

City of Coral Gables City Commission Meeting
Agenda Item E-8
January 9, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

Assistant City Attorney, Stephanie Throckmorton

Economic Development Director, Belkys Perez

Public Speaker(s)

Sarah Hernandez

Manny Chamizo

Thad Adams

Agenda Item E-8 [11:30 a.m.]

An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables official Zoning Code, amending Article 11, "Signs," Section 11-107 "Real Estate, For Sale, Lease or Rental of Property or Buildings," to apply same regulations to signs pertaining to the sale, lease, or rental of property or buildings in any use district; providing for severability clause, repealer provision, codification, and providing for an effective date.

(Sponsored by Commissioner Fernandez)

Mayor Lago: You ready? Mr. Clerk, moving on to Item E-8. Commissioner Fernandez, this is your item.

City Attorney Suárez: Mayor, E-8 is an ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code amending Article 11, "Signs," Section 11-107, real estate for sale, lease, or rental of property or buildings to apply same regulations to signs pertaining to the sale, lease, or rental of property or buildings in any use district; providing for severability clause, repealer provision, codification, and providing for an effective date. This is a public hearing item. I've asked the Deputy City Attorney to please explain what the proposed ordinance sets forth.

Commissioner Fernandez: So, just a little on the -- on the background on why I put this on the agenda. It came from a resident who had asked me, why is there a difference between the size of signs that are allowed in residential neighborhoods versus in commercial? And started looking into it and started driving around downtown Coral Gables and I did see how some of these signs are pretty large and you have windows that just -- just have the sign up.

Vice Mayor Anderson: Oh, you need to rewind it right now.

Commissioner Fernandez: Yeah, start all over? So...

Commissioner Menendez: Take it back.

Commissioner Fernandez: If we are take -- if we are doing so much to ensure the beautification of our Central Business District and our business area of our city, we invest so much time in ensuring that we have the right window coverings, I think it's important to also reduce the size of some of these signs that are being placed on windows, some of them for an extended period of time when they are for management companies, just to ensure that we maintain a uniform look, if we're talking about uniform look for our lights as well, uniform look for our signs. I did have conversations with a few commercial real estate agents before putting this item on the agenda. The general consensus I got from them -- and I know there are differing opinions because we have received some emails from realtors about this item -- but the general consensus was that they have not seen a lot of clients lately that have just been driving around the city or walking around looking for property. Most commercial clients have a realtor that they're familiar with or that they use, and they work with them to find the property. So, the larger signs are not necessarily as important.

Assistant City Attorney Throckmorton: Thank you, Commissioner. So, just to give a brief overview, as you mentioned, just to give us the specifics here, actually, currently signs in SFR, MF1, MF2, MF3, and MF4 districts shall not be larger than 40 square inches with an additional

bottom sign with certain language. And then signs in MX1, MX2, MX3 districts shall be no larger than 250 square inches. So, this would change the requirement for those MX1, MX2, and MX3 districts from 250 inches down to the 40 square inches that is permitted in those more residential neighborhoods that we discussed.

Mayor Lago: Would you like to hear public comment or would you like...

Commissioner Fernandez: Yes.

Mayor Lago: For the Commission first?

Commissioner Fernandez: Let's go ahead and do public comment.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: First speaker is Sarah Hernandez.

Mayor Lago: Madam Chair, good to see you.

Sarah Hernandez: Thank you. Mr. Mayor, Vice Mayor, the Commissioners, thank you for allowing me to stay here today and give you the opinion of the business community as through the lens of the Chamber. As you know, the Chamber only became aware of this ordinance late Friday. It has significantly hampered our ability to speak to our members and see how it's going to affect their businesses. These include companies like the Allen Morris Company, Terranova, Davis & Young, as well as the Miami Association of Realtors, the Commercial Alliance. We believe we have previously addressed this issue for available retail space in our downtown area when we worked together with you over a year ago on the window wrap ordinance for leasable space. That took into account the signage for the brokerage and the property owners as well. We have also learned that the commercial brokers are required to list specific information on their signs, and by reducing the signage from the 250 to the 40 is going to hamper their ability to stay in compliance with the DBPR. Finally, even in this day and age of leasing and selling commercial properties, it's critical that available space be advertised in the window, especially ground floor retail space. We spoke with our City consultant, Midge McCauley, who reiterated this need and the fact that the 250 square feet inches on these signs are small, less obtrusive than you might see in other municipalities. We would simply ask for more time to present to our Real Estate Committee and to our business members what the Commission is proposing and allow us to look at the pros and cons and work together to find a solution that would work for the City. Of course, we want the City to maintain and continue to be beautiful, but we'd also like to make sure that we're not impacting the economic engine, which is the business community. Thank you so much for your time, for listening to me, and for your consideration. Thank you.

