



CITY OF MIDWEST CITY MEETINGS

Special Assistance for a Meeting: Send request via email to dyoung@midwestcityok.org or call 405-739-1220 no less than 24 hours prior to the start of a meeting. If special assistance is needed during a meeting, call 739-1388.

Doors to the Council Chamber will be open to the public fifteen minutes prior to the start of a meeting.

For the purposes of all meetings of the MWC elected and/or appointed officials, the term “possible action” shall mean possible adoption, rejection, amendments, postponements, and/or recommendation to the City Council and/or Authorities.

Pursuant to Midwest City Resolution 2022-50, the following rules of conduct and engagement are in effect for all meetings of the MWC elected and/or appointed officials:

1. Only residents of the City, and/or identifiable business doing business in or with the City, or where it is required by statute during public hearings may speak during a public meeting, unless by majority vote of the Planning Commission / Board of Adjustment, non-residents may be permitted to comment on agenda items that impact them. To verify this new requirement, speakers must state their name and City residential/business address or provide/present proof of residential/business address to the staff before addressing the elected/appointed officials.
2. There will be a 4 (four) minute time restriction on each speaker, which can be extended by a vote of the Planning Commission / Board of Adjustment, only if it benefits and/or clarifies the discussion at hand. The staff will be the timekeeper and will notify the chair when time has expired.
3. The Mayor/Chair reserves the right to remove individuals from the audience if they become disorderly. If the Mayor/Chair asks a disruptive individual to leave and the individual refuses to leave, the meeting will be recessed and appropriate law enforcement action will be taken.
4. Agenda items requesting action of the elected/appointed officials shall include:
 1. Presentation by City Staff and/or their invited guest speaker;
 2. If a public hearing is required, questions and discussion by and between the elected/appointed officials, City Staff, and the public;
 3. Questions and discussion by and between the elected/appointed officials and City Staff, invited guest speaker, and/or public during a public hearing; and
 4. Motion and second by the elected/appointed officials.
 5. If a motion is to be amended, the one who made the motion may agree and restate the motion with the amendment; however, if the maker of the motion does not agree to the amendment, the motion may be voted on as it stands.
 6. Final discussion and possible action/amended motion by the elected/appointed officials.



PLANNING COMMISSION AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

September 1, 2026 - 5:00 PM

Jess Huskey - Chair
Marcus Hayes
Jack Fry
Zach Watts

Rick Dawkins - Vice Chair
Jim Smith
Jay Dee Collins

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion and consideration of adoption, including any possible amendments of the minutes of the August 4, 2026, Planning Commission meeting.
2. (PC-2251) Public hearing, discussion, consideration, and possible action to consider approval of the Final Plat of Timberridge Pointe Section 5, for the property for the property described as a tract of land located in the Southwest Quarter (SW/4) of Section Ten (10), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma. (Ward 6)
3. (PC-2257) Public hearing, discussion, consideration, and possible action on an ordinance amending Midwest City Code, Appendix A, Zoning Regulations, Section 4, Use Unit Classifications and Regulations, Part 4.5., Industrial Use Unit Classifications and Regulations, by adding Subpart 4.5.12., Data Center; Part 4.9., Use Regulations Of Land and Buildings, Subpart 4.9.2., Use Chart; Part 4.10., Regulations of Specific Uses, by adding Subpart 4.10.7., Data Center; Section 5, Supplemental Regulations, Part 5.2., Screening and Landscaping; Subpart 5.2.3., Fencing and Screening; Section 7, Development Review Procedures, Part 7.10., Administrative and Enforcement Procedures, Subpart 7.10.1., Violations and Penalties; and providing for repealer and severability.

C. NEW BUSINESS/PUBLIC DISCUSSION.

D. FURTHER INFORMATION.

E. ADJOURNMENT.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

DATE August 4, 2026 - 5:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on August 4, 2026, at 5:00 p.m., with the following members present:

Commissioners present: Jess Huskey *Chair*
Rick Dawkins *Vice Chair*
Jim Smith
JD Collins
Marcus Hayes
Jack Fry
Zach Watts

Commissioners absent: None.

Staff present: Matthew Summers, Community Development Director
Zamya Darthard, Planner II
Brylee Hester, Planner I
Don Maisch, City Attorney
Patrick Menefee, Capital Projects Engineer

A. CALL TO ORDER

The meeting was called to order by Chairperson Jess Huskey at 5:00 p.m.

Chairperson Jess Huskey announced that the applicant for Discussion Item #5 (PC-2254) requested to postpone to a later date.

B. DISCUSSION ITEMS

1. Honoring Dean Hinton and Russell Smith for their years of dedicated service on the Planning Commission.

Mayor Rice & City Manager, Tim Lyon, recognized former Planning Commissioners, Russell Smith and Dean Hinton, for many years of dedication to serving the City of Midwest City in various capacities.

2. Public Discussion and consideration of adoption, including any possible amendments of the minutes of the July 7, 2026, Planning Commission Meeting.

A motion was made by Dawkins, seconded by Smith, to approve the minutes of the July 7, 2026, Planning Commission meeting as presented.

Voting Aye: Dawkins, Smith, Collins, Hayes, Watts, Fry and Huskey.

Nay: none.

Motion carried.

3. (MP-35) Public hearing, discussion, consideration, and possible action to approve a Minor Plat for the property located at 111 Richards Avenue, Midwest City, Oklahoma. (Ward 3)

Planner, Zamyia Darthard, presented the item. The applicant's representative, Jamie Goicochea, was present and addressed the Commission. The Commissioners had no further questions for staff or the applicant's representative. There were no public comments on this item.

A motion was made by Fry to recommend approval of the item subject to staff comments, seconded by Dawkins.

Voting aye: Dawkins, Smith, Collins, Hayes, Watts, Fry and Huskey.

Nay: none.

Motion carried.

4. (PC-2250) Public hearing, discussion, consideration, and possible action on an ordinance to rezone the subject property from Single-Family Detached Residential District ("R-6") to Planned Unit Development ("PUD") for the property described as part of the Northwest Quarter (NE/4) of Section Seven (7), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma (Ward 6).

Planner, Zamyia Darthard, presented the item. The applicant's representative, David Box, of Box Law Group PLLC, was present and addressed the Commission on behalf of the applicant.

Chairperson Huskey presented a concern regarding the requested relief from development standards and potential impacts on the quality of development.

Vice Chairperson Dawkins expressed additional concerns about the quality of development proposed.

The applicant's representative addressed the concerns of the Chairperson & Vice Chairperson.

George Poplin— 1700 Songbird Ln. addressed the Commission and presented concerns regarding the distance to the Windsong Addition and the quality of the proposed homes.

Wanda Martin— 1901 Meadowlark Ln. expressed concerns regarding both the size and quality of homes within the development, as well as the landscape buffer between the Windsong Addition and proposed development.

The applicant's representative stated his client is willing to increase the masonry on the houses to 80% to address the Planning Commission comments.

There was general discussion amongst the Commission.

A motion was made by Dawkins to recommend denial of the item, seconded by Fry.

Voting Aye: Dawkins, Smith, Collins, Watts, Fry and Huskey.

Nay: none.

Abstain: Hayes.

Motion carried.

5. (PC-2254) Public hearing, discussion, consideration, and possible action of a resolution to amend the Comprehensive Plan from Local Commercial to Neighborhood Medium to High Density; and an ordinance to redistrict the subject property from Planned Unit Development (“PUD”) to Planned Unit Development (“PUD”) for the property described as part of the Southeast Quarter (SE/4) of Section Seven (7), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma (Ward 6)

The chair announced the item would be postponed.

C. NEW BUSINESS/PUBLIC DISCUSSION None.

D. FURTHER INFORMATION None.

E. ADJOURNMENT

A motion to adjourn was made by Dawkins, seconded by Smith.

Voting Aye: Dawkins, Smith, Collins, Hayes, Watts, Fry and Huskey.

Nay: None.

Motion Carried.

The meeting adjourned at 5:33 p.m.

Chairperson Jess Huskey (*Chair*)
(bh)

To: Chairman and Planning Commission

From: Zamyia Darthard, Planner II

Date: September 1, 2026

Subject: (PC-2251) Public hearing, discussion, consideration, and possible action to consider approval of the Final Plat of Timberridge Pointe Section 5, for the property for the property described as a tract of land located in the Southwest Quarter (SW/4) of Section Ten (10), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma. (Ward 6)

Executive Summary: The Applicant is requesting approval of the Final Plat of Timberridge Pointe Section 5.

