
OC DEVELOPMENT SERVICES REPORT

ITEM #1

DATE: October 13, 2021

TO: Orange County Planning Commission

FROM: OC Development Services / Permitting

SUBJECT: Public Hearing on PA21-0166 - Certification of Acoustical Consultants for placement on Certified Acoustical Consultants' list, per Exhibit V-9, Section C of the County's Land Use/Noise Compatibility Manual

PROPOSAL: Staff is requesting the Planning Commission approve PA21-0166 and certify the applicants listed herein to be placed on the County's Certified Acoustical Consultants list for a period of five (5) years.

**ZONING/
GENERAL
PLAN:** N/A

LOCATION: N/A

APPLICANT: OC Development Services

**STAFF
CONTACT:** Judy Kim, Private Property Permits Manager
(714) 667-8866
Email: Judy.Kim@ocpw.ocgov.com

RECOMMENDED ACTION(S):

OC Development Services recommends that the Planning Commission:

- 1) Receive staff report and public testimony as appropriate
- 2) Find that the proposed Certification of Acoustical Consultants is not a ‘project’ per CEQA Guidelines Section 15378
- 3) Find that the subject applicants meet the minimum qualifications as specified in the County’s ‘Land Use/Noise Compatibility Manual’ adopted by the Board of Supervisors Resolution 93-1391
- 4) Approve Planning Application PA21-0166 for the certification of the subject applicants for inclusion in the County’s list of “Certified Acoustical Consultants” for a period of five (5) years, subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The County’s ‘Land Use/Noise Compatibility Manual’ is intended to implement the land use/noise compatibility policies and standards of the Noise Element of the County’s General Plan. The Noise Element contains general policies and establishes specific noise standards to guide the manner in which land use/noise compatibility issues are to be addressed by the Development Services Department, Planning Commission, and Zoning Administrator. Exhibit V-9 (Acoustical Analysis Reports) of the Land Use/Noise Compatibility Manual enumerates the qualifications, process for certification, and expiration of certifications of consultants. Within that same section is the requirement that all prospective consultants are to appear before the Planning Commission in which public testimony shall be heard and the Commission shall determine certification or non-certification of the consultant (Attachment #3).

Exhibit V-9, Section C (Expiration), of the Manual, which was recently approved to be amended by the Planning Commission¹, sets forth the process for certification and the expiration date for certifications of acoustical consultants. The Manual states:

Certification shall be valid for a period of five (5) years. A “certification” year is defined to start on March 1 and end on the last day of February. The period of validity extends automatically to include the month of February following the nominal expiration date. Henceforth, PDSD will schedule rectification (sic) [recertification] hearings at the Planning Commission in January only. It is the Acoustical Consultant’s responsibility to notify PDSD of intent to be re-certified

¹ In May 2021, the Planning Commission recommended amending this section to increase the period of certification validity to six (6) years, versus the existing five (5) years and open the certification process every three (3) years, versus the existing five (5) years. However, the amendments are not effective because the Board of Supervisors (Board) has not approved a resolution adopting the amendments. The amendments will go to the Board in November 2021.

prior to the end of its nominal expiration year, accompanied by a payment of the current rectification (sic) [recertification] fee.

Acoustical Consultants are utilized for projects that require environmental review of noise impacts. When a project is submitted to the County for approval or issuance of permits, an Initial Study is performed by the Planning division. The Initial Study will determine the degree of environmental analysis required (Categorical Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report). A project must have an environmental clearance before any discretionary permits are issued for the project. If the project is located near major noise impact areas or has the potential to create excessive noise levels (either directly or indirectly), the applicant may be requested to submit an acoustical analysis, as part of the overall environmental analysis, which illustrates the feasibility and potential types of measures required to achieve compliance with noise standards. This acoustical analysis report must be prepared by a qualified acoustical consultant to ensure the report is prepared by competent individuals who have an education and/or background in acoustical engineering and that the report is prepared in conformance with accepted industry standards.

Since July 1, 1986, the County only accepts the work of County-certified acoustical consultants as a prerequisite to acceptance of acoustical analysis reports created pursuant to noise compatibility conditions of approval/mitigation measures. To become a County-certified acoustical consultant, applicants must meet a set of minimum qualifications, as established in the County's Land Use/Noise Compatibility Manual and be certified by the Planning Commission in accordance with the procedures stated therein.

A Planning Commission certification hearing was held on January 27, 2021 (Attachment #4) to establish the new 2021 – 2026 County Certified Acoustical Consultants list (Attachment #5). The new list certified a total of four (4) County Acoustical Consultants.

DISCUSSION/ANALYSIS:

Following the January certification hearing, several inquiries from additional consultants requesting to be certified were received by staff in the subsequent months. These individuals were unaware that the application period had already opened and closed at the end of 2020, primarily attributing their lack of awareness of the application window opening to the COVID-19 pandemic and their limited access to notices sent to their places of work.

As the guidelines in the Manual are a policy only, the window for applications may reopen outside of the specified months stated in the Manual, subject to approval of the Planning Commission. On August 25, 2021, the Planning Commission authorized (Attachment #6), staff to open the application window from September 1st through September 30th.

A qualifications/information memo soliciting applications from interested and qualified consultants was posted on the OC Development Services webpage (Attachment #7) on August 31, 2021. In addition to notifying the County of Orange Development Process Review Committee

(DPRC) and Building Industry Association (BIA) of the open application window, notice was also made in the OC Reporter on September 3, 2021.

