

REPORT TO THE HEARING OFFICER

DATE ISSUED: April 10, 2025

HEARING DATE: April 22, 2025 AGENDA ITEM: 5

PROJECT NUMBER: 2019-000372-(3)

PERMIT NUMBERS: Conditional Use Permit ("CUP") No. RPPL2019000710

SUPERVISORIAL DISTRICT: 3

PROJECT LOCATION: 18541 Pacific Coast Highway ("PCH"), Malibu, CA 90265
Assessor's Parcel Number: 4443-003-010

OWNER: Thrifty Oil Company

APPLICANT: Western Refining & Retail, LLC.

CASE PLANNER: Shawn Skeries, Principal Planner
sskeries@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number 2019-000372-(3), CUP Number RPPL2019000710, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

CEQA:

I MOVE THAT THE HEARING OFFICER CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENTS:

I MOVE THAT THE HEARING OFFICER APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2019000710 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlements Requested

CUP to authorize the continued sale of beer and wine for off-site consumption (California Department of Alcoholic Beverage Control (“ABC”) Type 20 License – Beer and Wine) incidental to the operation of an existing gas station and convenience store pursuant to County Code Section 22.140.030 (Alcoholic Beverage Sales).

B. Project

The proposed project consists of the continued sale of beer and wine for off-site consumption incidental to the operation of an existing gas station and convenience store in the C-1 (Restricted Business) Zone. The subject property is located at 18541 PCH (at the northeast corner of PCH and Topanga Canyon Boulevard), Malibu, in the Santa Monica Mountains Coastal Zone. The Arco gas station is approximately 1,561 square feet with 12 gasoline dispensers underneath two canopies and has 12 parking spaces, including one parking space that is accessible to people with disabilities. The gas station operates 24 hours each day with alcohol sales being proposed between 10:00 a.m. and 12:00 a.m. (midnight), Sunday through Thursday, and between 10:00 a.m. to 1:00 a.m. Friday and Saturday.

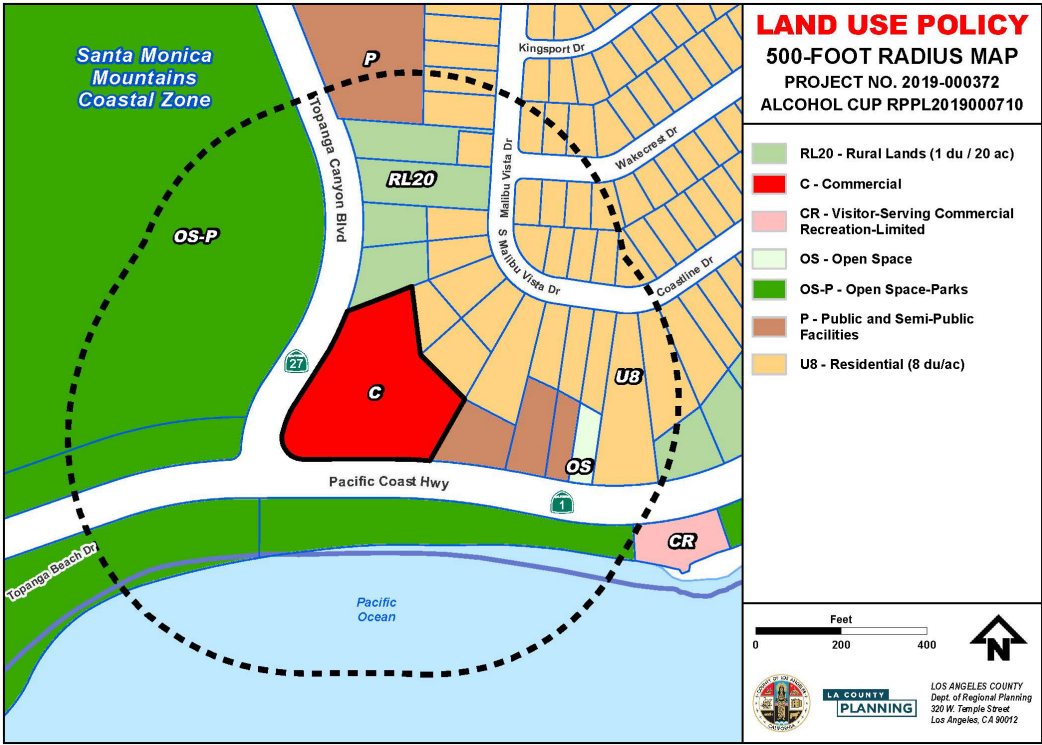
SUBJECT PROPERTY AND SURROUNDINGS

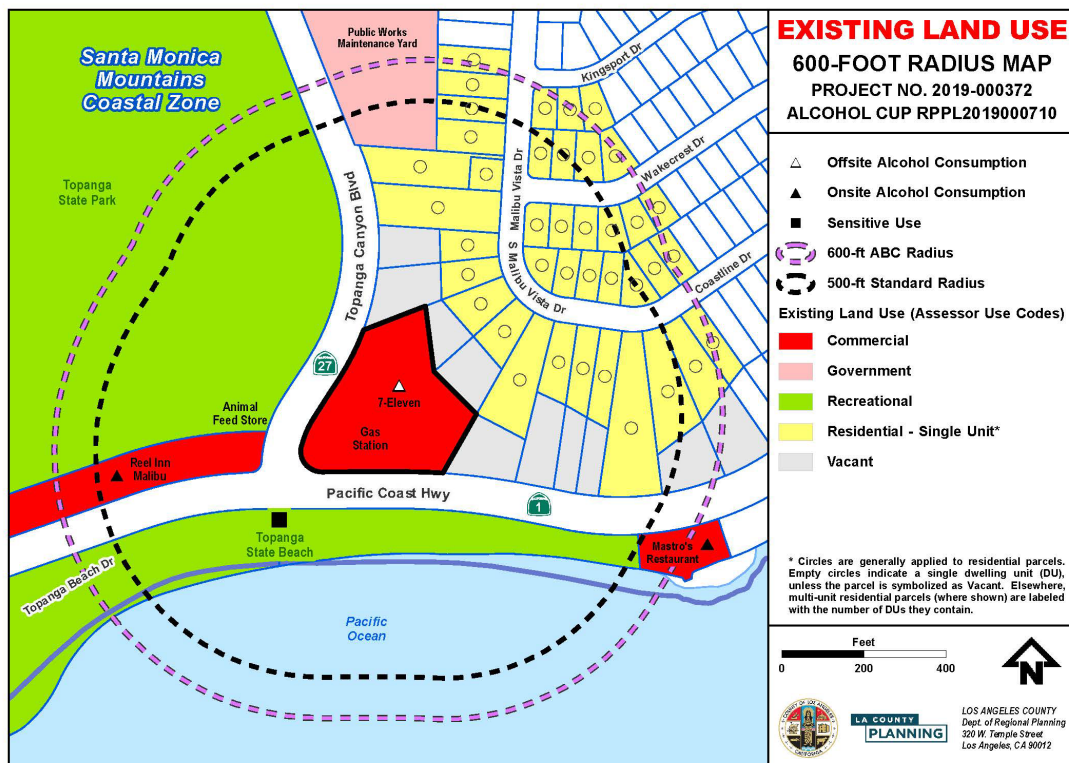
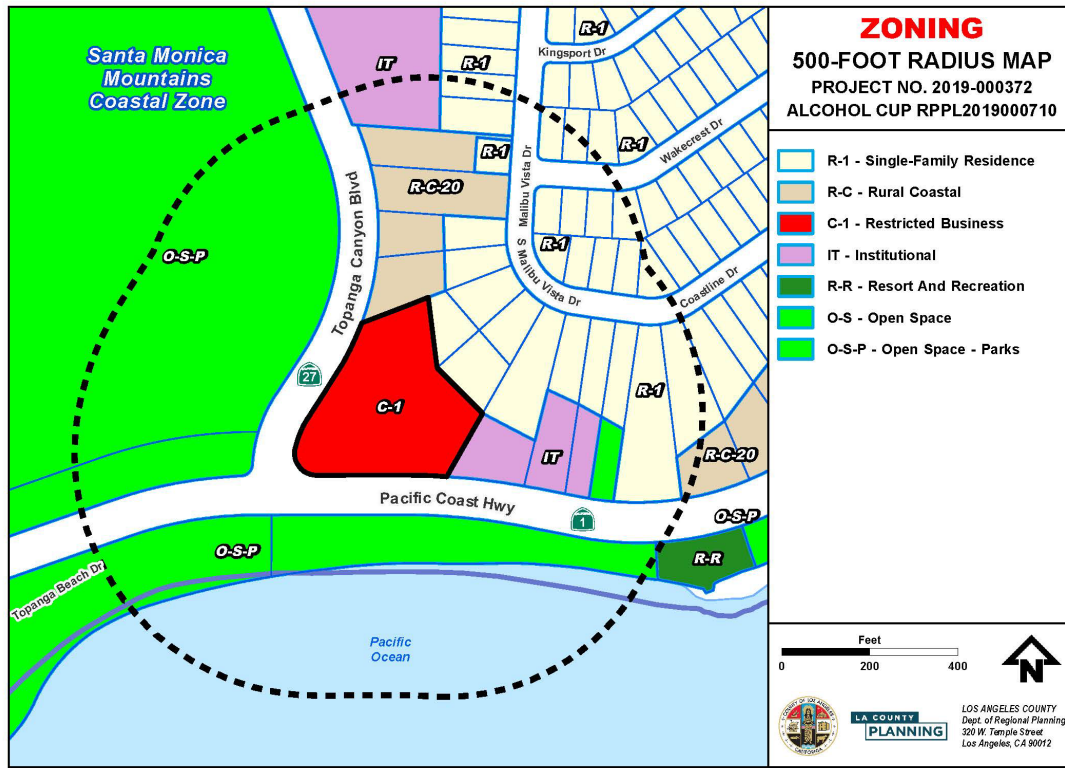
The following chart provides property data within a 500-foot radius:

LOCATION	SANTA MONICA MOUNTAINS COASTAL ZONE LAND USE CATEGORY	ZONING	EXISTING USES
SUBJECT PROPERTY	C (Commercial)	C-1 (Restricted Business)	Gas Station and Convenience Store
NORTH	RL20 (Rural Lands - One dwelling unit per 20 acres) U8 (Residential - 8 dwelling units per acre) P (Public and Semi-Public Facilities)	R-C-20 (Rural-Coastal with 20-Acre Minimum Lot Area) R-1 (Single-Family Residential) IT (Institutional)	Residences, Vacant Land, Public Works Maintenance Yard
EAST	RL20 U8 P OS (Open Space) CR (Visitor-Serving Commercial Recreation-Limited)	R-C-20 R-1 IT O-S (Open Space) R-R (Resort and Recreation)	Residential, Vacant Land, Restaurant
SOUTH	OS-P (Open Space – Parks)	O-S-P (Open Space – Parks)	Topanga State Beach

WEST	OS-P	O-S-P	Topanga State Park, Restaurant, Mixed Commercial Uses
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MAPS





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
1494	M-3	September 12, 1927
7276	C-4	December 24, 1957
10754	C-3	September 25, 1973
20140055	C-1	October 10, 2014

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
Plot Plan 31650	Sign installation	July 20, 1982
Plot Plan 45391	Sign installation	August 20, 1997
Zoning Conformance Review 200500439	Removal of underground fuel tanks	June 20, 2005
Conditional Use Permit Number 200700217-(3)	Sale of beer and wine for off-site consumption at a new gas station and convenience store	February 3, 2009
RPPL2021003662	Signs	April 19, 2021

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
N/A	N/A	N/A

ANALYSIS

A. Land Use Compatibility

The existing gas station and convenience store is located at the northeast corner of PCH and Topanga Canyon Boulevard. Surrounding land uses consist primarily of recreational, mixed commercial, and residential uses. Topanga State Beach is located to the south of the Project Site and is buffered by PCH. A residential neighborhood is located further to the northeast that is predominantly developed with single-family residences and adequately buffered by a steep mountainous hillside. The existing gas station and convenience store are compatible with the existing land uses in the area. With the continuation of adequate operational controls, such as prohibiting the on-site consumption of beer and wine, the continued accessory sale of beer and wine for off-site consumption at the existing convenience store at the subject location is compatible with all these surrounding uses in the area.

B. Neighborhood Impact (Need/Convenience Assessment)

The CUP is for the continued sale of beer and wine for off-site consumption at a gas station and convenience store. Surrounding land uses consist primarily of recreational, mixed commercial, residential uses. Topanga State Beach is located to the south of the Project Site and is buffered by PCH. A residential neighborhood is located further to the northeast that is predominantly developed with single-family residences and adequately buffered by

a steep mountainous hillside. The existing gas station and convenience store are compatible with the general character of the area. There is a need to limit the sale of beer and wine at the Project Site to ensure that it remains an accessory to the primary use of a gas station with a convenience store. Therefore, the CUP includes conditions, such as limitations on shelf space, display, and advertisement of beer and wine.

There are no other establishments selling alcoholic beverages for off-site consumption within a 500-foot radius of the Project Site. Furthermore, as determined by ABC, one license for the sale of alcoholic beverages for off-site consumption is allowed in the census tract where the Project Site is located (CT 8005.06), and the subject establishment currently has one such license, so the census tract is not overconcentrated. ABC also determined that the Project Site is located within a High Crime Reporting District (CRD 1028). Because of this, pursuant to County Code Section 22.140.030 (Alcoholic Beverage Sales), a Finding of Public Convenience or Necessity is required before the CUP can be approved. The establishment has been selling beer and wine at the Project Site for more than 15 years and its customers are accustomed to purchasing beer and wine together with other products at the establishment. Considering the operational restrictions that are being imposed by the CUP, the public convenience of enabling the customers of the convenience store to continue purchasing beer and wine together with other products at the establishment may be considered to allow the continued sale of beer and wine at the Project Site. This area is unique as it is the only gas station and convenience store in the general area. The next similar businesses are located several miles in either direction. The location at the intersection of PCH and Topanga Canyon Boulevard is a major throughfare for commuters and thus contributes to the high customer volume.

