

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZORIA   §

RESOLUTION NO. 2023-005

RESOLUTION ADOPTING, AUTHORIZING, AND APPROVING REVISED RULES,  
REGULATIONS AND GUIDELINES

WHEREAS BRAZORIA DRAINAGE DISTRICT NUMBER FOUR (the "District") is lawfully and duly constituted, and operates under applicable articles of the Texas Constitution, applicable state law including, but not limited to, Chapters 49 and 56 of the Texas Water Code, special legislation, and rules and regulations adopted by the District's Board of Commissioners; and

WHEREAS, a need exists for the adoption, promulgation, application, and enforcement of uniform standards, rules, regulations, and guidelines affecting development within the boundaries of the District; and

WHEREAS, the District is empowered to regulate the impact of man-made drainage from any private property into District facilities to ensure that the District's facilities are capable of handling artificial runoff and to avoid harm to the District's facilities and pre-existing property and persons; and

WHEREAS, the District along with the City of Manvel, and the City of Pearland have established similar drainage criteria and regulations, in order to a) assure that development within their overlapping jurisdictions does not circumvent their respective floodplain management and flood damage prevention plans, b) establish consistent application, c) simplify compliance, and d) avoid conflicts in the joint administration of said drainage criteria and regulations within their overlapping jurisdictions; and

WHEREAS, the District, has entered into agreements with the City of Manvel and City of Pearland, as authorized per Chapter 791 of the Texas Government Code, to jointly cooperate and administer their respective drainage criteria and regulations imposed upon all property and development located within their overlapping jurisdictions in an effort to promote and protect public health, safety and welfare, by minimizing public and private losses resulting from flood conditions; and

WHEREAS, the District has heretofore adopted those certain Rules, Regulations & Guidelines effective August 8th, 2023, applicable to development within the boundaries of the District (the "Rules, Regulations, and Guidelines"), copies of which are readily available to the public in the District's offices at 4813 W. Broadway, Pearland, Texas 77581; and

WHEREAS, the Rules, Regulations & Guidelines are a component part of the District's master drainage plan, reasonably relate to the provision of adequate drainage and flood control of property within the District, have been developed using generally accepted engineering criteria, and contain reasonable enforcement procedures; and

WHEREAS, the Board of Commissioners of the District is desirous of amending said Rules, Regulations & Guidelines to further the District's purposes;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BRAZORIA DRAINAGE DISTRICT NO. 4 THAT:

1. The District's Rules, Regulations, and Guidelines be amended as follows:

a) Removal of the current Section 25.8 and adding the following language in Section 25:

*The following additional criteria shall apply to any culvert crossing of a District owned or maintained facility:*

1. *Culvert crossings shall meet or exceed any County, City, or TxDOT requirements. In cases where those other criteria exceed the following District criteria, the more stringent County, City, or TxDOT requirements shall be followed.*
2. *The minimum diameter of any culvert shall be 18-inches.*
3. *Culvert crossings shall be sized using the following methodology unless the District Engineer confirms that an analysis provided by the Project Engineer shows that compliance with these standards would result in an adverse impact to nearby property.*
  - a. *Private driveway culverts to be installed in ditches 3 feet or less in depth shall be sized based upon the 5-year flow for the fully developed condition. The analysis must show that no more than 0.2 feet of head loss will occur to the normal water surface profile across the culvert.*
  - b. *Culvert crossings on public streets and private streets serving two or more properties shall be sized based upon the 25-year flow for the fully developed condition. The analysis must show that the culvert installation will not cause the water surface profile to be higher than the edge of paving along the roadway.*
  - c. *Any other culvert crossing including any of the crossings in Section (a) and (b) above which drain 100 acres or more shall be sized based upon the 100-year flow for the fully developed condition. The analysis must show that the culvert installation will not cause the water surface profile to be higher than the edge of paving along the roadway.*

b) Amending Section 17 to the following language:

3. *A storm water pump station may be used in combination with an underground detention system.*
4. *All underground detention systems shall be designed such that the bottom of the underground system can be viewed from the ground surface without the need for confined space entry. This can be achieved with surface grate inlets, manhole covers, or inspection ports. The District shall have the right to inspect or enter an underground detention system for any reason.*

7. *The Owner shall provide inspection reports, photos, and / or videos acceptable to the DISTRICT Inspector for the purposes of confirming that the system is working properly and that detention volume has not been reduced as a result of an accumulation of sediment. This information shall be provided to the DISTRICT a minimum of once per year.*

c) Amending Section 14.G.13 to the following language:

13. *The Owner of the pump system shall provide the DISTRICT with a written report at least once per year and upon request by the DISTRICT showing dates and times of operation, total hours of operation, and the amount of water pumped. The design on the plans shall demonstrate that the pump system has this data collection capability. An hour meter and flowmeter will be sufficient for meeting these requirements.*

d) Amending Section 14.H.6 to the following language:

6. *No vertical wall within a detention pond shall be placed within 30 feet of a DISTRICT drainage easement, DISTRICT fee strip, or road right-of-way. In other locations where a vertical wall is not adjacent to a road or DISTRICT facility, a 3 foot safety setback is required. Permanent improvements within this 3 foot safety setback shall be limited to guard-rails, fencing, and other safety measures.*


2. The foregoing amendments shall be attached to and made a part of the Rules, Regulations & Guidelines, effective as of the date of this Resolution.
3. Applicable sections shall be updated to reflect these amendments including the Table of Contents and Appendix.
4. A copy of the Rules, Regulations & Guidelines as amended is made available to the public at the District's offices at 4813 W. Broadway, Pearland, Texas 77581.

PASSED AND ADOPTED the 5<sup>th</sup> day of December, 2023.

Brazoria Drainage District No. 4

  
Jeffrey H. Brennan, Chairman

ATTEST:

  
Jim Mooney, Secretary