In an effort to ensure that all interested parties were sufficiently informed, staff again reached out to all the individuals listed on the 2015-2020 certified list to inform them of the open application window. Additionally, staff contacted the four (4) County Acoustical Consultants that were certified in January to inform them that no action was required on their part, as their existing certification remained intact.

The County received an application from one qualified applicant:

- 1) Stephen Allen Martin, P.E. – Veneklasen Associates, Inc.

Consultants who submitted applications were required to demonstrate minimum professional qualifications, including having obtained a degree in engineering, physics, or a closely related field, and at least four (4) years of acoustical engineering experience, or an equivalent combination of education and relevant experience. Additionally, applicants are required to be Licensed Engineers in the State of California and are required to have previously passed the Institute of Noise Control Engineering (INCE) professional examination, demonstrating professional competency in noise control engineering. A summary application package for each individual applicant is included as Attachment #8.

Consultant applications were thoroughly reviewed by the County's Building Official for compliance with the enumerated qualifications described in the Land Use/Noise Compatibility manual and the Building Official has determined that all applicants were qualified to be recommended for certification.

If the Planning Commission determines the proposed consultant should be certified, the consultant's name shall be added to the County's "Certified Acoustical Consultants" list, authorizing them to conduct and prepare acoustical studies and provide professional expertise on any projects submitted to the County requiring such studies or expertise. A draft copy of the County's Certified Acoustical Consultants List is included as Attachment #9.

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

Public notices were provided to all applicants, as well as being posted in the Orange County Hall of Administration at 333 W. Santa Ana Boulevard, in the lobby at the County Administration South (CAS) building located at 601 N. Ross St., and published a legal notice in a newspaper of general circulation at least ten days prior to this public hearing, as required by established public hearing posting procedures.

CEQA COMPLIANCE:

This action is not a project within the meaning of CEQA Guidelines Section 15378 and is therefore not subject to CEQA, since it does not have the potential for resulting in either a direct

physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

CONCLUSION:

Staff has determined that all applicants meet or exceed the minimum required qualifications for certification and eligibility to be placed on the County's Certified Acoustical Consultants list and recommends that all applicants be certified and subsequently be placed on that list.

Submitted by:



Laree Alonso, Division Manager
OC Development Services / Permitting

Concurred by:



Amanda Carr, Deputy Director
OC Development Services

ATTACHMENTS:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Relevant sections of the County of Orange Land Use/Noise Compatibility Manual
4. January 27, 2021, Planning Commission Meeting Minutes
5. 2021 – 2026 County Certified Acoustical Consultants list
6. August 25, 2021, Draft Planning Commission Meeting Minutes
7. Process & Qualifications for County Certification of Acoustical Consultants (Unincorporated Orange County)
8. Summary application package for individual applicants
9. County Building Official's Recommendation Letters Certification for individual applicant
10. Draft County's Certified Acoustical Consultants List effective October 14, 2021

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Planning Commission on this permit to the Orange County Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a fee of \$500 filed at the County Service Center, 601 N Ross St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to OC Development Services / Permitting Division.

Attachment 1

Recommended Findings



Attachment 1
Findings
PA21-0166

1 [AA01]

GENERAL PLAN

PA21-0166

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

2 [AA04]

GENERAL WELFARE

PA21-0166

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

3

NOT A PROJECT UNDER CEQA PA21-0166 (Custom)

That the proposed action is not considered a project under CEQA pursuant to California Code of Regulations Title 14, Section 15378(b) and Public Resources Code Section 21065

Attachment 2

Recommended Conditions of Approval



Attachment 2
Conditions of Approval
PA21-0166

1	BASIC/TIME LIMIT	PA21-0166
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The certification granted by this action is valid for a period of five (5) years commencing on October 14, 2021 through October 13, 2026. Any individuals who wish to be certified beyond October 2026 must apply for recertification.

2	BASIC/COMPLIANCE	PA21-0166
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Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

3	INDEMNIFICATION	PA21-0166
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Applicant shall, at its own expense, defend, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Subdivision Committee, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. If litigation is filed challenging the Project, the County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. The County shall promptly notify the applicant of any such claim, action or proceeding.

4	MAINTENANCE OF QUALIFICATIONS	PA21-0166
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All individuals certified under this action shall maintain all licenses, external certifications, and documentation required by the County of Orange for the duration of this certification period. If any required licenses, external certifications, or documentation lapses, becomes invalid, or is revoked, County certification shall expire as of the date of the lapse, invalidity, or revocation.

Attachment 3

Relevant sections of the County of Orange
Land Use/Noise Compatibility Manual

COUNTY OF ORANGE



LAND USE/NOISE COMPATIBILITY MANUAL

ADOPTED: SEPTEMBER 18, 1984

**AMENDMENT 93-1: DECEMBER 14, 1993
BOARD OF SUPERVISORS RESOLUTION NO. 93-1391**

QUALIFICATIONS FOR COUNTY CERTIFICATION OF ACOUSTICAL CONSULTANTS

(Unincorporated Orange County)

A. Qualifications

- (1) Acoustical consultants, desiring County certification to supervise the preparation of evidence of compliance with Conditions of approval pursuant to Board of Supervisors Resolution 84-1376, must submit his/her request for certification to the Manager, Building Permits Division along with a resume including references and/or exhibits of his/her previous experience in the field of Acoustics for County's review.

