

ANCHORAGE, ALASKA
AO No. 2023-8, As Amended

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE**
2 **QUALIFIED VOTERS RESIDING WITHIN THE PROPOSED ANCHORAGE**
3 **BOWL CHUGACH STATE PARK ACCESS SERVICE AREA (ABCSPASA) AT**
4 **THE REGULAR MUNICIPAL ELECTION ON APRIL 4, 2023 A BALLOT**
5 **PROPOSITION TO CREATE THE ABCSPASA, AND TO AMEND SECTIONS OF**
6 **THE ANCHORAGE MUNICIPAL CODE TO CONFORM TO THE RESULTS OF**
7 **THE ELECTION.**

8
9 **WHEREAS**, Chugach State Park is located almost entirely within the Municipality of
10 Anchorage;

11
12 **WHEREAS**, it has been reported that visits to Chugach State Park increased by
13 approximately 50 percent between 2019 and 2022, and that as many as 1.5 million
14 people visit the park annually;

15
16 **WHEREAS**, increasing use of Chugach State Park, by visitors and residents located
17 across the municipality, has a concentrated effect on roads and neighborhoods
18 located near the few existing access points;

19
20 **WHEREAS**, it is beyond the means of many local road service areas to undertake
21 projects to address the wear and tear on neighborhood roads and other issues
22 caused by increasing Chugach State Park use;

23
24 **WHEREAS**, Chugach State Park access issues are especially pronounced in the
25 Anchorage Bowl;

26
27 **WHEREAS**, these concerns are not new and in 2010 the Hillside District Plan
28 prioritized addressing these issues with Chugach State Park Access Policy 14-C,
29 which proposed creating a new funding and management program targeted at
30 improved Chugach State Park access with trailhead and parking facilities;

31
32 **WHEREAS**, Anchorage Municipal Charter section 9.01(a) provides that "[a] service
33 area may be created, altered, or abolished only with the approval of a majority of
34 those voting on the question within the area affected";

35
36 **WHEREAS**, approval of the service area described in this ordinance would not
37 affect or limit the powers or responsibilities of any limited road service area, or rural
38 road service area;

39
40 **WHEREAS**, if approved by voters, the creation of a Chugach State Park Access
41 service area for the Anchorage Bowl would allow the Municipality to later submit to
42 Anchorage Bowl voters ballot propositions with the question of whether to bond **or**

1 **set a tax levy** for the capital improvements expense and to budget for maintenance
2 and operations of projects that support access to Chugach State Park and
3 ameliorate the neighborhood effects of access by park users; now, therefore,
4

5 **THE ANCHORAGE ASSEMBLY ORDAINS:**
6

7 **Section 1.** Pursuant to Anchorage Municipal Charter § 9.01(a), a ballot proposition
8 in substantially the following form shall be submitted to the qualified voters of the
9 Municipality currently residing within the proposed-to-be-created **[Anchorage**
10 **Bowl]** Chugach State Park Access Service Area, with boundaries described in
11 section 2, below:
12

13 **PROPOSITION NO. ____**

14 **Creation of the ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area**
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16 This proposition creates the ~~[Anchorage Bowl]~~ Chugach State Park
17 Access Service Area **(CASA)** ~~[(ABCSPASA)]~~, to include all areas of
18 the Municipality north of McHugh Creek, but: excluding Fire Island,
19 excluding areas currently contained within the Eagle River-Chugiak
20 Parks and Recreation and Girdwood Valley Service Areas, and
21 excluding areas of the Municipality within Tax District 15 (which
22 contains Rainbow, Indian, Bird Creek and Portage). Creation of the
23 service area would allow the municipality to submit to voters bond
24 propositions for projects that support access to portions of Chugach
25 State Park that are located in the service area and ameliorate the
26 neighborhood effects of access by park users. **Projects could**
27 **include road and parking improvements, park access, and park-**
28 **access-supporting amenities.** The service area would not levy
29 taxes upon approval of this proposition; taxes may only be levied if
30 voters subsequently approve a ~~[bond]~~ proposition that authorizes
31 levying and spending **generally or** for a particular project or projects
32 and an annual tax levy for the maintenance and operations of the
33 approved improvements constructed. ~~[Voters in Eagle River,~~
34 ~~Chugiak, Birchwood, Girdwood and Turnagain Arm would not~~
35 ~~be taxed for any voter-approved bonds for this service area.]~~
36