The proposal consists of seventy (70) single-family detached residential lots on approximately 24.96 acres, more or less.

The subject property is currently zoned PUD, with R-1-D as the underlying zoning district. Development of the property will be subject to the applicable 1985 Zoning Regulations. Any subdivision standards not specifically addressed in the PUD Master Design Statement shall be subject to the applicable development regulations outlined in the current Subdivision Regulations of the Midwest City Municipal Code.

Staff recommends adding a condition of approval for the final plat requiring permits for the neighborhood amenities be pulled prior to the approval of any building permits for houses. No new house permits will be issued and no inspections will be scheduled if the permits for the amenities expire.

Staff conducted their standard review of the final plat. All applicable zoning requirements have been met, and all required public improvements have been installed and accepted by the City Engineer.

Development of the individual lots will be subject to formal site plan review when building permits pulled. The PUD for this neighborhood establishes minimum house sizes for the lots in this development. Future final plats will be subject to staff review and the lot width and minimum house size considerations identified in this report.

Both state and local notification requirements were met. At the time of this writing, staff have not received any calls or emails in support of or opposition to the proposed final plat.

Staff recommends approval of this item with the condition noted above for the neighborhood amenities.

Action is at the discretion of the Planning Commission.

Dates of Hearing:

Planning Commission- September 1, 2026

City Council- September 22, 2026

Date of Pre-Application Meeting: March 26, 2026

Date of Site Plan Review Team Meeting: July 21, 2026



Council Ward: Ward 6, Rick Favors

Owner: IH Development, LLC and Ideal Homes of Norman LP

Applicant: Ideal Homes

Size: Contains an area of 24.96 acres MOL

Development Proposed by Comprehensive Plan:

Area of Request: Estate Residential
North: Estate Residential
South: City of Oklahoma City
East: Unincorporated
West: Estate Residential

Zoning Districts:

Area of Request: PUD
North: R-6
South: City of Oklahoma City
East: Unincorporated
West: PUD

Land Use:

Area of Request: Single Family Residences
North: Single Family Residences
South: City of Oklahoma City (Single Family Residences)
East: Unincorporated (Mobile Home Park)
West: Single Family Residences

Comprehensive Plan Citation:

The future land use designation for the subject property is Estate Residential.

Estate Residential

The primary use of this area is for detached single-family homes situated on large lots. Homes are generally spaced farther apart than those in traditional residential subdivisions and may deviate from the traditional neighborhood pattern. The permitted density is 0–2 units per acre, and this designation also allows non-residential uses that support the residential development, including parks, recreation facilities, and schools.

Municipal Code Citation:

Sec. 38-19 – Final Plat

Sec. 38-19.1. Purpose.

The purpose of a final plat is to ensure:

- (a) *Consistency with standards.* That the proposed subdivision and development of the land is consistent with all standards of this Subdivision Ordinance pertaining to the adequacy of public facilities;
- (b) *Provide for public improvements.* That public improvements to serve the subdivision or development have been installed and accepted by the city or that provision for such installation has been made; and
- (c) *Other requirements and conditions.* That all other requirements and conditions have been satisfied or provided for to allow the final plat to be recorded.

History:

1. 1985 – The subject property was zoned R-1-D, Single-Family Detached in the 1985 atlas.
2. April 2005 – (PC1577) The property was rezoned to a PUD, Planned Unit Development governed by the R-1-D district and named Timberridge Pointe.
3. April 2005 – (PC-1580) City Council approved a Preliminary Plat for the subject property.
4. June 2005 – (PC-1589) The final plat for Timberridge Pointe Section 1 was approved.
5. August 2007 – (PC-1642) The final plat for Timberridge Pointe Section 2 was approved.
6. September 2007 – (PC-1643) The amended PUD for Timberridge Pointe was approved to alter the lot width percentages, home sizes, street configuration, points of access, and drainage ways.
7. September 2007 – (PC-1648) The revised preliminary plat Timberridge Pointe was approved.
8. October 2007 – (PC-1651, PC-1652, and PC-1653) The final plat for Timberridge Pointe Sections 3,4, and 5 was approved, but there was no substantial development.
9. June 2008 – (PC-1672) The second PUD amendment of Timberridge Pointe was approved to add natural vegetation in the common areas to provide buffering between the grade changes.
10. March 2011 – (PC-1734) The final plat of Timberridge Pointe Section 3 was approved.
11. October 2014 – (PC-1814) The final plat of Timberridge Pointe Section 4 was approved.
12. March 2019 – (PC-1985) The final plat of Timber Ridge Pointe Section 4 was approved again because the previous plat was never filed and became void.
13. September 2019 – (PC-2009) The third PUD amendment was approved to permit cedar siding and allow a model home with a sales office in the garage.

Next Steps:

If Council approves this final plat, the applicant will need to file the plat with all required signatures with Oklahoma County, then provide the City a copy of the filed plat (digital).

Staff Comments-

There are numerous construction requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development activities such as extending public sewer and water and making street improvements, for examples. This is a final plat application and the construction references are provided to make the applicant and subsequent developers of this property aware of their applicability as they relate to the future development or redevelopment of this property.

Engineering Staff Comments:

Note: This application is for the final plat of Timberridge Pointe Section 5 subdivision located north east from Hiwassee Road and S.E. 29th Street.

Public Improvements

The requirements of the public improvements can be found in the subdivision regulations under:

Sec. 38-30.1. Completion prior to final plat approval and recordation.

(a) Construction required prior to final plat approval and recordation. Completion of all required public improvements, in accordance with the approved preliminary plat and the approved construction plans, shall occur prior to final plat approval and recordation.

(b) Final plat shall not be accepted. A final plat shall not be accepted for filing, nor shall it be considered for approval, prior to completion of all required public improvements.

Upon application of final plat, this office reviewed all the public improvements for compliance with the subdivision regulations.

Water

Water line improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed.

Sanitary Sewer

Sanitary Sewer improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed.

Stormwater

Stormwater improvements were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed.

Street

The new roadway improvements were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed.

Sidewalk

The sidewalks were permitted through this office. The sidewalk has been approved but the developer will install it during the home building process. Construction of the sidewalk at the time of this summary it has not been completed.

Easements

Subdivision Regulations requires that all existing, dedicated, and proposed rights-of-way and easements are depicted on the final plat. These dedications are reflected on the final plat.

Lighting

Public street lighting has been ordered but has not been installed in the development. The developer will be responsible for installing any lighting in the development.

Signage

Public signage has been ordered but has not been installed in the development. The developer will be responsible for installing street signage in the development.

Record Drawings, Lien Release, and Bonding

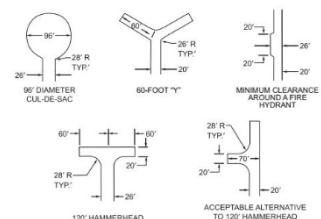
Record drawings are being submitted to the City and filed accordingly. Bonds were provided for all the public infrastructure and lien releases has been received.

Fire Marshal's Comments:

Fire Department / Emergency Access Roads

All new commercial construction, gated communities, and business in the city shall provide an approved emergency rapid access device or key box. Access and operational standards for controlled access gates and gated subdivisions shall meet the requirements set forth in Midwest City Ordinance Sec. 15-26 (IFC 506)

Multiple family residential projects having more than 100 dwelling units shall be equipped throughout with a minimum of two separate and approved fire apparatus access roads. IFC D106.



Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8. (2018 IFC Sec 503.2).

- Unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- Turning radius is required to meet the parameters of the 95' Sidestacker platform apparatus (Turning radius document attached to the PC Case Files).
- Dead-Ends exceeding 150 feet in length shall be provided with an approved area for turning around fire apparatus.

