



City of Seattle

Edward B. Murray, Mayor

Department of Transportation

WATERFRONT PROGRAM

Property Right Acquisition Process - Frequently Asked Questions

May 2014

Why is property right acquisition necessary?

The Waterfront Program aims to create new parks, paths and open space, a new Alaskan Way, and improved east-west connections along the downtown waterfront between Pioneer Square and Belltown.

In order to build the new waterfront, the City will need to acquire property rights – some permanently, and some temporarily to accommodate construction. The City intends to acquire these property rights through negotiation between the Seattle Department of Transportation and individual property owners. If negotiation is not successful, the City of Seattle may acquire necessary property rights through condemnation.

How many properties is the Seattle Department of Transportation planning to acquire property rights from?

There are up to 142 properties in the Waterfront Program area that will experience some type of acquisition. Of those, the vast majority will require only partial, temporary acquisition for use during construction. A temporary construction easement is used to acquire these partial, temporary property rights. The Seattle Department of Transportation will restore the temporarily acquired portions of these properties to their previous condition when construction is complete.

Who decides if the Seattle Department of Transportation can acquire property rights?

The Seattle City Council, through approval of legislation in the form of an ordinance, will authorize the Seattle Department of Transportation to negotiate with individual property owners in order to acquire property rights, within a predefined geographic area.

What is the decision making process?

Property right acquisition for the Waterfront Program will occur through a typical process used on other City of Seattle projects.

Under that process, legislation is drafted by the Seattle Department of Transportation and approved by various City departments before being transmitted to the Mayor's Office. Once approved by the Mayor's Office, the draft legislation is then transmitted to the Seattle City Council for review and approval.

In this case, the Seattle City Council Select Committee on the Central Waterfront, Seawall, and Alaskan Way Viaduct Replacement Program will discuss the draft legislation on April 28, with a possible vote on May 19, 2014.

If the Select Committee approves the draft legislation on May 19, it will then be scheduled for final action by the Full Council, tentatively on May 27. Approval from the majority of City Councilmembers on May 27 will give the Seattle Department of Transportation authority to acquire the required property for the project.

Will Seattle City Council approval of the legislation give the Seattle Department of Transportation immediate authority to acquire property rights from me?

No. The City cannot immediately acquire property from a property owner. Approval of the legislation by the Seattle City Council, in the form of an ordinance, will not actually acquire any property. It will give the Seattle Department of Transportation the authority to begin negotiation with individual property owners within a predefined geographic area. The City must justly compensate property owners for the rights acquired.

Why is the property right acquisition legislation needed now?

There are 142 properties in the area covered by the legislation. In order to allow enough time to negotiate with each property owner before construction begins, the City is starting the process to approve the legislation now.

When will negotiation to acquire property rights begin?

Negotiation with individual property owners may begin as soon as the legislation is approved by a vote of the Seattle City Council, currently scheduled for May 27, 2014. Property owners can expect to be contacted by the Seattle Department of Transportation in summer/fall of 2014.

When will the Seattle Department of Transportation actually acquire property rights from me?

For most properties experiencing acquisition, temporary or permanent, the Seattle Department of Transportation will seek to complete acquisition sometime between 2014 and 2017. Exact timing will be determined as design of the project progresses.

When will construction of waterfront improvements begin?

The majority of improvements will begin construction after demolition of the Alaskan Way Viaduct, currently expected to be complete in early-mid 2017. Construction may begin as early as 2015 on improvements that are not dependent on Viaduct demolition, such as some of the east-west connections and some utility relocations. The City is currently working to develop a specific construction sequencing plan for Waterfront Program improvements.

How much of my property will be acquired?

The amount of property needed varies by parcel and will be determined as the Waterfront design is further developed. The majority of the property rights acquired will be for temporary access to land adjacent to City sidewalks and streets during construction – this is called a temporary construction easement.

What is a temporary construction easement?

A temporary construction easement is a kind of property right acquisition that is temporary in nature and, in this case, will allow the Seattle Department of Transportation to access outdoor areas of a property in order to construct improvement to adjacent sidewalks and streets. Any affected property will be restored following construction.

Will I be compensated?

For properties experiencing acquisition, temporary or permanent, just compensation will be negotiated with individual property owners on a case-by-case basis.

How are property owners being notified?

Property owners are being notified through phone calls, letters sent via certified mail and public notices posted in the DJC and the Seattle Times. Briefings are also being offered to all property owners who may experience property right acquisition related to the Waterfront Program.

Phone calls began in early April and letters were sent on April 21. The City is committed to making sure property owners have the opportunity to comment at upcoming Seattle City Council meetings on April 28, May 19 and May 27, 2014.

Why is the language used in the April 21 letter so harsh?

The letter sent via certified mail (April 21) and the legal notices posted in the Seattle Times and the Daily Journal of Commerce (May 5), are required by Washington State law, under RCW 8.25.290. The law also requires that the letter and legal notices include certain language and terminology, which can be alarming to many people.

To address this, the Seattle Department of Transportation is conducting outreach beyond what is required by law. Additional outreach is intended to answer questions and provide additional information, and includes personal phone calls, briefings, and informational materials.

Who can I contact for more information or to share feedback?

For more information, questions or to share feedback about the property right acquisition process, please contact:

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You can also share feedback by providing public comment at one of the following Seattle City Council meetings:

- **April 28, 2014 at 2:30 PM:** the Seattle City Council Select Committee on the Central Waterfront, Seawall, and Alaskan Way Viaduct Replacement Program will discuss the draft legislation.
- **May 19, 2014 at 2:30 PM:** currently scheduled vote by the Select Committee. If the Select Committee approves the draft legislation on May 19, it will then be scheduled for final action by the Full Council.
- **May 27, 2014 at 2:00 PM:** currently scheduled vote by the Full Council. Approval from the majority of City Councilmembers at this meeting will finalize and put the legislation into effect.

I've heard that the City is also planning a Local Improvement District to fund the waterfront redevelopment. Is that still happening?

The Local Improvement District (LID) was identified as a potential funding source in the Waterfront Seattle Strategic Plan, released in July 2012.

Since then, Mayor Murray has asked the Waterfront Program and City leadership to update the funding strategy to make sure it aligns with the current project design progress, cost and schedule.

We expect to have an updated funding strategy around mid-2014. It is likely that the LID formation process will now occur in 2015 or 2016.