



OFFICE OF THE MAYOR AND TOWN COUNCIL

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May 14, 2021

TOWN COUNCIL

Judy Paul
MAYOR

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

COUNCILMEMBERS

Michelle Whitman
District 1

Re: Veto Request for CS/HB 403 Home-Based Businesses from Town of Davie

Dear Governor DeSantis:

Caryl Hattan
Vice Mayor
District 2

As the Mayor of the Town of Davie, I am writing to voice my strong opposition to CS/HB 403: Home-based Businesses Preemption Bill. When this item comes before you for your signature, I implore you, on behalf of my local constituents and myself, to vote against this legislation. CS/HB 403 and its impact will be far-reaching with negative socioeconomic ripples including residential property devaluation, decreased ad valorem tax balances, and residential neighborhood deterioration. Undoubtedly, there will be a legacy that upends our municipalities, our representative neighborhood lifestyles, and the peaceful lives of our innocent residents.

Susan Starkey
District 3

Municipalities across the nation have adopted reasonable zoning regulations to protect residential areas from disruption due to the intrusion of commercial and industrial uses. Like most municipalities, the Town of Davie has carefully crafted provisions that allow home occupations within certain limits, along with provisions that are carefully constructed to address and enforce the established zoning categories.

Marlon Luis
District 4

During the 2021 Legislative Session, the Town along with other municipalities watched as this bill made its rounds through the House and Senate Committees. We believed that the negotiations between legislators and other shareholders would benefit both the homebased businesses and take into account the rules and regulations set forth by the local municipalities. However, the bill that is presented to you today is not a true reflection of the impacts on our community. The key elements that would make this bill feasible for all, were removed at the last minute.

Key provisions supported by the Town of Davie that were included in CS/CS/SB 266 but were not included in CS/HB 403 include:

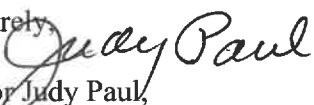
- The ability for local governments to set common-sense limitations on hours of operation. CS/HB 403 prohibits local governments from regulating a home-based business differently from other businesses in a commercial zone. The hours of operation for a business in a commercial district may not be appropriate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

The Town currently has over 400 home occupations and does not require a municipal license or separate fees other than the annual business tax. The subject legislation, CS/HB 403, with its overbroad reach and vague language, would render the Town's well-crafted programs unenforceable.

As public stewards, we have an obligation to our residents to institute measures to protect them for generations to come.

I remain available should you need to dialogue further on this important topic and can be reached at jpaul@davie-fl.gov or 954-797-1030.

Sincerely,



Mayor Judy Paul,
Town of Davie

- C: Councilmembers
Richard J. Lemack, Town Administrator
Macciano K. Lewis, Deputy Town Administrator
Phillip R. Holste, Assistant Town Administrator
Allan Weinthal, Town Attorney