



## Village of Palm Springs Planning, Zoning & Building Department Unified Development Application

226 Cypress Lane  
Palm Springs, FL 33461  
Phone: (561) 584-8460  
[www.vpsfl.org](http://www.vpsfl.org)

*Prior to the submission of this application, the applicant must have a pre-application meeting with Planning, Building & Zoning staff to review the proposed project submittal and processing requirements.*

Pre-Application Meeting Date: \_\_\_\_\_

Indicate the type of application you are applying for:

- |                                                              |                                                                                                     |
|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Amendment (text) | <input type="checkbox"/> Administrative Amendment<br>(Site Plan, Landscape Plans, Building Designs) |
| <input type="checkbox"/> Future Land Use Map Amendment*      | <input type="checkbox"/> Administrative Special Exception                                           |
| <input type="checkbox"/> Rezoning *                          | <input type="checkbox"/> Site Plan (Minor / Major / PD)*                                            |
| <input type="checkbox"/> LDR / Zoning Change (text)          | <input type="checkbox"/> Site Plan Amendment *                                                      |
| <input type="checkbox"/> Plat (Preliminary)*                 | <input type="checkbox"/> Special Exception*                                                         |
| <input type="checkbox"/> Plat (Final)                        | <input type="checkbox"/> Development Order Amendment*                                               |
| <input type="checkbox"/> Master Sign Plan                    | <input type="checkbox"/> Variance (District Standard)*                                              |
| <input type="checkbox"/> Temporary License Agreement         | <input type="checkbox"/> Variance (Sign)*                                                           |
| <input type="checkbox"/> Temporary Use Permit                | <input type="checkbox"/> Variance (Hours of Operation)*                                             |
| <input type="checkbox"/> Abandonment                         | <input type="checkbox"/> Administrative Variance                                                    |
| <input type="checkbox"/> Appeal                              | <input type="checkbox"/> Deed Restriction / Unity of Title                                          |
| <input type="checkbox"/> Utility /Civil Plan                 |                                                                                                     |

### INSTRUCTIONS:

1. All questions must be completed on this application. If not applicable, mark **N/A**.
2. Include all submittal requirements / attachments with this application.
3. All applicable fees are due when the application is submitted (Fees adjusted annually). Advertising, postage, and cost recovery, including professional fees incurred by the Village, will be billed to the Applicant.
4. Include mailing labels/stamped envelopes of all property owners within a 300 feet radius of affected site with signed affidavit (Application types marked with \*).
5. All plans must be submitted no later than 3:00 p.m. 45 days prior to a Planning, Building & Zoning Board hearing (see schedule).
6. The applicant is responsible for addressing staff review comments in a timely manner. Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.
7. Applicants presenting demonstration boards or architectural renderings to the Village Council must have an electronic copy (PDF) of each board submitted to Planning, Building & Zoning Department no later than the Wednesday preceding the meeting. Note: Representations made at the hearing, verbally or graphically, become part of the record.

### Staff Use Only

Application Numbers: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

# Posted Signs Required: \_\_\_\_\_

**SECTION 1-PROJECT INFORMATION:**

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Location of Property: The subject property is located approximately \_\_\_\_\_ mile(s) N, S, E, W (circle one) from the intersection of \_\_\_\_\_ & \_\_\_\_\_, on the N, S, E, W (circle one) side of \_\_\_\_\_ (street).

Shopping Center / Office Building: \_\_\_\_\_

Acreage of Property: \_\_\_\_\_ Building Square Feet: \_\_\_\_\_

Density or FAR: \_\_\_\_\_ Plat Name: \_\_\_\_\_

PCN Number(s): \_\_\_\_\_

Dimensions of Property: \_\_\_\_\_

Palm Springs CRA District, if applicable: \_\_\_\_\_  
See Section 14 also.

Legal Description: (or attach separate sheet)  
\_\_\_\_\_  
\_\_\_\_\_

Property History, if applicable: Describe previous applications on property

| Application # | Request | Action | Resolution / Ordinance # | Approval Date |
|---------------|---------|--------|--------------------------|---------------|
|               |         |        |                          |               |
|               |         |        |                          |               |
|               |         |        |                          |               |
|               |         |        |                          |               |

(Approved Variances, Special Exception, Site Plan, etc...) Include previous application numbers and any conditions of approval.

**SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION**

Owner's Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Owner's Email Address: \_\_\_\_\_

Owner's Phone: \_\_\_\_\_ Owner's Fax: \_\_\_\_\_

Applicant, if different than Owner: \_\_\_\_\_

Agent: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Agent's Address: \_\_\_\_\_

Agent's Email Address: \_\_\_\_\_

Agent's Phone: \_\_\_\_\_ Agent's Fax: \_\_\_\_\_

*All correspondence will be sent directly to agent unless otherwise instructed.*

**SECTION 3- LAND USE AND ZONING INFORMATION:**

**EXISTING**

**PROPOSED**

Zoning: \_\_\_\_\_ Zoning: \_\_\_\_\_

Land Use: \_\_\_\_\_ Land Use: \_\_\_\_\_

Use: \_\_\_\_\_ Use: \_\_\_\_\_

Plat: \_\_\_\_\_ Plat: \_\_\_\_\_

**ADJACENT LAND USE / ZONING / USE(S)**

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_



**SECTION 5- PROJECT AUTHORIZATION**

**OWNER CERTIFICATION**

(If more than one owner, attached executed Certifications for each)

This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. The undersigned hereby petitions the Village of Palm Springs Staff, Planning, Building & Zoning Board, and the Village Council to call Public Hearings upon due Public Notice in accordance with the Rules, Regulations, and Laws as promulgated by the Village of Palm Springs. The cost of which petition and notice and other costs as promulgated by rule is hereby assumed by the undersigned.

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Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did (did not) take an oath.

Signature of person taking acknowledgement \_\_\_\_\_

Name of officer taking acknowledgement--typed, printed or stamped\_\_\_\_\_

Title or rank\_\_\_\_\_ Serial number\_\_\_\_\_

**AGENT CERTIFICATION**

This is to certify that I am the agent of the property owner described in this application and that all information supplied herein is true and correct to the best of my knowledge.

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Signature of Agent

Date

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did (did not) take an oath.

Signature of person taking acknowledgement \_\_\_\_\_

Name of officer taking acknowledgement--typed, printed or stamped \_\_\_\_\_

Title or rank \_\_\_\_\_ Serial number \_\_\_\_\_



## **GENERAL SUBMITTAL REQUIREMENTS FOR ALL APPLICATIONS:**

- Completed Application, with original signatures, and applicable filing fees
- Evidence of Ownership (recorded warranty deed, title policy, or attorney's opinion)
- Owner's Authorization for Agent or Applicant to file application
- Current Survey (dated not more than 12 months prior to date of submittal)
- Color Photographs of entire property
- Traffic Study or Statement (2 copies)\*, as applicable
- One (1) electronic version of complete application, narratives, plans, reports and supplemental documents in .pdf format

## **ADDITIONAL REQUIREMENTS FOR PUBLIC HEARING APPLICATIONS:**

- Radius Map and Listing of all property owners within 300 feet of the property, from the Palm Beach County Property Appraiser's Office - contact their Mapping Department at 355-2881.
- One (1) Set of Mailing Labels and Pre-Stamped Envelopes for all property owners within said 300 feet radius
- Public Notice Sign: One sign for each street frontage shall be posted no less than 10 calendar days prior to the hearing. The sign shall be legible from a distance of 100 feet and shall contain a description of the approval being sought, the date, time and location of hearing, and a statement that the application is available for inspection in the Village Planning, Building & Zoning Department (**see attached**).
- Affidavit (**see attached**) certifying to listing and sign posting

*\*Transmit traffic study directly to Palm Beach County Traffic Engineering with applicable review, and copies to the Village – TPS letter is required prior to public hearings*

**SECTION 6 - LAND USE PLAN AMENDMENT APPLICATION ONLY**

Existing Village Land Use/Rezoning: \_\_\_\_\_

Requested Village Land Use/Rezoning \_\_\_\_\_

Reason or basis the land use change/rezoning is required and the intended use or uses this request will accommodate.

\_\_\_\_\_  
\_\_\_\_\_

ATTACH: LAND USE CHANGE: Analysis of Existing and Proposed Use(s), including analysis of infrastructure/public services, natural resources, open space, affordable housing, land use compatibility, intergovernmental coordination, and consistency with adopted goals, objectives and policies.

REZONING: Confirmation of the provisions of all necessary facilities and systems, including storm drainage, water supply, sewage treatment, solid waste disposal, public safety protection, recreational and park areas, school sites and any other services, where applicable.

