



City of Boynton Beach Agenda Item Request Form

Meeting Date: 07/ 7/2026

Proposed Ordinance No. 26-022- Second Reading, An Ordinance of the City Commission of the City of Boynton Beach, Florida, approving the abandonment of a portion of the 30' wide SE 3rd Street right-of-way, located between SE 5th Avenue and SE 6th Avenue; authorizing the City Manager to execute a disclaimer, which shall be recorded with this ordinance in the public records of Palm Beach County, Florida; providing an effective date; and for all other purposes.

Requested Action: Staff recommends approval of Proposed Ordinance No. 26-022 on Second Reading.

Explanation of Request: This is a City-initiated abandonment request.

The applicant (City) is requesting the partial abandonment (ABAN-2026.03.1902) of the SE 3rd Street Right-of-Way in conjunction with the following application: Pence Park Improvements Major Site Plan Modification (2026.01.0663) for proposed re-designing of the park, including reconfiguring, expanding, and replacing the existing fields and structures on site. The abandonment area is outlined below (refer to Exhibit A – Proposed Abandonment):

The applicant is requesting to abandon the portion of the right-of-way of SE 3rd Street located between SE 5th Avenue and SE 6th Avenue. This portion of the right-of-way does not provide access to neighboring properties. The abandoned land will be transferred to the abutting property owner(s) as per state statute. When rights-of-way are adjacent to a transportation corridor (i.e., FEC R/R), the vacation or abandonment process tends to allocate said action to the adjacent property owner on one (1) side of the vacation or abandonment task. This is normally due to no requirements to allocate any excess land to a transportation corridor that has not previously been required. As such, the vacated right-of-way will be allocated to the property owner of PCN 08-43-45-28-07-003-0110 (City of Boynton Beach). There are no existing utilities within this right-of-way, and therefore, no easements are required to be provided within the vacated area.

The subject area is approximately 11,543 square feet (0.26 acres) and 30 feet wide (Exhibit B – Legal Description).

The applicant has provided a justification statement for the abandonment request (see Exhibit D – Justification Statement).

How will this affect city programs or services? The right-of-way abandonment will increase the total area of the Pence Park property located to the east, allowing it to be redeveloped as part of the Pence Park Improvements Major Site Plan Modification (2026.01.0663).

Account Line Item and Description: N/A

Fiscal Impact: N/A

Attachments:

[Ord. 26-022_Agenda_Item_4728-2026_Ordinance_Approving_ABAN_2026.03.1902.docx](#)

[ABAN 2026.03.1902_Staff Report.doc](#)

[Exhibit A - Proposed Abandonment.pdf](#)

[Exhibit B - Legal Description.pdf](#)

[Exhibit C - Conditions of Approval.docx](#)

[Exhibit D - Justification Statement.pdf](#)

[Agenda_Item_4728-2026_Business_Impact_Statement.docx](#)