

# City of Boca Raton



Incorporated 1925

## ORDINANCE

5766

1  
2 AN ORDINANCE OF THE CITY OF BOCA RATON, FLORIDA,  
3 CREATING CHAPTER 13, "PUBLIC LANDS," ARTICLE III,  
4 "SALE OF CITY PROPERTY," SECTION 13-75,  
5 "PROTECTION OF CITY-OWNED LANDS WITH PUBLIC  
6 PURPOSE SAFEGUARDS," CODE OF ORDINANCES, TO  
7 ESTABLISH REQUIREMENTS FOR THE SALE, LEASE, OR  
8 DISPOSITION OF CITY-OWNED LANDS GREATER THAN  
9 ONE-HALF (0.5) ACRE; PROVIDING THAT SUCH ACTIONS  
10 SHALL REQUIRE TWO (2) PUBLIC HEARINGS AND  
11 WRITTEN FINDINGS THAT THE ACTION SERVES A PUBLIC  
12 PURPOSE AND BENEFITS CITY RESIDENTS; PROVIDING  
13 EXCEPTIONS FOR EASEMENTS, ROUTINE MUNICIPAL  
14 PURPOSES, AND CERTAIN LEASES OR LICENSES;  
15 PROVIDING FOR SEVERABILITY; PROVIDING FOR  
16 REPEALER; PROVIDING FOR CODIFICATION; PROVIDING  
17 AN EFFECTIVE DATE  
18  
19

1           WHEREAS, the City of Boca Raton owns and manages public lands, including parks,  
2 open spaces, cultural sites, and other properties that contribute to the health, welfare, and quality  
3 of life of its residents; and

4           WHEREAS, City-owned land provides space for recreation, cultural engagement,  
5 environmental sustainability, and economic vitality, and their careful management benefits the  
6 long-term interests of the City and its people; and

7           WHEREAS, such land is currently safeguarded by a comprehensive system of existing  
8 legal, regulatory, and policy protections that limit public waterfront and coastal lands to public use,  
9 protect environmentally sensitive areas and native habitats, and apply zoning that restricts public  
10 land to recreation or other public purposes; and

11           WHEREAS, the Comprehensive Plan provides an additional layer of long-term  
12 protection for publicly owned parks, natural areas, and waterfront land through future land use  
13 designations that preserve recreation and conservation areas, prohibit or severely restrict  
14 development in conservation and coastal areas, require the retention of natural habitats, ensure  
15 public access to beaches and the Intracoastal Waterway, and mandate the preservation of dunes,  
16 sensitive ecosystems, native vegetation, and other natural resources; and

17           WHEREAS, the City Council acknowledges that decisions regarding the sale, lease, or  
18 disposition of City-owned lands implicate substantial public interests, requiring careful scrutiny to  
19 ensure that such actions yield demonstrable community benefits; and

20           WHEREAS, municipal land is held in trust for the public, and disposition of such  
21 property must be consistent with legitimate public purposes and not undertaken lightly; and

22           WHEREAS, the City Council further recognizes that residents expect that decisions  
23 about the use or sale of public land will be based on a clearly stated purpose and rationale; and

24           WHEREAS, requiring two (2) duly noticed public hearings on the proposed action and  
25 formal findings of a public purpose and ensures that no significant City-owned land is transferred  
26 or encumbered without careful deliberation and documented justification; and

1           WHEREAS, the City Council acknowledges that certain routine transactions—such as  
2 easements, rights-of-way, utility accommodations, and leases for cultural or civic uses—are  
3 necessary for the efficient operation of municipal government; and

4           WHEREAS, the intent of this ordinance is to enable the lawful and beneficial disposition  
5 of City-owned lands in a manner that provides benefits to residents of the City of Boca Raton,  
6 while ensuring that such actions occur only when the City Council determines the action is in the  
7 public interest; and

8           WHEREAS, through this ordinance the City Council affirms its commitment to  
9 protecting public lands and enhancing benefits for the residents of the City of Boca Raton while  
10 maintaining flexibility to respond responsibly to future community needs and opportunities; now  
11 therefore

