



# City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861  
Phone (310) 456-2489 · Fax (310) 456-7650 · [www.malibucity.org](http://www.malibucity.org)

FRC No. \_\_\_\_ -

## FORMULA RETAIL CLEARANCE APPLICATION

The City of Malibu will not accept incomplete applications

### General Information

PROPERTY ADDRESS: \_\_\_\_\_ Unit # \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

APPLICANT / CONTACT: First: \_\_\_\_\_ Last: \_\_\_\_\_

APPLICANT ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

APPLICANT PHONE #: \_\_\_\_\_ APPLICANT EMAIL: \_\_\_\_\_

PROPERTY OWNER: \_\_\_\_\_

### Fees

Formula Retail Clearance \$ 337

### Formula Retail

1. DOES THE PROPOSED RETAIL SERVICE CURRENTLY HAVE 10 OR MORE OPERATIONAL RETAIL ESTABLISHMENTS WORLDWIDE AND MAINTAIN TWO OR MORE OF THE FOLLOWING FEATURES LISTED BELOW?  YES  NO

If yes, circle the applicable feature below.

- |  |  |
|--|--|
| a. Standardized array of merchandise or menu | e. Standardized layout                             |
| b. Standardized color scheme                 | f. Standardized signage, service mark or trademark |
| c. Standardized décor                        | g. Uniform apparel                                 |
| d. Standardized signage                      |  |

2. WILL THE PROPOSED LOCATION EXCEED 4,000 SQUARE FEET OF GROSS FLOOR AREA?

YES  NO

3. PROPOSED BUSINESS:  NEW BUSINESS  OTHER: \_\_\_\_\_

4. BUSINESS DESCRIPTION (PROVIDE ADDITIONAL PAGES IF NECESSARY):

---

---

---

---

5. TOTAL GROSS FLOOR AREA OF SHOPPING CENTER: \_\_\_\_\_

6. PROPOSED FLOOR AREA: \_\_\_\_\_

**\*ISSUING THE FRC WILL NOT RESULT IN (A) NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPYING MORE THAN 30 PERCENT OF THE TOTAL GROSS FLOOR ARE OF A SHOPPING CENTER EXCLUDING THE FLOOR AREA OCCUPIED BY EXEMPT FORMULA RETAIL DEFINED IN 17.66.020(A)(1)-(8) ONLY, OR (B), WHERE THE SHOPPING CENTER IS MORE THAN ONE FLOOR, NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPY MORE THAN 40 PERCENT OF TOTAL GROSS FLOOR AREA OF THE GROUND FLOOR OF THE SHOPPING CENTER.**

**REPORT TO PLANNING COMMISSION**

All formula retail clearances approved by the Planning Director shall be noticed and reported to the Planning Commission within 30 days of issuance. Such report shall include all calculations and descriptions of businesses used in making the determination. The approval shall become final two days after the clearance is reported to the Planning Commission, unless rescinded by the Planning Director.

**ADDITIONAL PERMITS**

Approval of this Formula Retail Clearance is to clear the tenant space to be occupied by a formula retail establishment. It does not eliminate the need for other permits, licenses, or certificates required. Additional permits may be required (e.g., Health Permit, Certificate of Occupancy, Sign Permit, Tenant Improvement Permit, Temporary Use Permit, Conditional Use Permit, etc.). See the Department of Environmental Sustainability to verify which construction permits may be required.

**INDEMNIFICATION CLAUSE**

The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

\_\_\_\_\_  
PROPERTY OWNER SIGNATURE

\_\_\_\_\_  
PROPERTY OWNER NAME (PRINT)

\_\_\_\_\_  
DATE

**APPLICANT STATEMENT**

I hereby certify under penalty of perjury that I have read and understand all of the sections above and that the information provided on this form is true and correct to the best of my knowledge. I also state that I have read and familiarized myself with the portions of the Malibu Municipal Code which apply to my business in this location. I agree to comply with these regulations and any other local, state, and federal regulation that my relation to this proposed business.

Property Owner, or Applicant Signature: \_\_\_\_\_

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

**Staff Use Only**

**FORMULA RETAIL CALCULATION**

PROPOSED FORMULA RETAIL FLOOR AREA: \_\_\_\_\_

EXEMPT FORMULA RETAIL FLOOR AREA: \_\_\_\_\_

SHOPPING CENTER **TOTAL** GROSS FLOOR AREA: 1<sup>st</sup> FLOOR: \_\_\_\_\_ 2<sup>nd</sup> FLOOR: \_\_\_\_\_ TOTAL: \_\_\_\_\_

TOTAL GFA: \_\_\_\_\_ - \_\_\_\_\_ EXEMPT FORMULA RETAIL = \_\_\_\_\_

\_\_\_\_\_ x 30% = \_\_\_\_\_ ALLOWABLE FORMULA RETAIL

NON-EXEMPT FORMULA RETAIL GFA (including applicant): \_\_\_\_\_ COMPLIES  YES  NO

SHOPPING CENTER - GROSS FLOOR AREA OF FIRST FLOOR:

TOTAL GFA FIRST FLOOR: \_\_\_\_\_ - \_\_\_\_\_ EXEMPT FORMULA RETAIL = \_\_\_\_\_

\_\_\_\_\_ x 40% = \_\_\_\_\_ ALLOWABLE FORMULA RETAIL

NON-EXEMPT FORMULA RETAIL GFA (including applicant): \_\_\_\_\_ COMPLIES  YES  NO

Approved FRC: \_\_\_\_\_  
Planning Staff

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

NOT Approved for FRC: \_\_\_\_\_  
Planning Staff

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

Reason not approved or additional information required:

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