- (2) Minimum Professional Qualifications for acoustical consultants

Either I: A degree in engineering, physics or a closely related field, and four (4) years acoustical engineering experience;

OR II: An equivalent combination of education and relevant experience as determined by the Director, PDSD;

AND

Either A: Is a Registered Engineer in the State of California;

OR B: Has passed the Institute of Noise Control Engineering (INCE) professional examination.

B. Certification Process

Acoustical consultants desiring County Certification shall adhere to and be certified by the following process:

1. The acoustical consultant shall submit evidence to the Manager, Building Permits Division of the Planning and Development Services Department, County of Orange which demonstrates compliance with the above stated minimum qualifications. This includes submission of the following items:
 - (a) Evidence of being a Registered Engineer in the State of California of having passed the INCE professional exam.
 - (b) Evidence of educational background and pertinent acoustical engineering qualification.
 - (c) A sample Acoustical Analysis Report which illustrates working knowledge of County requirements, including compliance with the Land Use/Noise Compatibility Manual Standards.

- (d) Written intent to provide acoustical consultation for the unincorporated County territory.
2. The acoustical consultant must include payment of a non-refundable fee of current amount for the processing of the application.
3. Upon review and determination by the Manager, Building Permits Division, that the minimum qualifications have been satisfied, the applicant will be recommended for certification to the Orange County Planning Commission. However, if such review indicates non-satisfaction of the minimum qualifications, the Manager, Environmental Analysis Division shall notify the applicant in writing of his determination and indicate the right to, and process of, appeal.
4. The acoustical consultant will be scheduled for an appearance before the Orange County Planning Commission in which public testimony shall be heard and the Commission shall determine certification or non-certification of the consultant.
5. Upon certification by the Planning Commission, the name of the acoustical consultant shall be placed on the County's "Certified Acoustical Consultants" list.

C. Expiration

Certification shall be valid for a period of five (5) years. A 'certification' year is defined to start on March 1 and end on the last day of February. The period of validity extends automatically to include the month of February following the nominal expiration date. Henceforth, PDSD will schedule rectification hearings at the Planning Commission in January only. It is the Acoustical Consultant's responsibility to notify PDSD of intent to be re-certified prior to the end of its nominal expiration year, accompanied by a payment of the current rectification fee.

D. Appeals

Any appeal regarding the Director's determination as to satisfaction of minimum qualifications shall be submitted to the Planning Commission for decision. The Commission's decision on such appeal, or on its certification of acoustical consultants, may in turn be appealed to the Board of Supervisors whose decision shall be final.

Attachment 4

January 27, 2021, Planning Commission
Meeting Minutes

MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMISSION
ORANGE COUNTY, CALIFORNIA
Wednesday, January 27, 2021, 1:30 P.M.

PLANNING COMMISSION ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

DAVID E. BARTLETT
CHAIRMAN
FIFTH District

TRUNG “JOE” HA
VICE CHAIRMAN
First District

HANG HARPER
COMMISSIONER
Second District



KEVIN RICE
COMMISSIONER
Third District

CLAUDIA PEREZ
COMMISSIONER
Fourth District

ATTENDANCE: Commissioners: Ha, Harper, Bartlett and Perez

PRESENT:	EXECUTIVE OFFICER	Richard Vuong
	COUNTY COUNSEL	Nicole Walsh
	SECRETARY	Sharon Gilliam

PLEDGE OF ALLEGIANCE: Commissioner Rice, Third District, led the assembly in the Pledge of Allegiance.

I. CONSENT ITEM(S) - Minutes

The minutes of December 9, 2020 were motioned for approval by Commissioner Perez, seconded by Commissioner Harper, and approved by a unanimous vote.

II. DISCUSSION ITEM(S)

ITEM #1 PUBLIC HEARING – PA20-0255 – APPLICANT – OC DEVELOPMENT SERVICES – COUNTYWIDE

Staff is requesting the Planning Commission approve PA20-0255 and certify the applicants listed therein to be placed on the County’s “Certified Acoustical Consultants” list for a period of five (5) years.

Recommended Action (s):

1. Receive public testimony as appropriate;
2. Find that the proposed Certification of Acoustical Consultants is not a 'project' per CEQA Guidelines Section 15378 and Public Resources Code 21065;
3. Find that the subject applicants meet the minimum qualifications as specified in the County's 'Land Use/Noise Compatibility Manual' adopted by the Board of Supervisors Resolution 93-1391; and
4. Approve Planning Application PA20-0255 for the certification of the subject applicants for inclusion in the County's list of "Certified Acoustical Consultants" for a period of five (5) years, subject to the attached Findings and Conditions of Approval.

Special Notes:

Jerry Olivera, Encroachment Permits Manager, provided a presentation and answered questions of the Planning Commission. Laree Alonso, Division Manager, Permitting answered questions of the Planning Commission. The four applicants that submitted applications, answered questions of the Planning Commission.

The following is the action taken by the Orange County Planning Commission:

The motion for item #1 was made by Commissioner Perez and seconded by Commissioner Ha, to approve PA20-0255 for the certification of the subject applicants for inclusion in the County's list of "Certified Acoustical Consultants".

The Planning Commission directed staff to review the requirements for the length of time between certification of acoustical consultants within the regulations of the General Plan and provide recommendations on a time period for re-certification that is less than 5 years.

APPROVE ☒ OTHER ☐

DENIED ☐

Unanimous ☒ (1) Ha: Y (2) Hang: Y (3) Rice: Y (4) Perez: Y (5) Bartlett: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

ITEM #2 PUBLIC HEARING – ELECTION OF OFFICERS 2021

The new Chair will assume office immediately pursuant to the Commission's Rules and Procedures.

Recommended Action (s):

1. Conduct the nomination and election of officers pursuant to the Orange County Planning Commission Rules of Procedure, approved December 7, 2004.

The following is the action taken by the Orange County Planning Commission:

Motion #1

The first motion for Item #2 was made by Commissioner Rice and seconded by Commissioner Harper to nominate Commissioner Ha as Chairman and was carried by a unanimous vote.

APPROVE ☒ OTHER ☐

DENIED ☐

Unanimous ☒ (1) Ha: Y (2) Hang: Y (3) Rice: Y (4) Perez: Y (5) Bartlett: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Motion #2

The second motion for Item #2 was made by Commissioner Ha and seconded by Commissioner Perez to nominate Commissioner Harper as Vice-Chairwoman and was carried by a unanimous vote.

APPROVE ☒

OTHER ☐

DENIED ☐

Unanimous ☒ (1) Ha: Y (2) Hang: Y (3) Rice: Y (4) Perez: Y (5) Bartlett: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

III. EXECUTIVE OFFICER UPDATE

- Amanda Carr, new Interim Deputy Director, Richard Vuong will remain the Executive Officer
- Regional Housing Needs Allocation (RHNA) appeal was denied
- Upcoming Items for Planning Commission
 - RHNA – Workshops in February thru April 2021, Planning Commission and Board of Supervisors, Summer 2021, certification by the state, 2021
 - Controversial projects - no movement at this time (North Tustin Racquet Club and The Legacy in Coto)
 - Bikeway Circulation Update MPAH
 - Santiago Canyon Road Classification
 - Wireless Ordinance Update
- Laree Alonso, Division Manager, Permitting provided an overview of the County Services Center (CSC), customer service during COVID-19 and the myOCe services website

IV. COUNTY COUNSEL UPDATE

- Esperanza Hills Project – Court of Appeal affirmed the trial courts denial of a petition for a mandate – (County won the appeal)
- Commissioner Ha asked for clarification regarding public speakers being demanded to give their legal name and how public speakers are to address the Commission

V. PLANNING COMMISSIONER COMMENTS

- Presentation to Commissioner Bartlett for his service as Chairman for 2020
- Thank you to Commissioner Bartlett for his service as Chair and congratulations for officers for 2021
- Thank you to county staff for their work with integrating the technology for the Planning Commission meetings

VI. PUBLIC COMMENTS

- None

VII. ADJOURNMENT

Planning Commission meeting adjourned at 2:35 pm.

Attachment 5

2021 – 2026 County Certified Acoustical
Consultants list



County Administration South

601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey



□ Orange County Public Works

□ 2021-2026 Certified Acoustical Consultants List

1. Robert Kahn, P.E.
RK Engineering Group, Inc.
4000 Westerly Place Suite 280
Newport Beach CA 92660
Office (949) 474-0809
Fax (949) 474-0902
Email: rk@rkengineer.com
www.rkengineer.com
2. Fred Greve, P.E.
Greve & Associates, LLC
2915 Calle Frontera
San Clemente, CA 92673
(949) 466-2967
fred@greveandassociates.com
www.greveandassociates.com
3. Bill Lawson, P.E.
41 Corporate Park, Suite 300
Irvine CA 92606
(949) 660-1994 x203
Email: blawson@urbanxroads.com
www.urbanxroads.com
4. Paul H. Dunholter, P.E.
BridgeNet International
20201 S.W. Birch St. Suite #250
Newport Beach CA 92660
Office: (949) 250-1222 Ext. 22
Fax: (949) 2250-1225
Email: pauld@airportnetwork.com
www.airportnetwork.com

Attachment 6

August 25, 2021, Draft Planning
Commission Meeting Minutes

MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMISSION
ORANGE COUNTY, CALIFORNIA
Wednesday, August 25, 2021, 1:30 P.M.

PLANNING COMMISSION ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

TRUNG “JOE” HA
CHAIRMAN
First District

HANG HARPER
VICE-CHAIRWOMAN
Second District

DAVID E. BARTLETT
COMMISSIONER
Fifth District

KEVIN RICE
COMMISSIONER
Third District

CLAUDIA PEREZ
COMMISSIONER
Fourth District



ATTENDANCE: Commissioners: Ha, Harper, Bartlett, Perez and Rice

PRESENT: EXECUTIVE OFFICER Richard Vuong
COUNTY COUNSEL Nicole Walsh
SECRETARY Sharon Gilliam

PLEDGE OF ALLEGIANCE: Commissioner Bartlett, Fifth District, led the assembly in the Pledge of Allegiance.

I. CONSENT ITEM(S) - Minutes

The minutes of May 26, 2021 were motioned for approval by Commissioner Bartlett, seconded by Commissioner Harper, and approved by a unanimous vote.

II. DISCUSSION ITEM(S)

ITEM #1 DISCUSSION ITEM – PA20-0255 – APPLICANT – OC DEVELOPMENT SERVICES – COUNTYWIDE

Staff is requesting the Planning Commission approve PA20-0255 and certify the applicants listed therein to be placed on the County’s “Certified Acoustical Consultants” list for a period of five (5) years.