37 Shall the ~~[Anchorage Bowl]~~ Chugach State Park Access Service
38 Area be created as described above? (AO 2023-____)
39

40 Yes [] No []
41

42 **Section 2.** Anchorage Municipal Code chapter 27.30 is hereby amended to add a
43 new section 27.30.085 to read as follows:
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45 **27.30.085 ~~[Anchorage Bowl]~~ Chugach State Park Access Service**
46 **Area.**

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- A. There is established, pursuant to section 9.01 of the Charter, a service area within the municipality to be the ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area (CASA) ~~[(ABCSPASA)]~~ of the municipality, as outlined on the map located in section 27.30.700. The ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area shall consist of all areas of the municipality north of McHugh Creek, excluding Fire Island; areas currently contained within the Eagle River-Chugiak Parks and Recreation and Girdwood Valley Service Areas; and areas of the municipality located south of a boundary line described as running: from the mouth of McHugh Creek following the mainstem of McHugh Creek upstream to its origin at McHugh Lake, then following the high water mark of McHugh Lake around its western and northern shore continuing to the easternmost point of McHugh Lake, then easterly to the eastern boundary of Township 11 North, Range 2 West, Seward Meridian, Alaska, then northerly to the northern boundary of Township 11 North, Range 2 West, Seward Meridian, Alaska, then easterly to the eastward boundary of the municipality.
- B. The ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area shall provide capital improvements that support access to Chugach State Park and ameliorate the neighborhood effects of access by park users, and the maintenance thereof. Capital improvements may only be for amenities that support park access or for roads, or incidental to roads that are classified by the municipality's Official Streets and Highways Plan in section 21.01.080 as minor arterials, collector and neighborhood streets that leading from streets of higher classifications and are generally used by the public for access to Chugach State Park trail heads. Taxes may only be levied as authorized by the voters.
- C. When a proposed project for the ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area would be located, in whole or in part, within the boundary of a ~~[limited road]~~ service area that provides roads and/or drainage services ~~[or a rural road service area]~~, the municipality shall provide notice of the proposed project and consult with the board of supervisors for the limited road service area or rural road service area, prior to including the proposed project in a capital improvement program and budget, and prior to proceeding with construction of the project. The powers and responsibilities of ~~[limited road]~~ service areas that provide roads and/or drainage services ~~[or a rural road service area]~~ shall not be affected or limited by the ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area. However, ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area projects may only proceed if the municipality first enters cooperative agreements with all parties when the project is within the boundaries of a ~~[limited road]~~ service area that provides roads

and/or drainage services ~~[, a rural road service area]~~, or involves roads owned by the State of Alaska.

Section 3. Anchorage Municipal Code section 27.30.700 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

27.30.700 Service Area Maps.

This section contains the following maps.

* * *

27.30.080 Anchorage Parks and Recreation Service Area

27.30.085 ~~[Anchorage Bowl]~~ Chugach State Park Access Service Area

27.30.090 Eagle River-Chugiak Park And Recreational Facilities Service Area

* * *

~~[ANCHORAGE BOWL]~~ CHUGACH STATE PARK ACCESS SERVICE AREA (27.30.085)

[Insert Map Attached as Exhibit A]

* * *

Section 4. Section 1 of this ordinance shall be effective immediately upon passage and approval by the Assembly. The proposition contained in section 1, and sections 2 and 3 of this ordinance shall be effective upon certification of the election if, but only if, said proposition is approved by a majority of the voters voting on the question.

PASSED AND APPROVED by the Anchorage Assembly this 23rd day of January, 2023.

