

ORDINANCE NO. 109 OF 2022

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF UPDATING AND REVISING THE REGULATIONS FOR POLITICAL SIGNS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: JOHN NICKELSON

WHEREAS, the City desires to make every effort to notify the public and to encourage public participation and input on these proposed *code text amendments* to the Shreveport Unified Development Code; and

WHEREAS, on June 1, 2022, the first draft proposals of these *code text amendments* were submitted to the Shreveport-Caddo Metropolitan Planning Commission (MPC), at its regular public board meeting, for informal review and discussion; and

WHEREAS, on July 6, 2022, these *code text amendments* were submitted to the Shreveport-Caddo MPC, at its regular board meeting, for review and recommendation in accordance with [La. R.S. 33:140.27](#); and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.27](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on July 6, 2022, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.35](#), at least ten (10) days' Notice of the time and place of the Public Hearing was published, at the request of the Shreveport-Caddo MPC staff, in *The Shreveport Times* (a newspaper of general circulation in the municipality) and said Notice was published on June 23, 2022; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in a due, legal and regular session convened, that the following amendments to the City of Shreveport, Louisiana, Unified Development Code ("Shreveport UDC") are hereby authorized as follows:

1. Add the following definition to ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC to know read as follows:

**5.3 USE DEFINITIONS**

\*\*\*\*\*

**Sign, One-Time Event.** A temporary sign advertising an event of limited duration which is either non-recurring or, if recurring, occurring at distinct and/or defined intervals (e.g., quarterly, annually, bi-annually). Illustrative examples of signs advertising One-Time Events include, without limitations, signs advertising carnivals, concerts, public meetings,

sporting events, political campaigns (including qualifying), the sale or lease of immovable property, the grand opening of a business, a festival, a state or local fair, and a cattle or horse show. The foregoing examples are given for illustrative purpose only, and shall not be interpreted as exhaustive or as limiting the generality of this definition.

\* \* \* \* \*

**Sign, Temporary.** A sign that is constructed of cloth, canvas, cardboard, wallboard, or other light temporary materials, with or without a structural frame, intended for a temporary period of display. Examples include, but are not limited to, placards for public demonstrations, real estate signs, political signs, construction signs, or signs that advertise a grand opening, festival, state or local fair, or cattle or horse shows.

\* \* \* \* \*

**Sign, Yard.** A temporary sign intended for non-commercial use or expression. Such signs may include, but are not limited to, baby and birthday celebration signs, garage or yard sale signs, and political signs.

\* \* \* \* \*

2. Delete sign type "10. Political Signs" in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C in the Shreveport UDC. All subsequent subsections shall be renumbered accordingly.
  
3. Add the new sign type "Temporary Sign" in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C in the Shreveport UDC as "11." All subsequent subsections shall be renumbered accordingly.

## 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS

\* \* \* \* \*

### C. Permitted Exempt Signs

\* \* \* \* \*

#### 11. Temporary Signs

Except where specifically in conflict with this subsection (11), all regulations set forth in this Article 9 shall apply to temporary signs.

- a. Temporary signs are permitted in all districts.
  
- b. Temporary signs erected in residential districts shall be no larger than 8 square feet.

- c. Temporary signs erected in non-residential districts shall be no larger than 16 square feet. Any Temporary signs larger than 16 square feet is considering a freestanding sign and shall follow all freestanding sign regulations found in Section 9.7.H.
- d. Temporary signs advertising a One-Time Event shall not be erected more than ninety (90) days prior to the initiation of the One-Time Event and shall be removed within seven (7) days following the termination of the One-Time Event.
- e. Temporary signs shall not be illuminated.
- f. Temporary signs shall not advertise off-premises commercial activity.
- g. All temporary signs shall be set back ten (10) feet from any property line.
- h. Temporary signs shall not be erected within the City's public right-of-way.

**BE IT FURTHER ORDAINED** that the Mayor of the City of Shreveport, or his/her designee, and the Executive Director of the Shreveport-Caddo Metropolitan Planning Commission, or his/her designee, shall be and is hereby authorized to do any and all things and to sign any and all documents in a form acceptable to the City Attorney, or his/her designee, necessary to effectuate the purposes set forth herein.

