



NOTICE OF USE FOR TRANSFERABLE DEVELOPMENT RIGHTS

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

This is an application to the Zoning Administrator for the use of transferable development rights on a Development Lot specifically provided for in Section 128 of the Planning Code. This application contains general information about the Notice of Use, step-by-step instructions on how to file a Notice of Use application to the Zoning Administrator and all the necessary forms.

For questions, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

GENERAL INFORMATION

Transferable Development Rights are units of gross floor area that may be transferred from a Transfer Lot to a Development Lot (per the provisions of Section 128 of the Planning Code). Each one square foot of gross floor area is one unit of TDR. Transferring unused or excess TDR units enables the Preservation Lot to sell “excess” TDR units as an extra financial incentive towards the preservation of that structure and allows a structure on a Development Lot to be built that exceeds the basic floor area ratio.

The process involves three steps, each step involving the submittal of an application to the Department and the ultimate recordation of a legal document that is signed by the Zoning Administrator. These steps are:

1. Statement of Eligibility Application and Document
2. Certificate of Transfer Application and Document
3. Notice of Use Application and Document

Applications can be found at the Planning Information Counter or on the Department’s website. Please refer to the current Fee Schedule, as set forth by Section 353(d)(6)-(8) of the Planning Code, for appropriate fees for each application type.

WHAT IS A NOTICE OF USE?

A Notice of Use is the third step in a three-step process to apply or attach TDR units to the Development Lot, thereby the TDR units are no longer available for transfer. When the use of TDR is necessary for the approval of a building permit for a project on a Development Lot, the permit will not be issued until written certification is recorded that the owner of the Development Lot owns the required number of TDR.

HOW DOES THE PROCESS WORK?

To file the completed application, follow the instructions on the [Intake Request Form](#).

Before the Notice of Use is deemed complete, the following must be submitted:

- 1. An Executed Indemnity Agreement (Two (2) inked originals, which must be signed by the owner of the Development Lot, City Attorney and Real Estate). Please reach out to your assigned planner for more details and further instruction;**
- 2. Financial Balance Sheet of Owner, in order to secure the Indemnity Agreement (10-2 Sec Form of SEC Form 10-Q); and,**
- 3. Guarantees from the Title Company for Value of TDR. The City of San Francisco must be named as the assured party.**

Upon verification and confirmation of the complete application, the Certificate of Transfer Document is prepared and the Zoning Administrator (ZA) will sign with notarized acknowledgement within five days. The Applicant shall pick up the document, obtain signatures with notarized acknowledgements of both the Transferor(s) and Transferee(s), and proceed with recordation at the Office of the County Recorder. A certified copy of the original recorded Certificate of Transfer shall be returned to the ZA.

Upon verification and confirmation of the complete application, the Notice of Use Document is prepared and the Zoning Administrator (ZA) will sign with notarized acknowledgement within ten days. The Applicant shall pick up the document, obtain the signature with notarized acknowledgement of the Owner of the Development Lot, and proceed with recordation at the Office of the County Recorder.

A certified copy of the original recorded Notice of Use shall be returned to the ZA.

All information and exhibits submitted in connection with this application will be subject to the Public Record Act and made available to any person upon request.



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SUPPLEMENTAL APPLICATION

Property Information

Project Address: _____

Block/Lot(s): _____

Project Name: _____

Building Permit #: _____

Owner of Record of Development Lot Information:

Name: _____

Address of Record (Development Lot): _____

Email Address: _____

Telephone: _____

Summary of TDR To Be Used

State the source and the amount of TDR to be used by the Development Lot pursuant to this application.

1.	AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
		THROUGH	
	RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*
2.	AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
		THROUGH	
	RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*
3.	AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
		THROUGH	
	RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

*A certified copy of the each recorded Certificate of Transfer evidencing transfer to the owner of the Development Lot of the TDR being used, and all other matters of record affecting such TDR must be attached. If applicable, certified copies of all intervening Certificates of Transfer of secondary parties must be attached to form a complete record of prior transfer. The attached Certificates of Transfer must show the recorded instrument number of each document and date of recordation. If the names (s) of the transferor(s) and/or transferee(s) are not correctly and completely shown on said certificates, they must be noted on an attachment to this form.

Summary of TDR To Be Used (cont'd)

4. AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
	THROUGH	
RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

5. AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
	THROUGH	
RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

6. AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
	THROUGH	
RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

7. AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
	THROUGH	
RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

8. AMOUNT	NUMBER I.D. OF TDR (BLOCK/LOT : TDR NUMBER)	
	THROUGH	
RECORDATION INSTRUMENT NUMBER	RECORDATION DATE	CERTIFICATE OF TRANSFER CASE NUMBER*

Total Amount of TDR:

* A certified copy of the each recorded Certificate of Transfer evidencing transfer to the owner of the Development Lot of the TDR being used, and all other matters of record affecting such TDR must be attached. If applicable, certified copies of all intervening Certificates of Transfer of secondary parties must be attached to form a complete record of prior transfer. The attached Certificates of Transfer must show the recorded instrument number of each document and date of recordation. If the names (s) of the transferor(s) and/or transferee(s) are not correctly and completely shown on said certificates, they must be noted on an attachment to this form.

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

Name (Printed)

Date

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____