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13                                   THE CITY OF BOCA RATON HEREBY ORDAINS:  
14

15           Section 1. Chapter 13, “Public Places,” Article III, Sale of City Property, Section 13-75,  
16 “Protection of City-Owned Lands With Public Purpose Safeguards,” Code of Ordinances, is  
17 hereby created as follows:

18                           **Section 13-75 – Protection Of City-Owned Lands With Public Purpose Safeguards**

19                           **(1) – Purpose.**

20           The City of Boca Raton affirms the importance of protecting City-owned lands as  
21 valuable community assets that contribute to the quality of life of its residents. It is the policy of  
22 the City to ensure that any disposition of such lands occurs only when the City Council determines  
23 that the action serves a public purpose and provides a benefit to City residents.

24                           **(2) – Limitation on Disposition.**

25           No City-owned land greater than one-half (0.5) acre shall be sold, leased or otherwise  
26 conveyed unless:

1 (a) The City Council holds two (2) duly noticed public hearings on the proposed action  
2 — one for presentation and comment, and a subsequent meeting for a final vote; and;

3 (b) The City Council makes written findings that the action:

4 (i) Serves a public purpose and provides a benefit to the residents of the City; and

5 (ii) Is consistent with the City's Comprehensive Plan and overall public interest.

6 (c) For each public hearing required by this section, mailed notice shall be sent to all  
7 owners of record of properties within five hundred (500) feet of the outer boundaries of the subject  
8 property, measured in a straight line, with such notice deposited in the United States mail at least  
9 ten (10) days prior to the hearing. Posted notice of the hearing shall be provided on the subject  
10 property in the manner required by Section 13-64.

11 (d) For purposes of this article, "public purpose" shall include, but shall not be limited  
12 to:

13 (i) Dispositions that provide revenues or resources dedicated to public facilities,  
14 infrastructure, or services, or that contribute to the City's long-term financial sustainability and  
15 reduce reliance on limited funding sources;

16 (ii) Projects that enhance recreational, cultural, environmental, or economic  
17 opportunities for residents;

18 (iii) Dispositions that eliminate underutilized or obsolete properties in exchange for  
19 substantial community benefits;

20 (e) The City Council's findings shall be set forth in the resolution or ordinance  
21 authorizing the action, identifying the specific public benefits to be achieved.

22 **(3) – Exceptions.**

23 This article shall not apply to:

24 (a) Easements, rights-of-way, or minor conveyances necessary for utilities, public  
25 safety, transportation, or similar routine municipal purposes;

1 (b) Leases or licenses for recreational, cultural, or civic uses consistent with the public  
2 interest;

3 (c) Renewals or extensions of existing leases where the underlying public purpose  
4 continues to be served.

5 Section 2. If any section, subsection, clause or provision of this ordinance is held invalid,  
6 the remainder shall not be affected by such invalidity.

7 Section 3. All ordinances and resolutions or parts of ordinances and resolutions and all  
8 sections and parts of sections in conflict herewith shall be and hereby are repealed.

9 Section 4. Codification of this ordinance in the City Code of Ordinances is hereby  
10 authorized and directed.

11 Section 5. This ordinance shall take effect thirty (30) days after its adoption.

12 PASSED AND ADOPTED by the City Council of the City of Boca Raton this \_\_\_\_\_ day  
13 of \_\_\_\_\_, 2026.

14 CITY OF BOCA RATON, FLORIDA

15 ATTEST:

16 \_\_\_\_\_  
17 Scott Singer, Mayor

18 \_\_\_\_\_  
19 Mary Siddons, City Clerk

20 Approved as to form:

21 

22 \_\_\_\_\_  
23 Joshua Pariente Koehler  
24 City Attorney

COUNCIL MEMBER	YES	NO	ABSTAINED
MAYOR SCOTT SINGER			
DEPUTY MAYOR FRAN NACHLAS			
COUNCIL MEMBER YVETTE DRUCKER			
COUNCIL MEMBER ANDY THOMSON			
COUNCIL MEMBER MARC WIGDER			