Commissioner Castro: Thank you.

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Mayor Lago: Thank you very much.

City Clerk Urquia: Manny Chamizo.

Mayor Lago: Good morning, sir.

Manny Chamizo: Good morning. Echoing -- good morning, Commissioner, Mr. Mayor. Echoing my oldest friend...

Mayor Lago: Can you put your name and address on the record?

Mr. Chamizo: Sure, Manny Chamizo, 1507 Sunset. My oldest friend, not because I'm old, it's because we've been friends since second grade. Great, great presentation. Echoing exactly what Sarah had mentioned, for me, it's -- sign pollution is critical. I get it. You drive around the City, other cities, and you see billboards, eight by 10, huge billboards. I don't see that issue here in Coral Gables. To your point, Commissioner Fernandez, as a commercial practitioner for 38 years, I can tell you that the signage is important. It's important to identify the buildings, especially when it comes to commercial real estate. I'm not sure who you spoke to. Most of the dominant players, I know who they are, and not all property is listed on the internet. Sometimes you have to walk it and see it, especially when it comes to commercial real estate. It's not as, fortunately, it's not like residential real estate where it's a little bit more specific. Vehicle count is very important. Foot traffic is important, parking is important. So, there's a number of other things. So, my biggest question is what's the specific reason? I mean, other than the fact that I'm cognizant of the pollution, I mean, these signs are 12 by 10, whatever the number of square inches are, and you're having this reduced to the smaller version or proposing to have it reduced. I'm wondering with the hundreds and hundreds of other signs that I see that are billboard size signs, including the wrapping of the outside of these buildings when they're supposed to be temporary, but I see them being there permanent, what's the impetus? I'm just wondering, and I'll say it in a simpler, why pick on us? I'm asking you specifically, it's your -- it's your -- it's your...

Commissioner Fernandez: Absolutely.

Mr. Chamizo: Yeah.

Commissioner Fernandez: And you're entitled to an answer. It's really not picking on anybody. I think it's just about uniformity. It has worked in the residential space for years. I don't remember the date that I was given as to the change when it was made for the residential signs, but most of the traffic that's in front of our businesses, which are blocked by parking, is pedestrian traffic. So, your -- the argument could be made that you're closer to the sign, so a smaller sign should not have that much of an impact.

Mr. Chamizo: That argument, unfortunately, doesn't hold true in a commercial space. I mean, as it is, we all wear glasses, I'm getting older. I can hardly see the little ones as it is right now. So, and if you see the font on my phone, you'll see that it's huge. You can probably read it from the dais. Moving forward, I think that echoing what Sarah had mentioned is, I believe that although it's well thought out and I believe that your intentions are good, I believe that you need a little bit more input from the community and understand, having done this long enough, I can tell you that I don't like anyone stepping on my toes if it's something like this where it could impact our business. So, again, I thank you all for your time. I'll make it brief. Let's reconsider. Let's get the input from the community and move forward.

Mayor Lago: Thank you.

Mr. Chamizo: Thank you.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: Thad Adams.

Mayor Lago: Good morning, sir.

Thad Adams: Mr. Mayor, Vice Mayor, Commissioners, it's a pleasure to be here. My name is Thad Adams, 121 Alhambra Plaza, here on behalf of the Chamber as well, as immediate vice chair, and also happen to be like Manny, 35 years as a commercial real estate professional here, along with 10 years of experience at the Beacon Council as an officer as it relates to economic development. And so, we just had a nice chat out there. I appreciate the goodwill and the intent, Commissioner Fernandez, of you trying to make the City Beautiful more beautiful. But there are some things, had I not been in this business for so long, that may seem intuitive, but they're not, as Manny had spoken. So, we actually believe that this is an 84 percent reduction in the sign. So, you're going from -- you're really going to a postcard. And real quick, as we discussed, people think signs are obsolete and that everyone uses the internet and the listing services. That is absolutely not true. I have had multiple clients of mine that actually drive -- yeah, even if I do a survey, they're still going to drive and make sure -- and there are properties that have signs. And it's mainly the small businesses that don't know how to put their property on the internet, on CoStar, on LoopNet. They're the ones that rely on those signs more than any of them, than any other business. So, I think it's very important. And I'll tell you that the City of Coral Gables is already known to have the most stringent sign code of any municipality in Miami-Dade County and beyond. We are in a competitive market right now. We are fighting to make sure that we maintain as much occupancy of our buildings, which is in the best interest of everyone, including our -- and drive our economy and City revenue. And to take away any aspect of marketing a property, in my mind, will result in the potential of a reduction there. And then further, unlike -- as Manny had mentioned, you would think residential is the same as commercial. It's not true. It is a completely different world of being a residential broker and a commercial broker. And unlike

