

PC-2165
P10

ORDINANCE NO. 3559

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 7, DEVELOPMENT REVIEW PROCEDURES, SUB-SECTION 7.1.3, PUBLIC NOTICE REQUIREMENTS FOR PUBLIC HEARINGS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

Section 1. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; is hereby amended to read as follows:

7.1.3 *Public Notice Requirements for Public Hearings.*

(A) *Applications requiring public notice.*

- (1) Zoning map amendment (rezoning).
- (2) Zoning text amendment.
- (3) PUD application.
- (4) SPUD application.
- (5) Site plan (rezoning).
- (6) Special Use Permit.
- (7) Variance.
- (8) Exception.
- (9) Oil and gas wells.
- (10) Comprehensive plan adoption or amendment.
- (11) Appeal of an administrative decision or interpretation.
- (12) Appeal of a site plan decision made by the Community Development Director.

(B) *Types of notice.*

- (1) *Property posted (sign) notice.* Notice of public hearing may be given by the posting of a sign on the property no less than twenty (20) calendar days prior to public hearing.

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- a. Sign Requirements.
 - 1. Signs shall be a minimum of thirty-two (32) square feet in size.
 - 2. Signs shall be white with black lettering.
 - 3. Signs shall have lettering at least four (4) inches in height.

- b. Elements of a property posted notice.
 - 1. The date, time, and place of the public hearing;
 - 2. Who will conduct the public hearing;
 - 3. The desired zoning classification;
 - 4. The proposed use of the property; and
 - 5. Other information as may be necessary to provide adequate and timely public notice.

(2) *Published notice.* Notice of public hearing shall be given by publication in a newspaper of general circulation in the City of Midwest City wherein the property is located no less than twenty (20) calendar days prior to public hearing.

- a. Elements of a published notice.
 - 1. A published notice shall include ea map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.

(3) *Mailed notice.* Notice of a public hearing shall be given by mailing written notice to all owners of property within a three hundred-foot radius of the exterior boundary of the subject property no less than twenty (20) calendar days prior to public hearing.

- a. Provision of the mailing list.
 - 1. The applicant shall provide the Community Development Department with a certified list from the Oklahoma County Assessor’s Office of the names and addresses of all property owners.
 - 2. The list shall be provided in both a hardcopy and digital format [Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)]
- b. Elements of a mailed notice.

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1. Legal description of the property and the street address or approximate location within the City of Midwest City.
 2. Present zoning classification of the property and the zoning sought by the applicant. If not a rezoning, then the nature or intent of the application shall be described.
 3. The date, time, and place of hearing.
- c. Special notification requirements for rezoning involving medical or nonmedical detoxification uses shall apply as listed in 7.2.4 Additional Notice Requirements for Proposed Zoning Changes and Reclassifications (Rezoning) (Page 173) or as revised by State law pursuant to 11 O.S. § 43-106.

(C) *Types of required public notice for plans and applications.* Public notices shall be required according to the following table:

Table 7.1-1: Required Public Notices per Application Type

Application Type	Property Posted (Sign) Notice	Published Notice	Mailed Notice
Zoning map amendment (rezoning)	Discretionary ⁽¹⁾	Required	Required
Zoning text amendment		Required	
PUD application	Discretionary ⁽¹⁾	Required	Required
SPUD application	Discretionary ⁽¹⁾	Required	Required
Site Plan (rezoning)		Required	Required
Special Use Permit		Required	Required
Variance		Required	Required
Exception		Required	Required
Oil and gas wells		Required	Required
Comprehensive Plan adoption or amendment		Required	Required
Appeal of an administrative or interpretation decision		Required	Required
Appeal of a Site Plan Decision made by the Community Development Director		Required	Required

⁽¹⁾ Property posted (sign) notice shall be at the discretion Community Development Director.

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Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. 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.

1 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
2 Oklahoma, this 23 day of April, 2024.

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4 **THE CITY OF MIDWEST CITY, OKLAHOMA**



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Matthew D. Dukes, II
MATTHEW D. DUKES, II, Mayor

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ATTEST:

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Sara Hancock
SARA HANCOCK, City Clerk

Approved as to form and legality this 24th day of April, 2024.

Donald D. Maisch
DONALD D. MAISCH, City Attorney