Suzanne LaFrance

ATTEST:

Chair

Barbara A. Jones

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 31-2023

Meeting Date: January 10, 2023

From: Assembly Chair LaFrance

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE QUALIFIED VOTERS RESIDING WITHIN THE PROPOSED ANCHORAGE BOWL CHUGACH STATE PARK ACCESS SERVICE AREA (ABCSPASA) AT THE REGULAR MUNICIPAL ELECTION ON APRIL 4, 2023 A BALLOT PROPOSITION TO CREATE THE ABCSPASA, AND TO AMEND SECTIONS OF THE ANCHORAGE MUNICIPAL CODE TO CONFORM TO THE RESULTS OF THE ELECTION.

The number of visitors to Chugach State Park continues to increase, with many people accessing the park from the Anchorage Bowl. This increased traffic strains the surrounding neighborhoods, including the access roads, which are maintained by local and rural road service areas. Roads and drainage services-capital improvements and maintenance of roads constructed-are provided by service areas at varying levels throughout the Anchorage Bowl and generally do not provide for improvement of access points to the Park. The proposed services by this proposition for the Anchorage Bowl are outside of Municipal areawide powers, limiting the resources available for addressing the impacts caused by recreational access.

The ordinance submitted with this memorandum would send to voters residing within the Anchorage Bowl (as depicted in Exhibit A, and formally defined in Section 2 of the ordinance) the question of whether to create a "Chugach State Park Access" service area. Creation of the service area would allow the Municipality to submit to voters bond propositions in future elections for projects that support access to portions of Chugach State Park that are located in the service area and ameliorate the neighborhood effects of access by park users.

The service area would not levy taxes upon its creation, voters must subsequently approve a bond proposition that authorizes levying and spending taxes for a particular project or projects. The projects are limited to those on or incidental to roads classified as minor arterials, collector or neighborhood streets according to the Municipality's Official Streets and Highways Plan adopted in 2014 as an element of the Comprehensive Plan, and that are generally used by the public to access Chugach State Park. (See <https://www.muni.org/Departments/OCPD/Planning/Publications/Documents/OSHP%20Complete%20Document1.26.15.pdf>) Voters in Eagle River, Chugiak, Birchwood, Girdwood and Turnagain Arm areas would not be taxed for any voter-approved bonds for this service area.

The ordinance is consistent with, and would implement one of the policies adopted in the 2010 Hillside District Plan. As outlined in the Plan, Policy 14-C, *Chugach State Park Access* calls for the "Create[ion of] a new funding and management program targeted at improved Chugach State Park access with trailhead and parking facilities." The background for the policy was outlined in the Plan as follows:

The Hillside District Plan recommends that a new mechanism created to raise funds from the Anchorage Bowl as a whole to improve and better manage access to Chugach State Park. Needed improvements include new trails, new trailheads, improvements to access roads, and improved trail management. . . .

This recommendation is based on the fact that use of the State Park is generated from the entire Anchorage Bowl. No mechanism currently exists to improve access to the park. For at least the last two decades, the legislature has consistently provided very limited resources for needed improvements to state parks. It is not fair to ask for these improvements solely from new developments adjoining the park. It is also not reasonable to ask Hillside residents to solely fund road maintenance when, on some roads, a significant portion of the road use is for recreational access by people outside their neighborhoods. Given that solutions to access issues will require a combination of municipal and state action to the benefit of Anchorage residents, it is not reasonable to presume this responsibility should lie wholly with the State.

2010 HILLSIDE DISTRICT PLAN at Policy 14-C, page 6-16.

The Plan outlined three options to effectuate the policy, one of which was:

- A new Bowl-wide access district requiring a vote and using general obligation bonds.

Id.

This is the approach proposed by the ordinance submitted with this memorandum.

