



January 18, 2007

**Subject: Title 21 : Language for proposed AMC 21.08.040**

Dear Assembly Members,

The purpose of this letter is to provide you with specific comments regarding the preservation of future platted public access to Chugach State Park ("CSP"). The above referenced section of Title 21 will vitally affect whether such public access is preserved, or is lost, as Anchorage grows and develops in the future. Our organization hopes that these issues can be discussed at your January 19<sup>th</sup> work session. They will certainly be the focus of our testimony at the continued public hearing on proposed revisions to Title 21.

Chugach Park Access Coalition (CPAC) is a local non-profit corporation dedicated to the preservation of existing public access routes into Chugach State Park. We are particularly concerned when proposed subdivision plats for private lands adjacent to CSP may, inadvertently or deliberately, ignore existing, identified public access routes into CSP. The result, without appropriate, mandatory language in Title 21, is that the final, approved plat may have the effect of extinguishing these access routes, rather than preserving them by appropriate plat dedications and reservations.

We are not talking here about major CSP "destination" access points such as Glen Alps, Prospect Heights, or McHugh Creek, with their extensive development and visitor accommodations. Instead, we are concerned about the numerous small, neighborhood access points to CSP that the CSP staff identified in their 2002 CSP Access Inventory. There are approximately 100 of these small but very important neighborhood access points, and their recognition and preservation as platted, legal points of access will be vitally important to the local neighborhoods' enjoyment of CSP far into the future.

With these concerns in mind, CPAC has the following specific comments regarding proposed Section 21.08.040 of Title 21:

1. We support the current language in proposed Section 21.08.040.D.1.a that contains the requirement for plat dedication of public pedestrian easements, and the requirement to provide such easements for access points identified in the CSP Access Inventory. This requirement ensures that both local neighborhood residents and general Anchorage residents and visitors will have recognized legal access their state park. We urge you to support this language as written.
2. We do NOT support the current proposed language in Section 21.08.040.D.1.b which states that platted vehicular easements must be provided only for access points identified "on adopted municipal plans." We feel strongly that the existence of an identified Chugach State Park access point adjacent to a subdivider's land should, by ordinance, be the trigger to require a full street width (60-foot-wide) vehicular easement to that access point. This trigger should not depend on the prior existence of an "adopted municipal plan," **because the Municipality has made little or no effort to date to coordinate its own plans with identified CSP access points** – and who knows when such municipal plans will ever reflect connectivity with identified CSP access points?
3. Requiring CSP access easement dedications in future platting actions to be triggered only by "adopted municipal plans" will entirely negate the present efforts to institutionalize and make mandatory the preservation of the identified CSP access points which are vitally important to many neighborhoods throughout the Municipality. Imposing a mandatory platting consideration based on existing, identified access points (identified in either CSP or municipal plans), is the only way to avoid permanently foreclosing park access options that are important now and may become more important in the future, as private lands on the margins of the Park are subdivided and developed. Therefore, we request that the

proposed language be changed to, "required to provide vehicular easements to access points identified in adopted municipal plans or in the most current Chugach State Park Access Inventory."

4. The State of Alaska, Division of Parks and Outdoor Recreation, just finalized its Ten-Year Strategic Plan <http://www.dnr.state.ak.us/parks/plans/strategicplan.htm>, which includes several action strategies related to pursuing park access needs. These include:
  - a. Providing for present and anticipated future access to state parks when reviewing proposed subdivisions adjacent to park units. Ensure that public parking is platted at or close to these access points. By 2008, begin to develop a park access plan for Chugach State Park.
  - b. Improve and expand parking areas to support increased use and access.

These action strategies demonstrate that the State recognizes the importance of park access, and will focus on planning for that access. Title 21 needs to require coordination and alignment with this planning effort from the other side of the Chugach State Park boundary.

