

Transportation Utility Fee (TUF)



Administrative Manual

Appeals Packet

January 2015

Frequently Asked Questions

What is a Transportation Utility Fee (TUF)?

Although sometimes referred to as a “driveway tax,” the TUF does not have anything to do with “driveways” (or parking lot size), nor is it a tax. The TUF is a user fee, assessed through property tax bills.

Why do we have a Transportation Utility Fee?

The TUF is dedicated to transportation improvements (repair/maintenance of street, sidewalk, trail, transit facilities), and is a more transparent means of collecting revenue for these improvements. The concept is simple: the more a property generates traffic, the more that property contributes towards maintaining the transportation system. This is similar to other utility fees, such as stormwater, water, natural gas, etc. The TUF is not tied to fluctuations in property tax valuations or sales tax collections.

Who pays this fee?

Generally, all developed properties pay the TUF, which includes tax-exempt properties (such as schools, government facilities, etc.) Because all developed properties are connected to and use the transportation system, all developed properties help pay to maintain it. The fees are collected via property tax assessments; consequently, they are sent to property owners, not tenants. However, a property owner may elect to pass these costs down to tenants.

How is it calculated?

The TUF is calculated by estimating the average number of vehicle trips each property within the City generates and assessing a fee based on the intensity (type/size) of the use. The more trips generated by a certain property, the higher the TUF assessment. The City uses studies compiled by an independent association called the Institute of Transportation Engineers (ITE), which are contained in an ITE publication called the ***Trip Generation (8th edition, 3 volume set) Informational Report***. Developers frequently utilize this report to compute appropriate parking lot sizes for new developments based on trip generation rates. (Note: No actual traffic counts are taken on any parcel).

Can I appeal this fee?

Property owners can appeal a land use classification and request a change in their classification, but must demonstrate that they should be classified

according to a different use. In other words, if you own an industrial site currently classified as a "General Office Building," you could appeal to be classified as a "General Light Industrial" site.

Will this new fee create a disadvantage for Mission businesses?

When taken in context, the TUF is a relatively small share of a tax bill for most properties. With the recent reduction of the property tax mill levy by the City Council, Mission has the second lowest property tax rate in Johnson County, which is in many cases less than 50% of the property tax rate of surrounding cities. When compared side by side to other northeast Johnson County communities, the new fee does not create a higher property tax/user fee burden for a great majority of Mission businesses.

How much will the TUF cost me?

Single Family homes pay flat fee of \$72/yr. For other type of properties, it depends on the land use type (e.g. single-family, retail, office) and the building size.

91% of All Parcels* will pay less than \$100/yr

60% of all commercial properties* will pay less than \$1,000/yr

* A Parcel or property may include multiple individual residential units or tenant spaces

Where can I get more information on the TUF?

The City has access to all relevant ITE publications. If you are interested in learning more about these traffic studies, appeals process, or your specific fee (for multi-family or non-residential properties), please contact the City and we will share this information with you.

What are the "Land use Classifications" used by the City to determine the appropriate TUF?

Land Use classification data was obtained from the Institute of Transportation Engineers (ITE) ***Trip Generation (8th edition, 3 volume set) Informational Report***. This report is widely used by developers to compute parking lot requirements for new building projects, and by local governments to determine impact fees. Specific information on various land use classifications can be found in the *City of Mission Transportation Utility Fee, Administrative Manual, January 2015*.

Protest and Review Procedures

This section contains applications for appealing the transportation utility fee. These appeals are currently geared toward commercial properties. The following applications are included:

TUF Vacancy Waiver Application

TUF Land Use Reclassification Application

TUF Trip Generation Override Application

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City of Mission

TUF Vacancy Waiver Application (Page 1 of 4)

GENERAL INSTRUCTIONS FOR FILING A TUF VACANCY WAIVER

- Vacancy waivers will only be processed from January 1 - February 28/29 for the assessment year immediately prior to the current calendar year. Each waiver is valid for only one year; if the property continues to sit vacant then property owners or their representatives must reapply the following year for an adjustment.
- Residential land uses are not eligible for vacancy waivers.
- Complete and submit the application above to the City of Mission, c/o Martha Sumrall, City Clerk. The mailing address for City Hall is 6090 Woodson St., Mission, KS 66202. If you have any questions about the application, process, or transportation utility fee, contact Martha at 913-676-8355 or msumrall@missionks.org.
- Upon approval of the application, property owners will be issued adjustments to their transportation utility fees.