**BE IT FURTHER ORDAINED** that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances, resolutions or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of Shreveport City Charter Section 4.23.

**THUS DONE AND ORDAINED** by the City Council of the City of Shreveport, Louisiana.

**APPROVED AS TO LEGAL FORM:**

  
\_\_\_\_\_  
City Attorney's Office

**ORDINANCE NO. 109 OF 2022**

**July 26, 2022**

Read by title and as read motion by Councilwoman Taylor seconded by Councilman Nickelson for Introduction

**August 9, 2022**

Having passed first reading on July 26, 2022 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Nickelson seconded by Councilman Green to postpone until December 13, 2022. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Alan Jackson, James Green, and Jerry Bowman, Jr. 6. Nays: 0. Absent: Councilman Grayson Boucher, 1. Out of the Chamber: 0. Abstentions: 0.

**August 23, 2022 – November 18, 2022**


No Action.

**December 13, 2022**

Having passed first reading on July 26, 2022 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Nickelson seconded by Councilwoman Taylor for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, Alan Jackson, and Jerry Bowman, Jr. 6. Nays: 0 Absent: 0. Out of the Chamber: 0. Abstentions: 0. Did not cast a vote: Councilman James Green (Mayor Pro Tem). 1.

  
James Green, Chairman

Approved:

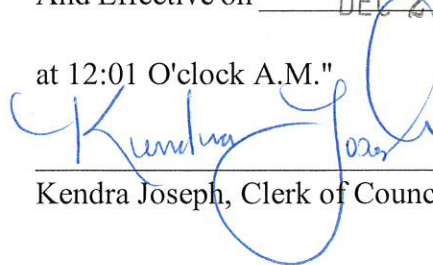
  
Adrian Perkins, Mayor

Approved by the City Council DEC 13 2022

Approved by the Mayor DEC 21 2022

And Effective on DEC 29 2022

at 12:01 O'clock A.M."

  
Kendra Joseph, Clerk of Council



**FACT SHEET**

**CITY OF SHREVEPORT, LOUISIANA**

|  |                              |  |
|--|------------------------------|--|
| <b>TITLE</b><br>An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, for the purpose of updating and revising the regulations for political signs, and to otherwise provide with respect thereto. | <b>DATE</b><br>July 26, 2022 | <b>ORIGINATING DEPARTMENT</b><br>Shreveport   Caddo Metropolitan Planning Commission (“MPC”)<br><b>COUNCIL DISTRICT</b><br>City-wide<br><b>SPONSOR</b> |
|--|------------------------------|--|

**PURPOSE**  
To amend the code text in the Shreveport Unified Development Code.

**BACKGROUND INFORMATION**

The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. These amendments will affect the following article: *Article 9. – Signs*, regarding updates and revisions to political signs, with all their provisions included therein.

Six years ago, the U.S. Supreme Court upheld local sign regulations with its decision in *Reed v Town of Gilbert*. In *Reed*, the Supreme Court held a sign ordinance’s restrictions were content based when the restrictions “depend[ed] entirely on the communicative content of the sign.” Courts have interpreted the broad ruling in *Reed* to mean a sign ordinance is unconstitutional if an official is required to read the sign’s message to determine which regulations apply.

To contend with the Court’s ruling, these code text amendments better regulate the signage codes, and limit a sign’s size, location, illumination and lighting, and placement on private property. This will allow those regulations to be enforced without reviewing the sign’s message.

**TIMETABLE**

|                                |                |
|--------------------------------|----------------|
| MPC Introduction:              | June 1, 2022   |
| MPC Review & Recommendation:   | July 6, 2022   |
| Introduction to City Council:  | July 26, 2022  |
| Final Passage by City Council: | August 9, 2022 |

**ATTACHMENTS**

|             |                            |
|-------------|----------------------------|
| Exhibit “A” | MPC Memo                   |
| Exhibit “B” | MPC Staff Report 22-7-CTAC |

**SPECIAL PROCEDURAL REQUIREMENTS**

**MPC Recommendation.** Pursuant to La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, no amendment shall become effective unless it be first submitted to and approved (recommendation) by the MPC. The MPC reviewed these amendments and provided a favorable recommendation on July 6, 2022. Therefore, the City Council may render its decision to approve the amendments by a simple majority vote. See La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, and Shreveport UDC 16.1 (D)(3)(b).