Recommended Action (s):

1. Receive staff report.

2. Find that the proposed Certification of Acoustical Consultants is not a 'project' per CEQA Guidelines Section 15378 and Public Resources Code 21065;
3. Find that the subject applicants meet the minimum qualifications as specified in the County's 'Land Use/Noise Compatibility Manual' adopted by the Board of Supervisors Resolution 93-1391; and
4. Approve Planning Application PA20-0255 for the certification of the subject applicants for inclusion in the County's list of "Certified Acoustical Consultants" for a period of five (5) years, subject to the attached Findings and Conditions of Approval.

Special Notes:

Judy Kim, Manager, Private Property Permits, provided the presentation and answered questions of the Planning Commission. Laree Alonso, Division Manager, Permitting, answered questions of the Planning Commission.

The following is the action taken by the Orange County Planning Commission:

The motion for item #1 was made by Commissioner Harper and seconded by Commissioner Perez, to move the actions as recommended by staff on the agenda and in the staff report.

APPROVE ☒

OTHER ☐

DENIED ☐

Unanimous ☒ (1) Ha: Y (2) Harper: Y (3) Rice: Y (4) Perez: Y (5) Bartlett: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

III. EXECUTIVE OFFICER UPDATE

- Regional Housing Needs Allocation (RHNA) – Timeline
 - Internal Review
 - County Counsel Review
 - Public Review – September / October 2021
 - Community Stakeholder Workshops
 - Planning Commission – October / November 2021
 - Board of Supervisors – November / December 2021
- Lawsuit – Orange County Council of Governments (OCCOG)
- SB9 – Allows single lots to be subdivided into two lots
- Constituent letter regarding the Chabad Center in North Tustin, briefing for Planning Commission will be held once county staff address the comments

IV. COUNTY COUNSEL UPDATE

- None

V. PLANNING COMMISSIONER COMMENTS

- None

VI. PUBLIC COMMENTS

- None

VII. ADJOURNMENT

Planning Commission meeting adjourned at 1:51 pm.

Attachment 7

Process & Qualifications for County
Certification of Acoustical Consultants
(Unincorporated Orange County)



County Administration South
601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey



PROCESS & QUALIFICATIONS FOR COUNTY CERTIFICATION OF ACOUSTICAL CONSULTANTS (Unincorporated Orange County)

The following document identifies the minimum qualifications and process for applicants desiring County certification as a Certified Acoustical Consultant. Applications for the 2021-2026 Certified Acoustical Consultant list will be accepted from September 1, 2021 through September 30, 2021. Application window will close on **September 30, 2021 at 11:59 PM**. All applications requesting certification are to be submitted through myOCeServices.ocgov.com.*

(Referenced manual: Land Use/Noise Compatibility Manual, Section V-C, Exhibit V-9)

A. Qualifications

1. Acoustical consultants, desiring County certification to supervise the preparation of evidence of compliance with Conditions of approval pursuant to Board of Supervisors Resolution 84-1376, must submit their request for certification to the Manager, Building & Safety Division along with a resume including references and/or exhibits of their previous experience in the field of Acoustics for County's review.

2. Minimum Professional Qualifications for acoustical consultants

Either I: A degree in engineering, physics or a closely related field, and four (4) years acoustical engineering experience;

OR II: An equivalent combination of education and relevant experience as determined by the Director, OC Public Works (OCPW) and or designee (i.e. Deputy Director, OC Development Services)

AND

Either A: Is a Registered Engineer in the State of California;

OR B: Has passed the Institute of Noise Control Engineering (INCE) professional examination.

B. Certification Process

All applications requesting certification are to be submitted through myOCeServices.ocgov.com.*

Acoustical consultants desiring County Certification shall adhere to and be certified by the following process:

1. The acoustical consultant shall submit evidence to the Manager, Building & Safety Division of OCPW/OC Development Services, which demonstrates compliance with the above stated minimum qualifications. This includes submission of the following items:
 - (a) Evidence of being a Registered Engineer in the State of California of having passed the INCE professional exam.
 - (b) Evidence of educational background and pertinent acoustical engineering qualification.

- (c) A sample Acoustical Analysis Report which illustrates working knowledge of County requirements, including compliance with the Land Use/Noise Compatibility Manual Standards.
 - (d) Written intent to provide acoustical consultation for the unincorporated County territory.
- 2. The acoustical consultant must include payment of a non-refundable fee of current amount for the processing of the application.
- 3. Upon review and determination by the Manager, Building & Safety Division, that the minimum qualifications have been satisfied, the applicant will be recommended for certification to the Orange County Planning Commission. However, if such review indicates non-satisfaction of the minimum qualifications, the Manager, Permitting Division shall notify the applicant in writing of their determination and indicate the right to, and process of, appeal.
- 4. The acoustical consultant will be scheduled for an appearance before the Orange County Planning Commission in which public testimony shall be heard and the Commission shall determine certification or non-certification of the consultant.
- 5. Upon certification by the Planning Commission, the name of the acoustical consultant shall be placed on the County's "Certified Acoustical Consultants" list.

C. Expiration

Certification shall be valid for a period of five (5) years. A 'certification' year is defined to start on March 1 and end on the last day of February. The period of validity extends automatically to include the month of February following the nominal expiration date. Henceforth, OCPW/OC Development Services will schedule rectification hearings at the Planning Commission in January only. It is the Acoustical Consultant's responsibility to notify OCPW/OC Development Services of intent to be re-certified prior to the end of its nominal expiration year, accompanied by a payment of the current recertification fee.