Staff typically recommends limiting the hours of alcoholic beverage sales for off-site consumption at retail stores from 10:00 a.m. to 10:00 p.m. seven days a week when the sales have not been previously approved. However, the sale of alcoholic beverages for off-site consumption at this gas station and convenience store was authorized by CUP No. 200700217-(3) on February 3, 2009. In the last 16 years, there have not been any violations of ABC regulations or the County Code. As noted above, there is not an undue overconcentration of licenses in the census tract, the sensitive uses located within 600 feet of the Project Site are sufficiently buffered, and the Sheriff's Department has recommended approval of the CUP with conditions. Therefore, the proposed sales hours of 10:00 a.m. to 12:00 a.m. (midnight), Sunday through Thursday, and 10:00 a.m. to 1:00 a.m. Friday and Saturday are appropriate.

C. Design Compatibility

While the Project is for the continued accessory sale of beer and wine for off-site consumption, the subject gas station and convenience store are located at the northeast corner of PCH and Topanga Canyon Boulevard, which are both heavily travelled transportation corridors. Surrounding land uses consist primarily of recreational, mixed commercial, and residential uses. The design of the gas station and convenience store is compatible with the general architectural character of the area and no physical changes are proposed as part of this Project.

SANTA MONICA MOUNTAINS LOCAL COASTAL PROGRAM

The Project is consistent with applicable goals and policies of the Land Use Plan and Local Coastal Program (“LCP”). Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Sections 22.158.050 (Findings and Decision) and 22.140.030 (Alcoholic Beverage Sales) of the County Code. Both Burdens of Proof with applicant’s responses are attached (Exhibit E – Applicant’s Burden of Proof). Staff is of the opinion that the applicant has met both burdens of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project is the continued accessory sale of beer and wine for off-site consumption at an existing gas station and convenience store. No physical development is proposed at this time. The Project Site is not located within or near an environmentally sensitive area, a historical resource, or a hazardous waste site. PCH and Topanga Canyon Boulevard are both designated scenic routes in the LCP. However, there is no new development associated with the Project. Therefore, it would not impact either scenic route. No significant effect due to “unusual circumstances” and no cumulative impacts are anticipated. Therefore, no exceptions to the categorical exemption apply to the Project as per Section 15300.2 of the California Code of Regulations. Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The County Sheriff’s Department, Malibu / Lost Hills Station, in a letter dated March 4, 2024, recommended approval of the Project with conditions in place regarding “No Loitering” and “No Open Alcohol Containers” signage.

B. Other Agency Comments and Recommendations

ABC, in a communication to Staff, indicated that one license for the sale of alcoholic beverages for off-site consumption is allowed in the census tract where the Project Site is located (CT 8005.06), and the subject establishment currently has one such license, so

the census tract is not overconcentrated. ABC also indicated that the Project Site is in a High Crime Reporting District.

C. Public Comments

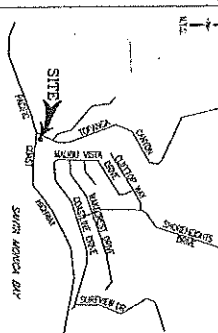
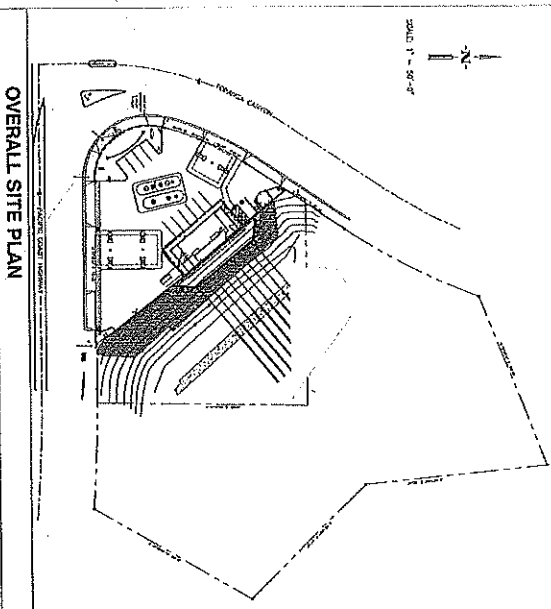
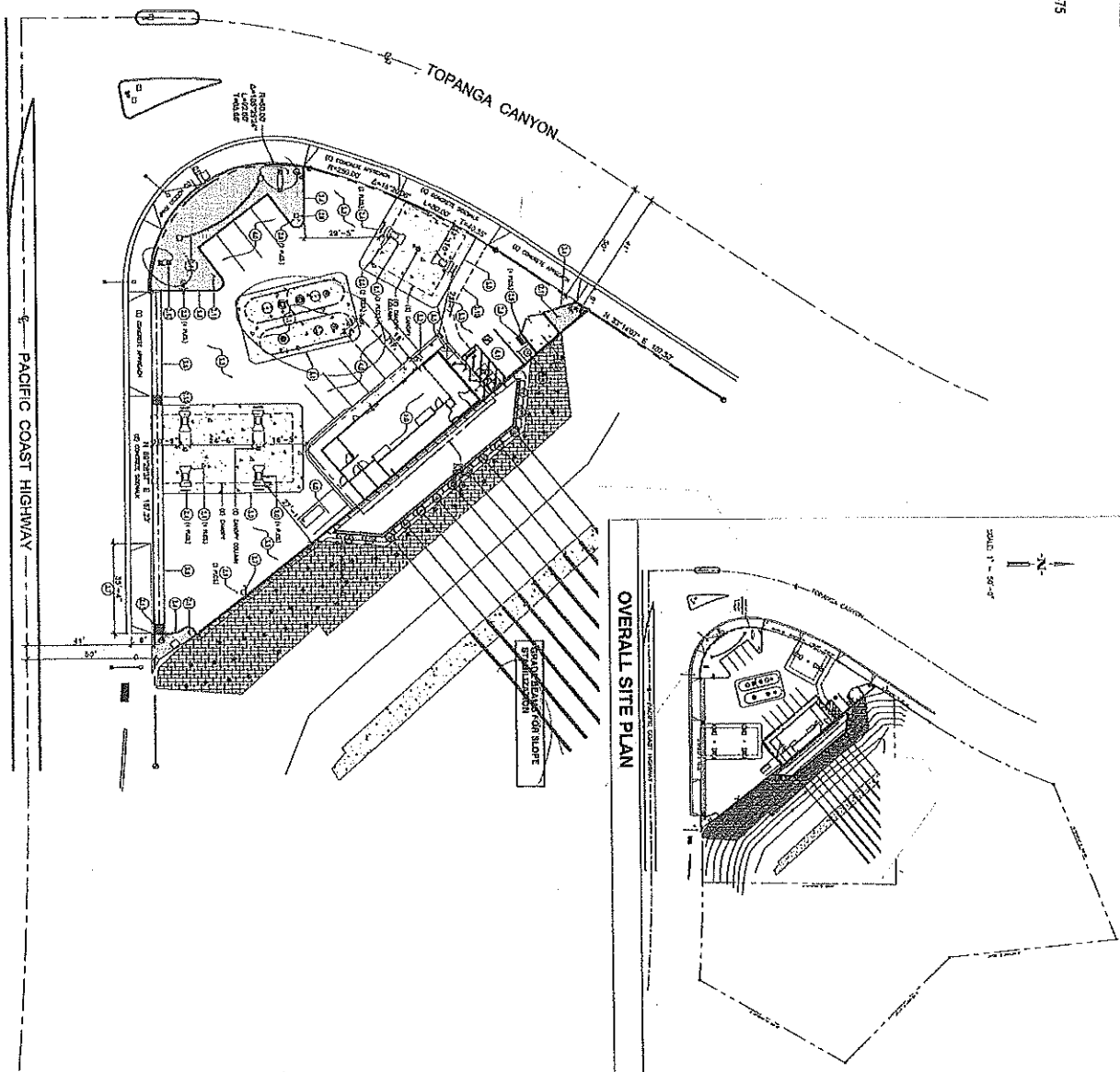
Staff have not received any comments at the time of report preparation.



Report
Reviewed By: Rob Glaser
Robert Glaser, Supervising Regional Planner

Report
Approved By: M. Glaser
Mitch Glaser, Assistant Deputy Director

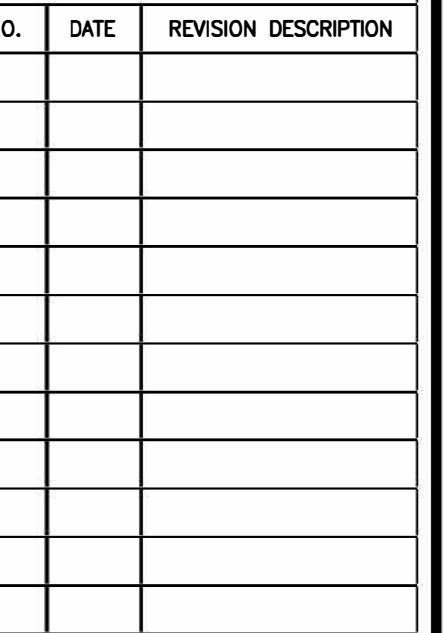
LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence
EXHIBIT J	Public Correspondence

Applicant:
Western Refining Retail, LLC
19100 Ridgewood Parkway, Mailstop TX-75
San Antonio, TX 78259
(210) 626-6000

[illegible][illegible][illegible]

 ARCO <small>AMERICAN REFINING COMPANY, L.P.</small>		<small>COMPANY SYMBOL: ARCO</small>
 Fidelitygroup <small>Fidelity Investments</small>	Vanguard <small>Vanguard Group, Inc.</small> <small>100 Veterans Drive</small> <small>Malvern, PA 19355</small> <small>Phone: (610) 271-5000</small> <small>Website: www.vanguard.com</small>	<small>COMPANY SYMBOL: VANG</small>
AMEC <small>AMEC Group Limited</small> <small>10000 Lakeside Drive</small> <small>Atlanta, GA 30338</small> <small>Phone: (770) 426-7000</small> <small>Website: www.amec.com</small>	Bank of America <small>Bank of America Corporation</small> <small>100 North Tryon Street</small> <small>Charlotte, NC 28255</small> <small>Phone: (704) 383-3000</small> <small>Website: www.bankofamerica.com</small>	<small>COMPANY SYMBOL: BAC</small>
Bank of New York <small>Bank of New York Mellon Corporation</small> <small>60 Wall Street</small> <small>New York, NY 10038</small> <small>Phone: (212) 850-0100</small> <small>Website: www.bny.com</small>	Bank of Montreal <small>Bank of Montreal</small> <small>100 King Street West</small> <small>Toronto, ON M5X 1C5</small> <small>Phone: (416) 593-8100</small> <small>Website: www.bmo.com</small>	<small>COMPANY SYMBOL: BMO</small>
Bank of the West <small>Bank of the West</small> <small>10000 Wilshire Blvd.</small> <small>Los Angeles, CA 90024</small> <small>Phone: (213) 261-1000</small> <small>Website: www.bankofthewest.com</small>	Bank of the West <small>Bank of the West</small> <small>10000 Wilshire Blvd.</small> <small>Los Angeles, CA 90024</small> <small>Phone: (213) 261-1000</small> <small>Website: www.bankofthewest.com</small>	<small>COMPANY SYMBOL: BOF</small>
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Bank of America <small>Bank of America</small> <small>100 North Tryon Street</small> <small>Charlotte, NC 28255</small> <small>Phone: (704)</small>		

EQUIPMENT PLAN
SCALE: 1/4" = 1'-0"



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DEVELOPMENT INFORMATION:

-STORE

561 S.F. C-STORE

BUILDING AREA (GROSS)	1,561 SQ.FT.	SITE
TOTAL:	1,561 SQ.FT.	18

E ADDRESS:

541 PACIFIC COAST HWY.
@ TOPANGA CANYON BLVD.
MALIBU, CA 90265

#69616

SIGNED BY:	FG PM:	KB
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HECKED BY:	MEP PM:
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DATE:	PROJECT NO:
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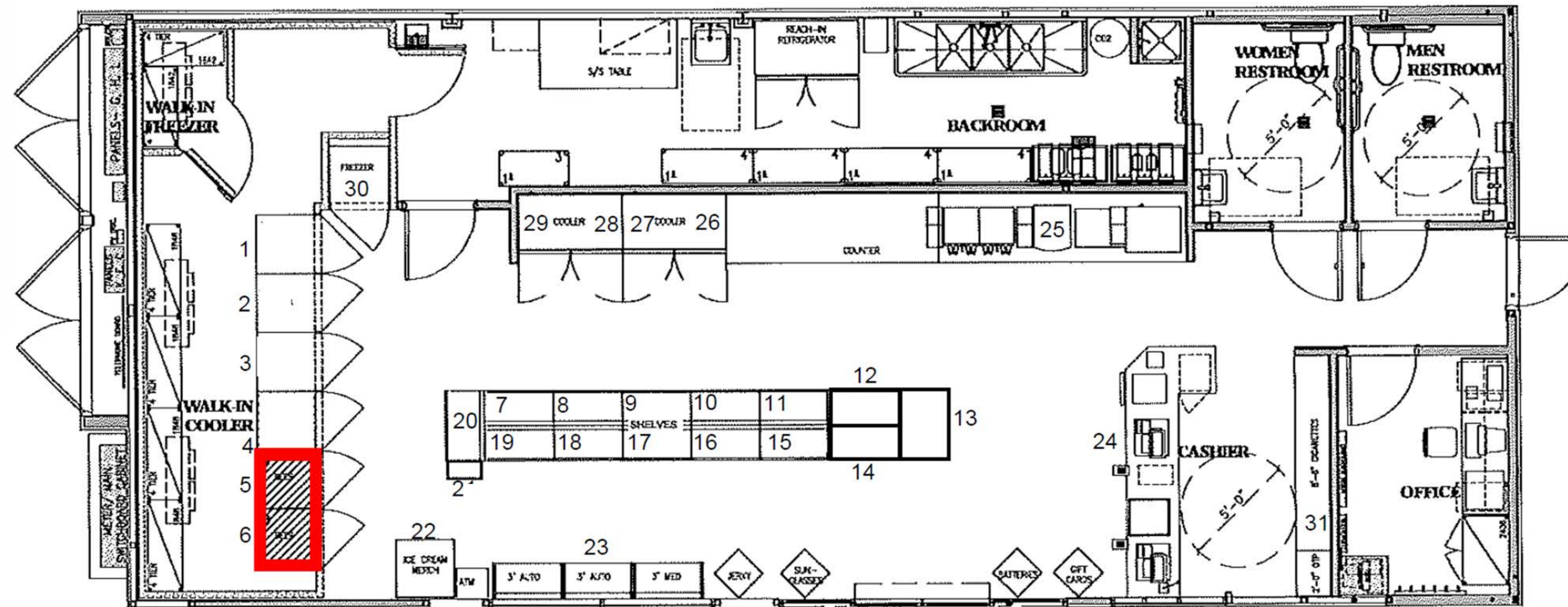
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AWING TITLE:	
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SHELF PLAN