Midwest City Ordinance Section 15-22 – Location of Hydrants

- (b) Fire hydrants shall be located and so spaced that no hose lay from a fire apparatus exceeds five hundred (500) feet within areas containing one- and two-family detached dwellings.
- (c) In all areas except those containing only one- and two-family detached dwellings, fire hydrants shall be located in such a manner that no hose line will exceed four hundred (400) feet in length to reach any accessible portion of the exterior of any building and is dependent on the ability to place an apparatus in such a manner necessary to utilize said hydrant. Distance shall be measured by the lay of the hose, not by line of sight.
- (d) Within all other areas, including but not limited to, mercantile, business, educational, assembly, detention and correctional, health care, storage, industrial and multifamily dwellings, the maximum spacing shall be no more than four hundred (400) feet. Buildings of noncombustible or limited combustible construction, protected by a complete automatic sprinkler system and classified by NFPA 13 as "Light or Ordinary Hazard" may be protected by fire hydrants located with a maximum spacing of five hundred (500) feet. Distance shall be measured by the lay of the hose, not by line of sight.
- (e) In areas of commercial development, fire hydrants shall be located in a sufficient number and manner to supply the required flow, per the adopted edition of International Fire Code requirements, for a structure and its exposures or supply adequate water for the fire sprinkler system.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

Fire apparatus access roads shall not exceed 10 percent in grade.

Planning Division:

Staff met with the applicant on March 26, 2026, for a pre-application meeting. A Site Plan Review Team meeting was subsequently held on July 21, 2026, with the applicant in attendance.

The proposed final plat consists of seventy (70) residential lots on approximately 24.96 acres. The development is subject to the R-1-D zoning regulations contained within the 1985 Zoning Regulations, as well as the applicable standards established in the PUD Master Design Statement and the current Subdivision Regulations.

The Declaration of Covenants, Conditions, and Restrictions has been reviewed by the City Attorney.

Development of each lot will be subject to formal site plan review at the time building permits are applied for.

The Timber Ridge Pointe development was started more than 20 years ago. The recreational amenities planned for this neighborhood are intended to be constructed in the proposed Section 5, therefore it is appropriate to require the neighborhood amenities to be constructed at this time. Staff recommends adding a condition of approval for the final plat requiring permits for the neighborhood amenities be pulled prior to the approval of any

building permits for houses. No new house permits will be issued and no inspections will be scheduled if the permits for the amenities expire.

The PUD Master Design Statement establishes requirements for lot width ranges and minimum home sizes. Staff prepared a lot compliance analysis using the current lot widths and home sizes to evaluate the development's consistency with the standards established in the approved PUD.

Table 1

Lot Widths: Sections 1, 2, 3, 4, and 5			
<i>Lot Width Category</i>	<i>PUD Required Percentage</i>	<i>Total Number of Platted Lots</i>	<i>Actual Percentage</i>
65-70 ft. (70 & under)	35%	154	57.46%
75-80 ft. (70+-80)	45%	55	20.52%
90-110 ft. (80+)	20%	59	22.02%
Total	100%	268	100%

The PUD establishes minimum house sizes by lot width, as follows:

- 65-70 ft. (70 & under) – 1,600 square feet
- 75-80 ft. (70+-80) – 1,900 square feet
- 90-110 ft. (80+) – 2,400 square feet

Based on the analysis presented in Table 1, staff found that Sections 1–5 have a deficit of approximately 20% in the number of lots within the 70–80-foot lot width range established by the PUD.

As the developer proceeds with the platting of future sections, **the number of lots within the 70–80-foot width range shall be increased to meet the percentage** established by the PUD. All homes constructed within Section 5 and future sections shall meet the minimum house size requirements established by the PUD, based on the applicable lot width measured at the front building line.

Based on the analysis provided, staff recommends approval of the proposed final plat, with the conditions of approval recommended in the report.

Action is at the discretion of the Commission.

Action Required:

Approve or reject the Timberridge Pointe Section 5 Final Plat, subject to staff comments found in the September 1, 2026, Planning Commission agenda packet and made part of the PC-2251 file.

Suggested Motion:

“To approve the Timberridge Pointe Section 5 Final Plat subject to Staff Comments found in the September 1, 2026, Planning Commission agenda packet and made part of the PC-2251 file.”

Please feel free to contact the Community Development office at (405) 739-1223 with any questions.



Zamyia “Mya” Darthard
Planner II



**Public Works
Administration**
8730 S.E. 15th Street
Midwest City, OK 73110
Office 405.739.1063

NOTICE OF ACCEPTANCE

Date: July 14th, 2026

RE: Timberridge Pointe Section 5 Addition

Mr. Brik Filippo, Ideal Homes Development, LLC:

I want to inform you that the infrastructure built to service the **Timberridge Pointe Section 5 Addition** development located northeast from the intersection of S.E. 29th Street and Hiwassee Road has been inspected by the City's Engineering staff and was constructed to meet the City's standards. Along with construction being complete, staff has received as-builts and lien releases for the improvements. All necessary materials will be submitted for acceptance by the City Council on September 22nd, 2026, closing the project.

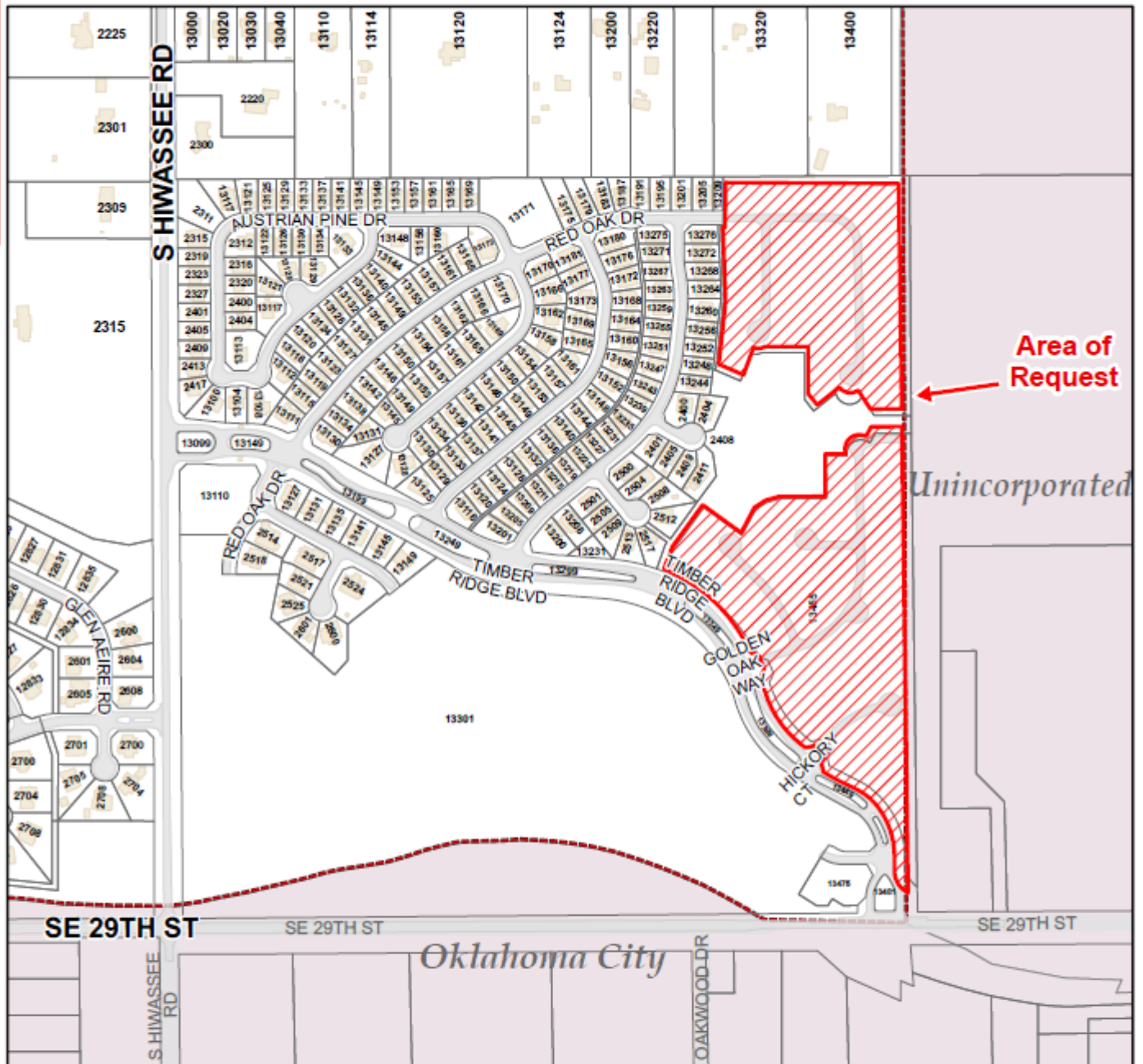
This infrastructure includes:

- Water line extensions within the development.
- Sewer line extensions within the development.
- Street and storm drainage extensions within the development.