D. Appeals

Any appeal regarding the Director and or designee's determination as to satisfaction of minimum qualifications shall be submitted to the Planning Commission for decision. The Commission's decision on such appeal, or on its certification of acoustical consultants, may in turn be appealed to the Board of Supervisors whose decision shall be final.

***Instructions on how to apply on MyOCeServices (New Certification Request)**

You must use Google CHROME as your browser

- Create an account at myOCeServices.ocgov.com
- Select Dashboard
- Click on Permit Applications on the left-hand side
- Select New
 - Step One select "Private Property Permits"
 - Step Two select "Miscellaneous"
 - Step Three select "Acoustical Consultant Certification"
- Follow the remaining steps until the application is submitted.
- If you have any questions, please call (714) 667-8888 and/or email us at ocpcustomer@ocpw.ocgov.com.

Attachment 8

Summary application package for
individual applicants



STATE BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS

THIS IS TO CERTIFY THAT PURSUANT
TO THE PROVISIONS OF CHAPTER 7, DIVISION 3 OF THE BUSINESS AND PROFESSIONS CODE

Stephen Allen Martin

IS DULY REGISTERED AS A
PROFESSIONAL ENGINEER
IN
ELECTRICAL ENGINEERING

IN THE STATE OF CALIFORNIA, AND IS ENTITLED TO ALL THE RIGHTS AND
PRIVILEGES CONFERRED IN SAID CODE

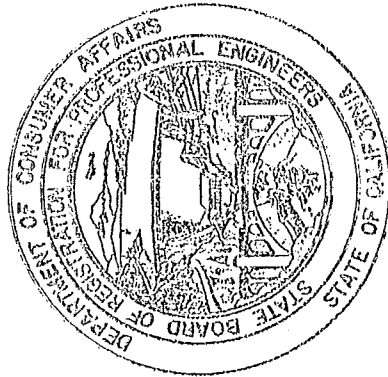
WITNESS OUR HAND AND SEAL

CERTIFICATE No. 12022
THIS 26 DAY OF March 1985

STATE BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS

SECRETARY

Philip A. Tove
PRESIDENT



THIS CERTIFICATE IS THE PROPERTY OF THE STATE OF CALIFORNIA AND IN THE EVENT OF ITS SUSPENSION, REVOCATION OR
INVALIDATION FOR ANY REASON IT MUST UPON DEMAND BE RETURNED TO THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS, AND GEOLOGISTS
2535 CAPITOL OAKS DRIVE, SUITE 300
SACRAMENTO, CA 95833-2944
(916) 999-3600 Toll Free: (866) 780-5370
www.bpelsg.ca.gov



CERTIFICATE NO.
E 12022

EXPIRATION
09/30/23

STEPHEN ALLEN MARTIN
11255 ARROWOOD ST
ARCADIA CA 91006

Signature

RECEIPT NO.

12282194

Dr. Stephen Martin, P.E. is the Director of Veneklasen Associates' Environmental Noise and Vibration group, and as such manages all manner of projects – from field testing to long-term monitoring programs to complete program environmental compliance. His areas of expertise include instrumentation, system design, and environmental monitoring for construction noise and vibration, community noise impact, and environmental and local code compliance, and Steve manages and performs analysis, software development, and mitigation for environmental impacts and for architectural acoustic projects including residential sound insulation. He is an outstanding program manager who is technically knowledgeable, skilled in plan development and execution, and well-spoken when communicating with stakeholders. Steve is also the Director of Western Electro-Acoustic Laboratory (WEAL), Veneklasen Associates' NVLAP-accredited testing division. His 17-year association with Veneklasen Associates began in 1982, with an interim 17 years working for Wyle, Inc.

I designed audio amplification systems for schools, churches, and auditoriums while engineering the acoustics of the internal space to limit sound reverberation. In 1992 I worked with The Center for Early Education in West Hollywood to design a sound reinforcement system for their gymnasium/multi-purpose room while specifying acoustic treatments to limit reverberation and provide proper speech intelligibility.

I developed computer programs for specialized acoustical purposes such as limiting acoustic reverberation in spaces, minimizing exterior sound transmitted into new or existing structures, speech intelligibility and general acoustic calculations.

I Performed noise and vibration measurements of industrial equipment, traffic, aircraft, and mechanical equipment.

I Worked with architects and engineers to maintain proper sound and vibration isolation or to meet local noise ordinances.

I Qualified as a laboratory and field technician for sound transmission loss, sound insulation, impact isolation, and sound absorption using ASTM Standards.

I conducted Evaluation of project environmental noise and vibration impacts and provide mitigation for meeting compliance with local and regional codes for all projects.

o I performed Mitigation and monitoring of construction noise and vibration including Santa Monica Parking Structure #6, Marymount College, Kaiser Hospital Bellflower, Waldorf Astoria Hotel Beverly Hills, City National Plaza, Westfield Century City, Universal Studios Hollywood, 9900 Wilshire

Boulevard Beverly Hills, Wetherly Hotel Beverly Hills, Metro Southwestern Yard Los Angeles, Jack London Square Oakland, Hollywood Ivar Hotel, and Gelson's Market Hollywood.

I conducted CEQA and EIR/EIS noise studies and noise element updates for Archer School, Communications Hill San Jose, Southern California Area Governments, City of Camarillo Noise Element, Walt Disney Imagineering, Eastwood Ranch Animal Rescue, Los Angeles Exhibition Park, LAX Terminal 6, and other projects listed here.

I conducted Computer noise modeling for prediction and mitigation of project noise sources for Disneyland, Universal Studios, Auto Club Speedway, TowerJazz semiconductor plant, and many of the projects listed here.

