

**THE SEMINOLE NATION OF OKLAHOMA**

**TR 2026-38**

**A VERBAL RESOLUTION OF THE GENERAL COUNCIL OF THE SEMINOLE NATION OF OKLAHOMA IMPLEMENTING A MORATORIUM ON THE ADVANCEMENT OF GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGY AND HYPERSCALE DATA CENTER DEVELOPMENT WITHIN THE JURISDICTION OF THE SEMINOLE NATION OF OKLAHOMA**

**BE IT RESOLVED BY THE GENERAL COUNCIL OF THE SEMINOLE NATION OF OKLAHOMA:**

**WHEREAS,** Article V of the Seminole Nation Constitution empowers the General Council of the Seminole Nation to speak or act on behalf of the Seminole Nation on all matters which the Nation is empowered to act; and

**WHEREAS,** Article V of the Seminole Nation Constitution empowers the General Council of the Nation to negotiate with federal, state, and local governments and others on behalf of the Nation, and to enter into any contract on behalf of the Nation in conjunction with any activity that will further the well-being of the members of the Nation; and

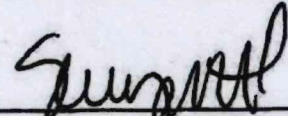
**WHEREAS,** the General council believes that it is in the best interest of the Seminole Nation to implement a moratorium on the advancement of generative Artificial Intelligence (AI) technology and hyperscale data center development within the jurisdiction of the Seminole Nation of Oklahoma including but not limited to its tribal lands and territories.

**NOW THEREFORE BE IT RESOLVED THAT,** the General Council of the Seminole Nation of Oklahoma does hereby implement a moratorium on the advancement of generative Artificial Intelligence (AI) technology and hyperscale data center development within the jurisdiction of the Seminole Nation of Oklahoma including but not limited to its tribal lands and territories; and

**FURTHER RESOLVED,** that any inquiries, discussions, and/or developments concerning any entity seeking to develop a data center of any size within the Seminole Nation are barred during the moratorium period.

**CERTIFICATION**

**PASSED AND APPROVED** by the General Council of the Seminole Nation of Oklahoma on this 7th day of March 2026, at Mekusukey Mission, South of Seminole, Oklahoma by a vote of 24 Yes, 0 No, 0 Abstaining, a quorum of Fifteen (15) Council members being present.



\_\_\_\_\_  
Sena M. Yesslin, Chief  
Seminole Nation of Oklahoma

ATTEST:



\_\_\_\_\_  
Stephanie N. Byington, General Council Secretary  
General Council, Seminole Nation of Oklahoma



(Published in the Tulsa World,  
\_\_\_\_\_, 2026)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DECLARING A ~~365-DAY~~ MORATORIUM UNTIL DECEMBER 31, 2026, ON THE ACCEPTANCE OF APPLICATIONS FOR, PROCESSING OF AND ISSUANCE OF BUILDING PERMITS THAT WOULD ALLOW CONSTRUCTION ON, OR USE OF, PROPERTY FOR DATA CENTER USE LOCATED IN THE CITY OF TULSA; PROVIDING FOR ~~AN~~ EXCEPTIONS AND AN APPEAL PROCESS; PROVIDING EFFECTIVE AND REPEAL DATES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, on November 6, 2024, the City Council adopted an ordinance defining data centers and establishing zoning standards for this use; and

WHEREAS, data centers were included under Low-impact Manufacturing and Industry based on knowledge of data centers at the time, and whereas Low-impact Manufacturing and Industry uses are described as not generating noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration as part of their normal operations; and

WHEREAS, historically, data centers in Tulsa were of smaller scale and did not generate potential impacts that have now become associated with new large-scale data centers;

WHEREAS, on February 11, 2026, the City Council voted 8-0 to request that the Planning Office and the Tulsa Metropolitan Area Planning Commission re-evaluate data center regulations in the City of Tulsa Zoning Code and provide recommendations to the Council; and