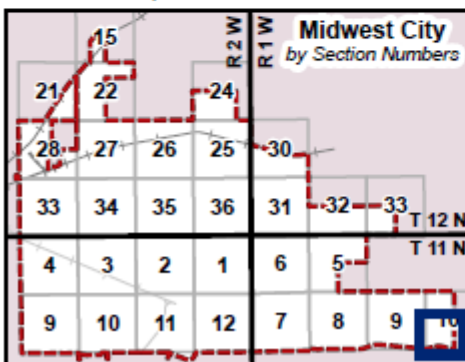
Patrick Menefee, P.E.,
City Engineer



GIS - Information Technology/ Planning & Zoning



Locator Map



General Map Legend

- Area of Request
- Parcels with Addresses
- Buildings
- Edge of Pavement
- MWC City Limits
- Railroads**
 - Active
 - Inactive / Closed

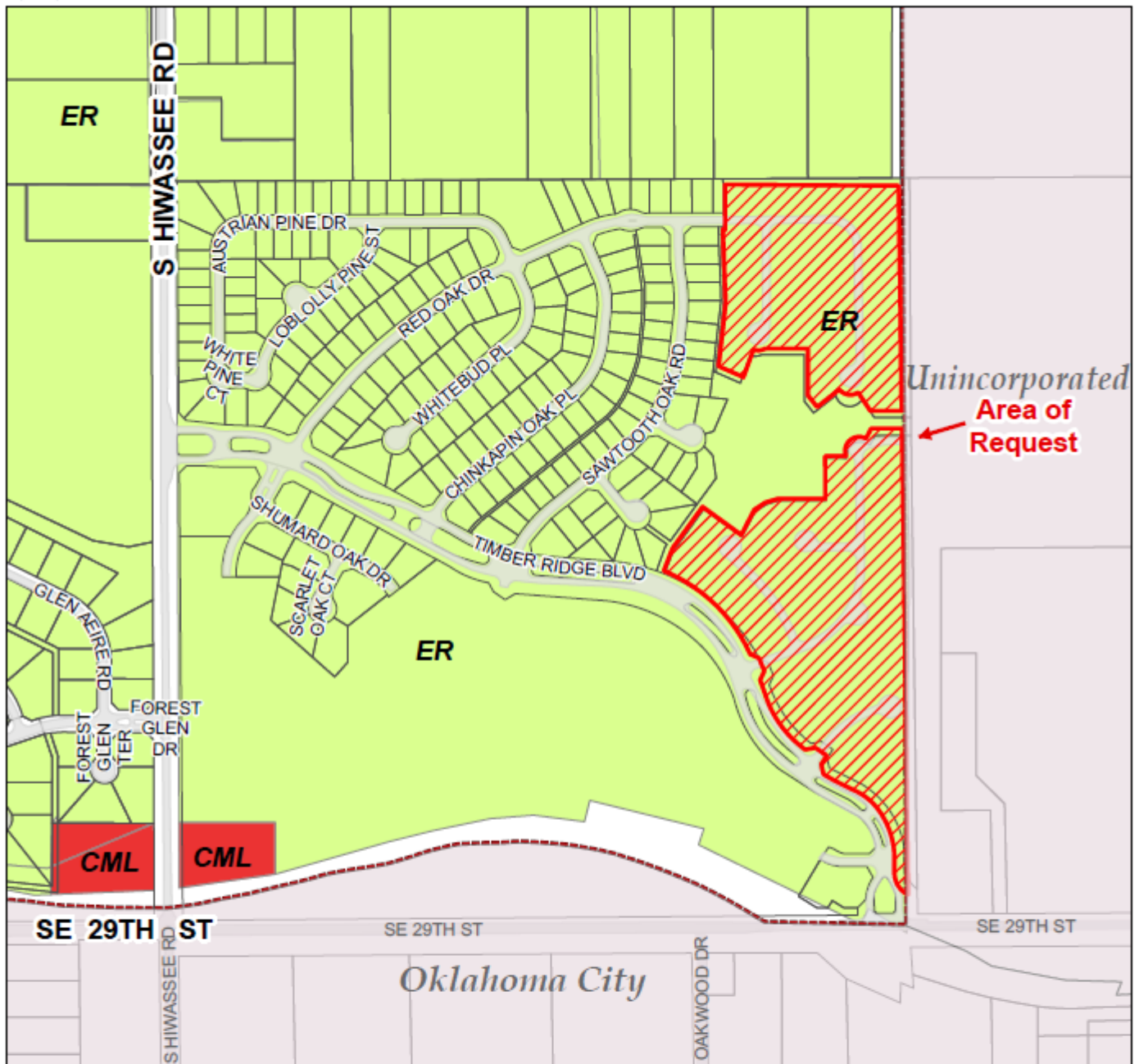
GENERAL MAP FOR PC-2251 (SW/4, Sec. 10, T11N, R1W)

N 0 490 980 Feet
On 8.5" x 11" paper 1 inch equals 500 feet

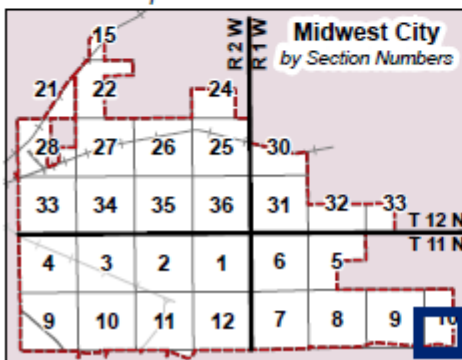
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Locator Map

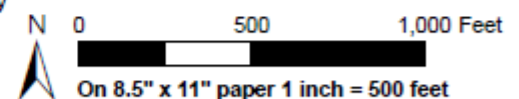


Created June 11, 2026

Future Land Use Legend

- Estate Residential
- Neighborhood Low Density
- Neighborhood Med to High Density
- Mixed Use
- Local Commercial
- Regional Commercial
- Industrial
- Public/Semi-Public
- Parks/Open Space
- Special Planning Areas 2026