SHEET NO:

1



CABINET KEY NUMBER	LENGTH (L)-INCHES	TOTAL NUMBER OF SHELVES	NUMBER OF SHELVES DEVOTED TO ALCOHOLIC BEVERAGES	TOTAL LINEAR INCHES OF SHELVES	TOTAL LINEAR INCHES OF SHELVES DEVOTED TO ALCOHOLIC BEVERAGES	PERCENTAGE OF SHELF SPACE DEVOTED TO ALCOHOLIC BEVERAGES
1	27.5	9	0	247.5	0	
2	27.5	8	0	220	0	
3	27.5	7	0	192.5	0	
4	27.5	7	0	192.5	0	
5	27.5	7	7	192.5	192.5	
6	27.5	6	6	165	165	
7	36	7	0	252	0	
8	36	6	0	216	0	
9	36	6	0	216	0	
10	36	8	0	288	0	
11	36	9	0	324	0	
12	32	6	0	256	0	
13	36	8	0	216	0	
14	36	6	0	360	0	
15	36	10	0	360	0	
16	36	10	0	252	0	
17	36	7	0	216	0	
18	36	6	0	144	0	
19	36	4	0	144	0	
20	36	7	0	252	0	
21	16	6	0	96	0	
22	24	6	0	144	0	
23	108	3	0	324	0	
24	108	3	0	324	0	
25	232	1	0	232	0	
26	24	7	0	168	0	
27	24	5	0	120	0	
28	24	5	0	120	0	
29	24	5	0	120	0	
30	36	4	0	144	0	
31	102	7	0	714	0	
TOTAL	1387	196	13	7212	357.5	4.96



PROJECT NUMBER 2019-000372-(3)
HEARING DATE April 22, 2025
REQUESTED ENTITLEMENT(S)
Conditional Use Permit ("CUP") No.
RPPL2019000710

PROJECT SUMMARY

OWNER / APPLICANT

Thrifty Oil Company / Western Refining & Retail, LLC.

MAP/EXHIBIT DATE

August 30, 2007

PROJECT OVERVIEW

The application is a request for a CUP to authorize the sale of beer and wine for off-site consumption (California Department of Alcoholic Beverage Control ("ABC") Type 20 License – Beer and Wine) at an existing gas station and convenience store. The Arco gas station is approximately 1,561 square feet with 12 gasoline dispensers underneath two canopies and has 12 parking spaces, including one parking space that is accessible to people with disabilities. The gas station operates 24 hours each day with alcoholic beverage sales being proposed between 10 a.m. and 12 a.m. (midnight), Sunday through Thursday, and between 10 a.m. to 1 a.m. on Friday and Saturday.

LOCATION

18541 Pacific Coast Highway, Malibu

ACCESS

Pacific Coast Highway and Topanga Canyon Boulevard

ASSESSORS PARCEL NUMBER(S)

4443-003-010

SITE AREA

2.48 Acres

GENERAL PLAN / LOCAL PLAN

Santa Monica Mountains Local Coastal Program

ZONED DISTRICT

The Malibu

PLANNING AREA

SANTA MONICA
MOUNTAINS

LAND USE DESIGNATION

C (Commercial)

ZONE

C-1 (Restricted Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Santa Monica Mountains Local Coastal Program
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.20.040 (Development Standards for Commercial Zones)
 - Section 22.140.030 (Alcohol Sales Required Findings)
 - Section 22.158.050 (Conditional Use Permit Required Findings)

CASE PLANNER:

Shawn Skeries

PHONE NUMBER:

(213) 893 - 7042

E-MAIL ADDRESS:

sskeries@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 2019-000372-(3)
CONDITIONAL USE PERMIT NO. RPPL2019000710

RECITALS

1. **HEARING DATE.** The Los Angeles County ("County") Hearing Officer ("Hearing Officer") conducted a duly noticed public hearing in the matter of Conditional Use Permit ("CUP") No. **RPPL2019000710** on April 22, 2025.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Western Refining & Retail, LLC. ("permittee"), requests the CUP to authorize the continued sale of beer and wine (California Department of Alcoholic Beverage Control ("ABC") Type 20 License – Beer and Wine) for off-site consumption at an existing gas station and convenience store ("Project") on a property located at 18541 Pacific Coast Highway ("PCH") in the unincorporated community of Malibu in The Malibu Zoned District ("Project Site") in the C-1 (Restricted Business) Zone pursuant to Los Angeles County Code ("County Code") Sections 22.20.030.C and 22.140.030.
4. **PREVIOUS ENTITLEMENT(S).** Plot Plan No. 31650 authorized sign installation. This plot plan was approved on July 20, 1982.
5. **PREVIOUS ENTITLEMENT(S).** Plot Plan No. 45391 authorized sign installation. This plot plan was approved on August 20, 1997.
6. **PREVIOUS ENTITLEMENT(S).** Zoning Conformance Review No. 200500439 authorized the removal of underground fuel tanks. This review was approved on June 20, 2005.
7. **PREVIOUS ENTITLEMENT(S).** CUP No. 200700217-(3) authorized the sale of beer and wine for off-site consumption at a new gas station and convenience store. This CUP was approved on February 3, 2009, and expired on February 3, 2019.
8. **PREVIOUS ENTITLEMENT(S).** Site Plan Review No. RPPL2021003662 authorized sign installation. This site plan was approved on April 19, 2021.
9. **LAND USE DESIGNATION.** The Project Site is located within the C (Commercial) land use designation of the Santa Monica Mountains Local Coastal Program ("LCP") Land Use Plan. The principal permitted use in the Commercial land use designation is local-serving retail and service stores.

10. **ZONING.** The Project Site is located in The Malibu Zoned District and is currently zoned C-1 (Restricted Business Zone). Pursuant to County Code Section 22.20.030.C (Accessory Use Regulations for Commercial Zones), a CUP is required for sale of beer and wine for off-site consumption at the Project Site.

11. SURROUNDING LAND USES AND ZONING

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	RL20 (Rural Lands - One dwelling unit per 20 acres) U8 (Residential 8 - dwelling units per acre) P (Public and Semi- Public Facilities)	R-C-20 (Rural- Coastal with 20- Acre Minimum Lot Area) R-1 (Single-Family Residential) IT (Institutional)	Residences, Vacant Land, Public Works Maintenance Yard
EAST	RL20 U8 P OS (Open Space) CR (Visitor-Serving Commercial Recreation-Limited)	R-C-20 R-1 IT O-S (Open Space) R-R (Resort and Recreation)	Residential, Vacant Land, Restaurant
SOUTH	OS-P (Open Space – Parks)	O-S-P (Open Space – Parks)	Topanga State Beach
WEST	OS-P	O-S-P	Topanga State Park, Restaurant, Mixed Commercial Uses

12. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 2.48 acres in size and consists of one legal lot. The Project Site is irregular in shape with a flat topography where the existing gas station and convenience store are located and slopes steeply upwards to the northeast.

B. Site Access

The Project Site is accessible via PCH, a 90-foot-wide Major Highway on the County Master Plan of Highways, to the south and via Topanga Canyon Boulevard, a 90-foot Secondary Highway on the County Master Plan of Highways, to the west.

C. Site Plan

The Site Plan depicts the entire Project Site, which is a mostly irregular-shaped parcel with a flat topography located at the northeast corner of the intersection of PCH and Topanga Canyon Boulevard. The Project Site is developed with an existing gas station and convenience store. The Arco gas station is approximately 1,561 square feet with 12 gasoline dispensers underneath two canopies and has 12 parking spaces, including one parking space that is accessible to people with disabilities. The Site Plan also shows two ingress and egress driveways. One driveway is off PCH on the south side of the Project Site and one driveway is off Topanga Canyon Boulevard on the west side of the Project Site. The Site Plan also shows the landscaping installed at the Project Site.

D. Parking

Twelve (12) parking spaces are provided on the Project Site, including one parking space that is accessible to people with disabilities, which complies with the parking requirements for the 1,561-square-foot convenience store.

13. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, County Department of Regional Planning ("LA County Planning") staff ("Staff") determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continuation of the sale of beer and wine for off-site consumption at an existing gas station and convenience store, with negligible or no expansion of use beyond that which was previously existing. The Project Site is not located within or in close proximity to an environmentally sensitive area, a historical resource, a hazardous waste site. PCH and Topanga Canyon Boulevard are both designated scenic routes in the LCP. However, there is no new development associated with the Project. Therefore, it would not impact either scenic route. No significant effect due to "unusual circumstances" and no cumulative impacts are anticipated. Therefore, no exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California Code of Regulations.

14. PUBLIC COMMENTS.

Staff has not received any comments from the public at the time of report preparation.

15. AGENCY RECOMMENDATIONS.

The County Sheriff's Department, Malibu / Lost Hills Station: Recommended approval in a letter dated March 4, 2024, with conditions in place regarding "No Loitering" and "No Open Alcohol Containers" signage. These conditions have been incorporated into the CUP.

16. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (*Malibu Times*), and property posting. Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On December 9, 2024, a total of 36 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site as well those on the courtesy mailing list for The Malibu Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

17. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Santa Monica Mountains LCP Land Use Plan because the continued sale of beer and wine for off-site consumption is consistent with the C (Commercial) land use designation. The Project is consistent with the underlying Commercial land use designation because the continued sale of beer and wine for off-site consumption is a permitted accessory use and integrally related to the principal permitted use (local-serving retail stores), is appropriately designed, is located on an existed developed site, and is consistent with all development standards. The Project provides for the general shopping and commercial service needs of local residents, workers, and visitors.
18. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policies Regarding Community-Serving Uses, LU 5.2, which encourages a diversity of commercial and retail services to meet regional and local needs. Allowing the existing gas station and convenience store to continue to sell beer and wine for off-site consumption will enhance the community's ease of getting these products without traveling out of the area.
19. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policies regarding Pattern and Character of Development, LU-29, which directs a pattern of land use that promotes social, environmental, and economic well-being while preserving the environmental resources and unique character of the land within the Santa Monica Mountains. The gas station and convenience store is located in a well-established commercial area and offers the nearby semi-rural community residents a location to purchase beer and wine without the need to travel out of the area.
20. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policies regarding Pattern and Character of Development, LU-45, which directs a concentration of commercial uses along major streets to ensure that each project has adequate access, can accommodate the traffic, is accessible to essential services, and contains appropriate site design features to enhance community character. The existing gas station and convenience store is located on the major throughfare for the community, has two ingress/egress areas off major throughfares, all other infrastructure is existing, and no new development is proposed.

ZONING CODE CONSISTENCY FINDINGS

21. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-1 zoning classification as the continued sale of wine and beer for off-site consumption is permitted in such zone with a CUP pursuant to County Code section 22.20.030.C.
22. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.050 (Development Standards for Zones C-H, C-1, C-2, C-3, and C-M). While the request is for the continued accessory sale of beer and wine for off-site consumption, there are no required yards for commercial developments in the C-1 Zone.
23. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zones). While the request is for the continued accessory sale of beer and wine for off-site consumption, the existing commercial structure at the Project Site is single-story, which is well below the maximum height in the C-1 Zone, which is 13 times the buildable area of the subject property.
24. **LANDSCAPING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zones). While the request is for the continued accessory sale of beer and wine for off-site consumption, approximately 84 percent of the total lot area is landscaped, which is in compliance with the required minimum 10 percent of the Project Site.
25. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). While the request is for the continued accessory sale of beer and wine for off-site consumption, there are 12 parking spaces provided at the Project Site, which is the number required for the subject 1,561 square-foot convenience store.
26. **ALCOHOLIC BEVERAGE SALES.** The Hearing Officer finds that the Project is consistent with the development standards for alcoholic beverage sales identified in County Code Section 22.140.030. The Shelf Plan shows that the shelf space dedicated to alcoholic beverages is only 4.96 percent of the convenience store's total shelf space. The Project offers fresh produce and whole grains for sale on a continuous basis. The Project is adequately conditioned to mandate the required participation in a licensed program on the education of alcohol and drugs. The Project adheres to the performance standards as outlined in the County's Safe Access to Alcohol and Food Establishments Ordinance, as documented by the Sheriff's recommendation of approval and the absence of past or current Zoning Enforcement action taken on Project Site.

Staff typically recommends limiting the hours of alcoholic beverage sales for off-site consumption at retail stores from 10:00 a.m. to 10:00 p.m. seven days a week when the sales have not been previously approved. However, the sale of alcoholic

beverages for off-site consumption at this gas station and convenience store was authorized by CUP No. 200700217-(3) on February 3, 2009. In the last 16 years, there have not been any violations of California Department of Alcoholic Beverage Control ("ABC") regulations or the County Code. There is not an undue overconcentration of licenses in the census tract, the sensitive uses located within 600 feet of the Project Site are sufficiently buffered, and the Sheriff's Department has recommended approval of the CUP with conditions. Therefore, the Hearing Officer finds that the sales hours of 10:00 a.m. to 12:00 a.m. (midnight), Sunday through Thursday, and 10:00 a.m. to 1:00 a.m. Friday and Saturday are appropriate.

