



City of Malibu

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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 \$ _____

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 The approval shall become final two days after the clearance is reported to the Planning Commission, unless rescinded by the Planning Director.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: 1st FLOOR: _____ 2nd 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:

