



**OFFICIAL ZONING CODE INTERPRETATION (No. 24)**  
**LED Display Menu Boards**

ZONING CODE PROVISION INTERPRETED:  
**Section 20-38.080(C), Prohibited Signs**

Purpose: Exempt LED menu boards at drive-thru restaurants from Zoning Code Section 20-38.080(C).

Zoning Code Section 20-38.080(C) currently reads: *“Moving, flashing, electronic/digital and windblown signs. No moving, rotating, flashing, or changing of color intensity or signs with electronic/digitally created content (i.e., electronic reader board signs), and no windblown signs, such as posters, pennants, streamers, or strings of light bulbs, balloons, or other inflated objects are permitted. The only exceptions to these requirements are time and temperature devices and signs installed by a governmental agency in carrying out its responsibility to protect public health, safety and general welfare.”*

Discussion: The above Zoning Code Section is intended to prohibit moving signs that have animated advertising content. These signs are located and designed to communicate about a business or solicit business activity by attracting the general public’s attention from the public right of way. As noted above, exceptions to this prohibition are certain moving signs that display non-advertising information, such as time and/or temperature, or government warning messages.

LED menu boards at drive-thru restaurants are unlike prohibited moving signs in that they are neither located at nor designed to be highly visible to the general public within the public right of way. They are located at the point-of-sale alongside the restaurant drive-through lane and are directed towards the patron who has already decided to purchase a meal at the restaurant. While in some cases these signs can be seen from a public right of way, information on a menu board is intended to be read by the restaurant patron. LED menu boards are similar to exempted moving LED time and temperature devices in that they also display changing information, this case menu items and pricing. The ease of changing this information, without have to physically expand or replace the sign face, has made the LED menu board the drive-thru restaurant industry standard. The LED menu boards may be more easily read by patrons; many light-sensitive LED display panels respond to ambient light levels reducing light output in low light and night time environments, which is a superior design when compared to traditional non-digital menu boards.

Determination: LED menu boards at a drive-thru restaurant are a type of non-advertising information sign that is exempt from the Zoning Code Section 20-38.080(C), Prohibited Signs. However, a Sign Permit is required for the installation of LED menu board at drive-thru restaurant to appropriately limit the placement, size, and number of such signs in accordance with Chapter 20-38 (Sign Regulation).

This determination is consistent with the General Plan.

Date: December 18, 2018

A handwritten signature in blue ink that reads "Andy Gustafson".

Zoning Administrator