CONDITIONAL USE PERMIT FINDINGS

27. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The existing gas station and convenience store are sufficiently buffered from the adjacent residential areas by the steeply sloped mountainous naturally landscaped area on the Project Site. Beer and wine sales are not the primary goods for sale and are accessory to the sale of gas and other products, including fresh produce and whole grains. Because the Project has been appropriately conditioned, the requested accessory sale of beer and wine for off-site consumption at the existing gas station and convenience store is not expected to result in adverse impacts on the surrounding area.
28. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** While the Project is the continued sale of beer and wine for off-site consumption, the Project Site is 2.48 acres in size and mostly rectangular in shape. It is adequate to accommodate the required development standards. Twelve (12) parking spaces are provided at the Project Site, which complies with the parking requirements for the 1,561 square-foot convenience store. Approximately 84 percent of the total lot area is landscaped, which is in compliance with the required minimum 10 percent of the Project Site.
29. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The Project Site has access to PCH, a 90-foot Major Highway per the County Master Plan of Highways, and has access to Topanga Canyon Boulevard, a 90-foot Secondary Highway, per the County Master Plan of Highways, and is adequately served by these thoroughfares.

30. **The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.**

SUPPLEMENTAL FINDINGS

31. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.** There is only one sensitive use, a public beach (Topanga State Beach) located within 600 feet of the Project Site. This use is sufficiently buffered by PCH. The sale of beer and wine at the Project Site has been in place for more than 15 years, with no reported complaints or concerns from the community. Also, the continued sale of beer and wine at the Project Site is only accessory to the primary use of a gas station with a convenience store. Therefore, the Project is not expected to result in any adverse effects on this sensitive use.
32. **The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.** There is a residential area to the northeast of the Project Site. This is also sufficiently buffered by steeply sloped mountainous natural terrain. The continued sale of beer and wine at the Project Site is only accessory to the primary use of a gas station with a convenience store. Therefore, the Project is not expected to result in any adverse effects on the surrounding residential areas.
33. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The existing gas station and convenience store with the accessory sale of beer and wine have been in place at the Project Site for over 15 years. They are compatible with the surrounding uses in the vicinity of the Project Site and will continue to be a positive contributor to the general economic activity in the area.
34. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.** The existing gas station and convenience store has been at the Project Site for more than 15 years and is consistent with the surrounding neighborhood. The exterior of the building is well maintained and is compatible with the general character of the area. No changes are being proposed to the exterior of the existing structure.
35. **The Hearing Officer finds that even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use**

selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity. There are no other establishments selling alcohol for off-site consumption within a 500-foot radius of the Project Site and there is no over concentration of alcoholic beverage sales licenses in the census tract, as ABC, since the subject establishment has the only active license for the sale of alcoholic beverages for off-site consumption in the census tract, and one is allowed by ABC. However, the Project Site is located within a High Crime Reporting District, as determined by ABC. In consideration of the fact that the establishment has been selling beer and wine at the Project Site for over 15 years and that their customers are accustomed to purchasing beer and wine there, and in light of the restrictions imposed by the subject CUP, the public convenience of allowing the customers to continue purchasing beer and wine together with other products at the Project Site may be considered to allow the continued sale of beer and wine at the Project Site.

ENVIRONMENTAL FINDINGS

36. The Hearing Officer finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption). The Project is the continued sale of beer and wine for off-site consumption at an existing gas station and convenience store. No changes are being proposed to the existing structure at the Project Site. The Project Site is not in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. Although PCH and Topanga Canyon Boulevard are both designated scenic routes, the Project does not involve any new development. There are also no significant cumulative impacts nor unusual circumstances associated with the Project. Therefore, there are no exceptions to the proposed exemption and thus, the exemption still applies to the Project.

ADMINISTRATIVE FINDINGS

37. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Coastal Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The use with the attached conditions will be consistent with the adopted General Plan.
- B. The use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- C. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The existing use with the attached conditions at the site will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The existing use with the attached conditions at the site is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The existing use with the attached conditions at the site will not adversely affect the economic welfare of the surrounding community.
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.
- I. With the place of a number of conditions pertaining to the sale of off-site alcohol, the public convenience for the store selling alcoholic beverages for off-site consumption outweighs the fact that it is located in a High Crime Reporting District as determined by ABC.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption); and
2. Approves **CONDITIONAL USE PERMIT NO. RPPL2019000710**, subject to the attached conditions.

ACTION DATE: April 22, 2025

MG:RG:SS

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. 2019-000372-(3)
CONDITIONAL USE PERMIT NO. RPPL2019000710**

PROJECT DESCRIPTION

The project is the continued sale of beer and wine for off-site consumption (California Department of Alcoholic Beverage Control ("ABC") Type 20 License – Beer and Wine) at an existing gas station and convenience store, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("LA County Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 3, 4, and 8, shall be effective immediately upon the date of final approval of this grant by the County.
3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten (10) days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring

the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant shall terminate on April 22, 2035.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with LA County Planning or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30)-day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued sale of beer and wine at the Project Site and satisfaction of Condition No. 2 shall be considered use of this grant.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$4,560.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10)** inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be **\$456.00** per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("DPW") to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control. All litter and trash shall be collected regularly from the premises and the adjoining right-of-way.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by LA County Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 48 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required because of instruction given at the public hearing, a modified Exhibit "A" shall be submitted to LA County Planning within 60 days of the date of final approval.

17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

18. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, LA County Planning Zoning Enforcement ("Zoning Enforcement") Inspector or California Department of Alcoholic Beverage Control ("ABC") agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
19. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee. All lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours.
20. All lighting shall be designed to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties. No light shall illuminate adjacent private residences. Neon lighting shall be prohibited.
21. Alcoholic beverages shall not be sold from a drive-in or drive-through window.
22. Malt beverages (e.g. beer, ale, stout, and malt liquors) shall not be sold in a single bottle or container less than 16 ounces or greater than 750 milliliters or 25.4 ounces. The permittee shall post signs on the coolers and cashier station stating that the selling of single bottles or containers of malt beverages (e.g. beer, ale, stout, and malt liquors) less than 16 ounces or greater than 750 milliliters or 25.4 ounces is prohibited. Notwithstanding this condition, malt beverages (e.g. beer, ale, stout, and malt liquors) in single bottles or containers less than 16 ounces or greater than 750 milliliters or 25.4 ounces may be sold in manufacturer pre-packaged multi-unit quantities, such as a six-pack of 12-ounce bottles or containers or a three-pack of 24-ounce bottles or containers
23. There shall be no wine, except for wine coolers, sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities.
24. No miniatures of any type of alcoholic beverages may be sold.
25. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit "A.." No additional display of alcoholic beverages shall be provided elsewhere on the premises. The total shelf space devoted to alcoholic beverages shall be limited to no more than five percent of the total shelf space of the convenience store.

26. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises. The permittee shall instruct all employees regarding these restrictions. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
27. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Chapter 22.114 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
28. The permittee, and all managers and designated employees of the establishment who are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC or an equivalent program such as Safe Serve. All newly designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as by the register, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
29. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures. Signs advertising brands and types of alcoholic beverages or the availability of alcohol for sale at the subject site shall not be visible from the exterior of the premises.
30. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
31. The licensed premises shall have no amusement rides or games or other similar activities, whether coin-operated or not, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines.

PROJECT SITE-SPECIFIC CONDITIONS

32. This grant shall authorize the sale of beer and wine for off-site consumption at an existing gas station and convenience store.
33. This grant authorizes the sale of beer and wine from 10:00 a.m. to 12:00 a.m. (midnight), Sunday through Thursday, and 10:00 a.m. to 1:00 am, Friday and Saturday.
34. Beer and wine items shall be stored in lockable coolers, which shall be kept locked except for the hours when alcohol sales are approved by this CUP.
35. Security cameras shall be maintained inside the convenience store and outside facing the parking lot. Video footage shall be retained for at least one month and shall be made available to law enforcement upon request.

36. Security alarms shall be maintained inside the store.
37. There shall be no outdoor sales, storage, or displays of merchandise except for that directly related to automobile accessories and facilities necessary for dispensing petroleum products.
38. No sexually explicit reading material shall be on display or sold on the premises.
39. No beer or wine advertisements shall be displayed at any location on the subject property, including at motor fuel islands and on the exterior walls or windows of the convenience store.
40. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles shall be prohibited.
41. Wall signs and graphic displays shall be confined to the façade surface of the building and the pump island canopy and should not project above the roofline or disrupt the architectural design of the building; such signage shall conform to the requirements of the County Code.
42. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage.
43. Outdoor advertising signs (billboards) shall be prohibited.
44. Outside storage of trash shall be within an approved trash enclosure.
45. No publicly accessible telephones shall be maintained or permitted on the exterior of the premises.
46. No sales to any person appearing to be or actually being intoxicated shall be allowed.
47. Deliveries shall be limited to non-peak hours, generally between 9 a.m. and 6 p.m.
48. All commercial vehicle delivery trucks shall use commercial streets and/or designated truck routes for deliveries.
49. A numbering address sign shall be maintained at the front of the building in a location clearly visible from the property grounds and the nearest public street to the satisfaction of the LA County Planning.
50. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
51. No alcoholic beverages shall be displayed within five feet of the cash register or the front door.
52. The permittee shall offer a minimum of three varieties of fresh produce free from spoilage and a minimum of two whole grain items for sale on a continuous basis.

These products shall be displayed in high-visibility areas meeting one or more of the following criteria, as depicted on the approved floor plan and/or shelf plan:

- a. Within ten (10) feet of the front door;
- b. Within five feet of a cash register;
- c. At eye-level on a shelf or within a cooler, refrigerator, or freezer case;
- d. On an end cap of an aisle; or
- e. Within a display area dedicated to produce that is easily accessible to customers.

- 53. Distilled spirits shall not be sold.
- 54. Alcoholic beverages shall not be displayed within five feet of the cash register or the front door, unless the alcoholic beverages are displayed in a permanently affixed cooler.
- 55. Alcoholic beverages shall not be displayed in an ice tub.
- 56. Alcoholic beverages shall be not sold from a drive-in window.
- 57. Alcoholic beverage advertising shall not be displayed on motor fuel islands, and self-illuminated alcoholic beverage advertising shall be located on buildings or windows.
- 58. Where authorization is specifically granted for alcoholic beverage sales between the hours of 10:00 p.m. and 2:00 a.m., employees on duty shall be at least 21 years of age in order to sell alcoholic beverages.

MG:RG:SS

April 10, 2025



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

In addition to the Conditional Use Permit Burden of Proof required pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following Burden of Proof pursuant to Zoning Code Section 22.52.3640:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): Type 20 (e.g. Type 20, Type 41)

A. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

See Attachment.

B. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.

See Attachment.

C. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

See Attachment.

D. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

See Attachment.

Additional Findings Required on a Case-by-Case Basis:

Proposed uses located in high crime reporting district, an area of undue concentration, or selling alcoholic beverages for off-site consumption within 500 feet of another use selling alcoholic beverages for off-site consumption:

E. Even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.

N/A

Projects that are requesting modification to the shelf space limitation shall address at least one of F, G, or H below:

F. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act

N/A

G. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer.

N/A

H. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Section 22.52.3630.A, and the new location will allocate less shelf space to alcoholic beverages than was at the previous location.

N/A

Projects that are requesting modification to fresh produce and whole grain sales requirement shall address the following:

I. The requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.
--

N/A

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

On February 3, 2009, Hearing Officer Dennis Slavin approved Conditional Use Permit ("CUP") No. 200700217-(3) for the sale of beer and wine for off-site consumption at a new service station and convenience store located at 18541 Pacific Coast Highway, in unincorporated Malibu. Then, on February 1, 2011, Hearing Officer Gina Natoli approved a time extension for the above described CUP.

Now, the Applicant, Western Refining Retail, LLC, is requesting to renew its CUP authorizing the sale of beer and wine at the existing Arco location. Since its approval, Arco has provided a variety of goods and services that customers expect at a "one-stop" convenience market, including basic grocery items, gasoline, and household goods. This application is to renew the current CUP authorizing the sale of beer and wine at an existing Arco convenience store and service station.

This store has been open and operating for several years without any change in the nature of the use. Given that this is simply a renewal of a previously granted use, there is no reason to expect any adverse effect to the health, peace, comfort, or welfare of persons residing or working in the surrounding area.

The requested use is primarily a convenience store and service station. Beer and wine sales are not the primary goods for sale, and are only ancillary to the convenience items and gas services. The immediate vicinity contains no similar uses, and there are no food stores within walking distance of the residences and other commercial businesses along Pacific Coast Highway or Topanga Canyon Blvd. Therefore, the proposed project will continue to provide a needed community service and will not adversely affect the economic welfare of the community.

As this Arco has served the surrounding area for years, the continuation of the operation with strict adherence to any conditions imposed in the CUP for the sale of beer and wine and with the continued proper management and supervision, the use will remain proper in relation to any sensitive uses nearby. The sensitive uses within 600 feet of the subject site (see attached list – Topanga County Beach) will continue to be served by the Arco without any negative impacts.

Arco offers a beneficial shopping experience, offering fresh grocery items, dry goods, medicine, beverages, and/or other necessary retail items. The community has come to expect and rely upon such service. The incidental sale and dispensing of alcoholic beverages are typical of a full-service convenience market. As found by the Hearing Officer in 2009, "[t]here is one (1) sensitive use within 600 feet of the project site: Topanga Canyon Beach. The impact of the project would be mitigated by the fact that the licensee would voluntarily conform to all standard alcohol permit conditions for both the County of Los Angeles and the City of Malibu. In addition, staff has added a condition of approval requiring the permittee to post a sign on the premises reminding patrons that it is illegal to possess an open container of alcohol on any public beach." (CUP Case No. 200700217-(3), Finding 20, pgs. 3-4). And, the Hearing Officer concluded that "[t]he requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius." (CUP Case No. 200700217-(3), Conclusion E, pg. 4). These findings and conclusions remain true today.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The residential uses, as well as other establishments, have not been adversely impacted in the years that the Arco has been in operation. The nearby residential uses have not and will not be detrimentally affected by the continuation of the beer and wine sales at the existing convenience market. The Arco will continue to serve the needs of the adjacent uses and will operate in such a manner so as to not detrimentally affect nearby residentially zoned property. Furthermore, the combination of proactive security measures, any conditions made part of the CUP, and strict company policies will ensure the continuation of the safety and well-being of nearby residents.