residential rental and sales signage that has worked with the postcard size, commercial real estate signs are materially more important to business and property owners. And again, most of these are small businesses. Many tenants and buyers actually, as mentioned, drive through the City. And so, again, I respectfully disagree that the proposed ordinance's stated business impact of essentially limiting how many business users of these such real estate signs. I do think it will hurt our economy, have that potential to do so. It is something that doesn't just affect the real estate community. You have tenants that have space that need to sublease their space. It's their responsibility to sublease their space. If they don't sublease their space, especially in a timely manner, it can damage that business. So, there are direct implications to the business impact in this. So, I know we would, as a Chamber, would like to have ample time to vet this, six months or whatever the appropriate time is, and then come back and then let's see what the impact is and let's have more edification on this before we move forward. Thank you for your time and for hearing my comments.

Mayor Lago: Thank you, sir. Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Anyone else in the Commission?

Vice Mayor Anderson: Yes, I...

Mayor Lago: Yes, Madam Vice Mayor.

Vice Mayor Anderson: I just learned about this item really when it was published, you know, to be able to actually take a look at the language. Language does matter. I don't think there's been adequate time to weigh the compliance requirements of the DBPR, the Department of Business Professional Regulation. I'm looking up some of it right now, versus the impact on the commercial real estate individuals who do this as a profession. But I do know from my experience dealing with commercial leases and entities that have to do the subleasing and so forth, and my own experience going around and looking for commercial space, I'm walking and looking for these signs and to have these little postage stamps on there, especially when you're talking about, you know, requirements, how many square feet, you know, am I even interested in looking at it, type of thing, is a tremendous impact on the ability not only for practitioners to be able to do the marketing, but also for the customers themselves. Like, if I'm looking for new office space, where am I going to go look? I'm going to be walking in an area that I want to be in. I'm very particular because I like to walk to my office. So, you know, that's how sensitive some of these issues are. Or you want to be near a different type of business because you don't want to have too many restaurants next to each other. You want to go walk that area and see how many restaurants are there. Is there a clothing store there? Is the clothing store wanting to be near the restaurant because the traffic that goes to the restaurant is going to be browsing then the clothing and going and buying that. So, the walkability of the area and the parking, et cetera, is a critical, critical issue. So, I

respectfully ask for this one to be postponed until another meeting later so that we can have additional input.

Mayor Lago: Commissioner.

Commissioner Menendez: When I had this item -- discussed it on agenda review, I had a difficult time grasping visually the difference in the two sizes. I think staff has examples of what one is. No, just if you want to go up there so everybody can see the difference in size. Because I was trying to size up a TV, you know. Thank you, I appreciate it. It's good to know. Sometimes it's important to have visuals. You did very good, you can do Wheel of Fortune one day.

Vice Mayor Anderson: It's excellent, great idea.

Commissioner Menendez: Vanna White.

Mayor Lago: Thank you, Belkys.

Commissioner Menendez: I spoke to a few folks in the commercial real estate industry. That was a pretty good line. And they made a comment, a thought that, and it probably holds true. First off, what department in the City is tasked with making sure signage is the right size? Do we have a --?

City Attorney Suárez: Code -- that would be Code Enforcement, sir.

City Manager Iglesias: It would be Code Enforcement.

City Attorney Suárez: It would be a Code Enforcement violation to violate our sign ordinance.

Commissioner Menendez: Because one thought was that it's possible that folks are putting signs actually bigger than what is allowed. And if that's the case, we may first want to make sure -- have Code Enforcement spend a couple of months trying to see how many businesses are using signage above and beyond what's already allowed. Because what I'm hearing is the folks in the industry want to keep it as is. They're not saying let's go bigger. But if some are going bigger, they're tainting the businesses or the reputation of what's happening by those that are abiding by the law. So, my preference would be to see -- have Code Enforcement see what they can find out in terms of are folks actually going above and beyond what's allowed. If that's the case, why don't we crack down on those individuals and then come back and see if that perhaps helped the situation that, you know, perhaps is out there. That's my take. Thank you.