**SECTION 7 – APPEAL ONLY**

- Appeal of LDB Action
- Appeal of Decision / Interpretation of Planning, Building & Zoning Director
- Appeal of Interpretation / Requirement of Building Official

Requirement or Code Section Being Appealed or That Is At Issue:

\_\_\_\_\_

Summary of Decision or Condition being Appealed:

\_\_\_\_\_  
\_\_\_\_\_

Summary of the Relief being Requested:

\_\_\_\_\_  
\_\_\_\_\_



**SECTION 8 – VARIANCE ONLY**  
**(Administrative / Standard / Hours of Operation / Sign)**

Related Applications \_\_\_\_\_

Code Section: \_\_\_\_\_

Required: \_\_\_\_\_

Request: \_\_\_\_\_

Details of Variance Request or Appeal:

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**ATTACH NARRATIVE AS ADDITIONAL PAGE(S)**

Chapter 34, Section 34-602 of the Code of Ordinances, Village of Palm Springs, requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Section 34-603(b)(1) of the Code. The statement must include comments on each of the following individually:

- a. That special condition and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same Planning, Building & Zoning district.
- b. That the special conditions and circumstances do not result from the actions of the applicant.
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same Planning, Building & Zoning district.
- d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same Planning, Building & Zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.
- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

**SECTION 9 – SPECIAL EXCEPTION ONLY (Site Plan Required Also)**

Requested Use: \_\_\_\_\_

Supplemental Regulations Applicable?  Yes  No

ATTACH NARRATIVE AS ADDITIONAL PAGE(s)

Chapter 34, Section 34-607 of the Code of Ordinances, Village of Palm Springs, requires a statement of special reasons or basis for the special exception request. This statement should be predicated on the seven (7) criteria and factors as set forth in Section 34-607(b) of the Code. The statement must include comments on each of the following individually:

- (1) The proposed special exception use is consistent with goals, objectives, and policies of the village's comprehensive plan.
- (2) The proposed special exception is consistent with the Planning, Building & Zoning and zoning regulations and all other portions of this Code.
- (3) The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation, type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.
- (4) The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.
- (5) The proposed special exception use does not have a detrimental impact on surrounding properties based on:
  - a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;
  - b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and
  - c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.
- (6) That the proposed special exception use:
  - a. Does not significantly reduce light and air to adjacent properties.
  - b. Does not adversely affect property values in adjacent areas.
  - c. Would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations.
  - d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.
  - e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

- (7) The proposed use would enhance and/or promote redevelopment of the Village, fulfill redevelopment objectives, and/or have a positive economic impact on the Village, including creating new jobs, economic growth and provide needed community-serving (neighborhood retail and commercial) uses and businesses.

## **SECTION 10 – SITE PLAN SUBMITTAL REQUIREMENTS**

- In original submittal, provide five (5) copies (24"x36") of the following plans listed as they pertain to the project in full sets. Including three (3) sets of all plans shall be signed and sealed original.
- Provide a Thumb Drive with all submittal materials in pdf format.
- Site plan packages must include but are not limited to :
  1. Site Plan (see Technical Specifications in Sec. 34-685 of the Code)
  2. Landscape Plan
    - a. Must show all species and sizes (Florida Grade No.1 only)
    - b. Tree survey of existing site
    - c. Irrigation plans desired, but not required until permitting
  3. Building Architectural Plans
    - a. Elevations (label each side according to compass direction)
    - b. Roof plan for screening of mechanical equipment
    - c. Color, Material and Texture Specifications/Schedule
    - d. Building colors shall include paint company name, number, and paint color name (color chips preferred)
    - d. Color Rendering
    - e. Details of site amenities (bike racks, benches, trash receptacles, etc.)
  4. Photometric plan
    - a. Must show spillover at property line
  5. Boundary Survey
    - a. Needs to be within the last calendar year
    - b. Needs to show Acreage
    - c. Needs to show proper Parcel ID number
    - d. Needs to have Title Commitment Policy and number referenced,

OR

  - e. Abstract Survey can be used
  6. Tabular data
  7. Dumpster locations (include recycling)
  8. Accessible pedestrian routes from street to building
  9. Truck (garbage, delivery, etc.) turning radii (AutoTurn Analysis)
  10. Fire Hydrant locations

11. Utility Tie-Ins
  12. Adjacent Zoning
  13. Ultimate right-of-ways widths and elevation of adjacent road(s)
  14. Dimensions on buffers, drive isles and driveways and any other pertinent site
  15. Floor Plan
  16. Life Safety Plan, if applicable
  17. Finished Floor Elevation
  18. Sign Plans
    - a. general location plan
    - b. details for each sign, including dimensions and summary of sign face area, all coloring (letter, logo, backing, cabinet, etc)
    - c. master sign plan specifications, if applicable
  19. Paving, Grading and Drainage Plans and Drainage Calculations.
- Copy of FDOT Pre-Approval Letter, as applicable
  - If proposing new residential units, School Capacity Availability Determination

RESUBMITTALS for Technical Review: **Submit a letter identifying each review comment and the revision or response provided**, together with five (5) copies of each revised plan sheet, and thumb drive with .pdf files of revised sheets, reports, narratives, and supporting documents;

PLANNING, BUILDING & ZONING BOARD DISTRIBUTION: At least 20 days prior to LDB hearing, submit ten (10) full sets (24"x36") (3 signed/sealed) and thumb drive with .pdf files, revised per and approved by the technical review agencies.