WHEREAS, a temporary moratorium on data center uses, in conjunction with the consideration of amendments to the Zoning Code, will allow the City Council time to evaluate the full scope of potential off-site impacts to determine if the use was categorized appropriately;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA:

Section 1. There is hereby declared a Moratorium on the acceptance of applications for, processing of and issuance of building permits that would allow construction on, or use of, real property located in the city of Tulsa for **Data Center** use, as described in Title 42, Tulsa Revised Ordinances (the Tulsa Zoning Code), Section 35.070-A.4. No application for a building permit for construction of a building or structure for such use shall be accepted or processed by the City of Tulsa, and no building permit shall be issued for the same, during the term of this Moratorium, except as provided in Section 2.

Section 2. EXCEPTIONS.

A. Project Anthem Phase 1. This Moratorium shall not apply to a Data Center on the property shown in **Exhibit A** and described in **Exhibit B**, ~~constituting Project Anthem Phase 1~~, which is the subject of the Project Anthem Economic Development Project Plan and Supporting Incentive District, approved by Ordinance 25288, adopted by the Council on May 1, 2024.

A-B. Project Anthem Phase 2. This Moratorium shall not apply to one additional Data Center, which is the subject of pending zoning case Z-7851, if and where appropriately zoned.

Section 3. APPEALS. During the term of this Moratorium, the City Council shall hear any appeal from an affected owner of affected property, and may grant an exemption from the provisions of this Moratorium for good cause shown.

Section 4. 60-DAY REPORTS. The Planning Office shall provide reports to the City Council approximately 60-days after the effective date of this ordinance and each 60-days thereafter until this Moratorium expires to review progress toward re-evaluating data center regulations in the Zoning Code and the status of recommendations to the Council.

Section ~~45~~. EFFECTIVE DATES. This Moratorium shall become effective immediately upon its adoption, approval and publication, and shall remain in full force and effect through ~~March 11~~ December 31, 20276, or on the effective date of an ordinance amending data center regulations in the City of Tulsa adopted in response to the pending Planning Office and Planning Commission review, whichever is earlier, after which it shall automatically be null, void and repealed, provided that the repeal date of the Moratorium may be modified by the enactment of a subsequent ordinance of the City of Tulsa.

Section ~~56~~. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section ~~67~~. EMERGENCY. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect immediately upon its adoption, approval and publication.

ADOPTED, by the Council on this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Chair of the Council

ADOPTED, as an emergency measure, on this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Chair of the Council

OFFICE OF THE MAYOR

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney

ADOPTED WITH EMERGENCY.



# MEMORANDUM

Council Agenda  
Item No. XI. U  
4/21/2026

## The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Ordinance to be introduced and adopted with emergency, declaring a moratorium until December 31, 2026, 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; providing an exception for certain pending rezoning requests; providing for an appeal process; providing for effective and expiration dates; providing severability; and declaring an emergency.

**Background:**

An ordinance was prepared 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. The ordinance also provides an exception for certain pending rezoning requests, an appeals process, severability and the declaration of an emergency to make the Ordinance immediately effective.

The Oklahoma City Zoning and Planning Code does not currently have a specific use unit or regulations identified for data centers. With the increase of land use for large-scale data centers, the potential negative impacts need to be fully explored, including water usage, electrical usage, noise issues, infrastructure issues, and various other potential impacts on the citizens of Oklahoma City. Additionally, the City is currently updating the Zoning Code and reviewing the City's zoning use units and regulations, including the addition of a use unit for data centers and associated components.

The declaration of a temporary moratorium will allow the City Council time to evaluate the full scope of the potential impacts of large-scale data centers and to determine the appropriate regulations to be applied to the data centers.

**Recommendation:** Ordinance be introduced and adopted with an emergency.

**City Council Action  
Financial Impact Report**

**Title of Item:** Ordinance to be introduced and adopted with emergency, declaring a moratorium until December 31, 2026, 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; providing an exception for certain pending rezoning requests; providing for an appeal process; providing for effective and expiration dates; providing severability; and declaring an emergency.