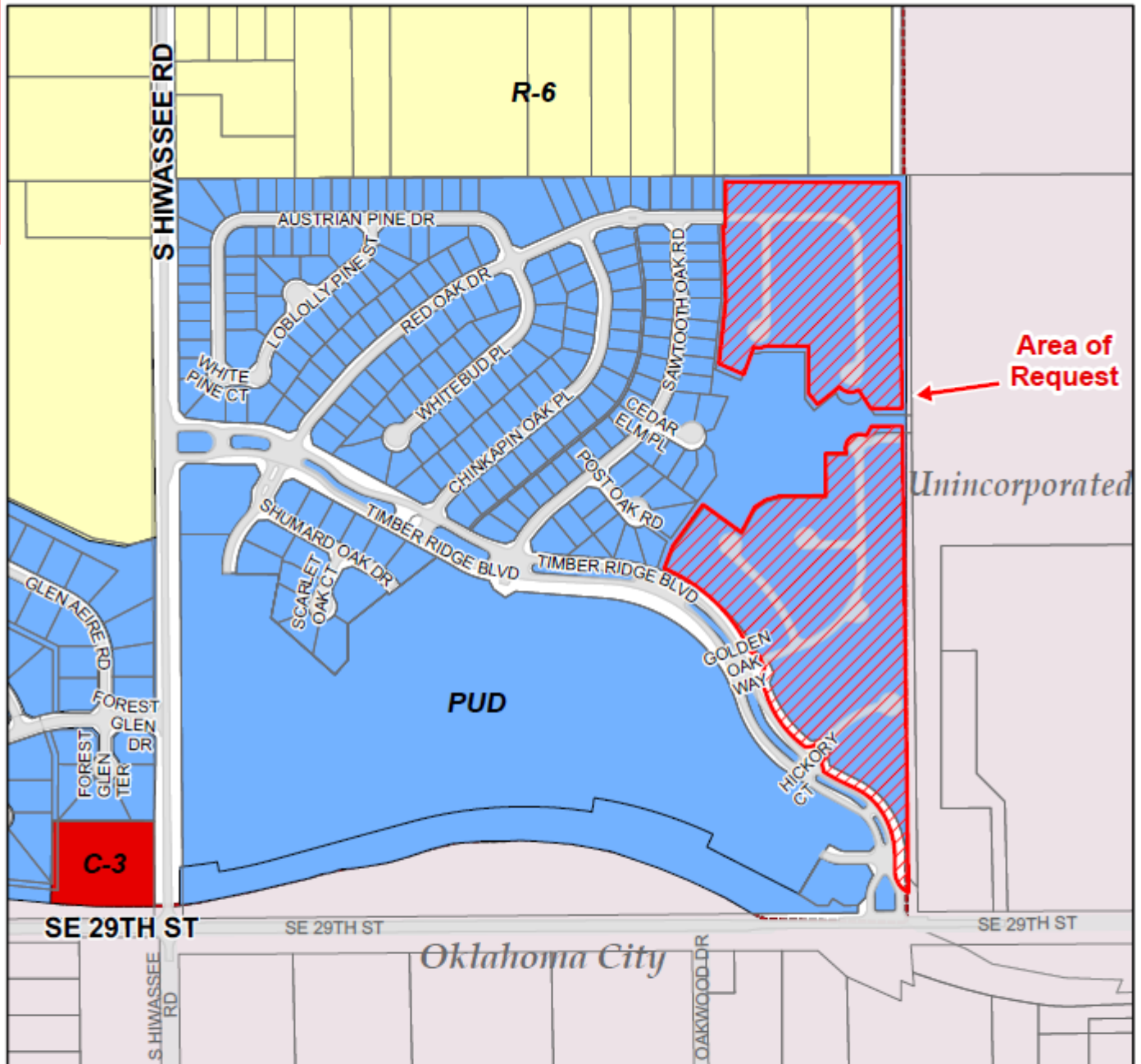
FUTURE LAND USE MAP FOR PC-2251 (SW/4, Sec 10, T11N, R1W)



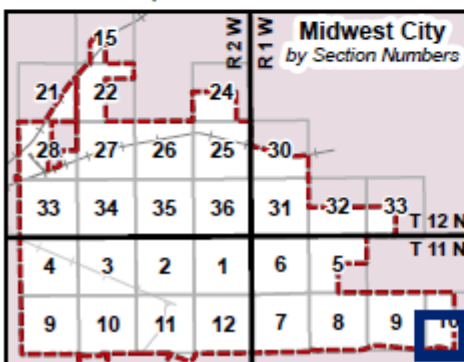
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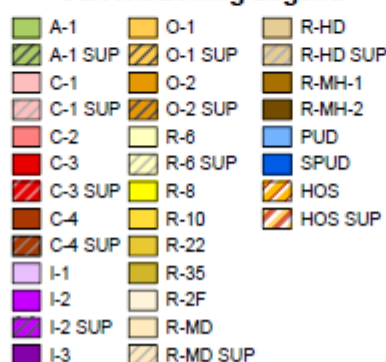
GIS - Information Technology/ Planning & Zoning



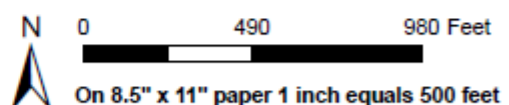
Locator Map



Current Zoning Legend



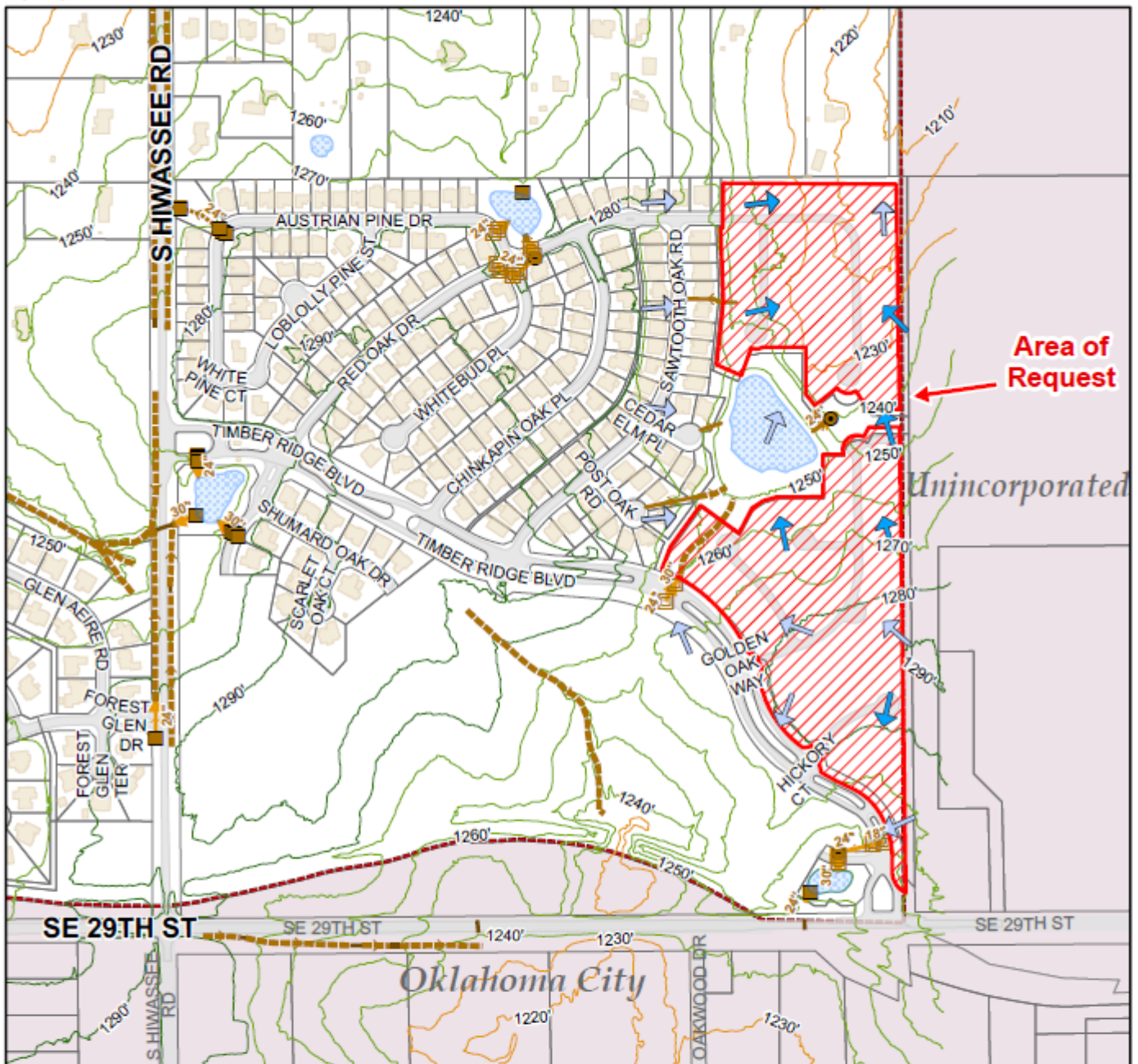
**ZONING MAP
FOR PC-2251
(SW/4, Sec. 10, T11N, R1W)**



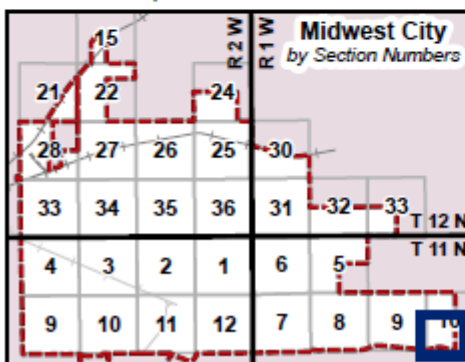
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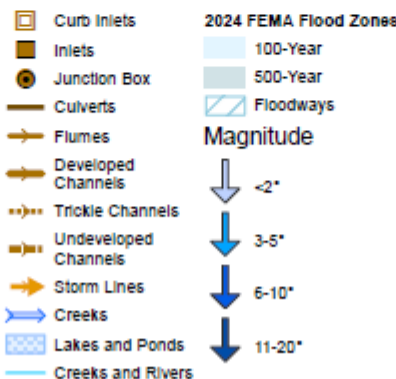
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Locator Map