VILLAGE COUNCIL DISTRIBUTION: At least 20 days prior to the VC hearing, submit five (5) sets (24"x36") (3 signed/sealed) and thumb drive with .pdf files, revised to address LDB recommendations, if required.

*NOTE: Copies of any graphics or handouts used at a public hearing must be provided to the recording clerk and made part of the formal record.*

*NOTE: Representations made at the hearing, verbally or graphically, become part of the record, and are enforceable as part of the development order.*



**AFFIDAVIT CERTIFYING TO PUBLIC HEARING NOTICE REQUIREMENTS**

**STATE OF FLORIDA**

**COUNTY OF PALM BEACH**

BEFORE ME, the undersigned authority personally appeared who after being sworn, stated the following:

1. That I \_\_\_\_\_ have prepared/ obtained a complete list (and the required mailing labels) of the owners of real property, together with their mailing addresses, that are within three hundred (300') feet of the subject property, as set forth in the current Official Tax Roll of Palm Beach County.
2. That to the best of my knowledge, said list is complete and accurate.
3. Notice signs were posted on the premises a minimum of 10 days in advance of the public hearing. Attached, are photographs of the signs showing their placement on the property and proximity to the abutting right-of-way.

\_\_\_\_\_  
Signature of Affiant/Applicant

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did (did not) take an oath.

Signature of person taking acknowledgement \_\_\_\_\_

Name of officer taking acknowledgement--typed, printed or stamped \_\_\_\_\_

Title or rank \_\_\_\_\_ Serial number \_\_\_\_\_

# PUBLIC NOTICE

## VILLAGE OF PALM SPRINGS PLANNING, ZONING & BUILDING

This property is the subject of the following request(s):

- |                                                      |                                              |
|------------------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Site Plan                   | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Special Exception           | <input type="checkbox"/> Land Use Amendment  |
| <input type="checkbox"/> Development Order Amendment | <input type="checkbox"/> Rezoning            |
| <input type="checkbox"/> Variance                    | <input type="checkbox"/> Other _____         |

Petition Number: \_\_\_\_\_

Request: \_\_\_\_\_

\_\_\_\_\_

Public hearing date(s) are as follows:

Planning & Zoning Board:

Village Council:

The public hearings indicated above are to be held in:

The Village of Palm Springs Council Chambers, 226 Cypress Lane, Palm Springs.

For Additional Information contact the Palm Springs Planning, Building & Zoning Department: (561) 584-8200 x 3. Interested parties may appear at the public hearing(s) and be heard with respect to the advertised request. Hearing may be postponed without further notice.

In accordance with ADA, documents may be requested in an alternate format. Auxiliary aids or other services will be provided upon request with at least three days' notice prior to hearing. For ADA assistance, please contact the Village Clerk's Office at (561) 584-8430.

Visit our website at: **WWW.VPSFL.ORG**

## **SECTION 11 – PLANNED DEVELOPMENT (SITE PLAN)**

Narrative: See objectives and performance standards in Article IX, and provide a narrative that outlines the proposed project's conformance with these provisions.

Waivers: Requests for waivers shall be submitted in writing and shall address the following criteria:

- a. The request is in harmony with and is consistent with the purpose and intent of the Village's Comprehensive Plan and Planning, Building & Zoning Code and that such waiver will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.
- b. The request results from innovative design in which other minimum standards are exceeded.
- c. The request demonstrates that granting of the waiver will result in preservation of valuable natural resources, including drainage and recharge areas, natural areas, etc.
- d. The request demonstrates public benefits to be derived, including but not limited to such benefits as dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of open areas and use of desirable architectural, building, and site design techniques.
- e. The request provides sufficient screening and buffering to screen adjacent uses from adverse impacts caused by the granting of a waiver.
- f. Economic issues may not be used to justify waivers.
- g. The request is compatible with existing and potential land uses adjacent to the development site.
- h. Waiver requests from minimum common amenity area requirements shall further demonstrate that adequate recreation area is available in the immediate vicinity of the proposed development.
- i. Waiver requests from maximum height limitations shall further demonstrate that the additional height will not adversely impact adjacent properties and appropriate setbacks are provided as building height increases.