**Notice and Public Hearing at MPC.** In accordance with the intent of La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting on July 6, 2022, before voting on the proposed amendments. At least ten (10) days’ notice of the time and place of the Public Hearing was published on June 23, 2022 in *The Shreveport Times* (a newspaper of general circulation in the municipality).

**FINANCES**

\$0

**SOURCE OF FUNDS**

NA

**ALTERNATIVES**

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

**RECOMMENDATION**

It is recommended that the City Council adopt the ordinance.

**FACT SHEET PREPARED BY:** Adam Bailey, Community Planning and Design Manager

## RECOMMENDED UDC CODE TEXT AMENDMENTS. 22-6-CTA.

The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. Periodically, revisions are required to reflect the changing nature of business in our community and processed as either general amendments suggested or reviewed by the MPC staff, or amendments that include those that are legally necessary, incorporate previously approved ordinances or determinations, or are emergency amendments.

Staff is requesting the Shreveport UDC be amended as follows: ~~strikeout~~ indicates deleted text, underline indicates added text).

1. Add the following definition to ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC to know read as follows:

\* \* \*

Sign, One-Time Event. A temporary sign advertising an event of limited duration which is either non-recurring or, if recurring, occurring at distinct and/or defined intervals (e.g., quarterly, annually, bi-annually). Illustrative examples of signs advertising One-Time Events include, without limitations, signs advertising carnivals, concerts, public meetings, sporting events, political campaigns (including qualifying), the sale or lease of immovable property, the grand opening of a business, a festival, a state or local fair, and a cattle or horse show. The foregoing examples are given for illustrative purpose only, and shall not be interpreted as exhaustive or as limiting the generality of this definition.

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Sign, Temporary. A sign that is constructed of cloth, canvas, cardboard, wallboard, or other light temporary materials, with or without a structural frame, intended for a temporary period of display. Examples include, but are not limited to, placards for public demonstrations, real estate signs, political signs, construction signs, or signs that advertise a grand opening, festival, state or local fair, or cattle or horse shows.

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2. Delete sign type "10. Political Signs" in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C in the Shreveport UDC. All subsequent subsections shall be renumbered accordingly.

\* \* \*

### ~~10. Political Signs~~

~~For the purposes of this Code, political signs shall follow all sign regulations of Section 9.6.C.13. Yard Signs, as well as the following:~~

- ~~a. Political signs are permitted temporarily in all districts.~~
- ~~b. Political signs shall not be erected within the City's public right-of-way, except as provided in Chapter 50 of the Shreveport City Code.~~
- ~~c. Political signs erected in residential districts shall be no larger than 8 square feet.~~
- ~~d. Political signs erected in non-residential districts shall be no larger than 16 square feet. Any political sign larger than 16 square feet is considered a freestanding sign and shall follow all freestanding sign regulations found in Section 9.7.H.~~

\* \* \*

**Explanation:** This amendment deletes political signs as a sign type in the Shreveport UDC.

3. Add the new sign type "Temporary Sign" in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C in the Shreveport UDC as "11." All subsequent subsections shall be renumbered accordingly.

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- e. Temporary signs shall not be illuminated.
- f. Temporary signs shall not advertise off-premises commercial activity.
- g. All temporary signs shall be set back ten (10) feet from any property line.
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**Explanation:** *This amendment codifies temporary sign as a sign type in the Shreveport UDC. No such regulations currently exist.*



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## **STAFF REPORT – CITY OF SHREVEPORT**

JULY 6, 2022

AGENDA ITEM NUMBER: XX

MPC Staff Member: Adam Bailey

City Council District: All Districts

Parish Commission District: All Districts

**CASE NUMBER:** 22-7-CTAC: City of Shreveport Code-Text Amendments  
**APPLICANT:** METROPOLITAN PLANNING COMMISSION  
**REQUEST:** Code Text (Ordinance) Amendments to the Shreveport UDC

---

**DESCRIPTION:** The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. Periodically, revisions are required to reflect the changing nature of business in our community and processed as either general amendments suggested or reviewed by the MPC staff, or amendments that include those that are legally necessary, incorporate previously approved ordinances or determinations, or are emergency amendments. These amendments will affect the following article: *Article 9. – Signs*, regarding updates and revisions to political signs, with all their provisions included therein.