City Manager Iglesias: Commissioner, we'll be happy to have Code Enforcement look at it, and they do enforce it when it's -- basically, the residential is 4 by 10...

Commissioner Menendez: Yeah.

City Manager Iglesias: And the commercial is 16 by 16 inches or just a hair below that. And they should be enforcing that, but we'll make an issue and we'll...

Commissioner Menendez: The fact that it's now a discussion publicly, you know, we all -- Code Enforcement, we all handle a million things. And sometimes it's -- you know, we shine a light on an issue. Let's focus on that issue and see what we come up with.

Mayor Lago: Commissioner, do you have any comments?

Commissioner Castro: Yes, I wouldn't be opposed to giving them a little more time for some community input on your Real Estate Committee as well. And then I guess we could take it from there.

Mayor Lago: So, I just want to talk a few points on this ordinance. First, I'd like to have Belkys come up for a second so we can kind of compare when we talk about the wrap ordinance. I know I didn't ask you to do this before, I just kind of found out about this ordinance on Friday, so we really didn't have much time to really go over it, and I thought about it over the weekend. I didn't want to bother you over the weekend. So, when we talked about the wrap ordinance that I sponsored in 2022, how long did we work on that, how much input did we garner from the community? Because we transformed wraps, the wraps that we...

Economic Development Director Perez: Right, yes.

Mayor Lago: Put on the businesses now. How did we do that?

Economic Development Director Perez: It was a process.

Mayor Lago: To the best that you remember.

Economic Development Director Perez: I would say probably two to three months that we worked on it and we refined it. We looked at other communities to see what they were doing. We talked -- I personally talked to the City of Miami Beach.

Mayor Lago: We met with Mark Trowbridge.

Economic Development Director Perez: Obviously, we involved the Chamber as well.

Mayor Lago: The BID back then.

Economic Development Director Perez: Yes, and the BID, because it was -- it was an iteration that we took of the Business Improvement District. They had a wrap, but we basically wanted to do it citywide also. So, it wasn't just, you know, the Central Business District or the BID area. So, yeah, it took a bit.

Mayor Lago: Yeah, and I remember that I also, if I remember correctly, and the Clerk can make a public records request, we also put it as a discussion item to get input from the Commission before we even embarked on the ordinance process to see if there was buy-in. I try to do that as much as I possibly can just to make sure that if anybody has any input, they can, you know, provide that input and they can -- we can move forward on a process that has some sort of legs before we move further. I'll give you an example. So, the faux grass in the front of homes that we see now in driveways. That was something that I put as a discussion item, I think probably one or two times. We brought it on first reading, and then obviously, Commissioner Fernandez requested that it go to the BOA. The BOA was resoundingly in support of it, it came back, and it failed with the Commission. That's what I would recommend. I would recommend that, in my opinion, is that you get some input from the Chamber, at a minimum, the Chamber. They are the heart and pulse of the business community here. We have a great Chamber. Again, Mark and the Chair to really give some input, to sit down, and as a licensed realtor, I can tell you who has purchased a good amount of commercial real estate, some of my best finds, some of my best finds have been walking by a property. And one of the things that we're not discussing today, and I can give you examples of that, where both in the City of Coral Gables and outside the City, I've been walking or driving by, and I have found a piece of property where, you know, there was a sign, I hadn't even engaged LoopNet, or I hadn't even engaged the MLS. That's number one. Number two, a lot of people don't even have MLS. They don't. They don't want to pay the fee, it's not a requirement, and they don't have LoopNet yet. Another issue that I'm seeing is obviously the DBPR. This is something that I was researching very quickly. We, as a Commission, got multiple emails from realtors and calls in opposition of this. I didn't have one person that told me that this was a good idea, but I'm always willing to look at the other side of the coin if it makes sense. But one of the things that they brought to my attention was listen, Vince, the DBPR has certain language that's required, that's required to be exhibited on the for sale or for lease or for rent signage. It makes it incredibly difficult to fit all that language on such a small, you know, little piece of document that is exhibited for sale or for lease. Another issue that we haven't discussed, but I think it's something that you should consider when you're talking with all these leaders of industry. I talked to the head of the Real Estate -- South Florida Real Estate Association, which is located here in Coral Gables, adjacent to the fire station. I know that they're in opposition of this issue. Was something that I just thought about right now. What about for sale by owner? I bought one property for sale by owner from a lady who, in the building that I was living in, I happened to just walk by and she had this sign in the apartment building, when I used to live in 100 Edgewater, over a decade ago. So, I happened to walk by, she was selling it for sale by owner, I negotiated with her, and I ended up buying the property. How are we going to address for sale by owner signage, which I think is something that needs to be considered, because when you go to, let's say, Home Depot, or you go to OfficeMax, I haven't been there in a while, but they sell for sale by owner signs. You can order