**SECTION 12 – PLAT ONLY** (Site Plan or Subdivision Plan required also)

Plat packages must include but are not limited to:

1. Plat
2. Boundary Survey
  - a. Needs to be within the last calendar year
  - b. Needs to show Acreage
  - c. Needs to show property Parcel ID number
  - d. Needs to have Title Commitment Policy and number reference, OR
  - e. Abstract Survey can be used
3. Title Policy

**SECTION 13 – ABANDONMENT ONLY**

General Description of Area Requested for Abandonment: \_\_\_\_\_  
\_\_\_\_\_

Recording Information of Area: \_\_\_\_\_  
(attach a copy of instrument)

- Indemnification and Hold Harmless Agreement executed by the Owner indemnifying the Village and holding the Village harmless from any and all losses, claims, damages and other liabilities resulting from, or arising out of the abandonment of the property. **See attached form of agreement.**
- Letters of any objection to the abandonment request from all utilities and drainage districts providing service to the property, including but not limited to, Lake Worth Utilities, FP&L, Cable distributor, water and sewer service provider, public gas (if applicable).
- Evidence of payment of all current taxes on the subject property.





## **INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

This Indemnification Agreement ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Village of Palm Springs, a municipal corporation organized and existing under the laws of the State of Florida ("Village"), with its principal offices located at 226 Cypress Lane, Palm Springs, FL 33461, and \_\_\_\_\_, whose address is \_\_\_\_\_ ("Indemnifying Party")

### **WITNESSETH**

In consideration of the sum of One Thousand Five Hundred Dollars (\$1500.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by the parties, and to the fullest extent permitted by laws and regulations, the Indemnifying Party shall indemnify, defend, save and hold harmless, the Village, its officers, elected officials, agents and employees from any and all claims, damages, losses, liabilities and expenses, (direct, indirect and consequential) pertaining to or arising out of the abandonment of the real property which is the subject of this Application for Abandonment.

The Indemnifying Party shall pay all losses, claims, liens, settlements, or judgments of any nature whatsoever in connection with the foregoing indemnification, including but not limited to, reasonable attorney's fees (including appellate attorneys' fees and costs). The Village reserves the right to reasonably approve of the legal counsel selected by the Indemnifying Party to conduct any defense in any such proceedings, and all reasonable costs and fees associated therewith shall be the responsibility of Indemnifying Party.

The indemnification obligation hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the Indemnifying Party under any policy or policies of insurance of the Indemnifying Party or a third party.

This Agreement shall not in any way be construed to create a partnership, association, or any kind of joint venture or undertaking between the parties hereto. The Village specifically reserves all statutory and common law rights and immunities, and nothing herein is intended to limit or waive the same, including but not limited to, the procedural and substantive provisions of Section 768.28, Fla. Stat., and Section 95.11, Fla. Stat., as amended from time to time.

The Indemnifying Party's obligation to indemnify, defend, and pay for the defense, or at the Village's option, to participate and associate with the Village in

the defense and trial of any claim and related settlement negotiations, shall be triggered by the Village's notice of claim for indemnification to the Indemnifying Party. The Indemnifying Party's inability to evaluate liability or its evaluation of liability, shall not excuse the Indemnifying Party's duty to defend and indemnify within 7 days after such notice is given by the Village by registered mail. Only an adjudication or judgment after the highest appeal is exhausted, specifically finding the Village solely negligent, shall excuse performance of this provision by the Indemnifying Party. The Indemnifying Party shall pay all costs and fees related to this obligation and its enforcement by the Village. The Village's failure to notify the Indemnifying Party of a claim shall not release the Indemnifying Party of the above duty to defend and indemnify.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the date first above written.

**INDEMNIFYING PARTY**

By: \_\_\_\_\_  
Indemnifying Party

\_\_\_\_\_  
Printed Name of Indemnifying Party

**VILLAGE OF PALM SPRINGS**

By: \_\_\_\_\_

ATTEST

\_\_\_\_\_  
KIMBERLY M. WYNN, VILLAGE CLERK

**SECTION 14 – CONSISTENCY WITH PALM SPRINGS CRA  
COMMUNITY REDEVELOPMENT PLAN**

**CRA District:** \_\_\_\_\_

ATTACH NARRATIVE AS ADDITIONAL PAGE(s) to address the following:

- 1) Detailed Description of Proposal’s Consistency with Five (5) Key Goals of CRA
- 2) Proposal’s effect on existing conditions (identified in CRA Community Redevelopment Plan) in the CRA District
- 3) Proposal’s ability to assist in achieving strategies and objectives of the Palm Springs CRA