---

**BACKGROUND:** Six years ago, the U.S. Supreme Court upended local sign regulations with its decision in *Reed v Town of Gilbert*. In *Reed*, the Supreme Court held a sign ordinance's restrictions were content based when the restrictions "depend[ed] entirely on the communicative content of the sign." Courts have interpreted the broad ruling in *Reed* to mean a sign ordinance is unconstitutional if an official is required to read the sign's message to determine which regulations apply.

When reviewing sign regulations, courts will first determine if the ordinance is content-based or content-neutral. A content-neutral ordinance does not target the sign's communicative message, but instead applies to all signs regardless of their message. Content-neutral restrictions are usually limited to the time, place, and manner of the speech.

Content-neutral regulations get "intermediate scrutiny." Intermediate scrutiny requires the restrictions to further an important governmental interest and be substantially related to that interest. Courts have found aesthetics, blight, and traffic safety to be examples of important government interests. Content-based regulations target the communicative message of the expression and are subject to "strict scrutiny." These restrictions are presumptively unconstitutional and are only permissible if they are narrowly tailored to serve a compelling interest using the least restrictive means. Strict scrutiny is almost always fatal.

In *Reed*, the court found the ordinance unconstitutional because it treated temporary use signs differently depending on whether they were political in nature, related to a qualifying event, or ideological.

So what regulations are still enforceable? A good rule of thumb is that if the ordinance requires an official to read the sign to determine how it is regulated, then the ordinance is likely content-based and presumptively unconstitutional. Regulations that limit a sign's size, location, illumination and lighting, and placement on private property are generally permissible because those regulations can be enforced without reviewing the sign's message.

## **STAFF REPORT - CITY OF SHREVEPORT**

**STAFF ANALYSIS:** Code text amendment changes may be reviewed at any time and are not subject to any annual review requirements. The Office of the MPC typically reviews code amendments updates annually or semi-annually, to accommodate changed or the changing nature of business in our community. The proposed amendments in this report were initially discussed at the June 2022 MPC work sessions. Following the MPC public hearing on July 6, 2022, the Shreveport City Council will review the proposals at a July 26, 2022 and August 9, 2022 public hearing. MPC staff provided notice of the July 6 public hearing through publication in The Shreveport Times on June 17, 2022. No comments have been received to date.

---

**PROPOSED UDC CODE  
TEXT AMENDMENT(S):**

Staff is proposing amending the following UDC Articles at this time:

- Amend Article 9. – Signs

**Amendment 1.** Add the following definitions—“One-Time Event,” “Sign Temporary,” and “Sign, Yard” to ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS. *These definitions help justify the sign ordinance, especially when it comes to temporary signs, as time, place, and manner of the speech.*

**Amendment 2.** Delete sign type “10. Political Signs” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C. *This amendment deletes political signs as a sign type in the Shreveport UDC.*

**Amendment 3.** Add the new sign type “Temporary Sign” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C. *This amendment codifies temporary sign as a sign type in the Shreveport UDC. No such regulations currently exist.*

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**ATTACHMENTS:** See Exhibit “A” for memorandum describing these amendments in full detail.

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**APPROVAL STANDARDS:** The purpose of Section 16.1.E.1 is to provide a uniform means for amending the text of the UDC whenever the public necessity, convenience, general welfare, or appropriate land use practices justify, or require doing so. In determining whether to recommend approval or denial of the proposed text amendment, the MPC shall weigh the relevance to which the proposed amendment:

- Promotes the public health, safety, and welfare.**  
*The proposed text amendments promotes the public health, safety, and welfare.*
- Promotes the Master Plan and any adopted land use policies.**  
*The proposed text amendments are consistent with the Master Plan.*
- Promotes intent of this Code.**  
*These amendments will simplify current practices, thus promoting the intent of the Code.*



### **STAFF REPORT - CITY OF SHREVEPORT**

- d. Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.  
*The proposed amendments reflect changes in policy.*
- e. The extent to which the proposed amendment creates nonconformities.  
*N/A.*

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**STAFF  
RECOMMENDATION:**

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to APPROVE these code text amendments is warranted. If approved by City Council, Article 9 of the Shreveport UDC would be amended, as described within. A majority vote of the MPC Board members present and voting is required to recommend approval to the City Council.

