

ATTACHMENT "A"
List of Conditions for CUP14-00013

Approval Date: February 12, 2015
Effective Date: February 24, 2015
Expiration Date: February 24, 2018

This list of conditions applies to: Consideration of Conditional Use Permit CUP14-00013 to allow live entertainment for an existing hookah lounge at 15923 Bear Valley Road (APN: 0414-021-20; Applicant: Akram Abdelmaseih).

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been completed by the expiration date noted above. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: the "COMPLETED" and "COMPLIED BY" spaces are for internal City use only).

CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS

<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)
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CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

<u>COMPLETED</u> IN COMPLIANCE	<u>COMPLIED BY</u> GLENN	UTILITY CLEARANCE AND C OF O. The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)
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ONGOING CONDITIONS

<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	FIRE SPRINKLERS. Fire Sprinklers shall be maintained in compliance with NFPA 13 & 25 at all times.
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	FIRE ALARM. Fire Alarm shall be maintained in compliance with NFPA 72 at all times.
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	VENTILATION SYSTEM. Adequate ventilation shall be provided. Existing system, or equivalent, shall be maintained while the building is occupied.
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<u>COMPLETED</u> NOT IN COMPLIANCE	<u>COMPLIED BY</u>	ASSEMBLY OCCUPANCY REQUIREMENTS. Tenants shall comply with all requirements of the California Fire Code pertaining to Assembly Occupancies to include but not limited to: Maintaining exit pathways, emergency and egress lighting, fire extinguishers, and
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proof of flame retardant materials.

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COMPLIED BY

HOOKAH REQUIREMENTS. All precautions should be taken with regards to hot hookah coals, to include but not limited to, securing hookahs on or in tables, transporting in non-combustible container, and proper disposal of used coals.

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OPERATING PERMIT. Occupant must obtain and maintain an annual Operational Use Permit from San Bernardino County Fire Department for an Assembly Occupancy .

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COMPLIED BY

AGE RESTRICTION. At no time during the conduct of the use shall anyone under the age of 18 be permitted on the premises, consistent with state law. (P)

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SIGNAGE. All signage associated with the hookah lounge shall be consisted with the requirements within section 16.36 of the City's Municipal Code. Any proposed temporary signage shall be submitted to the Planning division under a temporary special event permit. All unpermitted signage shall be removed.

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PERMIT REVOCATION. Any, documented law enforcement, issues created by the proposed use shall cause this Conditional Use Permit to be reviewed by the Planning Commission for possible revocation. (P)

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BUSINESS OPERATION. All activities associated with the use shall be contained wholly within the building.

NOTICE TO DEVELOPER: IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONTACT THE APPROPRIATE DIVISION LISTED BELOW:

(B) Building Division	947-1300
(E) Engineering Division	947-1476
(F) Fire Prevention Division	947-1603
(P) Planning Division	947-1200
(RPD) Hesperia Recreation and Park District	244-5488