



Water Efficient Landscape Ordinance Reporting Form

C1	Agency Name:	City of Sunnyvale
C2	Address:	456 W Olive Ave, Sunnyvale, CA 94086
C3	Contact Name:	Rosemarie Zulueta
C4	Title:	Senior Planner
C5	Phone Number:	(408) 730-7437
C6	Phone Extention:	
C6	Email:	rzulueta@sunnyvale.ca.gov
1a	Is your agency adopting a single agency ordinance OR a regional agency alliance ordinance?	Regional Agency Alliance Ordinance ▼
1b	Date of adoption OR anticipated adoption:	Tuesday, May 3, 2016
2a	Reporting period:	
2b	December 1, 2015 through December 28, 2015 (all agencies)	<input type="radio"/>
2c	February 1, 2016 through February 28, 2016 (additional reporting period for agencies crafting regional ordinances with other agencies)	<input type="radio"/>
3a	Are you using:	a locally modified Water Efficient Landscape Ordinance (WELO) ▼
3b	For agencies who have adopted a modified WELO	
3c	Is it at least as efficient as MWELO?	Yes ▼
3d	URL for your WELO	
3e	List major changes from the State's MWELO	(1) Two Compliance Options: Water budget or No turf/high water use plants and 80% native/low water use plants in planted areas; (3) Tailored to City's existing landscaping requirements and review processes; and (4) Streamlined checklist and documentation.
3f	If specific types of projects are exempt (other than those already specified in MWELO), state what they are and the sections of the ordinance that they are exempt from.	None
3g	Have elements from other regulations been incorporated (e.g., tree shading percent coverage requirement, stormwater capture requirements).	Yes ▼
3h	If yes, describe:	The requirements of the MWELO and the regional ordinance coordinated by the Bay Area Water Supply & Conservation Agency (BAWSCA) were tailored and incorporated into the landscaping chapter of Sunnyvale's Zoning Code. Any landscaping buffers, required stormwater treatment areas and parking lot shading landscaped areas included in a project meeting the thresholds stated above are all subject to the water-efficient landscaping requirements.



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4	If other agencies are implementing the ordinance, explain their role:	Bay Area Water Supply & Conservation Agency (BAWSCA) is an agency alliance, and supporting members are also implementing the ordinance with modified thresholds. BAWSCA and the Santa Clara Valley Water District have also provided educational materials and classes for residents.
5	Permitted projects subject to the ordinance during the reporting period (*e.g., single family residences, commercial projects, landscape retrofits for which permits were finalized during the reporting period, etc.):	N/A. The new regulations are effective June 2, 2016.
6a	Total landscape area subject to the ordinance over the reporting period:	N/A
6b	Unit of Measure (sq. ft. or acres)	▼
7a	During the reporting period, how many of the following types of projects did your agency issue final permits on:	
7b	new housing starts	
7c	new commercial projects	
7d	landscape retrofits	
8	Describe the procedure for review of projects subject to the ordinance:	Applicant applies for a "Miscellaneous Plan Permit" with the Planning Division, followed by Planning Division review (staff-level, no public hearing), and possible approval within 14 days later. Then applicant applies for and obtains building permit to begin construction or if a landscaping retrofit only, a plumbing permit for irrigation. After construction or installation, Building Division and Planning Division performs final inspection.
9a	Describe actions taken to verify compliance:	Planning Division verifies project documentation is acceptable, and Building division performs site inspection to verify construction/installation is acceptable. Project sponsors/property owners are required to submit a Landscape Certificate of Completion, Irrigation Audit, Irrigation Schedule and Maintenance Schedule prior to final inspection. The Landscape Certificate of Completion binds the project sponsor/property owner to installation and maintenance per the approved landscape plans and other documentation.
9b	Is a plan check performed?	Yes ▼
9c	If so, by what entity?	Planning Division of Department of Community Development
10	Describe implementation and enforcement measures:	Work with Neighborhood Preservation Division (zoning code enforcement inspectors) and Environmental Services Department (environmental compliance inspectors) on enforcement as deemed necessary.



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11	Explain challenges to implementing and enforcing the ordinance:	<p>Because these requirements fall largely on private developments, the burden of ensuring compliance falls on City Planners at the planning stage. Not all Planners have a landscape architecture background, and many of the concepts, calculations, terms or even plant species are foreign to staff. Although there are many resources available, the plan check review can be very time consuming if one wants to ensure 100% compliance. The streamlined checklists and calculation worksheets we have developed with BAWSCA's assistance have been a tremendous help. Although they are designed to shift accountability mostly to the project applicant/owner, it is still a burden for the cities to ensure compliance. For the most part, multi-family developments and nonresidential developments are accepting of the WELO requirements and are now well-versed in them.</p> <p>What is especially challenging is to ensure future residents of single-family home projects subject to the WELO will comply with the approved landscaping plans. We have worked dilligently with developers to properly notify future buyers that if they opt to install their own landscaping, they would first need to receive City approval. What will continue to be a challenge is ensuring compliance of individual single-family lots with approved landscaping plans subject to WELO when those homes are transferred to another owner.</p>
12	Describe educational and other needs to properly apply the ordinance:	Education is key for the public to understand these requirements. Handouts, free classes, commercials and other water-saving propaganda have helped.
13	Additional Comments:	To help ensure single-family home compliance, the State may want to consider including WELO requirements as a part of the disclosures in real estate transactions.

[Please submit reports, including a copy of your local water efficient landscape ordinance, via email to WELO@water.ca.gov by December 31, 2015. Agencies preparing a regional ordinance must submit an additional report by March 1, 2016. For questions, please call Ms. Julie Saare-Edmonds at \(916\) 651-9676.](mailto:WELO@water.ca.gov)