- C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.**

As previously stated, this Application is for the renewal of an existing CUP. There is already an ABC license existing for this site (ABC License No. 20-592464). Therefore, the approval of this application will not increase the license count for this census tract and add to any undue concentration.

Arco offers a beneficial shopping experience in which nearby residents can purchase necessary retail items. The community has come to expect and rely upon such service. The continued incidental sale and dispensing of beer and wine is typical of a full-service convenience market. Further, as found by the Hearing Officer in 2009, "[t]he requested use at the proposed location would serve as a public convenience." (CUP Case No. 200700217-(3), Conclusion F, pg. 4).

- D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.**

The subject convenience market and service station and the selling of beer and wine will not be detrimental to the character of the immediate area and will have a positive impact on the economic welfare of the community. Arco has been approved for operations on this site since 2009 without adverse impacts upon the surrounding community as a result of the imposed conditions and as a result of Arco's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The subject store and the continued sale of beer and wine is part of a well-known National chain of established service stations. Its continued business at this location will re-enforce the character of the area. The store and subject sales will serve to strengthen the economic vitality of the area.

Also, in 2009, the Hearing Officer concluded that "[t]he requested use at the proposed location will not adversely affect the economic welfare of the nearby community." (CUP Case No. 200700217-(3), Conclusion G, pg. 4). This conclusion remain true today.

- E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.**

This is an application for the renewal of an existing CUP to authorize the continued sale of beer and wine at an existing Arco convenience store and service station. The project and development features were originally approved in 2009 and remain compatible with the uses in the surrounding neighborhood. There is no construction, alterations or physical changes in the use proposed as part of this application and thus, no reason to conclude the prior approved project and development features would not be compatible with the surrounding area.

In 2009, the Hearing Officer concluded that "[t]he exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood." (CUP Case No. 200700217-(3), Conclusion H, pg. 4).



California Department of Alcoholic Beverage Control
License Query System Summary as of 06/28/2018

Licensee Information	
License Number:	592464
Primary Owner:	WESTERN REFINING RETAIL, LLC
ABC Office of Application:	04 - LA/METRO

Business Name
WESTERN REFINING RETAIL #6217

Business Address
18541 PACIFIC COAST HWY
MALIBU, CA. 90265
County: LOS ANGELES Census Tract: 8005.06

Licensee Information
Licensee: WESTERN REFINING RETAIL, LLC
Company Information
OFFICER: DUFFY, CARINA ECKARD (PRESIDENT)
OFFICER: MELTZER, BROOKS ALAN (SECRETARY/ASST SEC)
OFFICER: SHERBURNE, JOHN RAYMOND (SECRETARY/ASST SEC)
OFFICER: WHITTINGTON, DEREK LAWSON (TREASURER)
OFFICER: SPROUSE, ROBERT COLMAN (VICE PRESIDENT)
OFFICER: WILKERSON, ALAN RAY (VICE PRESIDENT)
OFFICER: YODER, MATTHEW LEVI (VICE PRESIDENT)
MEMBER: WESTERN REFINING SOUTHWEST, INC.

License Types
1) License Type: 20 - OFF-SALE BEER AND WINE
License Type Status: ACTIVE
Status Date: 04-JUN-2018 Term: 12 Month(s)
Original Issue Date: 01-JUN-2018 Expiration Date: 31-MAY-2019
Master: Y Duplicate: 0 Fee Code: P0
License Type was Transferred On: 01-JUN-2018 From: 20-572926
License Type was Transferred On: To:

Operating Restrictions
No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the most recently certified ABC-257 and ABC-253.
The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the most recently certified ABC-257 and ABC-253.
There shall be no coin-operated video games maintained upon the premises at any time.
Sales of alcoholic beverages shall be permitted only between the hours of 6:00 am and 10:00 pm daily.
The petitioner shall construct and maintain two (2) public restrooms in the licensed premises.
The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
The Petitioner shall maintain clearly legible, permanent signs prohibiting loitering and consumption of alcoholic beverages in the premises parking lot. The signs will be conspicuously posted in the parking lot and at each entrance/exit of the premises.
The sale of products, other than beer and wine, measured by gross receipts on an annual basis, shall exceed the annual sales of beer and wine products, measured by gross receipts.

Disciplinary Action
... No Active Disciplinary Action found ...

Disciplinary History
... No Disciplinary History found ...

Holds
... No Active Holds found ...

Escrows
... No Escrow found ...

For a definition of codes, view our glossary.

**List of Sensitive Uses Attachment
Conditional Use Permit**

1. Topanga County Beach
18700 Pacific Coast Hwy
Malibu, CA 90265



CMS

[illegible]

COOPERATIVE/STANDARD

References

1,561 S.F. C+STORE

16541 PACIFIC COAST HWY
@ TOPANGA CANYON BLVD.
MALIBU, CA 90263

BUILDING INFORMATION	
BUILDING AREA (GROSS)	1,361 SQ.FT.
TOTAL	1,361 SQ.FT.

THE OFFICE

SHELF-PLAN

THE



EQUIPMENT PLAN
SCALE: 1/4" = 1'-0"

Country	Language	Number of respondents	Number of respondents who answered the question	Mean response to question (range)	Median response to question	Percentage of respondents who answered the question
1	1	7	6	48	48	
2	1	7	6	48	48	
3	1	7	6	48	48	
4	1	7	6	48	48	
5	1	7	6	48	48	
6	1	7	6	48	48	
7	1	7	6	48	48	
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9	1	7	6	48	48	
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98	1	7	6	48	48	
99	1	7	6	48	48	
100	1	7	6	48	48	
TOTAL		96	71	400	400	400



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attachment.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

See attachment.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

See attachment.

Burden of Proof Attachment
Conditional Use Permit
18541 Pacific Coast Highway, Malibu, CA 90265

A. That the requested use at the location will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.**

On February 3, 2009, Hearing Officer Dennis Slavin approved Conditional Use Permit ("CUP") No. 200700217-(3) for the sale of beer and wine for off-site consumption at a new service station and convenience store located at 18541 Pacific Coast Highway, in unincorporated Malibu. Then, on February 1, 2011, Hearing Officer Gina Natoli approved a time extension for the above described CUP.

Now, the Applicant, Western Refining Retail, LLC, is requesting to renew its CUP authorizing the sale of beer and wine at the existing Arco location.¹ Since its approval, Arco has provided a variety of goods and services that customers expect at a "one-stop" convenience market, including basic grocery items, gasoline, and household goods. This application is to renew the current CUP authorizing the sale of beer and wine at an existing Arco convenience store and service station.

This store has been open and operating for several years without any change in the nature of the use. Given that this is simply a renewal of a previously granted use, there is no reason to expect any adverse effect to the health, peace, comfort, or welfare of persons residing or working in the surrounding area.

The requested use is primarily a convenience store and service station. Beer and wine sales are not the primary goods for sale, and are only ancillary to the convenience items and gas services. The immediate vicinity contains no similar uses, and there are no food stores within walking distance of the residences and other commercial businesses along Pacific Coast Highway or Topanga Canyon Blvd. Therefore, the proposed project will continue to provide a needed community service and will not adversely affect the economic welfare of the community.

Also, as found by the Hearing Officer, "[t]he requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare." (CUP Case No. 200700217-(3), Conclusion B, pg. 4). This conclusion remains true today.

¹ This Application is being submitted in the spirit of cooperation and to comply with the current CUP language; however, Applicant does not waive its intention that CUPs run with the land and therefore by law do not expire.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

The continuation of the Arco convenience store and service station will not be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity because the Arco convenience store and service station are an existing use at the location. The Applicant has owned and operated the Arco service station and convenience store and has proven to be a responsible and valued neighbor within the community. As described above, the incidental sale and dispensing of beer and wine are typical of a full-service convenience market. This Arco has operated over the years without negative impacts to the surrounding area, and has operated with self-imposed conditions similar to those typically placed on discretionary actions prepared by the Department of Regional Planning.

The Arco is located on the corner of Pacific Coast Highway and Topanga Canyon Blvd. The proposed use is easily accessible and does not invade or disrupt the existing residential neighborhood or conflict with established community land uses, parking and circulation patterns. The Hearing Officer found that "[t]he proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate by other public or private facilities as are required." (CUP Case No. 200700217-(3), Conclusion D, pg. 4). The Hearing Officer also noted that "[t]he exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood." (CUP Case No. 200700217-(3), Conclusion H, pg. 4). Thus, the Hearing Officer found that:

- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

(CUP Case No. 200700217-(3), Conclusions B, E, G, pg. 4).

These conclusions remain true today.

3. Jeopardize, endanger or other constitute a menace to the public health, safety or general welfare.

This is an application for a renewal of an existing CUP to authorize the continued sale of beer and wine at an existing Arco convenience store and service station.

The project was approved in 2009 and remains compatible with the surrounding neighborhood. The Arco and the selling of beer and wine for off-site consumption will continue to provide a benefit to the nearby community and will not be detrimental to the area. In fact, this Arco has and will continue to have a positive impact on the welfare of the community. Arco has operated on this site for several years without adverse impacts to the surrounding community as a result of the imposed conditions and Arco's adherence to its corporate policies regarding responsible retailing of alcoholic beverages. The subject store and the continued sale of alcoholic beverages is part of a well-known national chain of established service stations. Its continued business at this location will re-enforce the character of the area. The store and subject sales will serve the public convenience and strengthen the area.

The Hearing Officer found that "[t]he requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare. (CUP Case No. 200700217-(3), Conclusion B, pg. 4). This conclusion remains true today as the renewal of this CUP will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said uses with the uses in the surrounding area.

This is an application for a renewal of an existing CUP to authorize the continued sale of beer and wine at an existing Arco convenience store and service station.

The project's location, design, size, walls, fences, parking, landscaping and other development features were approved in 2009 and remain compatible with the uses in the surrounding area. There is no construction, alterations or physical changes in the use proposed as part of this application and thus, no reason to conclude the prior approved location, design, size, walls, fences, parking, landscaping and other development features would not be compatible with the surrounding uses.

Thus, the Hearing Officer found that "[t]he proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features." (CUP Case No. 200700217-(3), Conclusion C, pg. 4). This conclusion remains true today.

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
- 2. By other public or private service facilities as are required.**

The site is located on the southeast corner of Pacific Coast Highway and Topanga Canyon Blvd. These streets have proved over the years to be of sufficient width to carry the kind and quantity of traffic generated by Arco patrons. The approval of this CUP renewal application will not generate any additional traffic, but would simply allow the continuation of the existing use.

Also, the Hearing Officer found that “[t]he proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate by other public or private facilities as are required.” (CUP Case No. 200700217-(3), Conclusion D, pg. 4). This conclusion remains true today.

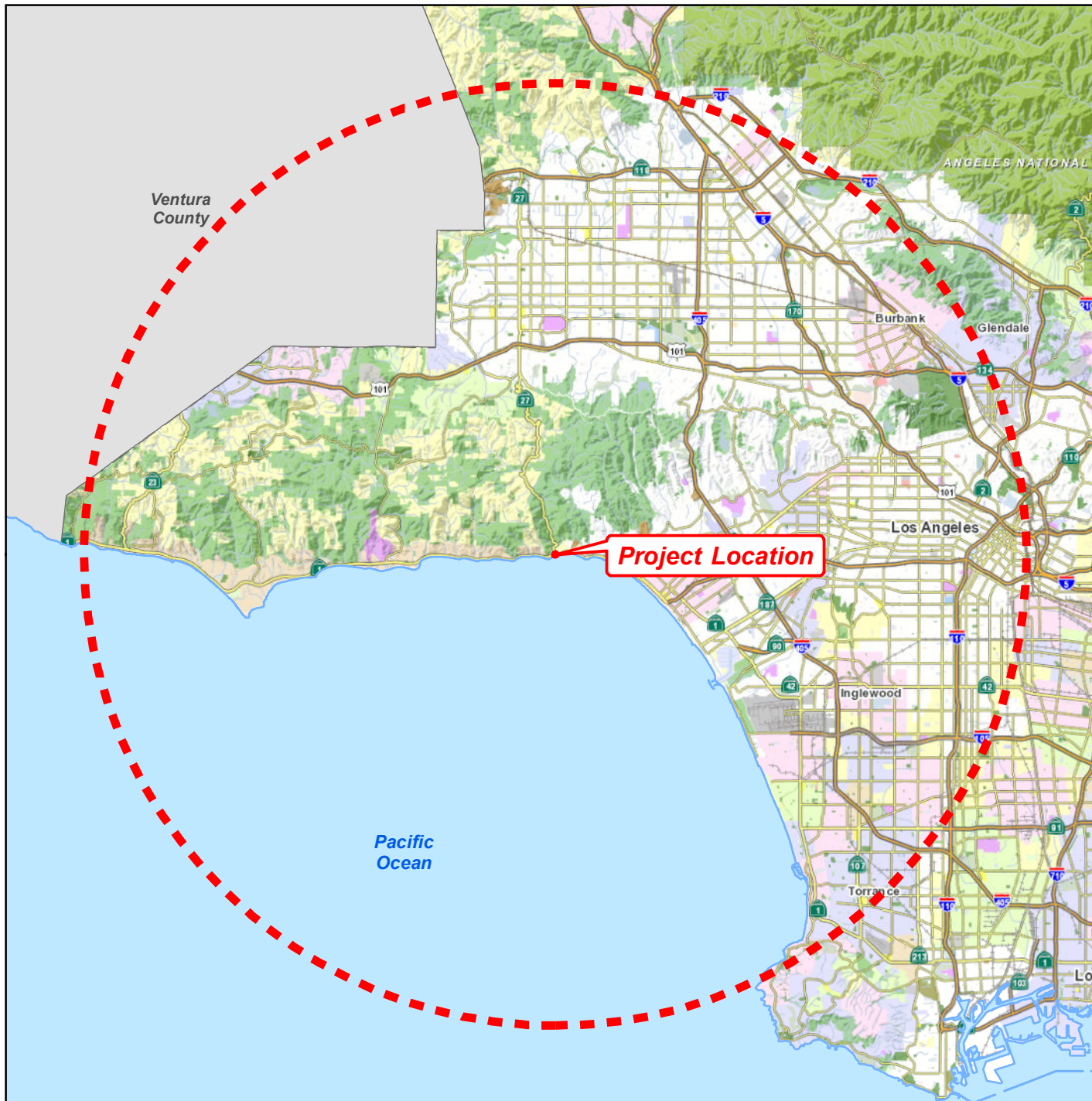
PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: April 10, 2025
PROJECT NUMBER: 2019-000372-(3)
PERMIT NUMBER(S): Conditional Use Permit RPPL2019000710
SUPERVISORIAL DISTRICT: 3
PROJECT LOCATION: 18541 Pacific Coast Highway, Malibu, CA 90265

