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Policy or ordinance?

Hills seeking stronger open space rules

By Joanne Maliszowski staff writer

Tougher Farmington Hills regulations for subdivision open space completion are going back to the drawing board – again.

Concerns by developers and some council members Monday prompted yet another completion ordinance. Completion Terry Sever, who opposed adoption of the city's open space policy in August, also opposed the review.

With the help of intensited de-

with the help of interested developers, city administrators will study the proposed ordinance — based on the open space policy— and return to council with a report within 30 days, City Manager William Costick said.

While administrators are reviewing the proposed ordinance, the city's open space policy will remain in effect. The policy requires developers to complete open space by the bailding personal process. The policy requires developers to complete open space by the proposed ordinance represent a crackdown on developers and completion of open spaces in new nolighborhoods. The tough restrictions came in response to problems and controletory in the past year over open spaces that were still incomplete long past the established deadline.

still incomplete long past the established deadline.

REGULATIONS TREAT open
spaces as any other subdivision improvements, such as water and sewer lines, which are required in tastudy stop in platting process.

Both the 3-month-old open space
policy and a similar proposed ordinance came under fire Monday by
well of the similar proposed ordinance came under fire Monday by
well of the policy of the similar proposed ordinance came under fire Monday by
well of the policy of the similar proposed ordinance came under fire Monday by
well of the best approach at this time is
rewrite the policy, 'developer Peter Burton said.

Notably, developers took exception to the requirements that open
spaces be completed before a fifth
building permit is issued and that esspaces be completed before a fifth
building permit is issued and that esproved reposits must equal 150 percent of the estimated cost of commons areas improvements.

Developers also prefer a city poliyer ather than an ordinance to
govern completion.

A policy would allow both the city
and developers flexibility, depending
on the characteristics of each subdivision, especially the planned residential developments. In contrast,
an ordinance "sets a hard set of rules
in concrete," which are difficult to
change, sald Irv Yackness of the
Southeastern Michigan Buller's Association.

ISING BURTON'S proposed 300-

USING BURTON'S proposed 300-acre Copper Creek planned residen-tial development as an example, de-

velopers told council that strict regulations will hamper creative development and protection of the land's features. Copper Creek will be between 12 and 13 Mile, Haggerty and Halsted reads.

Burton's proposed development, for example, features an 82-acre golf course. Under the city's open space polley and proposed ordinance, he course must be completed before the fifth building permit is issued. Burton has planned to build the development in stages.

"It (proposed ordinance) will discourage developers from planning open spaces," Yackness said.

Because the larger planned residential developments are built in phases — generally because of economic reasons — open space completion should follow the same pattern, Yackness said.

The costs of completing an open space would be prohibitive, particularly when the rest of the development is being built in phases, Yackness said.

Farmington Ridge subdivision de

ment is being built in phases, Yack-ness said.

Farmington Ridge subdivision de-veloper Barry Stuhberg agreed.

There are certain open space im-provements that should go in first, some improvements that should go in later on," he said.

Installing phyground equipment in an open space long before the sub-division is completed and occupied would be worthless. Besides possible would be worthless. Besides possible vound suffer from lack of use simply because there would be no residents to use it, Stuhberg said.

to use it, Stuhberg said.

THE SAME holds true for walk-ways, which, if installed from the outset, would probably be damaged as grading and construction continues in the subdivision.

The only way to avoid these problems and to continue to make open spaces cost-effective for developers is to provide for staged completion, developers said.

"There is no provision in this ordinance for that aspect," Yackness said.

Burton's attorney, James Ginn, told council that the proposed ordinance and strict provisions of the city's existing policy "will discourage just the kind of development this community has been in the forefront of encouraging."

The strict regulations, he continued, will only provide increased costs for the developer and, in turn, for the home buyer.

With a state statute that provides for subdivision open space completion, as well as various city ordinance and policies, the proposed ordinance and policies, the proposed ordinance unity adds to the "regulation merry-go-round," Ginn said.

Planned residential developments, in particular, about the unique characteristic control of the contr

THE CITY can ensure timely open space completion "by a well-written policy. I strongly urge you to refer the matter back to the city manager and city attorney for revision," Ginn said.

the matter back to the city manager and city attorney for revision." Ginn said.

Though most council members agreed that the proposed ordinance could use fine-tuning, some disagreed whether the regulations should remain as polley or be made into an ordinance. Councilwoman Joan Dudley, who originally requested an ordinance, maintained her position.

"We need an ordinance. We need the force of law. There is fiexibility. This council should ultimately have the decision," she said.

Mayor Joe Alkatech disagreed.
"I believe if we pass an ordinance, we maintained to the community" he said, adding he prefers a policy that offers fiexibility.
Castick promised he will remain "open-midded" in the open space review. But he told council he prefers an ordinance because it is easier to administer than a policy.

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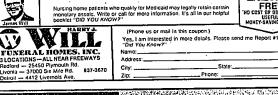
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