**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

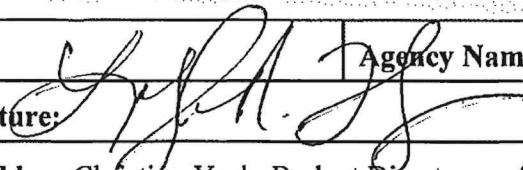
d. Revenue Produced: \$0

**Source of Funds**

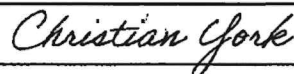
Fund Name: N/A

Agency Name: The City Manager's Office

Department Head Signature:



OMB Review Completed by: Christian York, Budget Director



(Published in The Journal Record \_\_\_\_\_ APRIL 22, 2026)

ORDINANCE NO. 28,071

**ORDINANCE DECLARING A MORATORIUM UNTIL DECEMBER 31, 2026, 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 THE CITY OF OKLAHOMA CITY; PROVIDING AN EXCEPTION FOR CERTAIN PENDING REZONING REQUESTS; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR EFFECTIVE AND EXPIRATION DATES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.**

**EMERGENCY ORDINANCE**

**WHEREAS**, currently Chapter 59 of the Oklahoma City Municipal Code, 2020, as amended, known as the Oklahoma City Zoning and Planning Code (“Zoning Code”), does not have a specific use unit or specific regulations identified for data centers; and

**WHEREAS**, historically, data centers in Oklahoma City have been on a small scale, or associated with a specific office or business use, and they did not generate the potential negative impacts that have now become associated with new, larger-scale data centers; and

**WHEREAS**, large-scale data centers cause potential issues related to water usage, electrical usage, noise, heat, air quality, infrastructure issues, and various other potential impacts on the citizens of Oklahoma City; and

**WHEREAS**, the City Council has entered into a multi-phase contract with White and Smith Planning and Law Group of Kansas City, Missouri, to update the City’s development-related codes, including the Zoning Code; and these changes are intended to implement the City’s Comprehensive Plan (PlanOKC) and address the challenges with existing City regulations; and



**WHEREAS**, the City is currently in Phase 2 of the Zoning Code update and is currently reviewing the City's zoning use unit classifications including the addition of a use unit for data centers and battery storage systems and associated components and regulations related thereto; and

**WHEREAS**, consistent with the intent of PlanOKC and the Zoning Code to promote the health, safety, and general welfare of the residents of Oklahoma City, and to allow for the proper study of regulations on land uses, the holding of public hearings and the adoption of amendments to the Zoning Code and other regulations related to data centers are critical, and an emergency exists that requires the declaration of a temporary moratorium on the acceptance of applications for the processing of and issuance of all rezoning requests and permits, including building permits, for the construction on or use of property for new or expanded data centers; and

**WHEREAS**, the declaration of such a temporary moratorium will allow the City Council time to evaluate the full scope of the potential impacts of data centers and to determine the appropriate regulations to be applied to data centers.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:**

Section 1. A Moratorium is hereby declared 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. No application for such a rezoning or a permit, including building permits, for construction or expansion of a building or structure for such use shall be accepted or processed by The City of Oklahoma City, and no permits, including building permits, shall be issued for the same during the term of this Moratorium.

Section 2. Any firm, person or business entity aggrieved by any determination made by the Planning Director or Development Services Director under the terms of this Ordinance may appeal such determination to the Board of Adjustment as provided in Chapter 59 of the Oklahoma City Municipal Code, 2020, as amended. The Board of Adjustment is hereby authorized to grant variances from the terms of this Ordinance to relieve an unnecessary hardship, provided the purpose and intent of the Ordinance is met.

Section 3. The provisions of this Ordinance shall apply only to applications for the processing of and issuance of rezoning requests and permits, including building permits, for the construction and/or expansion of or use of property for data centers 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 I-40 and Frisco Rd.) and PUD-2124 (located at NW 23<sup>rd</sup> Street and Frisco Road), or to any permits, including building permits, related thereto.

