED by the Council of The City of Oklahoma City, Oklahoma, this _____
day of
_____, 2026.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, this _____
day of
_____, 2026.

ATTEST:

City Clerk

Mayor

REVIEWED as to form and legality.



Assistant Municipal Counselor

(Published in the Journal Record _____ day of _____, 2026)

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 28,071 AS ADOPTED BY THE CITY COUNCIL ON APRIL 21, 2026, DECLARING TEMPORARY MORATOIRUM ON NEW APPLICATIONS FOR PROCESSING OF AND ISSUANCE OF REZONING REQUESTS AND PERMITS, INCLUDING BUILDING PERMITS, THAT WOULD ALLOW CONSTRUCTION ON, EXPANSION OF, OR USE OF PROPERTY FOR A DATA CENTER LOCATED IN OKLAHOMA CITY BY AMENDING SECTION 3 TO PROVIDE CLARITY, ADDING SECTION 7 TO DEFINE DATA CENTERS SUBJECT TO THE TEMPORARY MORATORIUM AND ADDING SECTION 8 TO STATE THAT CONTINUED OPERATION OF A DATA CENTER IS NOT AN AFFIRMATION THAT SUCH USE IS PERMITTED UNDER OR LAWFULLY SUPPORTED BY CURRENT LAW.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 3 of Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to read as follows:

Section 3. The provisions of this Ordinance shall apply only to (1) applications for the processing of and issuance of rezoning requests and (2) permits, including building permits, for the construction and/or expansion of or use of property for data centers, as defined herein, which are filed after the effective date of this Ordinance as set forth in Section 4 below; provided, this Ordinance shall not apply to (1) the pending Applications for rezoning known as PUD-2105 (located at 1-40 and Frisco Rd.) and PUD-2124 (located at NW 23rd Street and Frisco Road), (2) the proposed data center project at 7725 N Reno Ave provided that potable water is only used for domestic consumption, irrigation, and fire protection purposes, and (3) ~~or~~ to any permits, including building permits, related thereto to the above-referenced PUDs or project.

SECTION 2. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 7 to read as follows

Section 7. Data center as used herein shall mean any building, structure, or group of buildings, that is newly constructed or expanded, or any proposed addition to an existing facility, where the use of real property is primarily used or intended to be used to house a group of networked computer servers and associated components for the purpose of storing, processing, managing, or disseminating data and/or providing high-density computing services, including but not limited to, cloud computing, artificial intelligence training or inference, and cryptocurrency mining that has an anticipated or actual net new electrical load which exceeds 75 MW. Net new electrical load means the additional capacity to be installed or enabled as part of the proposed construction, expansion, or new phase of development, including the capacity of new service entrances, substations, transformers, or distribution equipment, regardless of whether any portion of that capacity is designated for redundancy or failover purposes. For purposes of determining net new electrical load, the Applicant shall submit a comprehensive electrical one-line diagram and detailed electrical plan stamped by a professional engineer licensed in the State of Oklahoma. A facility or project shall not be considered a data center under this section solely because the addition of its net new electrical load, when combined with the electrical load of the site existing as of the effective date of this Ordinance, would cause the cumulative total to reach or exceed 75 MW, unless the net new electrical load exceeds 75 MW.

SECTION 3. That Ordinance No. 28,071 of The City of Oklahoma City, as adopted by the City Council on April 21, 2026, is hereby amended to add a Section 8 to read as follows:

Section 8. The allowance for any data center to continue operations pursuant to previously issued building or zoning permits, or to otherwise remain in service during the term of this moratorium shall not be construed as a determination, representation, or acknowledgement by the City that such facility is a permitted use under the City's current zoning code or that existing zoning classifications, use categories, or development standards lawfully support data center uses.

SECTION 4. An emergency is hereby declared to exist for the preservation of public peace, health, safety, and welfare by reason whereof this Ordinance shall take effect immediately upon its adoption and publication.

INTRODUCED AND CONSIDERED in the open meeting of the Council of The
City of Oklahoma City, Oklahoma, this _____ day of____
, 2026.

PASSED by the Council of The City of Oklahoma City, Oklahoma, this _____
day of
_____, 2026.

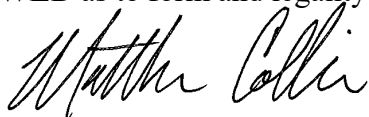
SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, this _____
day of
_____, 2026.

ATTEST:

City Clerk

Mayor

REVIEWED as to form and legality.



Assistant Municipal Counselor