Drainage Legend



DRAINAGE MAP FOR PC-2251 (SW/4, Sec. 10, T11N, R1W)

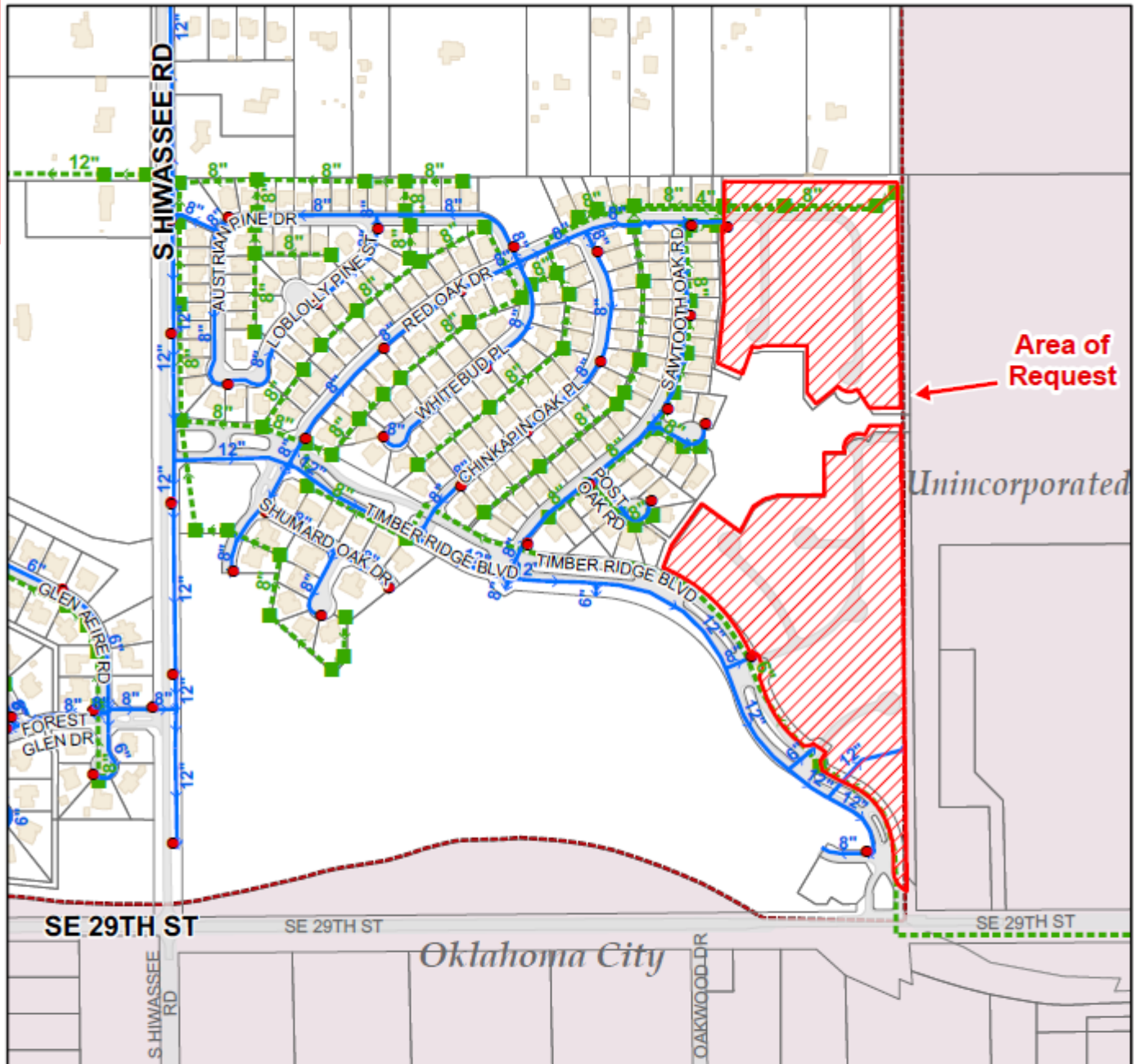
N 0 490 980 Feet

On 8.5" x 11" paper 1 inch equals 500 feet

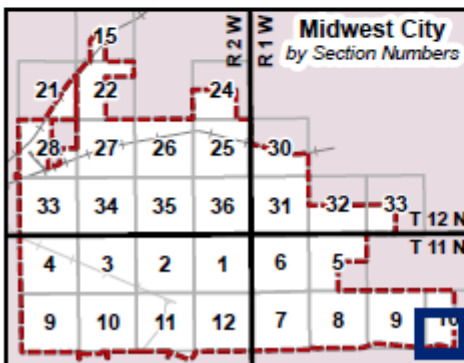
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GIS - Information Technology/ Planning & Zoning



Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines**
 - Distribution
 - Well
 - OKC Cross Country
 - Sooner Utilities
 - Thunderbird
 - Unknown
- Sewer Manholes
- Sewer Lines

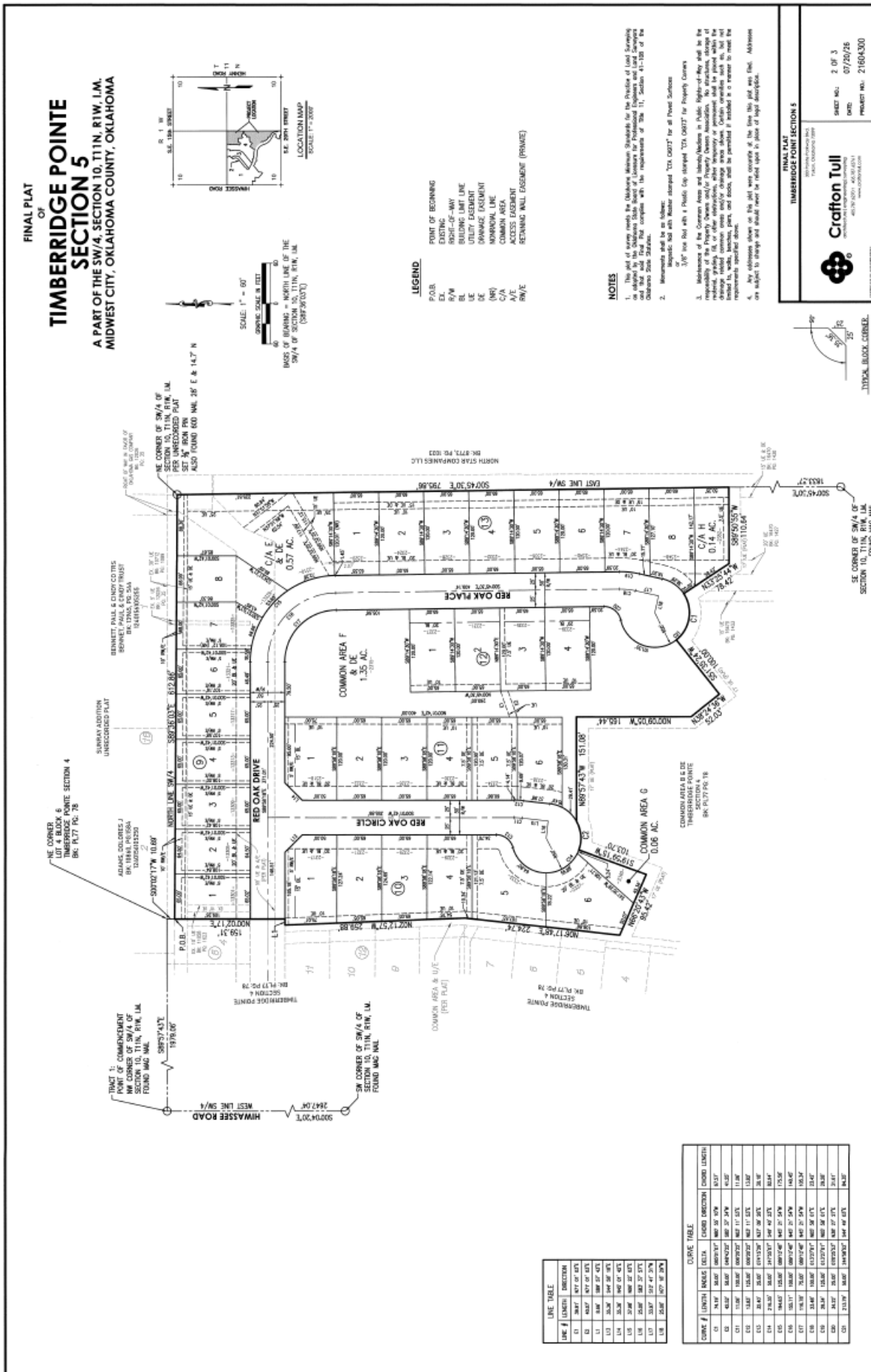
**WATER SEWER MAP
FOR PC-2251
(SW/4, Sec. 10, T11N, R1W)**