It is in the Municipality's economic best interest to leverage the access to the Chugach State Park for tourism and local quality of life—but that must be done in a way that is fair to Hillside residents, and responsive to neighborhood impacts caused by increased Chugach State Park access. To promote that fairness, the municipality must give notice and consult with any local or rural road service area that has a proposed project within its boundaries prior to including it in a capital improvement program and budget, and prior to proceeding with construction of the project. In addition, after approval of a bond proposition to fund a project, the municipality must enter a cooperation agreement or MOU with the local or rural road service area, or with the State of Alaska depending on the location of the project.

The proposed ordinance would provide significant voter control over the service area, as the service area would levy taxes and spend funds only in connection with voter-approved bond propositions, or with non-tax revenue such as grants or donations.

The service area could raise funds for required local matching of potential federal and state grants for Chugach State Park facilities, including roads. The municipal contribution for grants typically ranges from less than 10 percent to 20 percent of the award. Without a mechanism to raise the matching funds, these opportunities are not available to the Municipality.

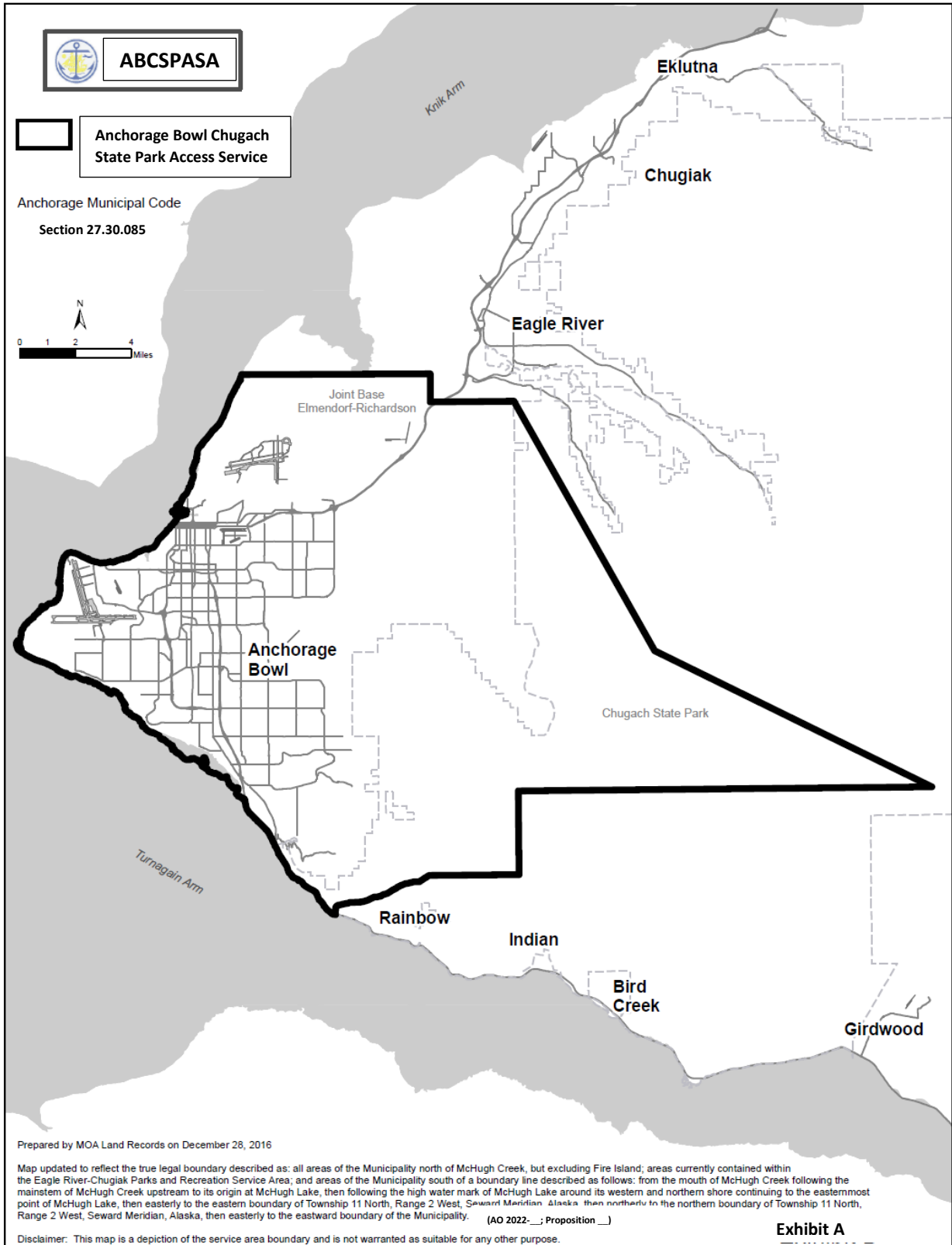
1 This ordinance itself is not anticipated to have any economic effects, so a summary of same is
2 not provided.

