



CITY OF
STAUGUSTINETM
— EST. 1565 —
NATION'S OLDEST CITY

May 11, 2021

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

Dear Governor DeSantis,

On behalf of the City of St. Augustine and the St. Augustine City Commission, I respectfully request that you veto CS/HB 403 relating to home-based businesses. The proposed legislation strips regulation authority away from local governments. Virtually every City and County in the State of Florida have local regulations that allow home-based businesses. While the City of St. Augustine supports entrepreneurship, a responsive government must balance the desire to operate a home-based business with the potential impacts on residential neighborhoods and residential property values.

CS/HB 403 was amended on the last day of session to remove 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. The foremost request to local elected officials voiced by our citizens is please protect our neighborhood and livability. Reasonable regulatory authority is needed to allow us to be responsive to those citizens.

This bill is unnecessary and creates several potential problems by substantially broadening the uses allowed in residential neighborhoods, such as car repair and industrial related uses, and even preempts local control over something as simple as hours of operation. The last-minute amendment filed by the House, and narrowly approved by the Senate, removed the negotiated legislation that was amenable to local governments which included some common sense and reasonable local regulations.

The passage of CS/HB 403 was extremely contentious in the Florida Senate, where on the last day of the 2021 Session, the bill narrowly passed on a 19-18 vote. In a clear violation of Senate rules, three senators who were present in the Senate chamber failed to record a vote. The Senate subsequently requested the House return the bill to allow the Senate to take a valid vote. The House adjourned sine die prior to responding to the Senate's request.

If allowed to become law, CS/HB 403 will be a significant preemption of Home Rule powers and the ability of local government to balance competing property rights. Additionally, the bill will void existing local ordinances or regulations that have tailored unique solutions to homeowner and business concerns.

I ask that you let common sense prevail and veto CS/HB 403. Thank you for your service to the citizens of this great state and your consideration on this matter.

Sincerely,

Tracy Upchurch, Mayor
City of St. Augustine