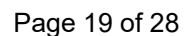
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Community Development Department
100 N. Midwest Blvd, Midwest City, OK

To: Chairperson and Planning Commission
From: Matt Summers, Community Development Director
Date: September 1, 2026
Subject: (PC-2257) Public hearing, discussion, consideration, and possible action on an ordinance amending Midwest City Code, Appendix A, Zoning Regulations, Section 4, Use Unit Classifications and Regulations, Part 4.5., Industrial Use Unit Classifications and Regulations, by adding Subpart 4.5.12., Data Center; Part 4.9., Use Regulations Of Land and Buildings, Subpart 4.9.2., Use Chart; Part 4.10., Regulations of Specific Uses, by adding Subpart 4.10.7., Data Center; Section 5, Supplemental Regulations, Part 5.2., Screening and Landscaping; Subpart 5.2.3., Fencing and Screening; Section 7, Development Review Procedures, Part 7.10., Administrative and Enforcement Procedures, Subpart 7.10.1., Violations and Penalties; and providing for repealer and severability.

This ordinance proposes amending Appendix A (Zoning Regulations) of the Municipal Code to define data centers, establish them as requiring a Special Use Permit in the I-1, I-2, and I-3 zoning districts, define the information applicants are required to provide to the City, and establish buffering and screening requirements for this use. This ordinance proposes increased buffering and screening between data centers and areas planned for or currently used as residential.

Under current regulations, a data center could be constructed by right in the C-4, I-1, I-2, and I-3 zoning districts. Due to their potential to be disruptive to nearby properties and demands on infrastructure, it would be prudent to require a Special Use Permit for the siting of any new data centers in Midwest City. These applications are heard by the Planning Commission and City Council.

This ordinance also removes steel panels as an approved fencing material for single-family and two-family residential districts and clarifies the maximum height for fences located in the side yard. The ordinance clarifies the maximum height for fences in commercial and industrial districts. It also proposes to increase the maximum fine for violations of the Zoning Regulations to \$750.00.

Action is at the discretion of the Planning Commission.

Matt Summers, AICP
Community Development Director

1 **ORDINANCE NO. _____**
2

3 AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A,
4 ZONING REGULATIONS, SECTION 4, USE UNIT CLASSIFICATIONS AND
5 REGULATIONS, PART 4.5., INDUSTRIAL USE UNIT CLASSIFICATIONS AND
6 REGULATIONS, BY ADDING SUBPART 4.5.12., DATA CENTER; PART 4.9., USE
7 REGULATIONS OF LAND AND BUILDINGS, SUBPART 4.9.2., USE CHART; PART 4.10.,
8 REGULATIONS OF SPECIFIC USES, BY ADDING SUBPART 4.10.7., DATA CENTER;
9 SECTION 5, SUPPLEMENTAL REGULATIONS, PART 5.2., SCREENING AND
10 LANDSCAPING; SUBPART 5.2.3., FENCING AND SCREENING; SECTION 7,
11 DEVELOPMENT REVIEW PROCEDURES, PART 7.10., ADMINISTRATIVE AND
12 ENFORCEMENT PROCEDURES, SUBPART 7.10.1., VIOLATIONS AND PENALTIES; AND
13 PROVIDING FOR REPEALER AND SEVERABILITY.

14
15 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

16
17 **ORDINANCE**
18

19 **SECTION 1.** That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section
20 4, Use Unit Classifications and Regulations, Part 4.5., Industrial Use Unit Classifications and
21 Regulations; Subpart 4.5.12., Data Center; is hereby created to read as follows:
22

23 **4.5.12. Data Center. A facility used primarily for data services, including the storage,**
24 **processing, management, and transmission of digital data. A facility shall not be**
25 **considered a data center when it does not exceed 10% of the gross floor area of all**
26 **on-site buildings; is used to serve the enterprise functions of the on-site property**
27 **owner; and is not used to lease data services to third parties.**
28
29

30 **SECTION 2.** That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section
31 4, Use Unit Classifications and Regulations, Part 4.9., Use Regulations of Land and Buildings;
32 Subpart 4.9.2., Use Chart; is hereby amended to read as follows:
33

34 In the Industrial Use Unit Classification Section adding row 4.5.12 “Data Center”.

35
36 For row 4.5.12. an “S” will be shown for the following zoning districts to indicate a
37 Special Use Permit is required: I-1, I-2, and I-3.
38

39 **SECTION 3.** That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section
40 4, Use Unit Classifications and Regulations, Part 4.10., Regulations of Specific Uses; Subpart
41 4.10.7., Data Center; is hereby created to read as follows:
42

43 **4.10.7. Data Center (As defined in 4.5.12. Data Center).**

1 (A) *Buffer:* On any property with a Data Center, there shall be a landscaped
2 buffer at least five hundred (500) feet wide where it adjoins any zoning
3 district that permits residential uses or any property planned for residential
4 uses in the Comprehensive Plan. Buildings and parking lots are prohibited
5 from being within this buffer. The buffer shall be:

6 (1) At least five hundred (500) feet wide for data centers smaller than
7 100,000 square feet in gross floor area.

8 (2) At least one-thousand (1,000) feet wide for data centers 100,000
9 square feet or larger in gross floor area.

10 (B) *Landscaping:* In addition to other landscaping required by the Zoning
11 Regulations, the buffer in Section 4.10.7. (A) shall contain sight-proof
12 landscaping as described in Section 5.2.2. (C) of the Zoning Regulations.

13 (C) *Screening:* Sight-proof screening shall be provided to screen any mechanical
14 equipment or substations from any adjacent roads and/or properties. Sight-
15 proof screening shall be as described in Section 5.2.2. (A) of the Zoning
16 Regulations.

17
18 Screening is not required in those instances where the principal building
19 serves as the visual screen between equipment and the adjacent roads and
20 properties.

21 (D) *Applications:* Special Use Permit applications for data centers shall include:

22 (1) A site plan illustrating, to scale, the layout of the project site, including
23 all improvements to the site, buffer areas, landscaping, utilities, utility
24 substations, and other items as requested by city staff.

25 (2) The maximum day demand, average day demand and annual
26 estimated water usage by water source(s), in gallons per minute (gpm)
27 (Municipal potable, municipal reuse, private well, etc.);

28 (3) The fire suppression system maximum flow rate in gpm;

29 (4) A description of discharge practices related to cooling water or other
30 industrial wastewater processes, including non-routine batch
31 discharges;

32 (5) A list of all sources of sanitary sewer discharges from the facility with
33 the associated estimated discharge rate in gpm and an indication that
34 whether they are continuous or batch discharges;

35 (6) The peak sanitary discharge in gpm under normal daily operation;

36 (7) A list of the chemicals used for cooling water treatment or in other
37 water or wastewater treatment processes that will be discharged to
38 the POTW;

39 (8) The results of sampling and analysis identifying the nature and
40 concentration of regulated pollutants being discharged to the POTW
41 (see Section 43-274 for Local Limits);

42 (9) A description of any wastewater pretreatment processes used prior to
43 discharging to POTW, including onsite storage in tanks or lagoons;

- 1 (15) The maximum electrical power to be used by the data center, and how
2 the power will be delivered to the site;
3 (16) Whether any electrical substations are needed to serve the data
4 center;
5 (17) If any backup generators are needed to serve the data center. Any
6 diesel backup generators shall be Tier IV generators or Tier II
7 generators with Selective Catalytic Conversion (SCR) attached. Any
8 natural gas backup generators shall include SCR using ammonia as
9 the catalyst.
10 (18) A study of pre- and post-construction noise (dBA and dBC). Post-
11 construction noise at the property boundaries shall not exceed 50 dBA
12 and 60 dBC.