them online. You just have to put your information on it, and how will we address that? So, to me, I think that what I would recommend is that you go back and we speak with multiple community leaders to find a way to bridge the gap and to better understand what are the benefits of this ordinance? What are we going to get out of it? Because when we talk about sign pollution, and I'm a huge proponent of it, I've driven with Code Enforcement probably four or five times to try to remove as many signs as possible throughout the City on the trolleys. I think there's always an opportunity to reduce sign pollution. And we have a resident who, I'm not sure if he copies everyone here, but he probably does, who sends us probably on a weekly basis signs that are throughout the City that are, you know, blank because of sun exposure that serve no real purpose, three signs in a one-foot radius that make no sense. And so, I think there's an opportunity, but this is a little bit different. Let us not forget, let us not forget that when you're talking about the City of Coral Gables, our Central Business District accounts for almost 40 percent of our tax base. So, we need to be very, very, very thoughtful and very methodical when we make certain changes to how people can access the sale and lease of real estate properties here in Coral Gables. I mean, I commend you for bringing this forward, but I think there has to be a lot more discussion, a lot more opportunity to flush this out. And as I think as probably the only licensed realtor on this Commission, I think we really should always engage South Florida real estate community, the Chamber, any other community that engages in the sale or transaction of real estate.

Commissioner Fernandez: I appreciate the input from my colleagues and from those in the room. I think the reason that a lot of the members of the community and the Commission only learned of this on Friday is because of the timing of the holidays and the release of the agenda. It's something I've been working with staff since the end of last year. So, it isn't something that has just come about in the last few days. That being said, I think I'm always one to get more input and be open to getting community input on these issues. And Madam Chair, would you be willing to host a meeting of your realtors and members of your -- of the Chamber who are willing to sit down and have a conversation with me to discuss potential changes and how we can improve the signage in the Central Business District?

Ms. Hernandez: Absolutely.

Commissioner Fernandez: Okay.

Ms. Hernandez: And I will say something. I think (INAUDIBLE).

Mayor Lago: Madam Chair, please come before us, please.

Ms. Hernandez: I will say that I think that what Commissioner Menendez said, it could be that there's a lot of people breaking the law and not going through the ordinance that is causing, you know, somebody to come to you and kind of complain. So, I think I'd be very interested to see what that, you know, report comes up. But absolutely, we will host this and we will bring our community leaders to the table to speak with you.

Commissioner Fernandez: Okay.

Ms. Hernandez: And anyone else who would like to join.

Commissioner Fernandez: So, I would like, if we can do it in the next 30 days, just to have that conversation.

Ms. Hernandez: Absolutely.

Commissioner Fernandez: I know staff will be working on the Code Enforcement portion of it so that we can, when we bring it back, we can have your input taken into account as well. I know Mr. Trowbridge also told me he wanted a little more time to have conversations with the members. So, always willing to listen to what our business community's needs are.

Ms. Hernandez: Thank you, Commissioner.

Commissioner Fernandez: And thank you, Mr. Chamizo and Mr. Adams for being here as well. And the members who actually -- who sent emails.

Mr. Chamizo: One final item, Manny Chamizo, once again. Echoing Commissioner -- Kirk's comment, there are a number of signs that are currently out of compliance. I can tell you, I've been here 41 years, I'm sure you've been here just as long. Neon signs, you know that neon signs are not supposed to be on the windows. They're there. I mean, I see them. They're supposed to be, I believe, you can correct me if I'm wrong, I believe it has to be six feet from the actual window. You can have neon, just can't have it up in windows. There are hundreds of violations. So, that's why I'm kind of like, hey man, what happened? You know, why are we --? Are we going to go out there now, we're going to go with, you know, an actual measuring stick and start measuring if we are two inches above or one quarter of an inch, because there's so many violations. So, I think that the first thing, if you want to start cracking down on signs, start cracking down on all signs. And then we can start focusing in on the commercial real estate signs, which may or may not be in compliance. Thank you again.

Commissioner Fernandez: I mean, well, I appreciate that. And I think that Code Enforcement should do a better job of enforcing. I think that the conversation here is specifically about the real estate signs and I think the focus of what Commissioner Menendez was saying was about the real estate signs. So, that being said, I guess I'll defer the item.

Mayor Lago: Okay, thank you. Moving on to -- thank you for being here. I appreciate it.