Section 4. This Moratorium shall become effective immediately upon its adoption, and shall remain in full force and effect for the shorter of December 31, 2026, or the effective date of an amendment to the Zoning Code related to the adoption of new use units and regulations associated with data centers by the City Council, after which it shall automatically expire and be null and void; provided that the expiration date of the Moratorium may be modified by the enactment of a subsequent ordinance of The City of Oklahoma City.

Section 5. If any section, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance or any part thereof.

Section 6. An emergency is hereby declared to exist for the preservation of the public peace, health, safety, and welfare by reason whereof this Ordinance shall take effect immediately upon its adoption and publication.

**INTRODUCE AND READ** in the open meeting of the Council of The City of Oklahoma City, Oklahoma, this 21ST day of APRIL 2026.

**PASSED** by the Council of The City of Oklahoma City, Oklahoma, this 21ST day of APRIL 2026.

**SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma, this 21ST day of APRIL, 2026.

**ATTEST:**

Amy K. Simpson  
City Clerk



**THE CITY OF OKLAHOMA CITY**

David Holt  
MAYOR

**REVIEWED** for form and legality.

Susan D. Randall  
Assistant 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

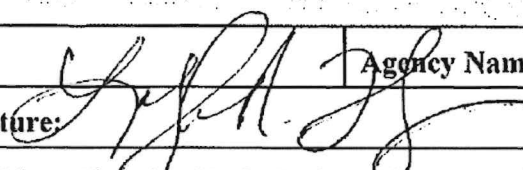
d. Revenue Produced: \$0

**Source of Funds**

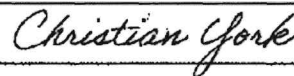
Fund Name: N/A

Agency Name: The City Manager's Office

Department Head Signature:



OMB Review Completed by: Christian York, Budget Director



(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 23<sup>rd</sup> 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 23<sup>rd</sup> 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

## **ORDINANCE 2026-04**

AN ORDINANCE AMENDING SECTION 11-9B-3 OF THE CHANDLER CITY CODE OF ORDINANCES TO ADD DATA CENTERS TO THE USES PERMITTED ON REVIEW SECTION, REPEALING ALL ORDINANCES AND REGULATIONS IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

### **EMERGENCY ORDINANCE**

**Section 1.** That Section 11-9B-3 of the Chandler City Code of Ordinances be, and is hereby amended to read as follows:

#### § 11-9B-3 USES PERMITTED ON REVIEW.

The following uses may be permitted on review by the planning commission in accordance with the provisions contained in subsection 11-3-4(B) of this title:

Any use not otherwise permitted by these regulations;

Cement, lime or gypsum manufacture;

Data Centers (must also be approved by the City Council);

Disposal plants of all types including trash and garbage, sewage treatment (including lagoons) and compost plants;

Natural gas production and distribution;

Petroleum production and refining;

Recycled materials processing (postconsumer);

Salvage yards for automobiles, building materials, scrap metal, junk, or for any other kind of salvage; provided, however, that all salvage operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the salvage operation is located;

Wholesale or bulk storage of gasoline, propane or butane, or other petroleum products.

**Section 2.** That except as amended herein, all other provisions of Sections 11-9B-3 of the Chandler City Code of Ordinances remain in full force and effect.

**Section 3.** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That the provisions of this ordinance are severable and if any part or provision hereof shall be held void by a court of competent jurisdiction, such decision shall not affect or impair any of the remaining parts or provisions of this ordinance.

**Section 5. EMERGENCY.** Whereas it being necessary for the preservation of the peace, health and safety of the City of Chandler, Oklahoma, and the inhabitants thereof, that the provisions of this ordinance be put into full force and effect instantly, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force and effect from and after its passage as provided by law.

PASSED by the Council of the City of Chandler, Oklahoma, this 12<sup>th</sup> day of May 2026 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

EMERGENCY declared by separate vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

APPROVED by the Mayor of the City of Chandler, Oklahoma, this 12<sup>th</sup> day of May 2026.

\_\_\_\_\_  
Kent McVey, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Carmichael, City Clerk

APPROVED:

\_\_\_\_\_  
Larry Lenora, City Attorney