

City of Pinellas Park
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Office of the Mayor

May 11, 2021

The Honorable Ron DeSantis
Governor, State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Re: Veto Request for CS/HB 403 Home-Based Businesses

Dear Governor DeSantis:

The City of Pinellas Park, located in the heart of Pinellas County, requests that you veto CS/HB 403 because of the negative impacts it could have on residential neighborhoods and property values. Local small businesses are the cornerstone of our community and the City of Pinellas Park prides itself on supporting the growth of these businesses along with economic development within the City. However, the City also recognizes the need to balance home operated businesses to preserve our residential community. The function of home operated business is to be subordinate to the residential use and structure. This bill would undermine the balance provided by cities through local zoning ordinances. We strike this balance utilizing such ordinances in order to prevent incompatible uses of residential land and preventing new developments from unfairly interfering with existing uses.

Our City stands with the Florida League of Cities and the 411 municipalities in the State of Florida who have worked tirelessly with legislators and other key stakeholders to strike a compromise to HB 403. This result was reflected in Senate bill CS/CS/SB 266. Unfortunately, on the last day of session, in a clear violation of Senate rules, three Senators who were present did not vote and CS/HB 403 was narrowly passed. The Senate subsequently requested the House return the bill to allow the Senate to take a valid vote but the House adjourned sine die prior to responding to the Senate's request.

The key provisions supported by the City of Pinellas Park that were included in CS/CS/SB 266 but were not included in CS/HB 403 includes:

- The ability for local governments to set common-sense limitations on hours of operation. CS/HB 403 prohibits local governments from regulating a home-based business differently from other businesses in a commercial zone. The hours of operation for a business in a commercial district may not be appropriate for a business in a residential neighborhood.



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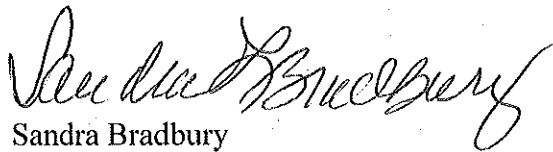
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- The ability for local governments to place limits on business signs, exterior storage and traffic generated by a home-based business. Again, these types of matters should be tailored to the residential setting where a home-based business operates rather than defaulting to the same regulations used in commercial or industrial zones.
- The ability for local governments to prohibit business activities from occurring within view of the street.

Unfortunately, the final product pending before you in CS/HB 403 does not include these protections and removes essential elements needed to properly balance the desire to operate a home-based business with the potential adverse impacts on the property rights of surrounding homeowners. Additionally, the bill will void existing local ordinances or regulations that act as unique solutions to homeowner and business concerns. Finally, HB 403 as proposed would allow residential neighborhoods to function as commercial centers with no oversight. This would undermine the intent of the residential district. Therefore, the City of Pinellas Park requests you veto CS/HB 403. Thank you for your leadership and your consideration on this matter.

Sincerely,



Sandra Bradbury
Mayor