

May 17, 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,

On behalf of the more than 300,000 residents and 125 neighborhoods that make up the City of Orlando, we humbly ask that you veto CS/HB 403.

The City of Orlando takes great pride in supporting small businesses and the entrepreneurial spirit – and we recognize that many of today’s big businesses began as a small business, oftentimes in a garage or extra bedroom. We support growing our small businesses – our economy depends on it. Indeed, at least since 1991, our zoning code has permitted many home-based businesses, subject to a few, reasonable protections for surrounding neighbors.

Among these reasonable protections are prohibitions on certain commercial uses which, no matter how discretely conducted, are simply incompatible with a residential neighborhood. These include adult entertainment establishments, commercial physical contact establishments, drive-in facilities, drinking establishments, escort services, funeral homes, kennels, massage establishments, and pain management clinics. (*See Part 5B(7), Chapter 58, Orlando City Code.*)

As written, CS/HB 403 will override our carefully thought-out zoning code and allow these and other businesses in all areas zoned for residential use as long as the commercial use can comply with minimum parking requirements and maintain an exterior façade consistent with a residential use. In many of our historic and traditional neighborhoods, ample on-street parking and successful efforts to improve walkability and bikeability mean that complying with minimum parking standards could have little practical impact on limiting the number of customers present in a home-based business at any one time.

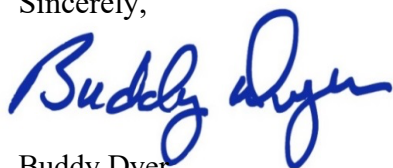
And while the bill at least partially maintains local regulations on noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors, code enforcement responses to these violations are inherently reactive in nature and can take considerable time and government resources before relief is

obtained. Code enforcement proceedings under Chapter 162, F.S., can take months to abate an ongoing nuisance.

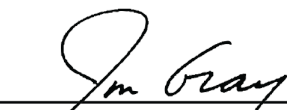
Balancing the competing property rights of neighbors is difficult and often contentious. We believe it is most effectively and fairly done at the local level, where directly affected property owners have ready access to their local elected officials and public hearings are conducted before planning and zoning commissions and city and town councils. This is why land use and zoning rules are a core function of local governments throughout the country.

For these reasons – and in the spirit of maintaining the Florida Constitutional value of local Home Rule - we request your veto of CS/HB 403. Thank you for your leadership and your careful consideration of this matter.

Sincerely,



Buddy Dyer  
Mayor




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**Jim Gray**  
Commissioner, District 1




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**Tony Ortiz**  
Commissioner, District 2



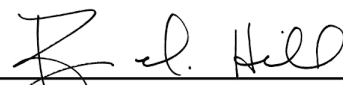
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**Robert F. Stuart**  
Commissioner, District 3



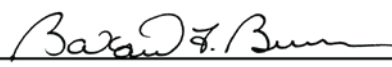
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**Patty Sheehan**  
Commissioner, District 4



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**Regina I. Hill**  
Commissioner, District 5



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**Bakari F. Burns**  
Commissioner, District 6