City of Mission

TUF Vacancy Waiver Application (Page 3 of 4)

Year of Assessment at Issue: _____

Property at Issue:

1. Street Address: _____
2. Parcel ID: _____
3. Taxes Paid: None_____ 1st Half_____ 2nd Half_____ Full_____
4. Are taxes paid by a mortgage company, bank, or savings & loan? Yes___ No___
5. What is your current ITE Land Use classification? _____
6. Does the property contain more than one business tenant space? Yes___ No___
7. Please name and provide a brief description of each business located in the building. Please also provide the gross floor space (sq. ft) that the business occupies in the building. For any vacant spaces, please list the business name as "Vacant" and note the gross floor space of the vacant area.

Tenant Space	Business Name / Description	Gross Floor Space (sq. ft.)
1		
2		
3		
4		

(If additional space is needed, please use separate sheets and attach them to this application.)

8. What is the total Gross Floor Area of the building (sq. ft.)? _____
9. If this building is classified as a "Specialty Retail Center" or "Shopping Center," what is the total Gross Leasable Area of the building (sq. ft.)? _____

City of Mission

TUF Vacancy Waiver Application (Page 4 of 4)

10. Please list the dates each tenant space in the building went vacant:

Tenant Space	Date of Vacancy
1	
2	
3	
4	

(If additional space is needed, please use separate sheets and attach them to this application.)

I do solemnly swear that the information set forth herein attached hereto or hereafter by me is true and correct to the best of my knowledge and belief.

Signature of Applicant

Date

Printed Name and Title

On this ____ day of _____, 20____, before me, a Notary Public in and for said state, personally appeared _____, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires:

For City of Mission Use Only:

Parcel ID	TUF-Eligible Square Footage	Vacant Square Footage	Current TUF Assessment	Revised TUF Assessment

City of Mission

TUF Land Use Reclassification Application (Page 1 of 4)

GENERAL INSTRUCTIONS FOR FILING A TUF LAND USE RECLASSIFICATION APPLICATION

- Property owners may apply at any time for a property reclassification, but only one application per property will be accepted each calendar year.
- Complete and submit the application above to the City of Mission, c/o Martha Sumrall, City Clerk. The mailing address for City Hall is 6090 Woodson St., Mission, KS 66202. If you have any questions about the application, process, or transportation utility fee, contact Martha at 913-676-8355 or msumrall@missionks.org.
- Upon approval of the application, property owners will be issued adjustments to their transportation utility fees and the classification will be updated for future billings.
- The City Administrator will render a written judgment on this application within 30 days. If you are unsatisfied with the result of this appeal, you may appeal this decision to the Transportation Utility Appeal Board (TUAB). Appeals to the TUAB must be filed within 10 days of the City Administrator's decision. Appellants will be notified not less than 10 days before the hearing of their scheduled hearing date. **By ordinance, the TUAB can only render judgments on property classifications, not vacancy waivers or trip generation overrides.** The appellant will be required to supply an engineering study conducted in accordance with ITE methodology in conjunction with the appeal to the TUAB.

City of Mission
TUF Land Use Reclassification Application (Page 2 of 4)

Reclassification asks the City to review the current land use classification of the property to determine if another classification is more appropriate.

APPLICANT:

Applicant Name (Owner of Record)

Applicant Address (Street or Box No.)

City State Zip

Applicant Phone Number Applicant E-mail

ATTORNEY OR REPRESENTATIVE (If Applicable):

Representative Name Title

Representative Address (Street or Box No.)

City State Zip

Atty/Rep Phone Number Representative E-mail

I do solemnly swear that I am the legal representative and point-of-contact for the owner of the property parcel listed on this application regarding the Transportation Utility Fee.

Representative Signature

City of Mission

TUF Land Use Reclassification Application (Page 3 of 4)

Year of Assessment at Issue: _____

Property at Issue:

1. Street Address: _____
2. Parcel ID: _____
3. Taxes Paid: None_____ 1st Half_____ 2nd Half_____ Full_____
4. Are taxes paid by a mortgage company, bank, or savings & loan? Yes___ No___
5. What is your current ITE Land Use classification? _____
6. What do you believe is the proper classification for the property? _____
7. Explain why you are challenging the property's classification and what facts lead you to believe the property should be classified differently. Please be specific. If more space is necessary, please attach additional sheets.

8. Does the property contain more than one business tenant space? Yes___ No___
9. Please name and provide a brief description of each business located in the building. Please also provide the gross floor space (sq. ft) that the business occupies in the building. For any vacant spaces, please list the business name as "Vacant" and note the gross floor space of the vacant area.

Tenant Space	Business Name/Description	Gross Floor Space (Sq.Ft)
1		
2		
3		
4		

(If additional space is needed, please use separate sheets and attach them to this application.)