I observed Rail vibration and noise impact measurement, analysis and mitigation for projects including the Metro Expo Line, National Chavez Center, Heritage Valley Fillmore, Delhi India Rail Expansion, and Beachbody.

I projected operational noise measurements and mitigation for compliance for Universal Studios Hollywood, Los Alamos Civic Center, Sunset Edition Hotel, Angel City Brewery, and other projects listed here.

I performed Traffic noise mitigation for Crossroads School, Loma Linda University, Whittier Recreational Memorial, New Presidio Parklands, and Del Mar Plaza.

I performed Aircraft noise measurements and mitigation for schools and over 1,000 residences around Los Angeles International Airport in Los Angeles County, Lennox School District and Inglewood complying with FAA and LAWA guidelines. Performed similar work for Camp Pendleton Armory.

I conducted Industrial, utility, and public utilities/services noise measurements and mitigation for Southern California Gas, Bloom Energy, Van Nuys Fire Station, Metropolitan Water District Etiwanda Pipeline, Southern California Edison, AT & T, and the City of Los Angeles.

I conducted Noise and vibration measurement and mitigation for entertainment venues such as SOHO Coachella, Variety Arts Theater, Upland Hills Country Club, Westminster Gun Club, Lake Arrowhead concerts, Universal Studios Halloween Horror Nights and Grinchmas, and Sportsman's Lodge.

I conducted Noise measurements and mitigation for outdoor facilities including California State Vehicular Recreational Areas (SVRA), Fiddler's Field Amphitheater, Pala Race Course, Yeshiva Student Park, Lompoc Race Track, Heritage Amphitheater, Fullerton College Sherbeck Field, Walnut Park Expansion, Porsche Experience Center, Annandale Golf Club, UCLA, KidzKlub, USC Keck Hospital, Cielo Farms, and Palisades Village.

I was the Manager of acoustical testing at sister company Western Electro-Acoustic Laboratories and provided oversight of field testing for Raytheon, Northrop, Point Magu, and Phoenix Products.

I participated in Architectural acoustic design to control exterior noise, maintain interior sound isolation, control mechanical noise and vibration, and provide the proper acoustic environment for hotels, office buildings, and residential construction for the West Hollywood Hotel, The Vermont office building, Wilshire Grand, LAX Star Alliance Lounge, Kaiser San Diego, Hollywood Bowl, Fullerton Police

Department, Cal Tech, Nobu Restaurant, Windward School, Vandenberg Air Force Base, and Los Angeles Chamber of Commerce.

I gave Presentations in public meetings and deposition/expert witness for Inglewood School District, Colony La Paz, Carnegie SVRA, Sun City Kelkind, and many of the projects listed here.

Advised General noise and vibration control for Whole Foods Market deliveries, Cal Tech, Southern California Edison, Verizon, City of Hope, LAX People Mover, Dollar General, Jacobs, University of Southern California, and the City of Torrance.

Tasks and Duties

Manager of El Segundo Acoustic Operations, Wyle Laboratories, El Segundo, California
I performed oversight of all projects. I engineered and designed measurement systems and operational procedures for noise and vibration evaluation and control and oversaw their use during project operation. I analyzed measured data and compared measured levels to various criteria to determine compliance with codes, I analyzed the data to evaluate improvements required, and I engineered mitigation measures to comply with codes where required. I wrote engineering reports describing our measurements, data analysis, mitigation recommendations, and resulting improvements for most of our clients, and I reviewed all engineering reports written by others prior to their submittal to clients. I designed specialized measurement and design methods as required to satisfy client needs.

Representative Projects

I worked as the Residential sound insulation program manager and acoustic consultant for reducing aircraft noise impacts for residence surrounding airports for over 100 projects. This work required measurements of aircraft noise inside the residence, comparison to the criteria, analysis of the structure to develop mitigation recommendations, and measurements to confirm compliance with the criteria. Projects for this work included:

- Residences surrounding Los Angeles International Airport:
 - o Los Angeles City, California 1995-2000
 - o City of Inglewood, California 1997-2011
 - o Los Angeles County, California 1998-2011
- Fresno, California residences surrounding Fresno Yosemite International Airport 1997-2011
- Ontario, California residence surrounding Ontario international Airport 1998-2004
- San Francisco area residences surrounding San Francisco International Airport
 - o San Bruno, Millbrae, and San Mateo, 1998-2008
- Burbank, California for residences surround Bob Hope Airport, 1999-2011

I performed acoustical analysis and public communication for military and civil aviation noise projects. These projects required interviews with pilots, airport noise engineers, and facility managers to gather computer noise modeling input parameters for existing and future operations, computer model the noise exposure, and provide mitigation measures or operation changes as need. These projects included:

- San Diego International Airport relocation 2009
- NASA-Langley Aviation Environmental Design Tool 2008
- NAS Lemoore, MCBH Kaneohe Bay, NAS Fort Lauderdale, NAF El Centro, NAWS China Lake, Camp Schwab, MCAGCC 29 Palms, MCAS Futenma, MCAS Iwakuni, NAS Fallon 2005-2011
- Gila Bend aircraft run-up noise control 2006
- Hospital helipad noise control for Seattle Children's Hospital 2005