OWNER: Thrifty Oil Company
APPLICANT: Western Refining & Retail, LLC.
CASE PLANNER: Shawn Skeries, Principal Planner
sskeries@planning.lacounty.gov

Los Angeles County ("County") completed an initial review for the above-mentioned Project. Based on examination of the Project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The Project qualifies for a Class 1 (Existing Facilities) Categorical Exemption under State CEQA Guidelines Section 15301 because the Project is for the continued sale of beer and wine for off-site consumption (Type 20 California Department of Alcoholic Beverage Control License – Beer and Wine) at an existing gas station and convenience store. No changes are being proposed to the existing structure at the site. The Project Site is not located within or in close proximity to an environmentally sensitive area, a historical resource, or a hazardous waste site. Pacific Coast Highway and Topanga Canyon Boulevard are both designated scenic routes in the Santa Monica Mountains Local Coastal Program, however there is no new development associated with the Project and thus would not impact either scenic route. No significant effect due to "unusual circumstances" and no cumulative impacts are anticipated. Therefore, no exceptions to the categorical exemption apply to the Project as per Section 15300.2 of the California Code of Regulations.

ALCOHOL CUP RPPL2019000710

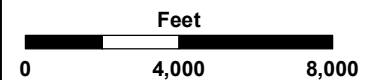
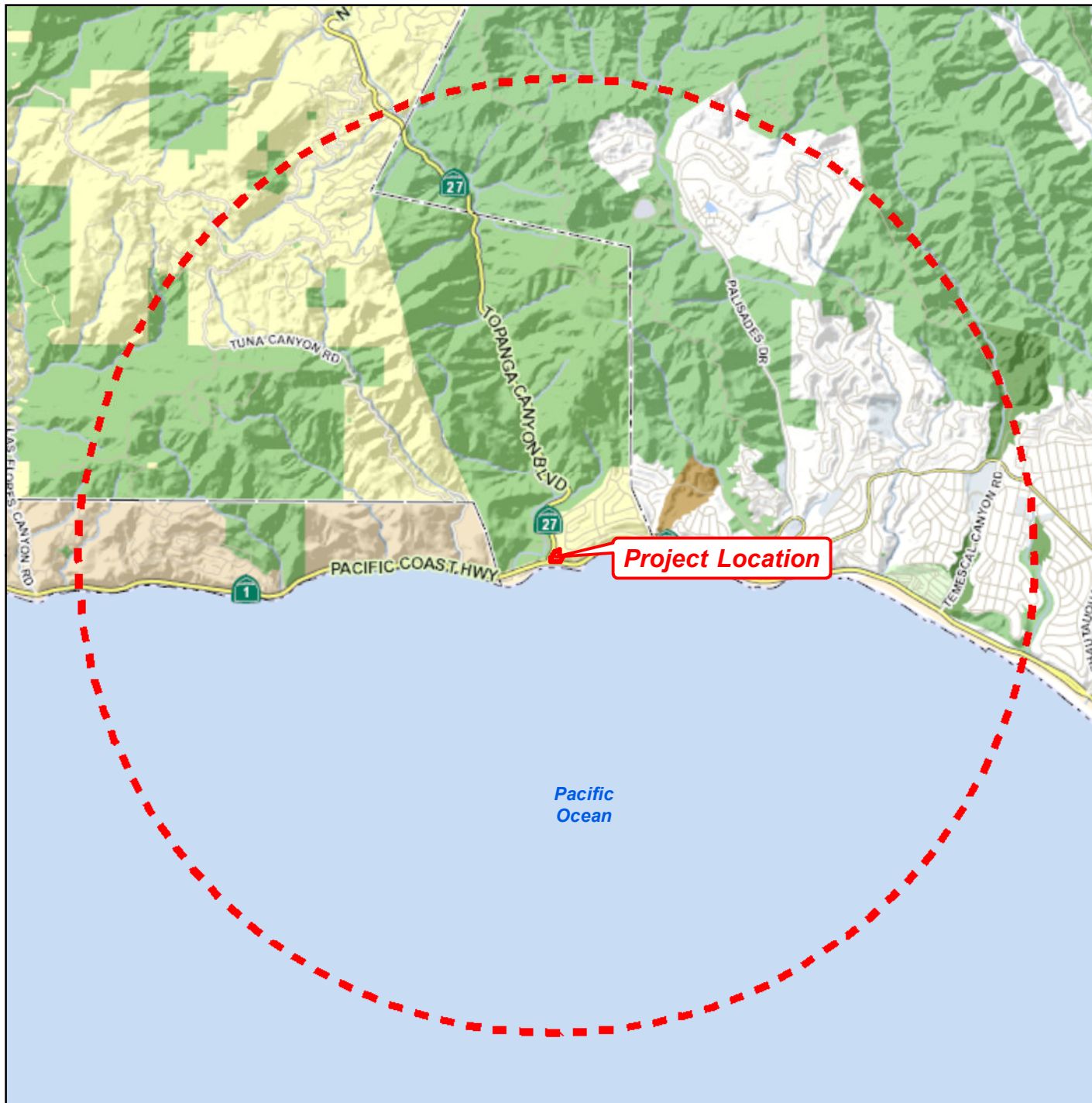
LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

3-MILE RADIUS

LOCATOR MAP

PROJECT NO. 2019-000372
ALCOHOL CUP RPPL2019000710



LA COUNTY
PLANNING

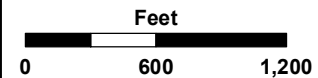
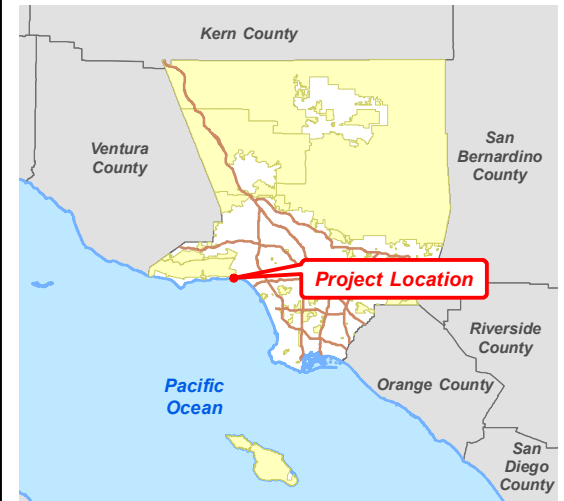
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. 2019-000372
ALCOHOL CUP RPPL2019000710



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. 2019-000372
ALCOHOL CUP RPPL2019000710

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023

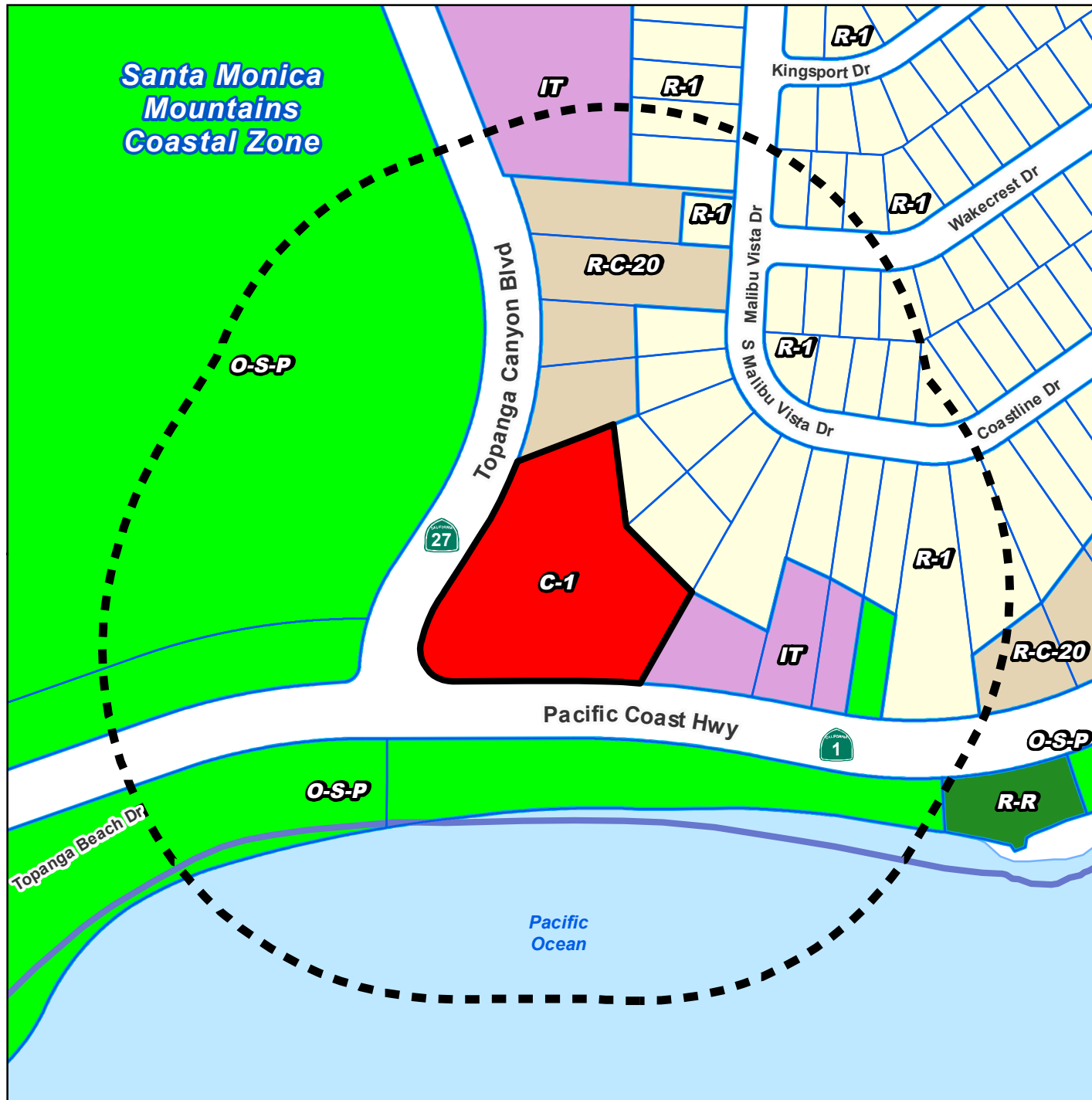
Feet
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LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

**Santa Monica
Mountains
Coastal Zone**



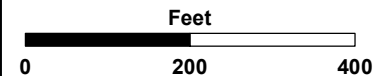
ZONING

500-FOOT RADIUS MAP

PROJECT NO. 2019-000372

ALCOHOL CUP RPPL2019000710

-  R-1 - Single-Family Residence
-  R-C - Rural Coastal
-  C-1 - Restricted Business
-  IT - Institutional
-  R-R - Resort And Recreation
-  O-S - Open Space
-  O-S-P - Open Space - Parks