City of Mission

TUF Trip Generation Override Application (Page 1 of 5)

GENERAL INSTRUCTIONS FOR FILING A TUF TRIP GENERATION OVERRIDE APPLICATION

- Property owners may apply at any time for a trip generation override, but only one application per property will be accepted each calendar year.
- Complete and submit the application above to the City of Mission, c/o Martha Sumrall, City Clerk. The mailing address for City Hall is 6090 Woodson St., Mission, KS 66202. If you have any questions about the application, process, or transportation utility fee, contact Martha at 913-676-8355 or msumrall@missionks.org.
- **Be sure to include all required submittals with your application.**
- Upon approval of the application, property owners will be issued adjustments to their transportation utility fees and the trip counts will be adjusted for future billings.

City of Mission

TUF Trip Generation Override Application (Page 2 of 5)

A Trip Generation Override asks the City to consider substitute trip generation data for a given parcel in addition to the data provided by the Institute of Transportation Engineers

APPLICANT:

Applicant Name (Owner of Record)

Applicant Address (Street or Box No.)

City

State

Zip

Applicant Phone Number

Applicant E-mail

ATTORNEY OR REPRESENTATIVE (If Applicable):

Representative Name

Title

Representative Address (Street or Box No.)

City

State

Zip

Atty/Rep Phone Number

Representative E-mail

I do solemnly swear or affirm that I am the legal representative and point-of-contact for the owner of the property parcel listed on this application regarding the Transportation Utility Fee.

Representative Signature

City of Mission

TUF Trip Generation Override Application (Page 3 of 5)

Year of Assessment at Issue: _____

Property at Issue:

1. Street Address: _____
2. Parcel ID: _____
3. Taxes Paid: None_____ 1st Half_____ 2nd Half_____ Full_____
4. Are taxes paid by a mortgage company, bank, or savings & loan? Yes___ No___
5. What is your current ITE Land Use classification? _____
6. What do you believe is the proper classification for the property? _____
7. The ITE generates average daily and weekend trip rates for land use types using traffic data submitted from across the country. Consequently, specific parcels may have higher/lower actual trip counts than other parcels in the same land use category. Please explain why you are challenging your property's trip generation rate and what facts lead you to believe that the property's circumstances put it at odds with nationally-aggregated statistics. Please be specific. If more space is necessary, please attach additional sheets.

8. Does the property contain more than one business tenant space? Yes___ No___
9. Please name and provide a brief description of each business located in the building. Please also provide the gross floor space (sq. ft) that the business occupies in the building. For any vacant spaces, please list the business name as "Vacant" and note the gross floor space of the vacant area.

City of Mission

TUF Trip Generation Override Application (Page 4 of 5)

Tenant Space	Business Name / Description	Gross Floor Space (sq. ft.)
1		
2		
3		
4		

(If additional space is needed, please use separate sheets and attach them to this application.)

10. What is the total Gross Floor Area of the building (sq. ft.)? _____

11. If this building is currently classified as a “Specialty Retail Center” or “Shopping Center,” what is the total Gross Leasable Area of the building (sq. ft.)? _____

12. Please describe the activities that occur at this property on a day-to-day basis and the nature of the business/enterprise which takes place at this property. If more space is necessary, please attach additional sheets.

13. In one word or phrase, how would you characterize this property’s primary use (i.e. what creates the most traffic into/out of the site)?

REQUIRED SUBMITTALS

14. Please attach to this form proof of annual customer counts for each business located within this property parcel. Acceptable forms of proof may vary based on the types of businesses located on the property. Documentation of the number of customers entering/exiting the property on a typical business day (or from which an estimate of customers can be extrapolated) is required.

City of Mission

TUF Trip Generation Override Application (Page 5 of 5)

15. Please attach to this form proof of employee counts for each business located within this property parcel. Documentation of the number of employees entering/exiting the property in a 24-hour time span on a typical workday is required.
16. Please attach to this form proof of service trips generated by each business located within this property parcel. A service trip is any trip to/from the parcel made by a third party (not a customer or employee) to deliver goods, service equipment, engage in a business meeting, or for any other purpose. Acceptable forms of proof may vary based on the types of businesses located on the property. If this data cannot be produced, the City will apply an average service trip rate.
17. **As an alternative to #14-#16**, property owners can contact a traffic engineering firm of their choice to conduct a trip count study of their property parcel in accordance with the methodology outlined in the ITE's *Trip Generation (8th edition, 3 volume set)* Informational Report. The City will then accept the results of that traffic study for the TUF and forward the study's results to the ITE for inclusion in its statistical modeling.

I do solemnly swear that the information set forth herein attached hereto or hereafter by me is true and correct to the best of my knowledge and belief.

Signature of Applicant Printed Name/Title Date

On this ____ day of _____, 20____, before me, a Notary Public in and for said state, personally appeared _____, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires: _____

For City of Mission Use Only:

Parcel ID	Current Annual Trips	Revised Annual Trips	Current Annual TUF	Revised Annual TUF

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