I provided measurements, analysis, calculations, and mitigation of noise and vibration of exterior transportation for numerous projects. This work required engineering judgement for planning the project, determining the measurements required for evaluation and performing the measurements, calculations and predictions of traffic/rail/subway noise and vibration impacts, and determine mitigation measures. This work was performed for clients including VAE Group, Watt Developers, McGough Development, MBK Homes, John Laing Homes, R&A Associates, William Lyon Homes, KB Homes between 1995 and 2011

I performed sound propagation studies which included field measurements, predictions of noise levels, and validation of sound computer models. These projects included:

- Measurements and computer noise model verification of the SoundPlan© noise model for Walt Disney Imagineering for use in theme park noise control, 1997-1998
- San Francisco International Airport low frequency sound propagation measurements and analysis of airport impact on local community 2001-2002

I performed analysis and mitigation of noise and vibration from test facilities which required noise/vibration measurements inside and outside each facility, comparison of exterior noise/vibration levels with code requirements, calculation of expected noise reduction through facility building envelopes or vibration transmissibility, and developing mitigation measures to reduce noise/vibration to code requirements or acceptable levels. These projects included:

- Reduction of noise from Wyle ballistic test facility impacting neighboring residences 1999
- Boeing Thermal Vacuum test facility noise and vibration control to reduce noise exposure on workers 2002-2003
- Wyle San Bernardino rocket test facility noise and vibration control 2009-2010

I managed and oversaw measurements, analysis, and mitigation for special projects in noise and vibration evaluation and control, all of which required engineering examination of existing conditions, measurements of noise and/or vibration including ambient conditions, and provide mitigation measures. These projects included:

- Vibration control for Cal Tech laser facility 1998
- Los Angeles Metropolitan Transportation Authority bus pass-by measurements per SAE J366 1999
- California Department of Recreation Off-Highway Vehicle Department measurements of off-highway vehicles per SAE J1287 and EPA F76a 2001-2003
- Instrumentation of a DC-10 for Raytheon to document noise and vibration effects of variable flight parameters 2006

I provided technical support and engineering for environmental and industrial noise programs (measurements, analysis, calculations, computer modeling, and mitigation) including Centinela Hospital power plant noise, Lincoln Avenue pump noise, Bakersfield gas pipeline, Southern California Edison transformer noise measurements and noise control, Nuway car wash, Kowaco centrifuge, El Segundo Police gun range between 1998-2011

I designed and engineered noise monitoring systems, early warning systems, and paging systems including measurements of ambient conditions and design for systems to meet the client's goals at Chicago O'Hare International Airport, General Mitchell International Airport, Lockheed Martin Padukah Kentucky plant, and San Onofre Nuclear Power Plant between 1996 and 2005.

Attachment 9

County Building Official's Recommendation
Letters Certification for individual applicant



County Administration South

601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey

ORANGE COUNTY
OC Public Works
MEMORANDUM

To: Orange County Planning Commission
From: Hadi Tabatabaee – County Building Official
Date: October 13, 2021
Subject: Acoustical Consultant Certification for Stephen A. Martin

Dear Esteemed Commissioners:

The County maintains a list of Certified Acoustical Consultants who have met a minimum set of educational and professional requirements and are authorized to perform work and provide professional expertise in preparing Noise/Acoustical analyses for CEQA documentation and other instances where the services of a Professional Acoustical Consultant is required.

Periodically, the County solicits qualified individuals to apply for inclusion on the County's certified list through an established certification/re-certification process. Part of that process involves a review of the applicant's professional qualifications and ultimately, appearance before and certification by the Planning Commission.

After thoroughly reviewing the application and qualifications of Stephen A. Martin, P.E., I have determined that he meets the minimum required qualifications, and it is my pleasure to recommend that Mr. Martin be certified to the County's Certified Acoustical Consultant list for a period of five years, commencing on October 14, 2021 through February 28, 2026.

Respectfully,

Hadi Tabatabaee
Building and Safety Manager/Building Official
OCPW Development Services

Attachment 10

Draft County's Certified Acoustical
Consultants List effective October 14, 2021



County Administration South

601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey



- ☐ (DRAFT) Orange County Public Works
- ☐ 2021-2026 Certified Acoustical Consultants List
- ☐ *Effective October 14, 2021*

1. Robert Kahn, P.E.
RK Engineering Group, Inc.
4000 Westerly Place Suite 280
Newport Beach CA 92660
Office (949) 474-0809
Fax (949) 474-0902
Email: rk@rkengineer.com
www.rkengineer.com
2. Fred Greve, P.E.
Greve & Associates, LLC
2915 Calle Frontera
San Clemente, CA 92673
(949) 466-2967
fred@greveandassociates.com
www.greveandassociates.com
3. Bill Lawson, P.E.
41 Corporate Park, Suite 300
Irvine CA 92606
(949) 660-1994 x203
Email: blawson@urbanxroads.com
www.urbanxroads.com
4. Paul H. Dunholter, P.E.
BridgeNet International
20201 S.W. Birch St. Suite #250
Newport Beach CA 92660
Office: (949) 250-1222 Ext. 22
Fax: (949) 2250-1225
Email: pauld@airportnetwork.com
www.airportnetwork.com
5. Stephen Allen Martin, P.E.
Veneklasen Associates, Inc.
1711 16th St.
Santa Monica, CA 90404
Office: (310) 450-1733
<http://www.veneklasen.com/>

All County Certified Acoustical Consultants were certified as per Exhibit V-9 of the County's Land Use/Noise Compatibility Manual. Application Reference: PA20-0255 (January 27, 2021), PA21-0166 (October 13, 2021).