13
14
15
16 **SECTION 4.** That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section
17 5, Supplemental Regulations, Part 5.2., Screening and Landscaping; Subpart 5.2.3., Fencing and
18 Screening; is hereby amended to read as follows:
19

20 5.2.3. *Fencing and Screening.* Residential fences and walls may be erected in residential
21 districts under the following provisions and regulations. A permit must first be obtained from
22 the city before any residential fence is constructed.
23

24 (A) *Fencing and screening requirements for medium and high density residential*
25 *districts with multifamily uses.* Only properties zoned 2.9 R-MD, Medium Density
26 Residential District and 2.10 R-HD, High Density Residential District are permitted
27 to have fences and walls beyond or in front of the front building line. The properties
28 must be developed with 4.2.4., Multifamily Residential. A fence may then be
29 constructed to the front property line.
30

- 31 (1) All fencing extending beyond or in front of a building line or extending to
32 a side building line abutting a dedicated public street shall be wrought iron
33 or wrought iron-like to allow visibility into the complex by a person
34 standing on a ground level or sitting in a vehicle.
35
36 a. Wrought iron or wrought iron-like fences shall be constructed so as
37 to eliminate the possibility of a child becoming trapped between
38 the wrought iron rails and shall not have any sharp points on top of
39 or on any other portion of the fences that may cause bodily harm.
40
41 b. Wrought iron or wrought iron-like fences may be installed with or
without masonry pillars.

1 c. If security gates are installed, provisions shall be made for
2 emergency vehicle access such as: (1) security gate guard manning
3 the gate whenever the gate is closed; or (2) an emergency system
4 designed to allow entrance by emergency vehicles. Security gates
5 must be approved by the city prior to installation. Provision shall
6 be made for sanitation pick-up and water meter reading by the city
7 if gates are to be installed that would not be manned by a twenty-
8 four hour security gate guard.

9 d. If a gate is installed, the gate shall be located a distance of no less
10 than fifty (5) feet from the back of the curb of the public street to
11 the front of the gate so as to allow a minimum of three (3)
12 automobiles to be located completely off the public street.

13 (B) *Fencing and screening requirements for two-family and single-family residential*
14 *districts.*

15 (1) Fencing and screening, including hedges, are prohibited from extending
16 into the street right-of-way.

17 (2) Fences extending past front or side building lines including ornamental
18 fences. Except as authorized in 5.2.3.(A), fencing and screening
19 requirements for medium and high density residential districts with
20 multifamily uses, properties are permitted to have ornamental fences up to
21 four (4) feet in height located, placed, or erected to the front and side
22 property lines of the residence. Such fences shall meet the following
23 provisions and regulations:

24 a. Maximum of four (4) feet in height as measured from the ground
25 level;

26 b. A minimum of fifty (50) percent of the total fence area must be
27 open to allow visibility into the front or side yard (i.e. chain-link or
28 picket fence);

29 c. Any fence in front of the front or side building line in excess of
30 four (4) feet must be approved, prior to its installation, by the
31 Board of Adjustment pursuant to 7.8.2.(G), Provide for fencing in
32 front of front and side setback building lines.

33 (3) *Fence Material.* Fencing material must be kept in an attractive state, void
34 of rust, in good repair, and in safe and sanitary condition at all times by
35 the property owner. The owner shall provide material and dimension
36 information as part of the permit application.

37 a. Approved fence materials in two-family and single-family districts
38 include:

1. Wood, vinyl, and metal slats with a depth of at least five-eighths (5/8) of an inch;
2. Wrought iron or aluminum wrought iron-like fences;
3. Brick/stone;
4. Chain-link;
5. **Ribbed steel panel fencing that meets the following standards:**

- ~~a) Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 ½) inches by a width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers.~~
- ~~b) Ribbed steel panels must be 22 or 24 gauge steel.~~
- ~~c) Ribbed steel panels must be properly primed and coated with a powder coating, Polyvinylidene fluoride (PVDF), factory thermal set silicone polyester base finish, or other factory applied coating as approved by staff.~~
- ~~d) The tops of ribbed steel panels must be capped and level following the lay of the land.~~
- ~~e) Poles must not extend past the top of the ribbed sheet panels.~~
- ~~f) The requirements for ribbed steel panel fencing must be presented with a fence permit application.~~

6.5. All metal fencing must have a factory applied coating. Acceptable coatings include: powder coated, Polyvinylidene fluoride (PVDF) coating, thermal set silicone polyester base finish, or other factory applied coating as approved by staff.

- b. Prohibited fence materials in two-family and single-family districts include sheet metal, plastic, corrugated metal panels, **ribbed steel panels**, or plywood. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.

(4) *Rear **and side** yard height limitation.* In rear **and side** yards the height limitation shall be eight (8) feet from ground level.

In cases where side yard fences along public or private streets are proposed to extend beyond the side yard setback, such fences shall comply with Section 5.2.3. (B) (2).

- (5) *Sight triangle.* No fence, wall, or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersection.
- (6) *Surface drainage.* No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (7) *Safety.* On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted.
- (8) *Construction prior to occupancy.* Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code.

(C) *Fencing and screening requirements for all Commercial and Industrial districts.*

- (1) Fencing and screening are prohibited from extending into the street right-of-way.
- (2) *Surface drainage.* No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (3) *Fence material.* Fencing material must be kept in an attractive state, void of rust, in good repair, and in safe and sanitary condition at all times by the property owner.
 - a. Approved fencing and screening materials for the O-1, O-2, C-1, C-2, and C-3 zoning districts shall be the same as those listed as approved under Section 5.2.3 (B)(3)(a) of Appendix A.
 - b. Prohibited fencing and screening materials for the O-1, O-2, C-1, C-2, and C-3 zoning districts include: sheet metal, plastic, corrugated metal panels, or plywood sheets. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.
 - c. Approved fencing and screening materials for the C-4, I-1, I-2, and I-3 zoning districts include wood, wrought iron, vinyl, chain-link, brick/stone and ribbed steel panel fencing that meets the following standards:
 - 1. Ribbed sheet panels shall have the following dimensions:
Rib depth of one (1) to one and one-half (1 ½) inches by a

width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers.

2. Ribbed steel panels must be properly primed and coated with a powder coating, Polyvinylidene fluoride (PVDF), factory thermal set silicone polyester base finish, or other factory applied coating as approved by staff.
3. The tops of ribbed steel panels must be capped and level following the lay of the land.
4. Poles must not extend past the top of the ribbed sheet panels.
5. The requirements for ribbed steel panel fencing must be presented with a fence permit application.

(4) *Construction prior to occupancy.* Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code.

(5) *Sight triangle.* No fence, wall or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3, Sight Lines at Intersections.

(6) ***Rear-yard-height Height limitation.*** ~~In rear yards, the~~ **The maximum height limitation** shall be eight (8) feet from ground level.

(D) *Fees.* The fee for a fence permit shall be as established in the Fee Table in Section 9-47.

SECTION 5. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures; Part 7.10., Administrative and Enforcement Procedures; Subpart 7.10.1., Violations and Penalties; is hereby amended to read as follows:

7.10.1. *Violations and Penalties.* Any person, firm, or corporation who violates any of the provisions of this Ordinance or fails to comply therewith, or with any of the requirements thereof, shall be deemed guilty of an offense, and shall be liable for a fine not to exceed the sum of ~~one hundred dollars (\$100.00)~~, **seven hundred fifty dollars (\$750.00)**, including costs, and each day such violations shall be permitted to exist shall constitute a separate offense.

The owner, or owners, of any building or premises or part thereof where anything in violation of this Ordinance shall exist, and any architect, builder, contractor, individual, person, firm, or corporation employed in connection therewith and who may assist in the

commission of any such violation shall be deemed guilty of a separate offense, and upon conviction, shall be fined as herein provided.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the City of Midwest City, in addition to other remedies, may institute any proper action or proceedings to prevent such unlawful erection, construction, reconstruction, or alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about said premises.

SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2026.

THE CITY OF MIDWEST CITY, OKLAHOMA

ATTEST:

RICHARD R. RICE, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this _____ day of _____, 2026.

DONALD D. MAISCH, City Attorney