Alternatively, based on information provided at the public hearing, the MPC Board may:

- Deny the proposed code text amendment;
- Deny specific provisions and/or amendments, and approve any subsequent amendments and/or provisions; or
- Modify specific language in the proposed amendment and approve, as modified.

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**PUBLIC ASSESSMENT:** There was no support and no opposition.

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**MPC BOARD  
RECOMMENDATION:** The Board voted 6-0 to recommend the application for approval.



**STAFF REPORT - CITY OF SHREVEPORT**

JULY 6, 2022

AGENDA ITEM NUMBER: XX

MPC Staff Member: Adam Bailey

City Council District: All Districts

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So what regulations are still enforceable? A good rule of thumb is that if the ordinance requires an official to read the sign to determine how it is regulated, then the ordinance is likely content-based and presumptively unconstitutional. Regulations that limit a sign's size, location, illumination and lighting, and placement on private property are generally permissible because those regulations can be enforced without reviewing the sign's message.

## **STAFF REPORT – CITY OF SHREVEPORT**

**STAFF ANALYSIS:** Code text amendment changes may be reviewed at any time and are not subject to any annual review requirements. The Office of the MPC typically reviews code amendments updates annually or semi-annually, to accommodate changed or the changing nature of business in our community. The proposed amendments in this report were initially discussed at the June 2022 MPC work sessions. Following the MPC public hearing on July 6, 2022, the Shreveport City Council will review the proposals at a July 26, 2022 and August 9, 2022 public hearing. MPC staff provided notice of the July 6 public hearing through publication in The Shreveport Times on June 17, 2022. No comments have been received to date.

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**Amendment 1. Add the following definitions—“One-Time Event,” “Sign Temporary,” and “Sign, Yard” to ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS.** *These definitions help justify the sign ordinance, especially when it comes to temporary signs, as time, place, and manner of the speech.*

**Amendment 2. Delete sign type “10. Political Signs” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C.** *This amendment deletes political signs as a sign type in the Shreveport UDC.*

**Amendment 3. Add the new sign type “Temporary Sign” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C.** *This amendment codifies temporary sign as a sign type in the Shreveport UDC. No such regulations currently exist..*

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**ATTACHMENTS:** See Exhibit “A” for memorandum describing these amendments in full detail.

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**APPROVAL STANDARDS:** The purpose of *Section 16.1.E.1* is to provide a uniform means for amending the text of the UDC whenever the public necessity, convenience, general welfare, or appropriate land use practices justify, or require doing so. In determining whether to recommend approval or denial of the proposed text amendment, the MPC shall weigh the relevance to which the proposed amendment:

- Promotes the public health, safety, and welfare.**  
*The proposed text amendments promotes the public health, safety, and welfare.*
- Promotes the Master Plan and any adopted land use policies.**  
*The proposed text amendments are consistent with the Master Plan.*
- Promotes intent of this Code.**  
*These amendments will simplify current practices, thus promoting the intent of the Code.*





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**STAFF REPORT - CITY OF SHREVEPORT**

- d. Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.  
*The proposed amendments reflect changes in policy.*
- e. The extent to which the proposed amendment creates nonconformities.  
*N/A.*

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**STAFF  
RECOMMENDATION:**

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to APPROVE these code text amendments is warranted. If approved by City Council, Article 9 of the Shreveport UDC would be amended, as described within. A majority vote of the MPC Board members present and voting is required to recommend approval to the City Council.

Alternatively, based on information provided at the public hearing, the MPC Board may:

- Deny the proposed code text amendment;
- Deny specific provisions and/or amendments, and approve any subsequent amendments and/or provisions; or
- Modify specific language in the proposed amendment and approve, as modified.

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**PUBLIC ASSESSMENT:** There was no support and no opposition.

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**MPC BOARD  
RECOMMENDATION:**

The Board voted 6-0 to recommend the application for approval.