



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code

Adding Financial Services as Formula Retail

Case Number: Board File No. 120047/ Ord. No 106-12

Legislative Sponsor: Supervisor Mar

Effective Date: July 22, 2012—Does not apply if planning application was filed by January 24, 2012.

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The Way It Was:

Planning Code Section 303(i)(2) defined formula retail¹ as including the following uses: as defined in Article 7 and Article 8: "Bar," "Drive-up Facility," "Eating and Drinking Use," "Liquor Store," "Sales and Service, Other Retail," "Restaurant," "Limited-Restaurant," "Take-Out Food," "Sales and Service, Retail," "Movie Theater," and "Amusement and Game Arcade."

The Way It Is Now:

This Ordinance has amended Sections 703.3, 806.3, and 303, to include "financial service"² within the categories of uses which are subject to the formula retail controls. This allows the Planning Commission to assess whether a proposed bank is necessary or desirable in the community, and, in particular, whether there is an overconcentration of banks within that community; whether other similar retail uses are available within the district; whether the proposed bank is compatible with the existing architectural and aesthetic character of the district; the existing retail vacancy rates within the district; and the existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district. The Commission has discretion to consider these factors approve or disapprove the conditional use permit for the proposed bank.

¹ Section 703.3 of the Planning Code defines "formula retail" as "a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark." Section 806.3 applies the same definition in the Mixed Use Districts regulated under Article 8 of the Code.

² Financial Services are defined in Planning Code Sections 790.110 and 890.110 as "a retail use which provides banking services and products to the public, such as banks, savings and loans, and credit unions, when occupying more than 15 feet of linear frontage or 200 square feet of gross floor area."

Notes:

1. Banking services provided through Limited Financial Services³ are not affected by this legislation.
2. An uncodified section of this Ordinance exempts projects that have filed an application with the Planning Department by January 24, 2012.

The link to signed legislation:

<http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0106-12.pdf>

Board File No. 120047	Ord. No. 0106-12	Effective Date 7/22/12	Planning Code - Including Financial Services Within Definition of Formula Retail
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³ A Limited Financial Service use is defined as retail uses that provides banking services, when not occupying more than 15 feet of linear frontage or 200 square feet of gross floor area. These tend to be ATMs, but there is nothing in the Code that prevents a small branch from opening under this use category so long as it complies with the size restrictions. This use category would not be included in the Formula Retail definition.