LA COUNTY
PLANNING

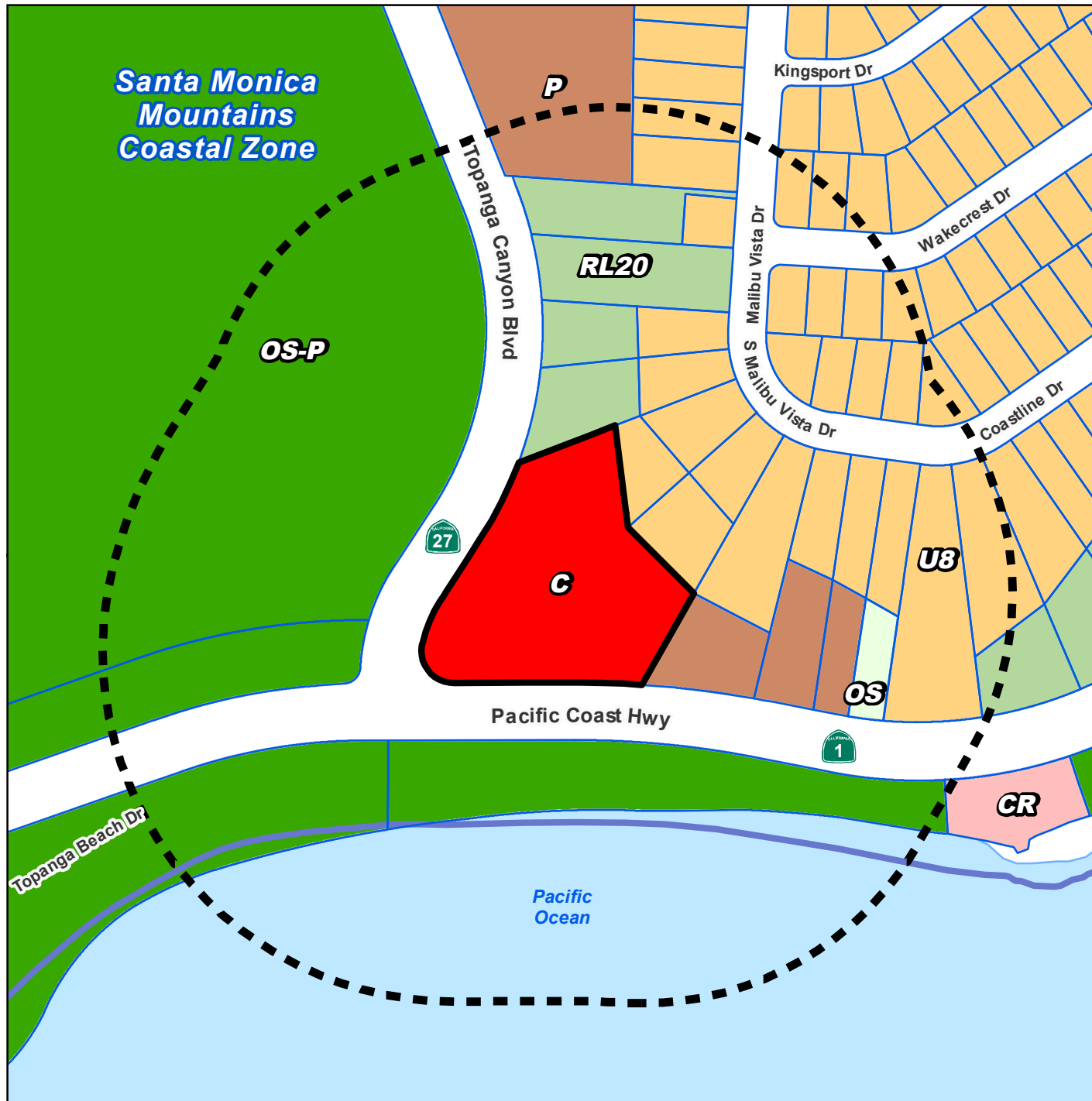
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

LAND USE POLICY

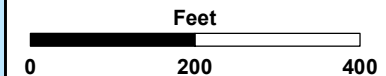
500-FOOT RADIUS MAP

PROJECT NO. 2019-000372

ALCOHOL CUP RPPL2019000710



- RL20 - Rural Lands (1 du / 20 ac)
- C - Commercial
- CR - Visitor-Serving Commercial Recreation-Limited
- OS - Open Space
- OS-P - Open Space-Parks
- P - Public and Semi-Public Facilities
- U8 - Residential (8 du/ac)



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Santa Monica Mountains Coastal Zone

EXISTING LAND USE

600-FOOT RADIUS MAP

PROJECT NO. 2019-000372

ALCOHOL CUP RPPL2019000710

△ Offsite Alcohol Consumption

▲ Onsite Alcohol Consumption

■ Sensitive Use

600-ft ABC Radius

500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

Commercial

Government

Recreational

Residential - Single Unit*

Vacant

* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.

Feet
0 200 400



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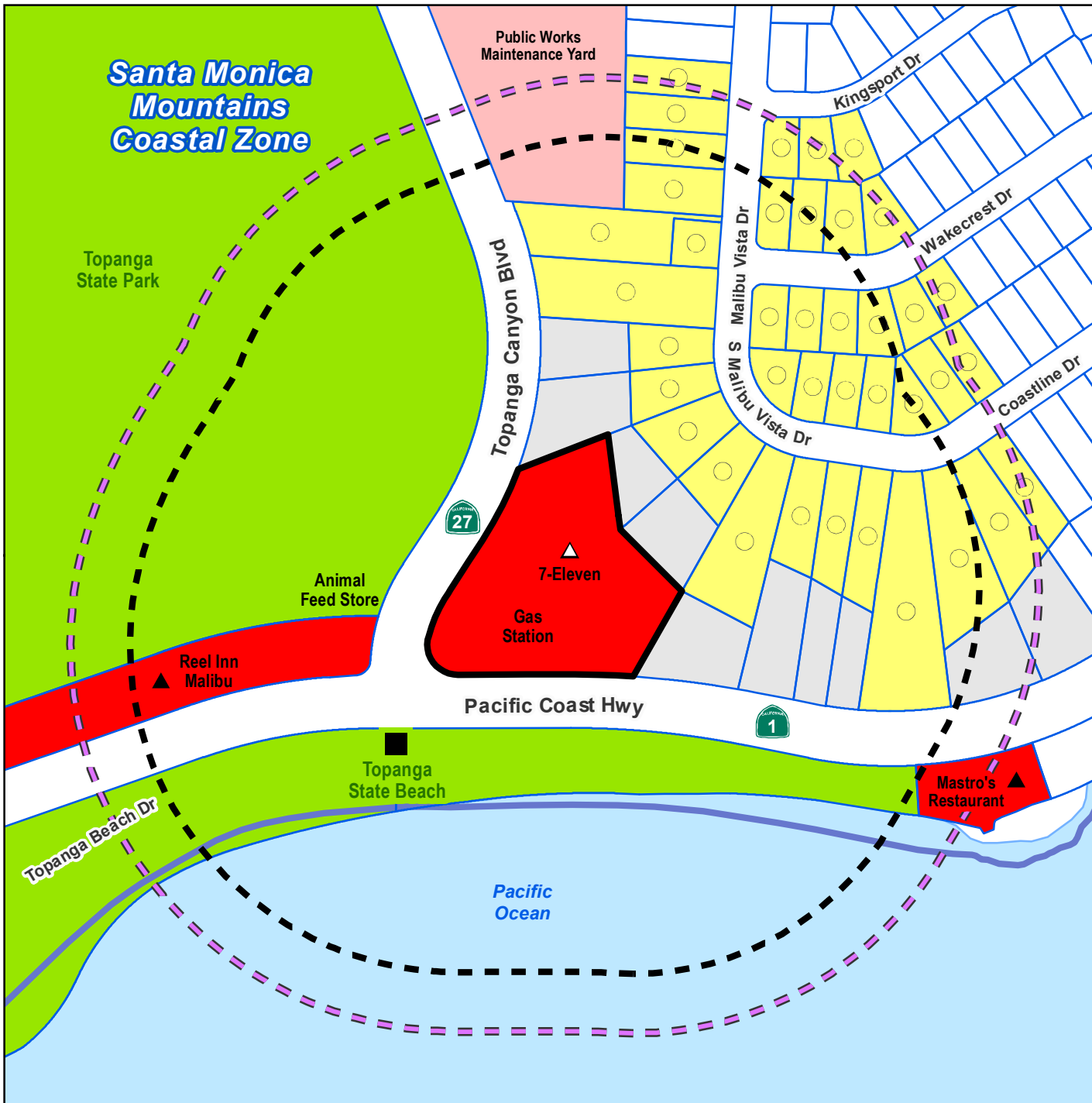


Photo Key Map





1. 18541 Pacific Coast Highway: View looking south at frontage of subject location.



2. 18541 Pacific Coast Highway: View looking south at frontage of subject location and along Pacific Coast Highway on corner of Pacific Coast Highway and Topanga Canyon Blvd.



3. 18541 Pacific Coast Highway: View looking northeast at subject location.



4. 18541 Pacific Coast Highway: View looking northeast at subject location and along Pacific Coast Highway.



5. 18541 Pacific Coast Highway: View looking from east side of subject location.



6. 18541 Pacific Coast Highway: View looking west at frontage of subject location along Topanga Canyon Blvd.



7. 18541 Pacific Coast Highway: View looking southeast at hill that abuts subject property.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
"A Tradition of Service Since 1850"

DATE: March 4, 2024

FILE NO:



447063

OFFICE CORRESPONDENCE

FROM: JENNIFER L. SEETOO, CAPTAIN
MALIBU/LOST HILLS STATION

TO: SHAWN SKERIES, PRINCIPAL
PLANNER
LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL
PLANNING

SUBJECT: CONDITIONAL USE PERMIT # RPPL2019000710

1. Malibu/Lost Hills Sheriff Station has responded to 150 calls for service at this location over the last five years. The majority of the calls were business disturbances. There were approximately 68 calls of this type. Many of the disturbances involved transients who frequent the area. Other calls included fights in progress, robberies, persons acting suspiciously, thefts and traffic collisions.

Additionally, in the past five years, there have been 15 Part I crimes, which are serious felony crimes. There have been 48 Part II crimes, which are less serious felony and misdemeanor crimes.

2. This area is unique as it is the only convenience store and gas station in the general area. The next locations are several miles in either direction. It is located at the intersection of Pacific Coast Highway and Topanga Canyon Boulevard, a major throughfare for commuters. This contributes to its high customer volume. Another factor is the homelessness epidemic. This location attracts numerous homeless individuals who cause issues, including crime and disturbances.

It is recommended the location maintain "No Loitering" signage and "No Open Alcohol Containers" signage.

3. The Los Angeles County Sheriff's Department recommends approval of this CUP.

JLS:CAS:cs



Los Angeles County Sheriff's Dept
Lost Hills Station



Request for reports at:
8541 Pacific Coast Hwy, Malibu CA

Timeframe:
2019 thru 2024 (ytd 02-23-24)

REPORTS PER YEAR	TOTAL
2019	12
2020	15
2021	17
2022	13
2023	6

PART I CRIMES	2019	2020	2021	2022	2023	2024
Homicide						
Forcible Rape						
Robbery						
Aggravated Assault	2		3			
Burglary						
Larceny Theft	1	4	1	3	1	
Grand Theft Auto						
Arson						
PART I TOTAL	3	4	4	3	1	0

PART II CRIMES	2019	2020	2021	2022	2023	2024
Forgery						
Fraud					1	
Sex Offenses, Felony						
Sex Offenses, Misdemeanors						
Non-Aggravated Assaults	2	2		1		
Weapon Laws			1	1		
Offenses Against Family						
Narcotics	1	4	3	3	1	
Liquor Laws						
Drunk	3	2	2	1		
Disorderly Conduct						
Vagrancy						
Gambling						
Drunk Driving			1			
Vehicle/Boating Laws	1					
Vandalism	1					
Warrants			1			
Receiving Stolen Property			1			
Federal Offenses w/out Money						
Federal Offenses w/Money						
Felonies, Miscellaneous					1	
Misdemeanors, Miscellaneous	3	3	3	3	2	
PART II TOTAL	11	11	12	9	5	0

Incident History Inquiry - RAPS

	Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
	LHS20115-0259	04/24/2020	220D/D/04/24/2020	2241	925A	C-CALL	18541	PCH,,,CAL,"ARCO"
	LHS20166-0150	06/14/2020	220D/D/06/14/2020	2241	415	C-CALL	18541	PCH,,,CAL,"ARCO" X TOPANGA CANYON BL
	LHS19111-0013	04/21/2019	101A/E/04/21/2019	1029	927P	C-CALL	18541	PCH,,,CO,
	LHS21012-0252	01/12/2021	101A/P/01/12/2021	1028	P415BG	C-CALL	18541	PCH,,,CO,
	LHS20206-0181	07/24/2020	101A/P/07/24/2020	1028	415FT	C-CALL	18541	PCH,,,CO,"ARCO GAS STA"
	LHS20011-0063	01/11/2020	101A/D/01/11/2020	1027	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS STATION"
	LHS20039-0241	02/08/2020	101/E/02/08/2020	1029	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS STATION"
	LHS20285-0061	10/11/2020	101/D/10/11/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS STATION"
	LHS19003-0009	01/03/2019	101/E/01/03/2019	1029	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS19073-0002	03/14/2019	101/E/03/14/2019	1028	927C	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS19103-0013	04/13/2019	101A/E/04/13/2019	1029	927C	9-911	18541	PCH,,,CO,"ARCO GAS"
	LHS20023-0128	01/23/2020	101/P/01/23/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS20035-0110	02/04/2020	101T2/D/02/04/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS20102-0293	04/11/2020	101/E/04/11/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS20208-0109	07/26/2020	101/D/07/26/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
	LHS20295-0191	10/21/2020	101A/P/10/21/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"

Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
LHS20305-0165	10/31/2020	101A/P/10/31/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO GAS"
LHS19020-0128	01/20/2019	101T3/P/01/20/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19029-0199	01/29/2019	225A/P/01/29/2019	1028	927C	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19074-0221	03/15/2019	225A/P/03/15/2019	1028	928F	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19102-0030	04/12/2019	101/E/04/12/2019	1028	927C	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19120-0207	04/30/2019	101/P/04/30/2019	1028	415	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19130-0054	05/10/2019	101/D/05/10/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19135-0040	05/15/2019	101A/D/05/15/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19146-0186	05/26/2019	101/P/05/26/2019	1028	925	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19155-0243	06/04/2019	101/P/06/04/2019	1028	211S	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19161-0225	06/10/2019	225/P/06/10/2019	1028	390	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19171-0111	06/20/2019	101T4/D/06/20/2019	1028	902N	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19171-0227	06/20/2019	101/P/06/20/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19174-0011	06/23/2019	101/E/06/23/2019	1028	931	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19182-0236	07/01/2019	101A/P/07/01/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19182-0243	07/01/2019	101A/P/07/01/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19186-0104	07/05/2019	225A/D/07/05/2019	1028	242JO	C-CALL	18541	PCH,,,CO,"ARCO"

Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
LHS19221-0270	08/09/2019	101A/P/08/09/2019	1028	931	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19243-0102	08/31/2019	225A/D/08/31/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19244-0241	09/01/2019	101/P/09/01/2019	1028	390	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19253-0117	09/10/2019	225/P/09/10/2019	1027	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19253-0179	09/10/2019	101A/P/09/10/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19284-0015	10/11/2019	101A/E/10/11/2019	1028	488R	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19294-0235	10/21/2019	101/P/10/21/2019	1028	594R	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19315-0192	11/11/2019	103A/P/11/11/2019	1028	P918	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19338-0213	12/04/2019	101/E/12/04/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19347-0242	12/13/2019	101/P/12/13/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS19356-0170	12/22/2019	101A/P/12/22/2019	1028	242	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20009-0250	01/09/2020	225/E/01/09/2020	1028	487R	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20023-0183	01/23/2020	101A/P/01/23/2020	1029	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20035-0231	02/04/2020	103A/P/02/04/2020	1028	930	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20041-0262	02/10/2020	101A/P/02/10/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20042-0288	02/11/2020	101A/P/02/11/2020	1028	422JO	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20082-0031	03/22/2020	101A/D/03/22/2020	1028	488JO	C-CALL	18541	PCH,,,CO,"ARCO"

Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
LHS20084-0016	03/24/2020	101/E/03/24/2020	1028	488JO	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20101-0162	04/10/2020	101A/D/04/10/2020	1028	902R	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20114-0262	04/23/2020	101T3/P/04/23/2020	1028	415B	9-911	18541	PCH,,,CO,"ARCO"
LHS20116-0017	04/25/2020	225/E/04/25/2020	1029	488JO	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20126-0231	05/05/2020	101/P/05/05/2020	1028	242JO	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20153-0195	06/01/2020	101/D/06/01/2020	1028	488JO	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20201-0129	07/19/2020	225/P/07/19/2020	1028	261R	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20249-0199	09/05/2020	101A/P/09/05/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20258-0143	09/14/2020	101/D/09/14/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20280-0211	10/06/2020	101A/P/10/06/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20299-0098	10/25/2020	225/D/10/25/2020	2255	927C	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20308-0181	11/03/2020	101A/P/11/03/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20333-0176	11/28/2020	101A/P/11/28/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20347-0048	12/12/2020	225/D/12/12/2020	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS21003-0188	01/03/2021	101A/P/01/03/2021	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO"
LHS20150-0275	05/29/2020	101/P/05/29/2020	1028	415J	C-CALL	18541	PCH,,,CO,"ARCO" GAS STA
LHS19139-0073	05/19/2019	101A/D/05/19/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO" X TOPANGA

	Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
	LHS19048-0049	02/17/2019	225A/D/02/17/2019	1028	415B	C-CALL	18541	PCH,,,CO,"ARCO" X TOPANGA CANYON
	LHS20168-0144	06/16/2020	101A/D/06/16/2020	1028	P502	C-CALL	18541	PCH,,,CO,"ARCO" X TOPANGA CANYON BL
	LHS20255-0226	09/11/2020	101/P/09/11/2020	1028	488JO	C-CALL	18541	PCH,,,CO,"MALIBU ARCO"
	LHS20115-0228	04/24/2020	101A/P/04/24/2020	1028	415B	C-CALL	18541	PCH,,,CO,ARCO
	LHS20318-0173	11/13/2020	101/P/11/13/2020	1028	415D	C-CALL	18541	PCH,,,CO,ARCO
	LHS20180-0122	06/28/2020	101A/D/06/28/2020	1028	415B	C-CALL	18541	PCH,,,CO,ARCO GAS
	LHS19144-0212	05/24/2019	101/E/05/24/2019	1029	415B	C-CALL	18541	PCH,,,CO,X "ARCO GAS STATION"
	LHS20136-0121	05/15/2020	101A/P/05/15/2020	1028	488R	C-CALL	18541	PCH,,,CO,X FRM ARCO
	LHS19348-0194	12/14/2019	101E/P/12/14/2019	1029	925	C-CALL	18541	PCH,,,CO,X PCH "ARCO GAS STATION"
	LHS19065-0178	03/06/2019	101/P/03/06/2019	1029	415B	C-CALL	18541	PCH,,,CO,X TOPANGA "ARCO GAS STA"
	LHS20298-0181	10/24/2020	225/P/10/24/2020	2250	415B	C-CALL	18541	PCH,,,CO,X TOPANGA "ARCO GAS"
	LHS19006-0204	01/06/2019	101A/P/01/06/2019	1028	415B	C-CALL	18541	PCH,,,CO,X TOPANGA CANYON "ARCO"
	LHS20177-0089	06/25/2020	101/D/06/25/2020	1028	503A	C-CALL	18541	PCH,,,CO,X TOPANGA CANYON "ARCO"
	LHS19221-0244	08/09/2019	101A/P/08/09/2019	1028	211JO	9-911	18541	PCH,,,CO,X- TOPANGA CANYON "ARCO"
	LHS19187-0291	07/06/2019	220D/P/07/06/2019	2200	909T	C-CALL	18541	PCH,,,CO,X TOPANGA CANYON BL
	LHS20242-0272	08/29/2020	101A/P/08/29/2020	1028	390	C-CALL	18541	PCH,,,CO,X TOPANGA CANYON BL
	LHS20150-0274	05/29/2020	101E/P/05/29/2020	1028	925	C-CALL	18541	PCH,,,CO,X TOPANGA CANYON RD

	Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
	LHS19254-0225	09/11/2019	101/P/09/11/2019	1028	415J	C-CALL	18541	PCH,,,CO,X TOPANGA CYN
	LHS19193-0072	07/12/2019	101/D/07/12/2019	1028	925	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS STATIO
	LHS19297-0072	10/24/2019	101A/D/10/24/2019	1028	594R	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS STATIO
	LHS19347-0245	12/13/2019	101A/P/12/13/2019	1028	415	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS STATIO
	LHS20318-0077	11/13/2020	101A/D/11/13/2020	1029	415B	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS STATIO
	LHS19025-0235	01/25/2019	225A/P/01/25/2019	1028	925A	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS"
	LHS20018-0098	01/18/2020	225A/D/01/18/2020	1030	415D	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO GAS"
	LHS20205-0077	07/23/2020	101/D/07/23/2020	1028	925A	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO"
	LHS20247-0120	09/03/2020	101/P/09/03/2020	1028	925	C-CALL	18541	PCH,,,CO,X TOPANGA CYN "ARCO"
	LHS19297-0123	10/24/2019	101T4/D/10/24/2019	1028	917A	C-CALL	18541	PCH,,,CO,X TOPANGA CYN BL "ARCO"
	LHS20116-0087	04/25/2020	101/D/04/25/2020	1027	415B	C-CALL	18541	PCH,,,CO,X TOPANGA CYN RD "ARCO GAS STA
	LHS19193-0219	07/12/2019	101/P/07/12/2019	1028	925	C-CALL	18541	PCH,,,CO,X TRANCAS "ARCO GAS STATION"
	LHS20086-0102	03/26/2020	101/D/03/26/2020	1018	415B	C-CALL	18541	PCH,,,MAL,
	LHS20147-0222	05/26/2020	101A/P/05/26/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO
	LHS20236-0058	08/23/2020	101A/D/08/23/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO GAS STATION"
	LHS19019-0101	01/19/2019	101T4/D/01/19/2019	1018	481JO	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS19041-0169	02/10/2019	101/P/02/10/2019	1014	415B	C-CALL	18541	PCH,,,MAL,"ARCO"

Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
LHS19083-0198	03/24/2019	101A/E/03/24/2019	1014	211J/O	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19101-0228	04/11/2019	101T3/P/04/11/2019	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19102-0038	04/12/2019	101/E/04/12/2019	1018	925A	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19115-0211	04/25/2019	101/E/04/25/2019	1018	P242R	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19187-0020	07/06/2019	101A/E/07/06/2019	1015	415B	9-911	18541	PCH,,,MAL,"ARCO"
LHS19203-0144	07/22/2019	101/P/07/22/2019	1018	488R	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19261-0273	09/18/2019	101/E/09/18/2019	1013	488JO	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19316-0002	11/12/2019	101A/E/11/12/2019	1011	488R	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19360-0059	12/26/2019	101A/D/12/26/2019	1018	927C	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS19361-0205	12/27/2019	101T1/P/12/27/2019	1018	925A	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20011-0030	01/11/2020	101A/E/01/11/2020	1018	924	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20027-0221	01/27/2020	101/P/01/27/2020	1014	918	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20031-0222	01/31/2020	101/E/01/31/2020	1017	902R	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20033-0113	02/02/2020	101/P/02/02/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20034-0008	02/03/2020	101A/E/02/03/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20039-0014	02/08/2020	101A/E/02/08/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
LHS20044-0251	02/13/2020	101A/P/02/13/2020	1018	415B	9-911	18541	PCH,,,MAL,"ARCO"

	Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
	LHS20045-0236	02/14/2020	101A/P/02/14/2020	1017	415	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20052-0265	02/21/2020	101/E/02/21/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20060-0017	02/29/2020	101A/E/02/29/2020	1018	415F	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20063-0311	03/03/2020	101T1/P/03/03/2020	1015	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20097-0092	04/06/2020	101A/D/04/06/2020	1017	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20099-0353	04/08/2020	101/E/04/08/2020	1014	925A	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20112-0210	04/21/2020	101A/P/04/21/2020	1017	415B	9-911	18541	PCH,,,MAL,"ARCO"
	LHS20143-0263	05/22/2020	101/E/05/22/2020	1012	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20157-0019	06/05/2020	101T3/P/06/05/2020	1011	930	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20176-0299	06/24/2020	101/E/06/24/2020	1017	927C	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20187-0141	07/05/2020	101T2/P/07/05/2020	1018	415	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20193-0323	07/11/2020	101A/E/07/11/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20207-0233	07/25/2020	101/P/07/25/2020	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20212-0020	07/30/2020	101/E/07/30/2020	1018	931	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20242-0004	08/29/2020	101A/E/08/29/2020	1018	594JO	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20280-0231	10/06/2020	101/E/10/06/2020	1014	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20293-0098	10/19/2020	101T1/D/10/19/2020	1018	931	C-CALL	18541	PCH,,,MAL,"ARCO"

	Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
	LHS20320-0073	11/15/2020	103/D/11/15/2020	1016	925A	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS21005-0206	01/05/2021	101/P/01/05/2021	1018	925	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS21006-0023	01/06/2021	101A/E/01/06/2021	1018	415B	C-CALL	18541	PCH,,,MAL,"ARCO"
	LHS20313-0031	11/08/2020	101/D/11/08/2020	1080	902R	C-CALL	18541	PCH,,,MAL,"ARCO" X TOPANGA CANYON BL
	LHS19221-0279	08/09/2019	101/E/08/09/2019	1011	415B	C-CALL	18541	PCH,,,MAL,ARCO
	LHS19194-0097	07/13/2019	101T2/D/07/13/2019	1017	415	C-CALL	18541	PCH,,,MAL,X TOPANGA "ARCO"
	LHS19284-0062	10/11/2019	101/D/10/11/2019	1011	488R	C-CALL	18541	PCH,,,MAL,X TOPANGA "ARCO"
	LHS19107-0008	04/17/2019	101/E/04/17/2019	1017	211JO	C-CALL	18541	PCH,,,MAL,X TOPANGA CANYON "ARCO"
	LHS20043-0278	02/12/2020	101/P/02/12/2020	1011	415B	C-CALL	18541	PCH,,,MAL,X TOPANGA CANYON "ARCO"
	LHS20276-0146	10/02/2020	101/P/10/02/2020	1015	931	C-CALL	18541	PCH,,,MAL,X TOPANGA CANYON BL "ARCO"
	LHS19252-0090	09/09/2019	101/D/09/09/2019	1010	459VR	C-CALL	18541	PCH,,,MAL,X TOPANGA CYN "ARCO GAS"
	LHS19201-0253	07/20/2019	103/P/07/20/2019	1018	242JO	C-CALL	18541	PCH,,,MAL,X TOPANGA CYN "ARCO"
	LHS20213-0143	07/31/2020	101/P/07/31/2020	1016	415B	C-CALL	18541	PCH,,,MAL,X TOPANGA CYN "ARCO"
	LHS20292-0070	10/18/2020	101A/D/10/18/2020	1018	417A	9-911	18541	PCH,,,MAL,X TOPANGA CYN "ARCO"
	LHS19344-0300	12/10/2019	101A/P/12/10/2019	1018	904I	C-CALL	18541	PCH,,,MAL,X TOPANGA CYN BLVD "ARCO"

Conditions

Station: LHS-LOST HILLS

Occurrence Start Date: 01/01/2019

End Date: 01/01/2024

Tag:

First Radio Code:

Street #: 18541

Street Direction:

Street Name: PCH

Street Type:

Apt No:

City:

Business Name:

Business Type:

RD:

:

URN:

Unusual Occurrence:

Unit ID:

Unit Shift:

Shift Start Date:

Shift End Date:

Clearance Code:

Employee:

Source: Call , 911 , Wireless 911 , VOIP 911 , Text 911 , Detail Observation , Detail Call , Detail Wireless 911 , Detail VOIP 911

Call Priority: Call Priority All , Emergency , Priority , Routine

Sort Results By: Location/Street Name

INFORMATION AND INSTRUCTIONS -**SECTION 23958.4 B&P****Instructions**

- This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

WESTERN REFINING RETAIL, LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

18541 PACIFIC COAST HWY, MALIBU, CA 90265

3. LICENSE TYPE

20

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only <input type="checkbox"/> All | | | |
-
- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input checked="" type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

10044458

6. TOTAL NUMBER OF LICENSES IN COUNTY

2954

☐ On-Sale ☒ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1605

☐ On-Sale ☒ Off-Sale

8. CENSUS TRACT NUMBER

8005.06

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

1

☐ On-Sale ☒ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

1

☐ On-Sale ☒ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- ☐ Yes, the number of existing licenses exceeds the number allowed
- ☒ No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- ☒ Yes (Go to Item #13) ☐ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

1028

14. TOTAL NUMBER OF REPORTING DISTRICTS

543

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

37,731

16. AVERAGE NO. OF OFFENSES PER DISTRICT

69.5

17. 120% OF AVERAGE NUMBER OF OFFENSES

83.4

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

160

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- ☒ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- ☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.
- ☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, an on-sale general (public premises) license, or an on-sale general music venue license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

MALIBU CITY PLANNING

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Dominique Dietz

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED	
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The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes ☐ No ☐ See Attached (i.e., letter, resolution, etc.)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes ☐ No ☐ See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29 CITY/COUNTY OFFICIAL SIGNATURE

30	DATE SIGNED
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