5. Under the existing AMC 21.80.220 B., a subdivider is required to dedicate, extend and construct street access to adjoining unsubdivided parcels that would otherwise be landlocked. This provision of the existing Municipal Code by its terms requires a subdivider to dedicate, extend and construct street access to all adjacent unsubdivided parcels, whether public or private, including CSP access points and other public lands.
6. Relieving subdividers from the requirement to physically construct a street in the platted right-of-way leading up to Chugach State Park (in contrast to the requirement under existing AMC 21.80.220 B. to construct where the adjoining parcel is privately owned) would represent a significant cost savings for the subdivider, and would still provide for legal public access route to an identified CSP access point. In conjunction, requiring the subdivider to construct a small 5 or 6 car gravel parking area at the beginning of the platted but unconstructed access road would be almost incidental to the rest of the subdivider's street construction work, and would eliminate concerns regarding the impact of on-street parking by park visitors. There have been at least two recent instances where this approach was successfully implemented: *e.g.*, the Grandview Subdivision where a designated parking area with trail access to the north rib of McHugh Peak was platted, and the agreement to provide a small parking area and public trail easement through Joe Henri's Canyon Villas Subdivision to the North Fork of Campbell Creek.
7. In addition to making the changes to proposed Section 21.08.040 outlined above, we ask that the Assembly request the Mayor and the Municipal Planning Department staff to establish a working group with Chugach State Park staff, with input from user groups and developers, to coordinate and preserve existing and necessary public access routes into Chugach State Park for today and into the future, as the private lands bordering the Park become subdivided, sold, and populated. We believe that this step is vital to insuring that the Park will continue to be an accessible and irreplaceable asset to Anchorage, and one of the main reasons why we all choose to live here.

Regards,

Cory Hinds  
President  
Chugach Park Access Coalition



March 5, 2007



**Subject: Title 21 - proposed revision to AMC 21.08.040 D.1.b.**

Dear Assembly Members:

The purpose of this letter is to suggest a revision to the current draft of 21.08.040 D.1.b. This proposed revision is intended to provide the Platting Board flexibility in approving subdivisions, while still protecting public access to public land.

**CURRENT DRAFT TEXT:** The platting authority shall require the dedication of a vehicular right-of-way for public access to trails and parks access points as defined in an adopted plan. An acceptable vehicular right-of-way shall be a public street that is platted, constructed, and dedicated in accordance with relevant provisions of this code.

**PROPOSED TEXT:** Public access shall be provided to trails and park access points defined in an adopted plan. To provide such access, the platting authority shall require the platting and dedication of a vehicular right-of-way extending to the trail or park access point, and shall also require, within that right-of-way, either:

- i. The construction of a public street extending to the trail or park access point; or
- ii. Construction of a five or six-car parking area and a pedestrian access trail extending from the parking area to the trail or park access point.

**RATIONALE:** Under the existing AMC 21.80.220 B., a developer is required to dedicate, extend, and construct a street to adjoining un-subdivided parcels of land that would otherwise be landlocked, including parks, other public lands, and private land. The existing ordinance and our proposed first alternative, "i", reiterate that requirement.

The proposed second alternative, "ii", may be less costly to a developer than alternative "i", but even if it is not, requiring developers to provide public access and limited parking should be considered a necessary and reasonable condition for subdividing land adjacent to public trails and parks. Under existing requirements, developers must generally provide paving, sidewalks, lighting, and other amenities related to health, safety, and the public interest. Adjacent to parks and trails, public access points and limited parking are fundamental public amenities that developers should be required to provide, and their cost to developers is offset since other amenities typical of higher-density areas are not needed. The Platting Board may find the proposed second alternative appropriate in some less-developed areas, and until a street to the trail or park is constructed, the second alternative would provide for public access and a small amount of parking.

We appreciate your consideration of this proposal. If you have any questions, please call me at 646-0348.

Regards,

A handwritten signature in black ink, appearing to read "Cory Hinds", is written over a light blue horizontal line.

Cory Hinds  
President  
Chugach Park Access Coalition

Cc: Tom Nelson  
Tom Harrison  
CSP Advisory Board