3
4 **It is recommended that the Assembly approve the attached ordinance.**

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6 Prepared by: Assembly Counsel's Office

7
8 Respectfully submitted: Suzanne LaFrance Assembly Chair
9 District 6, South Anchorage, Girdwood & Turnagain Arm

Exhibit A





**MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM**

No. AIM 27-2023

Meeting Date: January 24, 2023

From: Chair LaFrance

**Subject: RABBIT CREEK COMMUNITY COUNCIL LETTER SUPPORTING
ANCHORAGE BOWL CHUGACH STATE PARK ACCESS
SERVICE AREA (ABCSPASA).**

Please see the attached resolution from the Rabbit Creek Community Council for your review and information.

Prepared by: Jenna Brister, Executive Administrative Assistant

Approved by: Barbara A. Jones, Municipal Clerk

Respectfully submitted: Suzanne LaFrance, Chair

Correspondence



RABBIT CREEK COMMUNITY COUNCIL (RCCC)

A Forum for Respectful Communication & Community Relations

1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503



January 19, 2023

Dear Anchorage Assembly Members –

The Rabbit Creek Community Council (RCCC) has advocated for improved access to Chugach State Park for some time, e.g., in CAPSIS proposals with the Legislature last year, and repeatedly in our responses to the Municipality's annual Capital Improvement Program survey. Therefore, we were pleased to learn of the Assembly's Memorandum of January 10, 2023, and accompanying proposed ordinance, to create an Anchorage Bowl Chugach State Park Access Service Area (ABCSPASA).

As the number of visitors to Chugach State Park (CSP) continues to increase, the wear and tear from increased traffic on access roads maintained by local and rural road service areas has become unsustainable for those areas' members to support. Nor is it fair for small numbers of local residents to solely maintain roads used by so many others, both Anchorage residents and tourism industry visitors who are a valuable part of both Anchorage and state economies.

The proposed ordinance would not levy any taxes, rather it would create a new service area, ABCSPASA, providing the opportunity for all voters in the Anchorage Municipality (exclusive of Eagle River, Chugiak, Birchwood, Girdwood, and Turnagain Arm) to subsequently vote on bond propositions to maintain and improve CSP access roads, trailheads, and parking. If such a bond proposition is approved, then taxes could be levied on all residents within this new service area, and spent for a specific project(s), in conjunction with potential federal and state grants which would likely not otherwise be available. Additionally, this proposal would implement Policy 14-C from the adopted 2010 Hillside District Plan.

At our January 12, 2023, monthly meeting, RCCC members voted to support passage of the approved ordinance by a vote of 14 yeas, 3 nays, and 1 abstention. We also request that the Assembly gather additional information on the advisability of including the Turnagain Arm communities of Rainbow, Indian, and Bird – IF THOSE COMMUNITIES CONCUR – due to the similarly increasing uses at trailheads and parking for CSP in their communities.

Sincerely,

Ann Rappoport, Co-Chair

John Riley, Co-chair

cc: Ben Corwin, Superintendent, CSP
Cathy Giessel, State Senator
Michael Packard, President, Turnagain Arm CC
Meredith Gutierrez, Vice-President, Turnagain Arm CC

Ricky Gease, Director, Parks & Outdoor Recreation
Laddie Shaw, State Representative