



City of Boynton Beach Agenda Item Request Form

Meeting Date: 01/20/2026

Proposed Resolution No. R26-007- Approving a Declaration of Restrictive Covenant for 670 Oak Street.

Requested Action:

Staff recommends approval of Proposed Resolution No. R26-007.

Explanation of Request: On October 7, 2025, the City Commission approved Resolution R25-070 authorizing the City to proceed with the purchase of 670 Oak Street. As part of this action, the Commission authorized the City Manager to negotiate a final deed restriction for the property, subject to approval of its form by the City Attorney.

The following language reflects the proposed restrictive covenant intended to guide future use and development of the property:

- a. . Height Restriction. Any structure or building constructed on the Property shall not exceed a maximum height of thirty-six feet (36') and two (2) habitable stories. Height shall be measured from the finished floor of the building to the highest point of the roof for flat roof, to the deck line for parapet roofs, and to the midpoint between the eaves and ridge for a gable, hip, or mansard roof, excluding chimneys, antennas, stairwells, elevator house, decorative architectural features, and similar appurtenances.
- b. Structured Parking and Dry Stack Prohibition. No structured parking facilities, including but not limited to, multi-level parking garages, parking decks, or above-ground parking structures, shall be constructed on the Property. This prohibition also includes dry stack boat storage. This prohibition does not preclude surface parking lots, carports, understory parking, or ground-level garages that are accessory to structures.
- c. Development Rights Preservation. Nothing in this Restrictive Covenant shall be construed to preclude or limit the development of the Property in accordance with the residential development rights permitted under the current zoning designation (R3—R3 Multi Family, 11 DU/AC), as may be amended from time to time, or any subsequent zoning that may apply to the Property, subject to the restrictions set forth in this Declaration. With the exception of the restrictions set forth in this section, the Property shall be used for any of

the allowable uses within the REC zoning district, with minimum setbacks of 25' and a maximum building square footage of 32,500 shall apply specially to the 670 Oak Street property (Containing 1.24 acres, more or less) and adjacent right of way of Oak Street if abandoned.

Approval of this restrictive covenant is necessary for the City to proceed with the purchase of the property. If not approved, the Purchase and Sale Agreement will be terminated.

How will this affect city programs or services?

This will not affect City programs or services.

Account Line Item and Description: N/A

Fiscal Impact: On September 9, 2025 the CRA Board approved and on September 18, 2025 the City Commission approved the interlocal agreement between the City and CRA for the purchase of the 670 Oak street property and authorized the reimburse up to \$7.1M for the purchase cost and any costs incurred as part of the feasibility study.

Attachments:

[R26-007 Agenda_Item_3946-2025_Resolution_for_670_Oak_St._Restrictive_Covenant.docx](#)

[670 Oak Street Declaration of Restrictive Covenants \(010626\)_Final-R.pdf](#)

[R25-270- 670 Oak Street.pdf](#)