

INTRODUCTION

The design and construction standards for subdivision and land development contained in this publication are intended as guidelines to be used by the Developer in the preparation of preliminary and final plats, site development plans and related construction documents. These standards should be utilized in conjunction with City zoning and subdivision ordinances, the State of Michigan Subdivision Control Act, and other applicable State and local regulations to produce residential and commercial developments which conform to the City's requirements.

DEFINITIONS

- (1) **OWNER OR DEVELOPER** - A natural person, firm, corporation, association, partnership, or other entity who proposes subdivision or other land development and/or City improvements and who either has an ownership interest therein or is authorized to act as an agent with respect thereto for an entity having such ownership interest.
- (2) **CITY**- City of Durand, Michigan
- (3) **ENGINEER OR CITY ENGINEER** - The person, firm, or corporation empowered by the City of Durand to provide the required engineering review and inspection services.
- (4) **DESIGN ENGINEER** - The engineer engaged by the developer to prepare platting documents and plans and specifications for subdivisions or plans and specifications in unplatted land developments.
- (5) **CONTRACTOR** - The person, firm, or corporation engaged by the developer for construction services in conjunction with the proposed land development.
- (6) **MUNICIPAL STANDARDS** - The minimum standards for design and construction for all work related to subdivisions and land development.
- (7) **MDOT** - Michigan Department of Transportation
- (8) **MDNR** - Michigan Department of Natural Resources
- (9) **MDEQ** - Michigan Department of Environmental Quality, includes Drinking Water and Radiological Protection Division (formally the Michigan Department of Public Health, MDPH).

REGULATORY CONSTRAINTS

Subdivision Control Act of 1967

In 1967, the Michigan Legislature enacted Public Act 288, the Subdivision Control Act of 1967, which gives the local units of government in Michigan the authority required to assure that new subdivisions conform to sound subdivision practices, retain their beauty and value and that they remain an asset, not a liability, to the community.

A Manual of Instructions for implementing Act 288 is available from the Michigan Department of Commerce, Subdivision Control Unit. The Manual of Instruction includes step by step regulations for preparation of the preliminary and final plats as well as the rules and regulations of the Departments of Commerce, Transportation, Environmental Quality, Natural Resources and Public Health.

Inland Lakes and Streams Act of 1972

The Inland Lakes and Streams Act (Act 346) was enacted to control construction operations in flood plains. A construction permit may be required and can be obtained from the Michigan Department of Environmental Quality (MDEQ).

Soil Erosion and Sedimentation Control Act of 1972

The Soil Erosion and Sedimentation Control Act 451, (formally Act 347), was enacted to control soil erosion and sedimentation which could enter the State's watercourses through public or private construction operations. Any construction involving an "earth change" as defined in the Act, must obtain a construction permit from the County enforcing agency. The agent for Act 451 is the Office of the Shiawassee County Drain Commissioner. Developers are directed to contact the Drain Office for permit applications and additional information. Also refer to Section 1.40 "Special Controls" of the "Standards of Construction - Specifications" section of these standards.

Goemaere-Anderson Wetland Protection Act of 1979

The Goemaere-Anderson Wetland Protection Act (Act 203) provides for the preservation, management, protection, and use of wetlands; requires permits to alter certain wetlands; provides for a plan for the preservation, management, protection, and use of wetlands; and provides remedies and penalties. Permits are secured through the Land and Water Management Division of the Michigan Department of Environmental Quality.

State and Local Building Codes

The City of Durand, via Shiawassee County, enforces Building Officials and Code Administrators (BOCA) for mechanical and plumbing work and National Electrical Code (NEC) for electrical work.

State Construction Permits

Upon receipt of approved plans and specifications from the Developer, the City will make applications for permits to the Michigan Department of Environmental Quality, Drinking Water and Radiological Protection Division for the water main construction and to the Michigan Department of Environmental Quality for the sanitary sewer construction.

All Department of Environmental Quality permits for stream crossings and culvert and bridge construction shall be obtained by the Developer.

All other required permits shall also be secured by the Developer prior to construction.

Subdivision Regulation Ordinance

In addition to these Municipal Standards, the City of Durand has a comprehensive subdivision ordinance (Chapter 52 - Subdivision Regulation) in effect which outlines the subdivision procedure, design layout standards, improvements, review fees, and penalties for violation of the ordinance. Developers are encouraged to review the requirements of the subdivision ordinance at the outset of their planning and design work.

ADMINISTRATIVE PROCEDURES AND FEES

General

All correspondence, verbal requests, submission of plans, and related information exchanges shall be directed to the Director of Public Works of the City of Durand during normal business hours or by mail. Appropriate distribution of information, plans, etc., shall be made by the City. This applies to information received from developers for the Engineer and information from the Engineer for the Developer. The intent of this section is to maintain, in the City offices, a copy of all correspondence and related information for City use.

Fees

The Developer is directed to reference the “Zoning Ordinance Fee Schedule”, chapter 98, section 118.3 of the Durand City Code.

The City shall provide an estimate of field inspection charges at the time of street and utility plan approval. The estimated amount shall be deposited with the City by the Developer prior to construction.